

**BOROUGH OF OAKLAND
BERGEN COUNTY, NEW JERSEY**

LAND DEVELOPMENT APPLICATION

Date _____

**NOTE: APPLICATION SETS MUST BE COLLATED AND
SUBMITTED IN PACKET FORM FOR PROCESSING.**

Application No.	_____
Date Received	_____
Fee Submitted	_____
Jurisdiction Date	SEP 18 2020
Complete Date	_____
Decision Date by	_____
Board Action	_____
FOR OFFICIAL USE ONLY	

The undersigned, as Applicant/Owner of the subject property identified herein hereby makes application to the Borough of Oakland for (check all that apply)

<input checked="" type="checkbox"/> New Application	<input type="checkbox"/> Major Subdivision Preliminary	<input type="checkbox"/> Major Site Plan Preliminary
<input type="checkbox"/> Amendment to prior approval	<input type="checkbox"/> Major Subdivision Final	<input type="checkbox"/> Major Site Plan Final
<input type="checkbox"/> Concept Plan (PB only)	<input type="checkbox"/> General Development Plan	<input type="checkbox"/> Conditional Use
<input type="checkbox"/> Minor Subdivision	<input type="checkbox"/> Minor Site Plan	
Indicate Relief to be Requested in Conjunction with this Application		
<input checked="" type="checkbox"/> Use Variance (N.J.S.A. 40:55D-70.d)	<input type="checkbox"/> Bulk Variance(s) (N.J.S.A. 40:55D-70.c)	
<input type="checkbox"/> RSIS Exception (N.J.A.C. 5: 21-3.2)	<input type="checkbox"/> Design Standard Waiver(s)	<input type="checkbox"/> Environmental Protection Waiver

1. APPLICANT INFORMATION

- a. Name: Ellahi Fuel, Inc.
- b. Address: 357 Rambo Valley Road, Oakland NJ 07436
- c. Telephone (include fax number if desired): 201-337-0016
- d. Applicant is a: (check applicable status)
- ☒ Corporation ☐ Partnership ☐ Individual (s)
- e. If applicant is a corporation or a partnership, please list the names and addresses of persons having a 10 % interest or more in the corporation or partnership on a separate sheet and attach to this application.
- f. Relationship of applicant to property (check applicable status):
- ☐ Owner ☐ Purchaser under contract ☒ Lessee/Contract Purchaser
- ☐ Other (please specify): _____
- g. If applicant is represented by an attorney:
- Name: Ben R. Cascio, Esq.
- Address: 684 Route 208, Franklin Lakes, NJ 07417
- Telephone: 201-848-7811 Fax: 201-848-9174
- h. Preparation of Plans by: Email: bencascio@aol.com
- Name: Weissman Engineering
- Address: 686 Godwin Avenue, Midland Park, NJ 07432
- Tel: 201-445-2799 Fax: 201-445-0483
- Email - weissmanengineering@yahoo.com

2. PROPERTY INFORMATION

- a. Street address 373 Rambo Valley Road
- b. Tax Map Block(s) 1802 Lot (s) 4
- c. Zone District CBD-1
- d. Existing Use of Property Vacant Building - Previously Oakland Drugs
- e. Please list prior applications or municipal actions regarding this property:
Unknown

f. Property is located (check applicable status):

- ☐ Within 200 feet of another municipality. ☐ Adjacent to a State Highway.
- ☒ Adjacent to an existing or proposed County road. ☐ Adjacent to other County land.

Note: If any category is checked, notification concerning this application to the appropriate agency is required.

- g. Property has public sanitary sewer access available? Yes ☒ No ☐ If not what solution is proposed to handle sanitary waste. Existing Building Septic System

3. NATURE OF APPLICATION: (check where appropriate)

a. ☐ Minor Subdivision/ Major Subdivision:

- (1) Indicate total tract size: _____ acres
- (2) Proposed number of lots: _____

b. ☐ Residential Development (clearly detail proposed use of property): _____

- c. ☒ Non-Residential Development (clearly detail proposed use of property): Utilize existing building to service vehicles in conjunction with applicant's adjoining service station business.

d. Contemplated form of ownership (check all that apply):

- ☐ Fee simple ☐ Condominium ☐ Cooperative ☒ Rental/Contract Purchaser

e. Are there any existing Deed Restrictions? ☒ No ☐ Yes (attach copy of restriction)

f. Are there any proposed Deed Restrictions? ☒ No ☐ Yes (attach copy of restriction)

g. List exhibits accompanying this application: (attach separate sheet if necessary)

1. Site Plan prepared by Weissman Engineering dated 6/2/20, Rev. 8/25/20

2. Architectural Plans prepared by Fred Klenk, AIA dated 5/5/20, Rev. 5/15/20

h. Indicate if this is a bifurcated use variance application: ☐ yes ☒ no

If yes, note that any approval, if granted by the Board of Adjustment, shall be conditioned upon submittal of a completed site plan application being submitted to the Board of Adjustment for approval (N.J.S.A. 40:55D-76).

4. **VARIANCE (S) REQUESTED:** If this application requires a variance from the strict application of the Borough of Oakland Zoning Ordinance for a use permitted in the Zone in which the property is located complete the section below requesting said relief. You may attach additional sheets if needed.

Section

Required

Proposed

Use Variance - In the CBD-1 Zone a stand-alone service station is not permitted, unless part of an existing gas station on the same lot. The applicant is the contract purchaser of the subject property and the lessee of the adjoining Luk Oil gasoline service station.

5. **SPECIFIC DESIGN WAIVER (S) RELIEF REQUESTED**

Section

Required

Proposed

Open space

10%

9.2% (Existing)

Lot Coverage

90%

90.8% (Existing)

7. **SPECIFIC RELIEF REQUESTED**

If relief is requested in connection with this development proposal for any category as indicated on the front page of this application and outlined above, attach hereto a separate exhibit(s) for each category of relief sought, stating the factual basis, legal theory, and whether they have been previously granted. Failure to supply this information if applicable will result in your application being deemed incomplete. **See attached.**

8. **OTHER INFORMATION REQUIRED**

- Attach completed checklist.
- Attach certification of payment of taxes from Township Tax Collector.
- Attach any other government approvals if received in connection with this application such as NJDEP permits, NJDOT permits, Passaic County Approvals etc.

9. **VERIFICATION AND AUTHORIZATION**

- Applicant's Statement: I hereby certify that the above statements made by me and the statements and information contained in the papers submitted in connection with this application are, to the best of my knowledge, true and accurate.

Applicant's Signature

Sam Ellahi, President - Ellahi Fuel, Inc.

Date

- Owner's Statement: I, the undersigned, being the owner of the property described in this application, hereby consent to the making of this application and the approval of the plans submitted. I further consent to the inspection of this property in connection with this application as deemed necessary by the municipal agency.

X

Owner's Signature

James Hertel

Sworn and Subscribed to before me

1st day of September 2020 (Year)

Janet C. Yelle
(Notary)

Sam Ellahi

Sworn and subscribed before me

20 day of September 2020

[Signature] (Notary)

BEN R. CASCIO
ATTORNEY AT LAW OF NEW JERSEY

JANET C. YELLE
NOTARY PUBLIC OF NEW JERSEY
Commission # 50118032
My Commission Expires 12/4/2024

7. Specific Relief Requested/Reasons to Grant Variance:

This application is requesting approval of a use variance pursuant to N.J.S.A. 40:55D-70.d(1) for a proposed automobile repair station. The Applicant is the contract purchaser of the subject property, formerly occupied by Oakland Drugs, and also the lessee of the adjoining Luk Oil gasoline service station. Although the proposed use would be considered a permitted "Conditional Use," if it were located on the same property, for the purpose of this application it must be considered as a "d(1)" Use Variance.

The applicant will present testimony by a professional planner that a "d(1)" use variance can be granted pursuant to the N.J.S.A. 40:55D-70.d(1) "in particular cases and for special reasons", where the proposed use satisfies the positive criteria, because the property is particularly well suited to accommodate the proposed use and promotes several purposes of the Municipal Land Use Law, which promotes the general welfare.

The lot size and dimensions of the subject property, existing structure, existing building orientation, and adequate parking area all support the particular suitability of the property for the proposed automobile repair shop use, and particularly so because of its location abutting the applicant's service station.

The proposed project also meets the negative criteria, where the granting of the variance will not result in a substantial detriment to the public good and also will not result in a substantial impairment to the intent and purpose of the zone plan and zoning ordinance. The existing structure conforms with the height, yards, and coverage requirements of the CBD-1 Central Business District, which allows for adequate light, air and open space. The proposed automobile repair shop use is consistent the surrounding area and intent the Central Business District-1, where automobile repair uses are contemplated. The proposed project is also consistent with the goals of the 2016 Oakland Master Plan Reexamination Report.

Hand-drawn architectural elevation of a building facade. The drawing shows a long, low structure with a series of windows and doors. From left to right, the elements are: a door labeled "Glass + Metal Entry", a large window labeled "Existing Window Unit", a window labeled "Cornerpost", a window labeled "Glass", a window labeled "Fixed", and a window labeled "Fixed". Above the "Fixed" window, there is a section labeled "Awn Fascia" with a dimension of "4'0\"". To the right of the "Fixed" window, there is a section labeled "Awn Fascia" with a dimension of "4'0\"". Below the "Fixed" window, there is a section labeled "Awn Fascia" with a dimension of "4'0\"". The overall width of the facade is marked as "25'0\"".

SCALE 1/4"=1'-0"

2210°

OAKLAND DRUGS

- NILD SKIN IN FIDO ACCORDING TO PEPERCK EXISTING
- MENTION FIRST OF EXISTING YOUNG
- MENTION ON ALUM PASCAL
- 211 1015 AM 1976



1769
EXISTING

new ideas openings for
two new 10' x 12' H
inhalator and gas
cylinder carbon tanks
painted silver or white

1919

CUS CUPB, N³id cat. 2ppm

RIGHT SIDE

SCALE: 1/4" = 1'-0"

Pamapo Valley Road

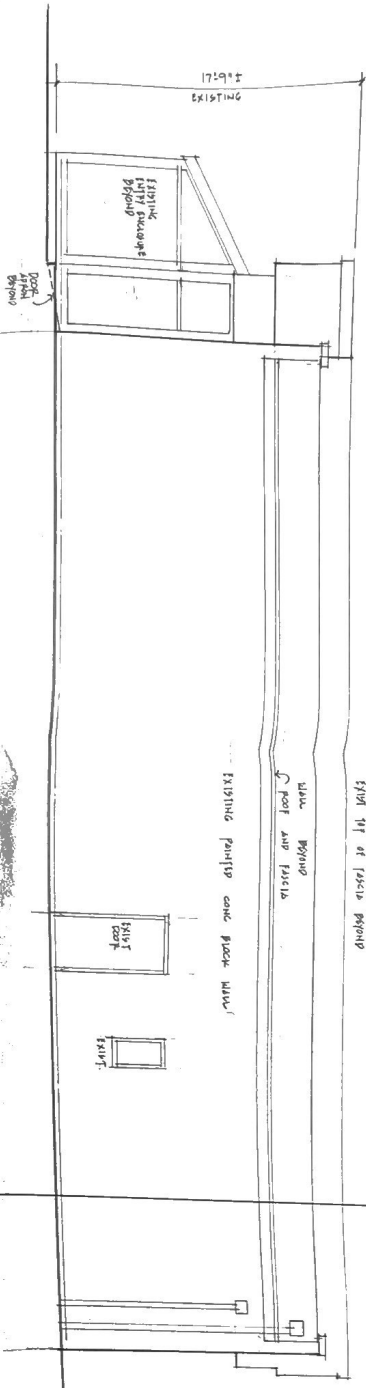
NEW YORK ARCHITECT	NEW JERSEY ARCHITECT	NEW JERSEY PROFESSIONAL ENGINEER	NEW JERSEY PROFESSIONAL PLANNER	F R E E D K L E N K 664 Route 208 • Franklin Lakes, N.J. 07417 Phone: 201-848-8844 • Email: FRED@LEKARCHITECT.COM • Fax: 201-848-9174		JOB 8803.33	SHEET 1
9894	4697	20412	1142	ARCHITECT • ENGINEER • PLANNER		2020	OF 4

Accumulated before sign
for the goods, also thereof
sign date - 09.09.2017

CONFORMING WITH TOWN ORDINANCE

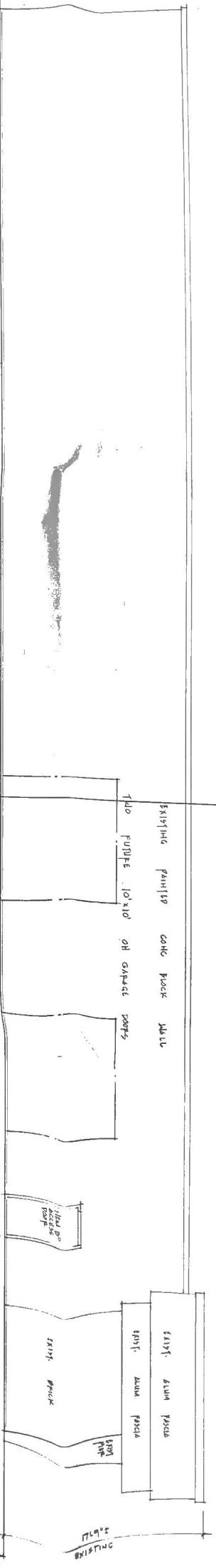
[illegible]

DATE 5 MAY 2020 REVISED 15 MAY 2020



REAR ELEVATION

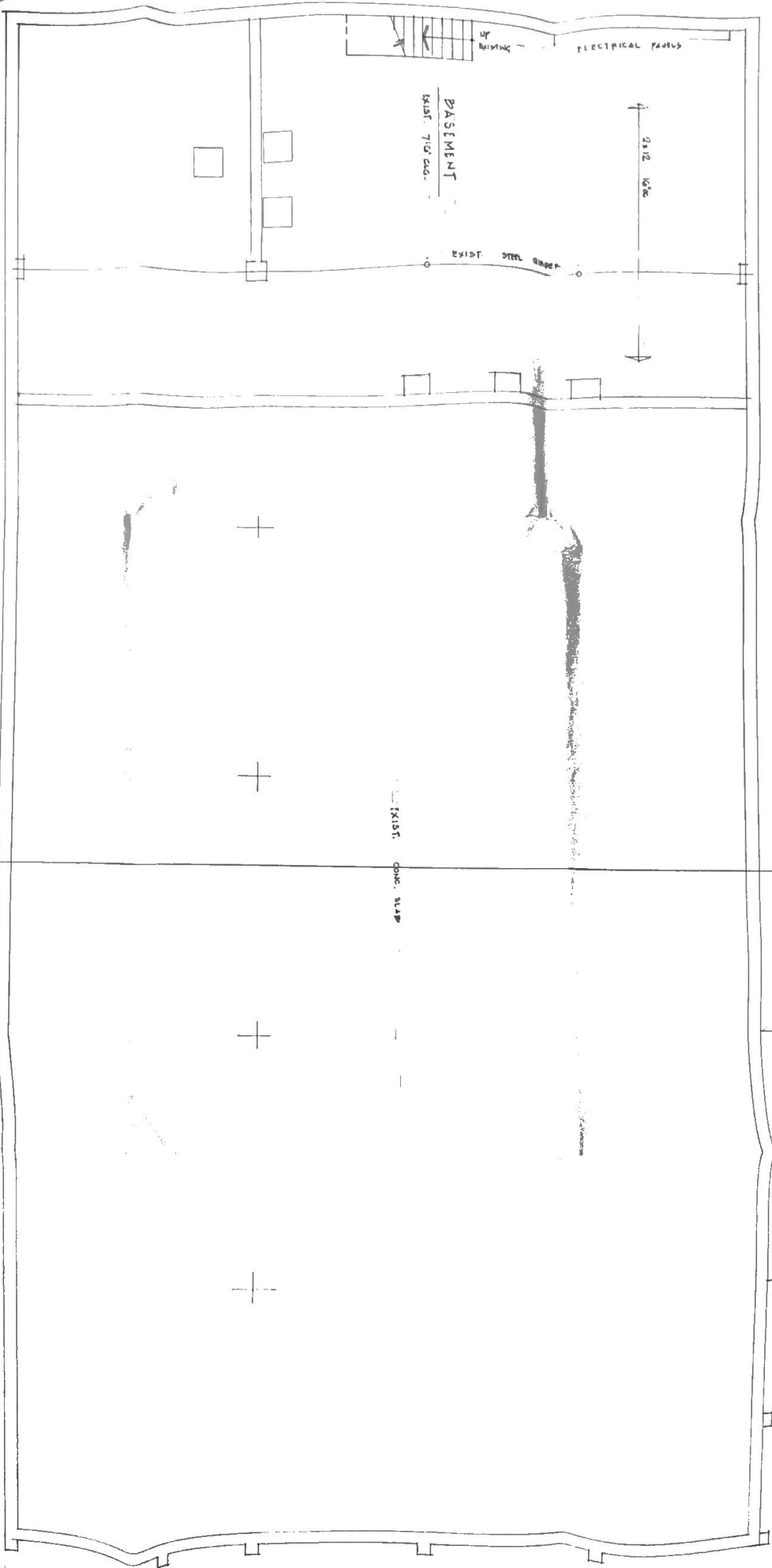
SCALE: 1/4" = 1'-0"



LEFT SIDE

SCALE: 1/4" = 1'-0"

NEW YORK ARCHITECT	NEW JERSEY ARCHITECT	NEW JERSEY PROFESSIONAL ENGINEER	NEW JERSEY PROFESSIONAL PLANNER	FRED KLENK 684 Route 208 • Franklin Lakes, N.J. 07417 Phone: 201-848-8844 • Email: FRED@FREDKLENKARCHITECT.COM • Fax: 201-848-9174		JOB 8033	SHEET 2
9894	4697	20412	1142	ARCHITECT • ENGINEER • PLANNER		2020	OF 4



FOUNDATION

SCALE: 1/4"=1'-0"

NEW YORK ARCHITECT	NEW JERSEY ARCHITECT	NEW JERSEY PROFESSIONAL ENGINEER	NEW JERSEY PROFESSIONAL PLANNER	F R E D K L E N K 684 Route 208 • Franklin Lakes, N.J. 07417 Phone: 201-848-8844 • Email: FRED@KLENKARCHITECT.COM • Fax: 201-848-9174	JOB 880.33	SHEET 3
9894	4697	20412	1142	ARCHITECT • ENGINEER • PLANNER	2020	OF 4

