

**NOTICE TO ALL APPLICANTS WHO WILL APPEAR BEFORE THE
BOROUGH OF MANASQUAN PLANNING BOARD WITH RESPECT TO A
VARIANCE APPLICATION**

You are hereby advised that as an applicant for a variance seeking relief from the terms and provisions of the Borough of Manasquan Zoning Ordinance that you will be expected to provide certain proofs to the Planning Board. These proofs are expected to be provided by you whether or not you intend to appear before the Board with an attorney. We do not want you to waste your time or money on an application that cannot be considered because you have not adequately prepared your case for presentation to the Planning Board.

The Planning Board will carefully consider all testimony and exhibits that you do provide, but will be paying particular attention to the statutory requirement that an applicant must demonstrate, specifically the following: that strict application of the Zoning Ordinance regulation for which a variance is sought will result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon you as the applicant which has been caused by either (a) exceptional narrowness, shallowness or shape of a specific piece of property; or (b) by reason of physical features uniquely effecting your specific property; or (c) by reasons of an extraordinary and exceptional situation that uniquely effects your particular piece of property or the structures that lawfully exist on your piece of property. Please note that in such a case, the alleged hardship must relate to the specific property that forms the subject of your application. The fact that your property is undersized for the Zone in which it is located will not by itself give you any right to variance relief.

As an alternative, in the event that you cannot prove undue hardship as discussed above, then you may proceed with a presentation of testimony and proofs that demonstrate that: the purposes of the Municipal Land Use Law will be advanced by the Board's approval of a variance from Zoning Ordinance requirements. You will have to demonstrate that the variance that you request can be granted without substantial detriment to the public good, and you must show that the benefits of approving the variance and the deviation from the Zoning Ordinance requirements will substantially outweigh any detriment that may be caused by the relief that you seek.

Additionally, you will be expected to prove that the variance requested will not substantially impair the intent and purpose of the Master Plan and Zoning Ordinance requirements of the Borough of Manasquan.

You, as applicant, bear the burden of proving that you have satisfied the above criteria.

If you fail to provide the proofs as outlined above, the Board will dismiss your application for failure of proof or, at the Board's discretion, the Board may, at your request, give you a continuance so you can engage a planner to provide testimony or other proofs that the Board may consider in support of your development application.

Please note that if title to your property is held in the name of a corporation, whether family owned or otherwise, it will be necessary for you to engage an attorney to present to the Board your application for a variance.

Lastly, it is the Board's practice to refer certain applications to its Professional Engineer and Planner for his/her comments. You should contact the Board Secretary to obtain a copy of that report and be prepared at the hearing to address its suggestions.

**Should you, as an applicant, have any questions concerning the above proofs, it is suggested that you contact the attorney for the Planning Board as follows:
Geoffrey S. Cramer, Esquire – PO Box #83, 2640 Route #70, Building #4,
Manasquan, New Jersey 08736. Telephone (732) 528-9700.**