

**PROCEDURE IN APPEALING TO THE  
BOARD OF ADJUSTMENT OF THE  
BOROUGH OF SADDLE RIVER, NEW JERSEY**

**REQUEST FOR VARIANCE**

1. Make application in writing to the Zoning Officer for the use or construction desired.
2. If not permissible under the Zoning Ordinance, the Zoning Officer will issue a written disapproval of the application. (Denial, Refusal of Permit)
- 3A. Upon issuance of the denial of the application by the Zoning Officer, applicant shall obtain a list of all neighboring property owners within 200 feet of the entire property in question, including the owners of all property outside the Borough. **Whenever a governmental agency is the owner of property within 200 feet, you must serve that agency.**

In connection with the neighboring property located in the Borough of Saddle River, the Tax Collector may, at his or her discretion, and without assuming any liability, render such assistance as may be needed. The charge for a 200' list is \$10.00.

In connection with neighboring properties outside of the Borough of Saddle River, applicant is advised to consult with the Tax Collector, or the duly designated agent in the adjacent municipality, to obtain the names of property owners within 200 feet of the property in question. The said list should contain the lot and block numbers of all such neighboring properties within 200 feet of the property for which the variance is sought.

- 3B. For the completeness review (prior to deeming the application complete and all submittal of full fifteen (15) sets of plans and application, applicant shall submit (3) complete sets for the completeness review (including subsequent submittals) until application is deemed complete.
- 4A. When the application is deemed complete, applicant shall submit fifteen (15) completed copies of Form #1, Notice of Appeal, to be filed with the Board of Adjustment Secretary. At the time of filing, applicant shall pay a fee and post escrow with a certified check, cash or check. Notarization where called for on the Notice of Appeal shall be completed prior to the time of filing.

Along with the **Notice of Appeal ( Form #1)**, applicant shall also file fifteen (15) copies of a survey plan of the premises in question, certified by a licensed professional engineer or civil engineer or surveyor of New Jersey, showing all buildings located thereon, all lot dimensions and setbacks from the front, rear and side lines of the property and percentage of total lot coverage. **ALSO INCLUDE ELEVATIONS.** If there have been any changes in the survey since the date of the original survey, applicant shall furnish an explanation of said changes. Applicant shall also file fifteen (15) copies of the Building Inspector's written denial of the use or construction desired.

\*\*\*\*\***ALL SUBMITTED PLANS AND PAPERWORK MUST BE COLLATED**\*\*\*\*\*

- 4B. Applications may also be heard: (1) to review any alleged error, in any order, requirement, decision or refusal made by any administrative officer of the Borough of Saddle River based on or made in the enforcement of the zoning ordinance; (2) to hear and decide requests for interpretation of the zoning map or ordinance or other special questions related to the zoning ordinance or zoning map; and (3) for certificates of prior nonconformity pursuant to N.J.S.A. 40:55D-68.

**Notice is required for all Board of Adjustment applications.** The applicant shall submit 15 copies of an application setting forth the special question, appeal or interpretation raised detailing the ordinance, map or other regulation in question and including all matters relevant to such determination: i.e., zoning ordinance section, prior ordinance, if applicable, surveys, site plans or maps that will clearly illustrate the problem raised. Where a prior legal nonconforming use, or structure is alleged, the applicant shall have the burden of proving the prior legal nonconformity.

5. Serve one (1) copy of the **Notice of Hearing** (Form #5) upon each property owner within 200 feet of the property in question. Service shall be made:
- (a) By sending a copy of the notice by **certified, return receipt requested mail** to the last known address of the owners as shown by the most recent tax lists; or
  - (b) By serving on the property owners as shown on the said current tax duplicate or his agent in charge of the property.
6. If the property in question is within 200 feet of an **adjacent municipality**, a copy of **Notice of Hearing** (Form #5) must be sent by registered or certified mail to:
- (a) **The Clerk of each such adjacent municipality; and**
  - (b) To the Bergen County Planning Board.
7. All Notices must be served no later than ten (10) days before the date of the hearing. The applicant shall file an affidavit of service with the Board Secretary no later than ten (10) days before the hearing. The affidavit shall state the names, addresses and tax lot and block number for each property owner served and the address at which any required serving was made upon the Clerk of adjoining municipalities or the County Planning Board.
- Form #3 is suggested as a form of such affidavit of service. At the time of the filing of the appeal, Forms #1, #2, #3 and #5 must likewise be filed with the Board Secretary. All documents must be collated.
8. The Board regularly meets on the third (3rd) Wednesday of each month and hearings convene at **7:00 p.m.** unless a different time shall be fixed by the Board.\*\* Work Sessions are held immediately following the Regular Meeting; and are open to the public.

This information is furnished to applicants so that they may be able to guide themselves in connections with the time limits for service of the Notices as set forth in these instructions; namely, not less than (10) days prior to the meeting scheduled for that month.

**ABSOLUTE REQUIREMENT: Proof of Taxes** (Form #4) must be **certified** by the Tax Collector and included with this application.

**Should you have any questions concerning the application, you may contact the Board Secretary, Cindy Kirkpatrick at 201-327-2609 Ext 226 or [ckirkpatrick@saddleriver.org](mailto:ckirkpatrick@saddleriver.org) during regular business hours.**

**FORM #1**

**NOTICE OF APPEAL  
SADDLE RIVER BOARD OF ADJUSTMENT**

Appeal is hereby made from the decision of the Zoning Office \_\_\_\_\_ alleged to be in violation of Section \_\_\_\_\_ of the Zoning Ordinance to:

( ) Erect: \_\_\_\_\_

( ) Alter : \_\_\_\_\_

( ) Extend: \_\_\_\_\_

( ) Change use of: \_\_\_\_\_

( ) Interpret: \_\_\_\_\_

( ) Other: \_\_\_\_\_

in accordance with plans filed herewith.

**DESCRIPTION OF:**

Proposed \_\_\_\_\_

Existing Building \_\_\_\_\_

Premises known as Block \_\_\_\_\_ Lot \_\_\_\_\_ Zone District \_\_\_\_\_

Street Address: \_\_\_\_\_ Telephone No. \_\_\_\_\_

Applicant: \_\_\_\_\_ Address: \_\_\_\_\_

Owner: \_\_\_\_\_ Address: \_\_\_\_\_

\_\_\_\_\_  
Primary Email Address

\_\_\_\_\_  
Alternate Email Address

Size of lot \_\_\_\_\_ Corner or Interior \_\_\_\_\_

On how many streets does lot have frontage? \_\_\_\_\_

Size of Building \_\_\_\_\_ feet width \_\_\_\_\_ feet depth  
(at street level)

Height of Building \_\_\_\_\_ stories, \_\_\_\_\_ feet

Set back from front property line \_\_\_\_\_ feet. From side line if corner lot

\_\_\_\_\_. Other details not provided for in foregoing \_\_\_\_\_

Has there been any previous appeal involving these premises \_\_\_\_\_. If

so state (a) Date filed \_\_\_\_\_ (b) Character of Appeal \_\_\_\_\_

\_\_\_\_\_. (c) Disposition \_\_\_\_\_

The grounds of appeal, interpretation or variation desired and reasons for same  
as follows:

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Applicant shall attach hereto survey, Plot Plan, computations and elevations,  
together with all other exhibits to be considered by the Board, and shall state  
specifically if there are any changes in any of these documents made after they  
were prepared, setting forth said changes as follows: \_\_\_\_\_

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I hereby depose and say that all the above statements and statements made in any  
papers submitted herewith are true.

Sworn to before me this \_\_\_\_\_

day of \_\_\_\_\_

\_\_\_\_\_  
Notary Public

Applicant's Signature \_\_\_\_\_

Address \_\_\_\_\_

Email Address \_\_\_\_\_

**Form #2**

(Complete one of the below as applicable)

**AFFIDAVIT OF OWNERSHIP**

State of New Jersey  
County of Bergen

\_\_\_\_\_, of full age, being duly sworn according to law, on his oath  
deposes and says that s/he owns \_\_\_\_\_  
in the County of \_\_\_\_\_ and State of \_\_\_\_\_, that  
he/she is the owner in fee of all that certain lot, piece or parcel of land  
situated, lying and being in the Borough of Saddle River aforesaid, and known and  
designated as Block \_\_\_\_\_, Lot \_\_\_\_\_ and that the statements contained in  
this application are true.

\_\_\_\_\_  
Owner Signature

Sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 202\_.

\_\_\_\_\_  
Notary Public

**AFFIDAVIT OF AUTHORIZATION**

State of New Jersey  
County of Bergen

\_\_\_\_\_ of full age, being duly sworn according to law,  
on his oath deposes and says that he/she owns \_\_\_\_\_  
in the County of \_\_\_\_\_ and State of \_\_\_\_\_,  
that he/she is the owner in fee of all that certain lot, piece or parcel of land  
situated, lying and being in the Borough of Saddle River aforesaid, and known and  
designated as Block \_\_\_\_\_ Lot \_\_\_\_\_ and that he/she  
authorizes \_\_\_\_\_ to make the within application to the Board on his/her  
behalf and that the statements contained in said application are true.

\_\_\_\_\_  
Owner Signature

Sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 202\_.

\_\_\_\_\_  
Notary Public

**FORM #3**

**AFFIDAVIT OF SERVICE**

**STATE OF NEW JERSEY**

**COUNTY OF BERGEN**

\_\_\_\_\_, of full age,  
being duly sworn according to law, deposes and says:

That he/she owns \_\_\_\_\_ in the  
Borough of Saddle River, in the County of Bergen and State of New Jersey.

That he/she served copies of appeal to the Saddle River Board of Adjustment  
upon the persons whose names appear on the list annexed hereto and made a part  
hereof, which service was made at the times indicated on said list and in the  
manner indicated on said list.

Affiant also served copies of Notice of Hearing by certified mail, return  
receipt requested, upon the property owners shown on said list as appears from  
return receipts annexed to said list.

The notice served upon the property owners was set forth in Form #2 of the  
Board of Adjustment of the Borough of Saddle River.

Sworn to before me, this \_\_\_\_\_  
day of \_\_\_\_\_

\_\_\_\_\_  
Notary Public

Signature

**FORM #4**

**PROOF OF CURRENT TAXES**

**MEMORANDUM**

DATE: \_\_\_\_\_

RE: BLOCK \_\_\_\_\_ LOT \_\_\_\_\_

Property Owner: \_\_\_\_\_

Location: \_\_\_\_\_

Property taxes on the above property have been paid through \_\_\_\_\_

\_\_\_\_\_  
Linda Canavan, CTC  
Tax Collector

\*\*\*\*\*SAMPLE\*\*\*\*\*

NOTICE OF HEARING

Pursuant to the provisions of the Municipal Code of the Borough of Saddle River and provisions of N.J.S.A 40:55d-12, notice is hereby given that (**name of applicant**), owner(**if not owner, describe the applicant’s interest in the property, such as tenant or contract-purchaser**) of the property commonly known as (**street address**), Saddle River, New Jersey 07458, also known as Lot (**lot number**)in Block (**block number**)on the tax assessment map of the Borough of Saddle River, has filed an application with the Zoning Board of Adjustment of the Borough of Saddle River seeking a variance from the provisions of the Zoning Ordinance of the Borough of Saddle River which regulate (**nature of all relief requested, such as “side-yard setback” or “lot coverage” or “disturbance in non-disturbance zone”**) in the (**zone in which the property is located**)Z The applicant wishes to (**insert a description of the work proposed or work already completed for which approval is sought and the nature of all variances sought, such as “construct an addition to an existing single-family home with a side-yard setback of 22 feet where 40 feet is required” or “building coverage of \*% where only \*% is permitted” or “permit the construction of a driveway which will encroach in the non-disturbance zone”**)

In addition to the foregoing, the applicant will also seek any and all other variances, waivers, deviations or exceptions the Board deems to be required.

A copy of the application and related documents are on file in the Office of the Secretary to the Board, Saddle River Municipal Building, 100 East Allendale Road, Saddle River, NJ 07458, and may be inspected by members of the public, weekdays, during regular business hours between 9:00am and 3:00pm.

A public hearing with respect to this application has been scheduled for Wednesday, (**date of public hearing**)\*, at 7:00PM, at the Saddle River Municipal Building, 100 East Allendale Road, Saddle River, NJ 07458, or as soon thereafter as the matter can be heard. All interested parties are invited to appear and be heard at that time.

**Name of Applicant**  
**Address of Applicant**

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INFORMATION FOR APPLICANTS

The above notice must be completed and served upon all persons and entities appearing on the list provided by the Tax Assessor, and published in The Record on one occasion, at least 10 days prior to the public hearing. If you have questions concerning the completion of this form, or the manner in which service and publication is to be accomplished, please contact the Board Secretary or the Board Attorney, Doreen Winn, Esq., at:

**Doreen E. Winn, Esq.**  
**39 W. Wildwood Road**  
**Saddle River, NJ 07458**  
**201-327-2131 phone**  
**201-236-3821 fax**  
**doreenwinnlaw@gmail.com**



**100 E. Allendale Rd., Saddle River, NJ 07458**  
**(201) 327-2609 Ext. 228**  
**(201) 327-0168 FAX**

APPLICATION FOR 200 FT. LIST

FEE: \$10.00

DATE: \_\_\_\_\_

APPLICANT'S NAME: \_\_\_\_\_

APPLICANT'S ADDRESS: \_\_\_\_\_  
\_\_\_\_\_

APPLICANT'S TELEPHONE: \_\_\_\_\_

APPLICANT'S FAX NO: \_\_\_\_\_

BLOCK: \_\_\_\_\_ LOT: \_\_\_\_\_

SUBJECT'S NAME: \_\_\_\_\_

SUBJECT'S PROPERTY ADDRESS: \_\_\_\_\_  
\_\_\_\_\_

REASON FOR APPLICATION: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_