



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

JOSEPH D. SKILLENDER, JR., ESQ.
DIRECTOR

SENT VIA REGULAR MAIL AND EMAIL TO MPOSADA@SILLSCUMMIS.COM
July 29, 2025

Matthew P. Posada, Esq.
Sills, Cummis and Gross
The Legal Center
One Riverfront Plaza
Newark, New Jersey 07102-5400

Re: Zoning Letter of Determination
33 East 2nd Street; Block 371, Lot 2

Dear Mr. Posada:

I am writing in response to your letter dated July 17, 2025 requesting an Order of the Administrative Officer for the above-referenced property. The subject property is located in the R-2 – Detached/Attached Residential District and I have enclosed the regulations which indicate permitted uses in this zone. City Tax records recognize this property as a one-story, single-family dwelling with a land description measuring 29.08 feet by 110.08 feet with an irregular-shaped lot.

I have reviewed the plans prepared by Creative Architecture dated June 15, 2025 and the property survey prepared by EKA Associates, P.A. dated June 5, 2025 and have determined that your client will need to apply to the Planning Board for bulk variance relief for lot frontage, front yard setback, side yard setbacks and lot coverage. Furthermore, although the garage in the rear is pre-existing, it does not conform to the zoning regulations and therefore will require variances for side yard setbacks and rear yard setback.

Upon review of a complete application and plans by the Board professionals, it may be determined that additional relief is required. Please contact Alicia Losonczy, Land Use Administrator, at 201-858-6182 to schedule a TRC meeting.

Should you have any questions or require additional information, you may contact me at the above number.

Very truly yours,

Tracey Tuohy
Zoning Officer
Enclosure

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§ 35-5.3. R-2 Detached/Attached Residential District. [Ord. No. O-01-19 § 7 [33-5.3]; Ord. No. O-07-22 § 1; Ord. No. O-11-18]

- a. Permitted Use.
 - 1. Detached single-family dwellings.
 - 2. Detached two-family dwellings.
 - 3. (Reserved)
 - 4. (Reserved)
 - 5. Home occupations.
 - 6. Family day care homes.
 - 7. Essential services.
- b. Required Accessory Uses.
 - 1. Off-street parking subject to the provisions of Section 35-17.
- c. Permitted Accessory Uses.
 - 1. Private sheds and other structures customarily associated with a residential use.
 - 2. Private swimming pools, subject to the provision of subsection 33-10.27.
 - 3. Private parking garages for residential uses, not to accommodate more than three automobiles per single-family dwelling nor more than four automobiles per two-family dwelling or two-family townhouse.
 - 4. Private parking garage for not more than one commercial van or truck, not exceeding 12,000 pounds in gross weight and used exclusively by the occupants of the principal dwelling provided that all other off-street parking requirements are met.
- d. Conditional Uses. Subject to the provisions of Schedule II of subsection 35-5.28.
 - 1. Additions, alterations and improvements to existing attached one- and two-family townhouses provided the use remains one- or two-family residential, the structural addition conforms to required or pre-existing bulk standards and the expansion is no greater than 33% of existing floor area.
 - 2. Religious institutions: churches, synagogues, mosques, temples, convents, rectories, etc.
 - 3. Educational institutions: Private and public elementary schools.
 - 4. Community residences for the developmentally disabled; community shelters for victims of domestic violence; community residences for the terminally ill

and community residences for persons with head injuries.

5. Hospital facilities, and their customary accessory structures and facilities.
6. Accessory parking on lots abutting commercial zone districts.
7. Fraternal organizations, lodges, community centers and other similar quasi-public uses.
8. Public utility facilities associated with a permitted principal use.

c. **Area, Yard and Structure Requirements. [Amended 8-19-2020 by Ord. No. O-20-45; 11-10-2020 by Ord. No. O-20-58]**

1.	Minimum lot area:			
	Detached Single-Family	3,000 square feet (interior lot)	4,000 square feet	(corner lot)
	Detached Two-Family	3,000 square feet (interior lot)	4,000 square feet	(corner lot)
2.	Minimum lot frontage:			
	Detached Single-Family	30 feet (interior lot)	40 feet	(corner lot)
	Detached Two-Family	30 feet (interior lot)	40 feet	(corner lot)
3.	Minimum front yard setback:			
	Detached Single-Family	20 feet (interior lot)	20 feet	(corner lot)
	Detached Two-Family	20 feet (interior lot)	20 feet	(corner lot)
4.	Minimum rear yard setback:			
	Detached Single-Family	20 feet (interior lot)	20 feet	(corner lot)
	Detached Two-Family	20 feet (interior lot)	20 feet	(corner lot)
	Accessory Structure (all uses)	3 feet (interior lot)	3 feet	(corner lot)
5.	Minimum Side Yard Setback (all uses)	3 feet, except that the combination of both side yards must be at least 6 feet		
	Accessory Structure: (all uses)	3 feet		
6.	Maximum structure height (all uses)			
	Principal Structure	35 feet and not exceeding 2 1/2 stories		
	Accessory Structure	15 feet and not exceeding 1 1/2 stories		
7.	Maximum lot coverage	70%		

f. **Special Requirements.**

1. All applicants for development in this zone may opt to use "prevailing" building setback for front yard setback only after consultation with the City Planner, City Engineer and City Zoning officer.

To establish "prevailing" setbacks for all or any of the above mentioned yard dimensions, the applicant must produce documentation, including:

- (a) A map prepared by a licensed N.J. surveyor that shows existing lots around the subject application per the City of Bayonne Tax Maps.

- (b) A table showing only lots in the same zone as the subject property and the intended measured dimensions to be reviewed by City officials.
- (c) All lots within the entire City block on both sides of the street as the subject parcel should be shown in the table.

The "prevailing" setback dimensions shall be a measurement which exists for 65% of all existing lots. To further explain, 65% of all compatible structures must exhibit a dimension which equals or is less than the setback established for the proposed application.

If a prevailing dimension cannot be established, the standard setback dimension shall be utilized.