



City of Bayonne
DEPARTMENT OF PLANNING, ZONING
AND DEVELOPMENT
MUNICIPAL BUILDING
630 AVENUE C
BAYONNE, NJ 07002
TELEPHONE: 201-858-6110 E-MAIL: TTuohy@BAYNJ.org



JAMES M. DAVIS
MAYOR

October 10, 2023

Leonard Kiczek, Esq.
Kiczek & Kapish
Attorneys At Law
707 Broadway
Bayonne, New Jersey 07002

Re: Certificate of Nonconformity
68-70 East 5th Street; Block 343, Lot 17

Dear Mr. Kiczek:

I am writing in response to your request on October 3, 2023 for a letter of referral for the above-referenced property located in the R-2 – Detached/Attached Residential District. City tax records recognize this property as a two-story, two-family dwelling. A review of the available zoning records on file with the City of Bayonne indicate that there have been conflicting records between the City of Bayonne and the State of New Jersey Department of Community Affairs dating back to 2018.

Per our discussions, your client may apply to the Zoning Board of Adjustment for a Certificate of Nonconformity in accordance with Section 40:55D-68 of the Municipal Land Use Law in order to certify that the nonconforming use as a three-family dwelling existed prior to the adoption of the ordinance (May 23, 1995) which rendered that use nonconforming. Should the application for a Certificate of Nonconformity be denied by the Board, a d(1) use variance along with site plan review and approval will be required for your client to be permitted to use this property as a three-family dwelling.

Upon review of a complete application and plans by the Board professionals, it may be determined that additional relief is required. Should your client wish to submit an application to the Zoning Board of Adjustment, please contact Alicia Losonczy, Land Use Administrator, at 201-858-6182.

Very truly yours,

Tracey Tuohy
Zoning Officer
/tt

cc: Alicia Losonczy, Land Use Administrator