

**APPLICATION TO  
BOROUGH OF UPPER SADDLE RIVER  
PLANNING BOARD**

**SECTION I.**

PLEASE PROVIDE THE FOLLOWING INFORMATION:

1. Name of Applicant(s): DR. KENNETH SCHMIDT  
Telephone #: 201-412-8321 Fax#: \_\_\_\_\_ E-Mail captkenmd@gmail.com
2. Address of Applicant(s) 5 SPRUCE HOLLOW RD., UPPER SADDLE RIVER, NJ  
07458
3. Applicant is a: Corporation \_\_\_\_\_ Partnership \_\_\_\_\_ LLC \_\_\_\_\_ Individual X

**DISCLOSURE STATEMENT** N/A

Pursuant to N.J.S. 40:55D-48.1, the names and addresses of all persons owning 10% of the stock in a corporate applicant or 10% interest in any partnership applicant must be disclosed. In accordance with N.J.S. 40:55D-48.2 that disclosure requirement applies to any corporation or partnership which owns more than 10% or more interest in the applicant followed up the chain of ownership until the names and addresses of the non-corporate stockholders and partners exceeding the 10% or more ownership criterion have been disclosed. (Attach pages as necessary to fully comply).

Name: \_\_\_\_\_ Address \_\_\_\_\_ Interest \_\_\_\_\_

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4. Name, Address and Telephone/Fax Number of Applicant's Attorney: N/A
5. Name, Address & Telephone/Fax Number of Applicant's Engineer: SCHWANWEDE/HALS  
ENGINEERING 9 POST RD., SUITE M11, OAKLAND, NJ 07436  
201-337-0053
6. Name and Address of Owner of Premises: SAME AS APPLICANT  
(If other than applicant, consent of owner must be obtained and Sec 27, must be completed.)

7. Relationship of Applicant to Owner of Premises: N/A

8. The property which is the subject of this application is known as  
Block # 1210 Lot # 2  
Address: 12 OAK DRIVE  
UPPER SADDLE RIVER, NJ 07458

9. The size of lot 0.845 acres.

10. Restrictions, covenants, easements, association by-laws, existing or proposed on the property:  
Yes (attach copies) \_\_\_\_\_ No X Proposed \_\_\_\_\_

11. Present use of the premises: RESIDENTIAL

12. Description of proposed change: NO CHANGE

13. The Zoning District in which the property is located: R-1

14. Date of Acquisition of Property (owner): MARCH 2017

15. Description of present structure: SINGLE FAMILY DWELLING

16. Size of present structure(s) footprint N/A S.F.

17. Size of proposed addition footprint: N/A  
(dimensions) \_\_\_\_\_ S.F. (height) \_\_\_\_\_ (no. of stories) \_\_\_\_\_

18. <u>N/A</u>	Current Structure	Proposed Structure	Requirements per Zoning Ordinance
Left Side Yard Setback	_____	_____	_____
Right Side Yard Setback	_____	_____	_____
Front Yard Setbacks	_____	_____	_____
Rear Yard Setbacks	_____	_____	_____
% of Building Coverage	_____	_____	_____
% of Improvement Coverage	_____	_____	_____
Height	_____	_____	_____

**19. APPLICATION REPRESENTS A REQUEST FOR THE FOLLOWING:**

**SUBDIVISION:**

N/A

\_\_\_\_\_ Minor Subdivision Approval

\_\_\_\_\_ Subdivision Approval (Preliminary)

\_\_\_\_\_ Subdivision Approval (Final)

Number of lots to be created \_\_\_\_\_ Number of proposed dwelling units \_\_\_\_\_  
(including remainder lot) (if applicable)

**SITE PLAN:**

\_\_\_\_\_ Minor Site Plan Approval

\_\_\_\_\_ Preliminary Site Plan Approval (Phases (if applicable) \_\_\_\_\_)

Final Site Plan Approval (Phases (if applicable) \_\_\_\_\_)  
Request for Waiver From Site Plan Review and Approval  
Reason for request: \_\_\_\_\_

- \_\_\_\_\_ Appeal decision of an Administrative Officer (N.J.S. 40:55D-70a)
- \_\_\_\_\_ Map or Ordinance Interpretation of Special Question (N.J.S.40:55D-70b)
- \_\_\_\_\_ Variance Relief (hardship) (N.J.S. 40:55D-70c(1))
- \_\_\_\_\_ Variance Relief (substantial benefit) (N.J.S. 40:55D-70c(2))
- \_\_\_\_\_ Variance Relief (use) (N.J.S. 40:55D-70d)
- \_\_\_\_\_ Conditional Use Approval (N.J.S. 40:55D-67)
- \_\_\_\_\_ Total Number of Variances Requested

20. Section(s) of Borough Ordinance from which a variance is requested: N/A

21. Waivers Requested of Development Standards and/or Submission Requirements: (attach additional pages as needed) N/A

**SECTION II.**

22. Does the current owner or the applicant now own or have any interest in any other property which adjoins the property which is the subject of this application?

Yes \_\_\_\_\_ No X

If yes, describe the property by Block \_\_\_\_\_ and Lot \_\_\_\_\_

23. Has the property which is the subject of this application been the subject of any previous appeal, request, or application to this or any other Borough Boards or the Constructional Official?

Yes X No \_\_\_\_\_

If yes, state the nature, date and the disposition of said matter and attach any prior resolutions.

MAY 2017 - PERMITS FOR NEW SEPTIC, ROCK WALL IN REAR YARD, DRIVEWAY, DECK. ALL WORK APPROVED.  
MAY 2019 - PERMIT FOR ADD LEVEL, RENOVATION WORK, NEW PORCH. ALL WORK APPROVED.  
**SECTION III.** SEPT. 2019 - PERMIT FOR GENERATOR. ALL WORK APPROVED.

24. Explain in detail the exact nature of the application and the changes to be made at the premises, including the proposed use of the premises.

CONSTRUCTION OF DRIVEWAY LIGHT PIERS WITH SETBACKS OF 0.00' AND 0.25', RESPECTIVELY. REQUIRED MINIMUM SETBACK IS 2'. THERE IS NO CHANGE TO THE PROPOSED USE OF PREMISES.

25. Set forth any exceptional conditions of the property preventing the applicant from complying with the zoning ordinance.

DUE TO TOPOGRAPHY CONDITIONS OF THE FRONT YARD, THE CURRENT LOCATION OF DRIVEWAY PIERS IS MORE AESTHETICALLY APPROPRIATE. 7

26. Supply a statement of facts showing why relief can be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the zone plan and zoning ordinance.

CURRENT PLACEMENT OF PIERS ALLOWS FOR CLEAR VISIBILITY IN BOTH DIRECTIONS FROM THE END OF THE DRIVEWAY. PIERS ARE LOCATED FAR ENOUGH FROM CURB SO AS TO ALLOW MOTORISTS ON OAK DRIVE TO HAVE UNIMPEDED VIEWS IN BOTH DIRECTIONS. POSITION OF PIERS DOES NOT IMPEDE INGRESS OR EGRESS OF VEHICLES. VARIANCE FROM ZONING CODE IS DE MINIMUS, AND DOES NOT SUBSTANTIALLY IMPAIR THE INTENT/PURPOSE OF THE ZONING PLAN/ORDINANCE.

27. I certify that the foregoing statements and the materials submitted are true. I further certify that I am the individual applicant or that I am an Officer of the Corporate applicant and that I am authorized to sign the application for the Corporation or that I am a general partner of the partnership applicant.

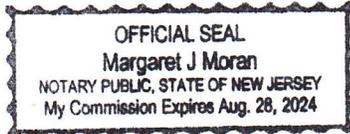
(If the applicant is a corporation this must be signed by an authorized corporate officer. If the applicant is a partnership, this must be signed by a general partner.)

Sworn to and subscribed before me this  
31 day of AUGUST, 2020

NOTARY PUBLIC

Kenneth A. Schmidt  
PRINTED NAME OF APPLICANT

Kenneth A. Schmidt  
SIGNATURE OF APPLICANT



28. I certify that I am the Owner of the property which is the subject of this application, that I have authorized the applicant to make this application and that I agree to be bound by the application, the representations made and the decision in the same manner as if I were the applicant.

(If the owner is a corporation this must be signed by an authorized corporate officer. If the owner is a partnership, this must be signed by a general partner.)

Sworn to and subscribed before me this  
31 day of AUGUST, 2020

NOTARY PUBLIC

Kenneth A. Schmidt  
PRINTED NAME OF APPLICANT

Kenneth A. Schmidt  
SIGNATURE OF APPLICANT

