

**FAILURE TO COMPLETE ANY NECESSARY FORM, OR TO  
SUBMIT ANY REQUESTED INFORMATION, WILL RESULT IN  
THE APPLICATION BEING DEEMED INCOMPLETE.**

**HOW TO FILE YOUR USE VARIANCE APPLICATION**

No later than 30 days prior to an anticipated hearing date, the Applicant must file with the Secretary of the Joint Land Use Board of the Township of Harrison, the following:

**30 DAYS BEFORE THE DESIRED HEARING DATE:**

1. Eighteen (18) copies of the **NOTICE OF APPEAL (USE VARIANCE)**. The original form must be signed and notarized.
2. Eighteen (18) copies of the **PLANS**. (See #7 on the **NOTICE OF APPEAL**).
3. **REQUIRED FEES:**
  - A. \$300.00 “USE” Variance application fee; separate check.
  - B. \$3,000.00 “ESCROW” Fee for Use Variance; separate check.

**TEN DAYS PRIOR TO THE MEETING DATE:**

1. Two (2) copies of the **AFFIDAVIT OF PROOF OF SERVICE** form signed and notarized with **attached postmarked receipt stubs for certified mail**. Make sure you use a current 200’ Property Owners List\* certified within 60 days of the date of notice.
2. Two (2) copies of the completed **NOTICE OF HEARING TO PROPERTY OWNERS**.
3. Proof of publication of the **NOTICE OF HEARING** form in the **GLOUCESTER COUNTY TIMES**. You may provide such proof either by submitting the full page from the Gloucester County Times exhibiting the published Notice of Hearing form or by securing an Affidavit of Publication from the Gloucester County Times.
4. Evidence that all municipal real estate taxes, charges and liens or assessments for local improvements for the property have been paid and are not delinquent.

\*A fee of \$10.00 shall be charged for the preparation of the two hundred (200) foot property list of current home owners, from the Assessor’s Office (names and addresses) of the Township of Harrison and required by the Applicant in writing.

**NOTICE OF APPEAL**

The form entitled "NOTICE OF APPEAL" must be completed in detail by the Applicant, signed by all property owners and notarized.

- A. Type or print the required information.
- B. Section 2 – Give plot, lot and block number and street address on location line.
- C. Section 3 – If this is an appeal from an action of the Building Inspector or other municipal agent or agency, complete in detail.
- D. Section 4 – Cite sections and provisions of Zoning Ordinance from which relief is sought.
- E. Section 5 – Explain reasons and grounds for which action should be granted, be specific.

### **NOTICE OF HEARING FORM**

The form entitled "NOTICE OF HEARING" must be completed by the Applicant and published and served on property owners.

#### **I. COMPLETING FORM**

Type or print legibly the following information on the form:

- A. After "Applicant" enter the name of the individual or entity filing the application.
- B. After "Property Affected" enter the street address, if any, and the lot and block number from the tax map, of the property which is subject to the application.
- C. After "Nature of Application" enter a statement indicating the exact type of relief sought. You must make this statement sufficiently precise so that all parties entitled to receive this notice are adequately informed concerning the nature of the application.

#### **II. SERVICE ON PROPERTY OWNERS**

A copy of the completed "NOTICE OF HEARING" form must be served, at least ten (10) days before the hearing date, on the owners of all real property located within 200 feet in all directions from the property, which is the subject of the application.

- A. The owners of real property, within 200 feet of the subject property, are determined by the current tax assessment lists, in the Township Office. You may secure this information by requesting in writing a certified list from the Tax Assessor. This list will be

supplied within seven (7) days after submission of request and payment of a fee of \$10.00.

B. The Applicant must provide for service of the “NOTICE OF HEARING” form on all property owners within 200 feet by one of two methods:

1. Hand deliver to the property owner, and no one else. Property owner must sign a receipt.
2. Mailing the Notice to the property owner by CERTIFIED MAIL, return receipt requested, to his or her address as shown on the tax assessment list. **An Affidavit of Service with attached white certified receipts (postmarked by the U.S. Post Office) must be provided to the Board Secretary ten (10) days prior to the meeting date.**

The delivery or mailing of the Notice may be done by the Applicant or anyone over 18 years of age.

### III. SPECIAL SERVICE REQUIREMENTS

A copy of the completed “NOTICE OF HEARING” form must be served at least ten (10) days before the hearing date, by hand delivery or Certified Mail on the Clerk of an adjoining municipality, if your property is within 200 feet of the Township line.

If your property is adjacent to an existing or proposed county road or adjacent to county owned land or is within 200 feet of an adjoining municipality, service is to be made on the GLOUCESTER COUNTY PLANNING BOARD, Administration Building, Delsea Drive, Clayton, New Jersey 08312.

If your property is adjacent to a state highway, service must be made on the NEW JERSEY COMMISSIONER OF TRANSPORTATION, 1035 Parkway Avenue, Trenton, New Jersey 08625.

If your property exceeds 150 acres or involves more than 500 dwelling units, service is to be made on the DIRECTOR OF DIVISION OF STATE AND REGIONAL PLANNING, DEPARTMENT OF COMMUNITY AFFAIRS, 329 West State Street, P.O. Box 276B, Trenton, New Jersey 08625.

### IV. PUBLICATION

A completed “NOTICE OF HEARING” form must be published by the Applicant, at his expense, in the GLOUCESTER COUNTY TIMES (the Township’s Official Newspaper). Publication must take place at least ten (10) days before the hearing date on which the application will be heard.

THE GLOUCESTER COUNTY TIMES usually requires that the Notice must be delivered to them two (2) days or more before the desired date.

V. PLOT PLAN OR SKETCH OF PROPERTY

Eighteen (18) copies of the Existing Conditions Plan, Proposed Conditions Plan and Floor Plan (#7, A, B and C - NOTICE OF APPEAL), signed and sealed by the appropriate professional, must be submitted with the NOTICE OF APPEAL.

VI. HEARING

All hearings are open to the public. You should be prepared to present relevant testimony, under oath, and relevant documentary evidence. You have the responsibility of showing that your application deserves to be approved.

If you fail to appear, the Board may dismiss your case and written notice will be sent to you of the dismissal.

Any interested party may cross-examine you or your witnesses and present testimony and evidence objecting to your appeal.

The Board may take up to 120 days, from the date of filing a complete application to make a decision.

A “bulk” variance requires a majority vote of the Board members present. A “use” variance requires five (5) affirmative votes, even where all seven (7) members of the Board are not present.

Upon memorialization of the resolution of decision by the Joint Land Use Board, it will publish a “NOTICE OF DECISION” in the GLOUCESTER COUNTY TIMES and will furnish a copy of the decision to you or your attorney, if represented.

VII. EXPIRATION OF VARIANCE

Any variance of the terms of the Zoning Ordinance granted by the Joint Land Use Board permitting the erection or alternation of any structure or structures, or permitting a specified use of any premises shall expire by limitation unless such construction or alteration shall have been actually commenced on each and every structure permitted by said variance, or unless such permitted use has actually been commenced, within one (1) year or if extended by the Board, 18 months from the date of publication of the notice of the judgment or determination of the Board; except, however, that the running of the period of limitation herein provided shall be tolled from the date of filing an appeal from the decision of the Joint Land Use Board to the governing body, or to a court of competent jurisdiction, until the termination in any manner of such appeal or proceeding.