

DEPARTMENT OF PLANNING AND ENGINEERING  
EAST BRUNSWICK DEVELOPMENT APPLICATION

Z - 20 - 03

TYPE OF APPLICATION \_\_\_\_\_  
(If additional space is required, attach a rider)

FEES \$

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1. Applicant's Full Name Arora & Arora Enterprise, Inc. Phone # [REDACTED]

2. Applicant's Mailing Address 1302 Aaron Road, North Brunswick, NJ 08902

2a. Email Address \_\_\_\_\_

3. Is Applicant a  Corporation  Partnership  Individual

3a. If Applicant is a Corporation or a Partnership, set forth the names and addresses of all stockholders having a 10% interest or more:

(name) Bikram Arora

(address) [REDACTED]

4. Does Applicant own all this property? Yes  No  (Consent attached)

5. If not, set forth names and addresses of owners of any property covered by this Application which are not owned by Applicant: N/A

6. As to all property described in answer to question #5, set forth, in detail, the nature and source of the local or beneficial right by which you claim right to prosecute this application.

The Applicant is the Owner of the Referenced Property

7. Location(street address) 376 Route 18

Block(s) 55.02 Lot(s) 6, 23 Zone(s) HC-2 Size 0.963 Acres

8. Present Use of Property Midas Auto (lot 6), Pre-owned Auto Sales (Lot 23)

9. Proposed Use of Property Auto Repair and Vehicle Painting (Lot 23)

10. Description of proposed structures or changes in existing structures  
Construction of an 1820 sq. ft. building addition to accommodate auto repair and painting.

11. Was this tract formerly subdivided? No  Yes  When 2012

12. Area of entire tract 0.963 acres, or \_\_\_\_\_ square feet

13. Applicant plans to develop property by:

Selling Lots Only

Constructing Houses to Sell At \$ \_\_\_\_\_

Other \_\_\_\_\_

14. Does site adjoin any county road No state highway Route 18

15. Location of nearest sanitary sewer Lot 6

(Sewerage system must be approved by the East Brunswick Sewerage Authority and/or Director of Health before Planning Board will review application.)

16. Location of nearest water utility line Lot 6

17. Are exterior utility systems to be installed on this site? N/A

         Propane Tanks          Transformers          Air Conditioning Units

18. Are there new streets, extension of municipal facilities or utilities involved in this development?

Yes          No   ✓  

19. If any variances are required, circle those sections of municipal land use law the variance comes under - A, B, C, or D.

20. Describe variance requested See attached.

\_\_\_\_\_

21. Section(s) of Zoning Ordinance from which variance(s) is requested

See attached

\_\_\_\_\_

22. Reasons for requesting variance(s) See attached

\_\_\_\_\_

23. Have there been any previous Board of Adjustment or Planning Board hearings involving this property?

Yes   ✓   No         

24. If the answer to #23 is the affirmative, state the date of the hearing, nature and disposition.

Case 12-01 V (CVS/Pharmacy), Application Z-15-07

\_\_\_\_\_

25. Applicant's Attorney (All business entities other than a sole proprietorship must be represented by a licensed New Jersey attorney).

Name David B. Himelman Phone# 732-659-6130

Address 190 Route 18, Suite 205, East Brunswick, NJ Zip 08816

Firm David B. Himelman, Attorney at Law, LLC Email Address davidh@dbhattorney.com

Question 20

Describe variance requested

The Applicant previously obtained use variance and site plan approval from the East Brunswick Township Zoning Board of Adjustment (“Board”) (Application No. Z-15-07) to construct pre-owned auto sales lot on the Rear Parcel. The Applicant proposes to modify the prior use variance and site plan approval by constructing a 1, 820 sq. ft. building addition to accommodate auto repair and painting. Applicant previously obtained a use variance and site plan approval from the Board since the pre-owned car sales proposed use is not permitted in the HC-2 Zone District.

Question 21

Section(s) of Zoning Ordinance from which variance(s) is requested

The Applicant seeks the following bulk variances:

**Minimum Lot Area for Lot 23** (§ 228-179.A.) (existing non-conformity-20,791 ft.is proposed where 40,000 ft. is required); **Lot width** (§ 228-179.B.) (existing non-conformity – 85 ft. exists where 200 ft. is required); **Front yard setback** to Midas Building (existing non-conformity) - 18.8 ft. exists where 60ft. is required (§ 228-179.C.); **Combined side yard setback** to Midas Building – 10.3/49.9 ft. exists where 20/50 ft. is required (§ 228- 179.D.); **Side yard setback** to Auto Sales Building (existing non-conformity) – 10.1/61 ft. exists where 20/50 ft. is required (§ 228- 179.D.); **Landscape buffer along frontage** (existing non-conformity) - 6.11 ft. exists where 20 ft. is required (§ 228-179.I.); **Parking setback** (existing non-conformity) – 0 ft. exists on the Midas portion of the property where 10 ft. is required (§ 228-179.J.). With the exception of the variance related to the minimum requirements for side yard setback to the auto sales, all variances are existing non- confirming variances.

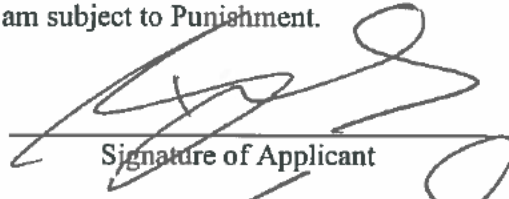
Question 22

Reason for requesting variance(s)

Applicant previously obtained a use variance and site plan approval from the Board since the pre-owned car sales proposed use is not permitted in the HC-2 Zone District. The Applicant contends the proposed building for auto repair and painting are further justified as the Rear Parcel is particularly suitable for this use. The proposed use is complementary to the Midas use located at the Midas Auto Facility and is not anticipated to generate additional traffic and thus does not create any detriment to the surrounding area. Many of the permitted uses cannot be accommodated on the site due to lot area limitations and parking requirements. The Applicant will testify in support of the application that some of his existing customers at Midas seek to sell their automobiles after being repaired and many customers also seek to have such vehicles painted as well. The proposed commercial uses will thus provide a benefit to the general welfare of the community. Based on the forgoing, the Applicant contends the use variance and modification of the prior site plan approval can be granted based on special reasons since the Property is particularly suitable for the proposed use and thus the use promotes the public good.

26. A Tax and Assessment Payment Report indicating all taxes and/or assessments required to be paid attached to this application \_\_\_\_\_
27. Are any easements or special covenants by deed involved in this site?  
 Yes  No \_\_\_\_\_ (If yes, attach copy)
28. I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to Punishment.

Sworn to and subscribed before me on  
 this 14<sup>th</sup> day of February 2020

  
 \_\_\_\_\_  
 Signature of Applicant

David B. Himelman  
Attorney At Law  
 \_\_\_\_\_  
 Notary Public State of New Jersey

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

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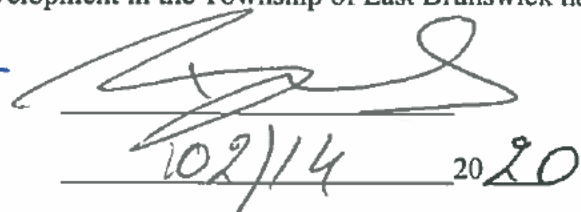
AUTHORIZATION OF SIGNATURE (if Applicant is a Limited Liability Company (LLC) or Corporation)

This will certify that Paul Arora Title Managing Member

of (Corporation of LLC name and address) Arora & Arora Enterprise, Inc.

who subscribed to the above application for development in the Township of East Brunswick has been authorized by this business entity to do so.

ATTEST David B. Himelman  
Attorney At Law  
State of New Jersey

  
 \_\_\_\_\_  
 10/2/14 2020

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29. Address all correspondence concerning this Application to:

( ) Applicant ( ) Owner (  ) Attorney

Name David B. Himelman

Address 190 Route 18, Suite 205, East Brunswick, NJ 08816

Firm David B. Himelman, Attorney at Law, LLC

Telephone # 732-659-6130

Email Address davidh@dbhattorney.com