

514 W. Atlantic Avenue  
 Haddon Heights, NJ 08035  
 (856) 546-2580

Borough of Haddon Heights

Case No. 23-10-1P

PLANNING BOARD APPLICATION

File: IHOC  
 Applicants Name

Date Application Received: 8/29/23

Application Submitted:	
<u>[Signature]</u>	<u>8/29/23</u>
Zoning Official Signature	Date

Disposition:

- { } Approved
- { } Approved with Conditions
- { } Disapproved

Date of Public Hearing: \_\_\_\_\_

Time Required for Action: \_\_\_\_\_

Extension of Time Granted: \_\_\_\_\_

Fee Collected: \_\_\_\_\_ Date Collected: \_\_\_\_\_

Date Decision Published: \_\_\_\_\_

(DO NOT WRITE ABOVE THIS LINE)

I. Pursuant to the Borough of Haddon Heights Municipal Code & applicable New Jersey State Law, application is made to the Borough of Haddon Heights for the following:

<u>Check</u> <u>Application(s)</u> <u>Requested</u>	<u>Type of Application</u>	<u>Fee \$</u>	<u>Check</u> <u>Application(s)</u> <u>Requested</u>	<u>Type of Application</u>	<u>Fee \$</u>
<input type="checkbox"/>	Appeal of Admin. Decision	_____	<input type="checkbox"/>	Preliminary/Major Subdivision	_____
<input type="checkbox"/>	Interpretation	_____	<input type="checkbox"/>	Final Major Subdivision	_____
<input type="checkbox"/>	Bulk Variance	_____	<input type="checkbox"/>	Preliminary Site Plan	_____
<input checked="" type="checkbox"/>	Certificate of non-conforming use	\$150.00/application \$375.00/escrow	<input type="checkbox"/>	Final Site Plan	_____
<input type="checkbox"/>	Conditional Use	_____	<input type="checkbox"/>	Minor Site Plan	_____
<input type="checkbox"/>	Minor Subdivision	_____	<input type="checkbox"/>	Concept Plan	_____
				Total Fee	_____

II. Application Form No. 1 was filled out on August 3, 2023 by [Signature]  
(Applicants Signature)

III. Check Forms No. 3 through 19 for your appropriate application forms.

IV. A "complete application" requires the following submissions; please check items submitted with this form:

- Copies of this application
- Plot Plans
- Copies of 200 foot radius map
- Copy of "authorized" application form if applicant is not the property owner
- List of property owners within 200 feet of the property
- List of owner's notice and newspaper notice
- List other required submissions, e.g. payment of taxes, payment of fees, etc.

V. Full legal name of Applicant: Interfaith Homeless Outreach Council

Mailing Address: 1989 Route 70 East

Town: Cherry Hill State: NJ Zip: 08003 Phone: \_\_\_\_\_

Applicant interest in property (owner, tenant, lessee, purchaser under contract, other: Contract Purchaser)

Applicant is a:  Corporation ;  Partnership ;  Individual(s) ;  Other (specify) NJ non-profit corporation

If the applicant is a corporation or a partnership, please attach a list of the names and addresses of persons have a 10% interest or more in the corporation or partnership (Form No. 11).

If the applicant is not the owner of the property in question, the applicant must obtain and submit a copy of this application signed by the owner.

The applicant must also submit a list of witnesses and others working on behalf of the applicant to include the attorney, engineer, architect, planner, and others, identifying their mailing address, City, State, zip code, and telephone number.

Street Address of Property: 802 Station Avenue Tax Map Sheet: 6

Block: 54 Lot(s): 1 Date filed with County Recorder: \_\_\_\_\_

Situated on the side of Station Street/Avenue distant 0 feet in a \_\_\_\_\_ direction from the corner of the \_\_\_\_\_ side of Eighth Street/Avenue.

Is the property served by public sewer system?  Yes  No; Public Water System  Yes  No

Is the applicant willing to dedicate land for the widening of roads in compliance with the Borough or County Master Plan?  Yes  No

Is the proposed use located on a  Municipal  County or  State road?

Area of property: .459 acres or 20,000 square feet. Frontage on an improved Street 160 feet. The dimensions of the property are: 160X125.

Number of Proposed lots: 1 Present Zoning of Property: R-2.

Present Use of Property: Rooming House

Proposed Use of Property: Rooming House (see summary of application)

Describe proposed machinery, operation and products, if applicable: N/A

Description of all present structures: 4,226 sf, 14 unit rooming house

Name, Profession, and License No. of Person Preparing Plat: N/A

Does this constitute a:  New Application  Expansion  Alteration

Size of proposed buildings: \_\_\_\_\_ height in feet, \_\_\_\_\_ height in stories

Number of proposed buildings \_\_\_\_\_ Floor area of all structures: \_\_\_\_\_ square feet

Use of existing buildings and premises: Rooming house

Percentage of coverage by all buildings: \_\_\_\_\_ By total impervious coverage: \_\_\_\_\_

Estimated costs: Proposed Buildings \$ \_\_\_\_\_ Proposed Site Work \$ \_\_\_\_\_

Has a building permit been refused?  Yes  No Date: \_\_\_\_\_

Has a subdivision previously been granted?  Yes  No Date: \_\_\_\_\_

Has a use variance previously been granted?  Yes  No Date: \_\_\_\_\_

Has a bulk variance previously been granted?  Yes  No Date: \_\_\_\_\_

Has a site plan previously been granted?  Yes  No Date: \_\_\_\_\_

Parking spaces required: \_\_\_\_\_ and provided: \_\_\_\_\_

Are there any existing or proposed covenants or deed restrictions on the property?  Yes  No

If yes, please explain: \_\_\_\_\_



Is a variance requested?  Yes  No If yes, describe in detail the section of the Land Development

Ordinance from which the applicant seeks relief: \_\_\_\_\_

**See enclosed summary of application**

If this application has arisen as the result of a denial of a zoning permit, please secure from the Zoning Enforcement Officer a letter giving reasons for denying the zoning permit and submit it with this application.

Have there been any previous Planning Board hearings involving this property? { } Yes {X} No  
If the answer is yes, please attach a copy of the written decision(s) adopted by the applicable board.

Attach a brief statement entitled "Proposal" setting forth the particulars of the proposed use of the property (if other than single family residential) and a description of the proposed physical changes to the property. (Include all physical improvements, such as structures, additions, landscaping, etc.)

Applicant is responsible to publish and serve notice of this application in accordance with the Borough's Land Development Ordinance; however, notice may not be affected until this application is certified by a notary.

VI. Attach a list of all plans, calculations, data and other exhibits submitted, by title and date, indicating names, addresses, license number, and phone number(s) of preparer.

VII. I - hereby certify that the above statements, information, and exhibits herewith submitted are true and correct to the best of my knowledge and that I am to file this application and act on behalf of the signatories of the above authorization. I further authorize Borough officials to inspect the site noted above.

Joseph D. Duffin, Jr.  
(Signature of Owner)

8/3/2023  
(Date)

Craig Bickel  
(Signature of Applicant)

8/22/2023  
(Title)

Sworn to & subscribed before me this 3 day of August, 2023.

Person to be contacted regarding matters Pertaining to this application, if other than myself:

[Signature]

Name: Craig Bickel

Phone Number: (856) 906-7890

(NOTARY)  
MATTHEW P. MADDEN, ESQ.  
MADDEN & MADDEN  
PO BOX 210  
HADDONFIELD, NJ 08033

AS TO OWNER

Is a variance requested?  Yes  No If yes, describe in detail the section of the Land Development

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\_\_\_\_\_  
(Signature of Owner)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Signature of Applicant)

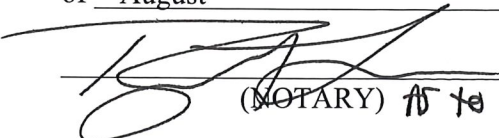
\_\_\_\_\_  
(Title)

Sworn to & subscribed before me this 22 day  
of August, 2023.

Person to be contacted regarding matters  
Pertaining to this application, if other  
than myself:

Name: Craig Bickel

Phone Number: (856) 906-7890

  
(NOTARY) to Applicant

Regina M. Lower  
Notary Public

AGREEMENT TO PAY FOR PROFESSIONAL REVIEW

Date: 08/03/2023

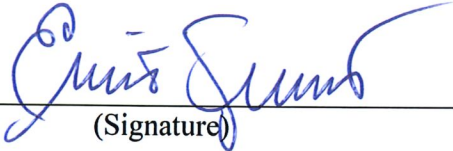
Applicants Address: 1989 Route 70 East, Cherry Hill, NJ 08003 Block: 54 Lot: 1.


INTERFAITH HOMELESS OUTREACH COUNCIL

, agrees to pay for any professional review necessary for

Applicant

the above construction.

  
\_\_\_\_\_  
(Signature)

  
\_\_\_\_\_  
(Title)



Borough of Haddon Heights

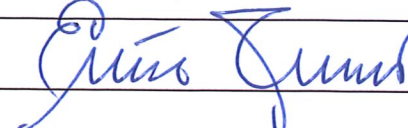
514 W. Atlantic Avenue  
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Case No. \_\_\_\_\_

Planning Board  
Use & Bulk Variance Application Checklist

Applicant: INTERFAITH HOMELESS OUTREACH COUNCIL Phone: \_\_\_\_\_

Address: 1989 Route 70 East, Cherry Hill, NJ 08003 Site Location: 802 Station Avenue

Signature of Applicant:  Date: 8/22/2020

Application form and plans for completeness review (3 copies).

Application form (14 copies).

N/A  Plat of plans (14 copies) signed and sealed by a N.J.P.L.S. or N.J.P.E., as required, and folded into eighths with title block revealed.

N/A  Scale of not less than 1" = 30' on one of the following standard sheet sizes:  
(8 1/2' x 13"; 15" x 21"; 24" x 36" or 30" x 42")

N/A  Key map no less than 1" = 30'.

N/A  Title block:

Name of subdivision or development, Borough of Haddon Heights, Camden County;

Name, title, address and telephone number of subdivider or developer;

Name, title, address and license number of the professional(s) who prepared the plot or plan;

Name, title, and address of the owner(s) of record;

Scale; and,

Date of original preparation and of each subsequent revision thereof and a list of specific revisions entered on each sheet.

N/A  Acreage figures (both with and without areas within public rights-of-way), to the nearest tenth of an acre.

N/A  North arrow.

N/A  Approval signature lines.

N/A  Existing block and lot number(s) of the lot(s) to be subdivided or developed as they appear on the Borough Tax Map.

N/A  Subdivision or redevelopment boundary line (heavy solid line).

- The location of existing and proposed property lines (with bearings & distances), streets, structures (with their numerical dimensions and an indication as to whether existing structures will be retained or removed), parking spaces, loading areas, driveways, watercourses, railroads, bridges, culverts, drain pipes, any natural features such as wetlands and treed areas, both within the tract and within two hundred (200') of its boundary.
- Owner certification.
- N/A  The location and width of all existing and proposed utility easements, the use(s) for which they are intended to be limited, and the manner in which the easements will be controlled.
- N/A  Zoning districts affecting the tract, including district names and requirements.
- N/A  All adopted master plan proposals affecting the proposed development.
- N/A  Proposed buffer and landscaped areas.
- N/A  Delineation of wetlands and wetland buffers.
- N/A  Contours as shown on the U.S.G.S topographic sheets.
- N/A  Marshes, ponds and land subject to flooding within the tract and within one hundred feet (100') thereof.
- N/A  The names of all adjacent property owners as they appear on the most recent tax list prepared by the Board Secretary.
- Certification from the Borough Tax Collector that all taxes and assessments are paid to date.
- N/A  Concerning minor subdivisions only, existing and proposed monuments.
- N/A  Road right-of-way dedication and improvements, as applicable.
- N/A  Sight triangle easements, as applicable.
- N/A  Deed descriptions, including metes and bounds, easements, covenants, restrictions,, and roadway and sight triangle dedications.
- Photographs of site and neighboring properties.

Key: (X) Complete (W) Request Waiver (N/A) Non Applicable

The Planning Board may waive submission of any required exhibits in appropriate cases and for specific reasons. Requests for such waivers shall accompany a variance application, stating the reasons that such a waiver is being requested. The Planning Board reserves the right to acquire additional information before granting variance approval when unique circumstances affect the tract and/or when the application for development poses special problems for the tract and the surrounding area. Such information may include, but not limited to, drainage calculations and traffic analyses, provided, however, that no application shall be declared incomplete for lack of such additional information.

\_\_\_\_\_  
Signature & Title of person who completed checklist  
Haddon Heights Form No. 19

\_\_\_\_\_  
Date





514 W. Atlantic Avenue  
Haddon Heights, NJ 08035  
(856) 546-2580

Borough of Haddon Heights

Case No. \_\_\_\_\_

Planning Board  
Affidavit of Ownership

STATE OF NEW JERSEY  
SS.  
COUNTY OF CAMDEN

JOSEPH D. DUFFIN, JR. & THE ESTATE OF TIMOTHY MURRAY  
\_\_\_\_\_, of full age, being duly sworn according to law on oath


deposes and says that the deponent resides at 2 WEST CENTRAL AVE. in the  
TOWNSHIP of MOORESTOWN in the County of BURLINGTON

And the state of NEW JERSEY; that JOSEPH D. DUFFIN, JR. & THE ESTATE OF TIMOTHY MURRAY \_\_\_\_\_ is the

owner in fee of all that certain lot, piece or parcel of land situated, lying and being in the Borough of Haddon  
Heights, New Jersey, and known and designated as Block 54, Lot 1.

Sworn to and subscribed before me this

3 day of August, 2023.

  
\_\_\_\_\_  
Notary

MATTHEW P. MADDEN, ESQ.  
MADDEN & MADDEN  
PO BOX 210  
HADDONFIELD, NJ 08033

AUTHORIZATION

(If anyone other than above owner is making this application, the following authorization must be executed.)

To the Planning Board:

INTERFAITH HOMELESS OUTREACH COUNCIL is hereby authorized to make the within application.

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

8/3/23  
\_\_\_\_\_  
Date

514 W. Atlantic Avenue  
Haddon Heights, NJ 08035  
(856) 546-2580

Case No. \_\_\_\_\_

Planning Board  
Application for a Use Variance  
(See N.J.S.A. 40:55D-70d and Land Development Ordinance)

1. Application is hereby made on August 28, 2023, for the granting of a variance from the Land Development Ordinance to allow the following structures or uses:

If the Board denies Applicant's request for certification of pre-existing nonconforming use, then the Applicant shall seek, in the the alternative, a use variance to permit the Applicant to use the premises as a 10-unit rooming house, where a 14-unit rooming house currently exists.

2. Said structures or uses are proposed to be located in the R-2 Zoning District, which is restricted against the same by the following provisions of the Land Development Ordinance:

**Section 450-25**

3. This application is based upon the following special reasons:

**See enclosed summary of application.**

4. Said special reasons are unique and peculiar to the lands or buildings for which the variance is sought and do not apply generally to land or buildings in the neighborhood because:

**See enclosed summary of application.**

5. The strict application of the regulations prohibiting said structure or use would deprive the applicant of the reasonable use of the lands or buildings involved because:

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**See enclosed summary of application.**

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6. The requested variance is the minimum reasonably needed because:

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**See enclosed summary of application.**

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7. The requested variance will not result in substantial detriment to the public good because:

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**See enclosed summary of application.**

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8. The requested variance will not substantially impair the intent and purpose of the Land Development Ordinance and Master Plan because:

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**See enclosed summary of application.**

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Summary of Application  
Borough of Haddon Heights Planning Board  
Interfaith Homeless Outreach Council  
Block 54, Lot 1  
802 Station Avenue

The applicant, Interfaith Homeless Outreach Council (“IHOC”), is the contract purchaser of real property located at 802 Station Avenue and designated as block 54, lot 1 on the municipal tax map. The property is currently improved with a 2.5 story dwelling, which has been in use for decades as a 14-unit rooming house, licensed pursuant to the Regulations Governing Rooming and Boarding Houses, N.J.A.C. 5:27-1.6. The property is located in the R-2 Residential zoning district, where a rooming house is not a permitted use. The Borough has previously recognized the existing rooming house as a preexisting nonconforming use. This determination is memorialized in an August 7, 1990 letter from the Borough’s solicitor, a copy of which is enclosed.

IHOC proposes to purchase the property and continue its operation as a rooming house. The number of units in the building will be reduced from 14 to 10. Further, IHOC also intends to reduce the intensity of the use by operating the rooming house with strict house rules governing its occupants, as well as limiting occupancy to individuals who have successfully completed IHOC’s Homeless Hospitality Network program or have agreed to abide by IHOCs’ rules as a condition of living in the home. IHOC intends to operate the home as Class F rooming house licensed under N.J.A.C. 5:27-1.6.

IHOC seeks a certification from the Board pursuant to N.J.S.A. 40:55D-68 that the preexisting, nonconforming use of the property may be continued lawfully, together with an interpretation that IHOC’s intended use, as discussed above, constitutes a continuation of the preexisting use of the property. In the alternative, if the Board does not grant the requested relief, then IHOC shall seek a use variance to utilize the property as a 10-unit rooming house.

As set forth above, the Borough has previously determined that the existing rooming house is a preexisting non-conforming use, which pre-dates the applicable Borough ordinances. At the time of the public hearing on this application, IHOC will present evidence demonstrating that the property has remained in use as a rooming house at all times since the Borough previously recognized this preexisting nonconforming use on August 7, 1990.

In the event the Board denies the request for certification pursuant to N.J.S.A. 40:55D-68, IHOC shall demonstrate that the use variance is justified. IHOC believes that its intended use of the property constitutes an inherently beneficial use. See Homes of Hope v. Zoning Bd. of Adj., 236 N.J. Super. 584, 587-589 (Law Div. 1989). An inherently beneficial use is one that is universally considered of value to the community because it fundamentally serves a public good and promotes the general welfare. Uses that are inherently beneficial presumptively satisfy the positive criteria for grant of a use variance.

Granting the variance relief will not change the nature and character of this neighborhood nor result in any material adverse impact on neighbors because the property has operated successfully as a rooming house for decades. For the same reason, the variance relief will not substantially impair the intent and the purpose of the zone plan or zoning ordinance.

Dave's comment -

Owner Occupied  
&

Use Variance

Versus pre-existing

Non-conforming

RYAN AND THORNDIKE  
COUNSELLORS AT LAW  
67 KINGS HIGHWAY WEST  
P. O. BOX 1016  
HADDONFIELD, NEW JERSEY 08033

DONALD S. RYAN  
PETER R. THORNDIKE

TEL (609) 795-1090  
FAX (609) 795-5110

August 7, 1990

Herbert Leary  
Zoning Officer  
Borough of Haddon Heights  
625 Station Avenue  
Haddon Heights, New Jersey 08035

RE: 802 Station Avenue  
Haddon Heights, NJ

Dear Herb:

This letter will confirm my understanding of the status of the above captioned matter.

On July 12, 1990, you wrote to Joseph Duffin, the title owner of the premises, and advised him that he should apply for a zoning variance on Section 103-20 of the Zoning Code (Permission to Operate a Boarding or Rooming House). The basis of the decision was that: 1. the building was no longer owned or occupied and 2. there has been an increase in the number of roomers that now or will be able to occupy the building.

As a result of your letter, a meeting was held with Mark Sulock, Esquire, Joseph Duffin, Howard Newell, Assistant Zoning Officer, you and me at the Municipal Building on June 19, 1990. The representations of Mr. Duffin and his attorney indicate that the subject property has been used as a rooming house since prior to 1974 when the current zoning law was enacted by the Borough of Haddon Heights. The owner at that time was a Mrs. Abate who also occupied the premises. It is unclear as to the number of roomers which occupied the premises during the period from 1965 to 1982; however, it is estimated that the number varied from 12 to 20 persons. Your independent investigation with the state indicates that the property was registered with the state in 1982 setting forth 14 roomers although only eleven were actually occupying the premises at the time.

The subject premises are located in a residential zone. Under Section 103-20 of the Haddon Heights Zoning Ordinance, a rooming or boarding house is permitted "provided that not more than two (2).

AUGUST 7, 1990

roomers or boarders shall be permitted in any dwelling, house, and provided that one (1) of the owners of the property lived in the dwelling house". This ordinance was adopted in 1974. Mrs. Abate operated her rooming house prior to this time and, therefore, has a valid nonconforming use. Mr. Duffin may continue the nonconforming use provided that one of the owners of the property lives in the dwelling and provided that the number of roomers does not exceed the number of roomers which existed in 1974 when the ordinance was adopted.

Based upon my review of this matter, I concur with your opinion that Mr. Duffin may continue to operate with a valid nonconforming use based upon his compliance with the following:

1. That he provide proof that one of the owners of the property lives in the dwelling.
2. That the number of roomers permitted shall not exceed fourteen (14) roomers including the owner occupant.
3. The owners must comply with all BOCA Building and Fire Code Requirements as well as the state requirements applicable to rooming houses.

If you have any questions concerning this matter, please contact me.

Very truly yours,

RYAN AND THORNDIKE

*Donald S. Ryan*

DONALD S. RYAN

DSR:lp

cc: Mayor August Longo  
Mark Sulock, Esquire