

# APPLICATION FOR CERTIFICATE OF NONCONFORMITY

## MANDATORY SUBMISSION ITEMS & APPLICATION CHECK LIST

Township of Livingston Land Use Section §170-89 & Ordinance 33-2009

1. The Applicant shall submit to the Planning Department 15 copies of the completed Application Form (attached) along with 15 copies of any evidence or documents supporting the claim of Nonconformity.
2. All evidence must pre-date the specific ordinance restricting the use.
3. Each application package must be **collated and stapled in sets with evidence arranged in chronological order.**
4. Examples of accepted evidence or documentation of proof supporting a claim of Nonconformity include, but are not limited to:
  - Property Record Card
  - Certificate of Occupancy
  - Building Permits
  - State History Cards
  - Mercantile Licenses
  - Rent Control Filing Records
  - Landlord Registration Statements
  - Fire Code Inspection Reports
  - Previously Recorded Deeds
  - Advertisements or Telephone Directly Listings
5. Applicants are not precluded from submitting personal documents which may support the claim of Nonconformity. Applicants are cautioned however, that this category of documents may or may not be accepted by the Zoning Board. Examples include, but are not limited to:
  - Property Survey
  - Utility Bills
  - Lease Agreements and/or Rent Receipts
  - Fire and/or Flood Insurance Policies
  - Private Inspection Reports
  - Third Party Affidavits
6. The Planning Department has statutorily 45 days to review the application package. Additional information may be required, at which point the Applicant will be contacted by the Planning Department. Once the application is deemed complete, the Applicant will be scheduled for the next available hearing date.
7. Once the hearing date is set, Notice of Hearing must be placed in the newspaper of record (West Essex Tribune) **ten (10) days** prior to hearing date. Return notarized Affidavit of Publication (issued by the West Essex Tribune with copy of Public Notice article) to the Planning office for the file.
8. Provide all property owners within 200 feet of property with the ***Zoning Board of Adjustment Notice of Hearing*** letter via hand delivery or via Certified US Mail. Complete and notarize ***Affidavit of Service of Notice*** including signatures of all property owners that received the letter via hand delivery and/or provide original receipts of all Certified US Mail recipients. Form can be notarized at Town Hall.
9. List of names and addresses of persons having 10% interest or more in the applicant, corporation or partnership (if applicable).
10. Fees as required by Ordinance – \$300.00 Application Fee and \$500.00 Escrow Fee



# APPLICATION FOR CERTIFICATE OF NONCONFORMITY

<b>DATE OF SUBMISSION</b>	<b>APPLICATION NUMBER</b>
<b>PLANNING DEPT FEES PAID</b>	<b>FOR OFFICE USE</b>

**BLOCK** \_\_\_\_\_ **LOT(S)** \_\_\_\_\_ **ZONE** \_\_\_\_\_

**PROPERTY ADDRESS** \_\_\_\_\_

**APPLICANT** \_\_\_\_\_ **TELEPHONE** \_\_\_\_\_

**ADDRESS** (if different from above) \_\_\_\_\_ **EMAIL** \_\_\_\_\_

**PROPERTY OWNER** (if different from above) \_\_\_\_\_

**ADDRESS** \_\_\_\_\_

**PROFESSIONAL(S) REPRESENTING APPLICANT** \_\_\_\_\_

**ADDRESS** \_\_\_\_\_ **TELEPHONE** \_\_\_\_\_

\_\_\_\_\_ **EMAIL** \_\_\_\_\_

**PRESENT USE** \_\_\_\_\_

**CERTIFICATE OF NONCONFORMITY BEING SOUGHT FOR NONCONFORMING:**

USE                       STRUCTURE                       BOTH

**Explain in detail the present nature of the nonconformity (attach additional sheets if necessary)** \_\_\_\_\_

\_\_\_\_\_

List the types of evidence supporting the claim of nonconformity (attach said evidence hereto)

1. \_\_\_\_\_

2. \_\_\_\_\_

3. \_\_\_\_\_

4. \_\_\_\_\_

I hereby affirm that all of the above statement and statements contained in the papers submitted herewith are true.	I hereby affirm that I am the owner of the premises involved in this application and that I consent to the filing of the application.
_____ <i>Signature of Applicant</i> <i>Date</i>	_____ <i>Signature of Owner</i> <i>Date</i>
_____ <i>Address</i>	_____ <i>Address</i>