



Township Council  
1 Municipal Plaza  
Bloomfield, NJ 07003

Louise M. Palagano  
Municipal Clerk

<http://www.bloomfieldtwpnj.com>

Meeting: 11/13/23 07:00 PM

2023 ORDINANCE AMENDMENT

2023  
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**AN ORDINANCE TO AMEND CHAPTER 315, LAND DEVELOPMENT AND ZONING, ARTICLE V "ZONING", §315-39 CONDITIONAL USES WITHIN THE TOWNSHIP CODE OF THE TOWNSHIP OF BLOOMFIELD**

**BE IT ORDAINED**, by the Mayor and Council of the Township of Bloomfield, County of

Essex, State of New Jersey, as follows:

**Section 1.** Chapter 319 "Land Development and Zoning", Article V, Zoning, § 315-39, Conditional uses", of the Code of the Township of Bloomfield, County of Essex, State of New Jersey, is hereby amended by the addition of the following:

§ 315-39 Conditional Uses.

B. Requirements for Conditional Uses.

(10) Use of existing detached garage as in-law suite.

- a. The Planning Board may grant a conditional use so as to permit within a one-family home the occupancy and use of existing detached garages in the R-1A Zone as in-law suites, with separate kitchen and bathroom facilities, for use by the parent, parents, or adult dependent relatives of one of the owner-occupants or tenant-occupants if, after a public hearing, the Board finds and requires that an application complies with the following:
  - (1) The exception requested is for the purpose of accommodating not more than two members of a family who are a parent, the parents or adult dependent relatives of one of the owner-occupants or tenant-occupants of the principal dwelling unit and who are of such an age or of such condition of health as to require special consideration.
  - (2) The garage is pre-existing and on the same property as the original principal dwelling and is located in the rear yard only. The Board shall not permit the new construction of a garage for the purpose of this conditional use.
  - (3) The property has a minimum area of 8,500 square feet.
  - (4) Residential use of the garage shall only be permitted on the ground floor.
  - (5) The minimum habitable floor area for conversions shall be 500 square feet.

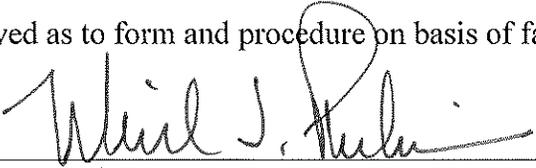
- (6) The gross floor area of the garage may be expanded, but any addition for habitable space may only be horizontal and the maximum habitable floor area shall not exceed 750 square feet. Second floor additions may only be permitted for storage.
  - (7) Shall include at least three surface or driveway parking spaces, which shall not block ingress and egress from the garage space, and which shall be available for use by occupants of the garage and principal dwelling.
  - (8) The owner-occupants or tenant-occupants of the principal dwelling unit and the person or persons accommodated by the exception shall submit affidavits to the Township of Bloomfield certifying that no landlord-tenant relationship will be created by the accessory unit, and affidavits so stating shall be submitted annually by both parties at the time of application for certificate of occupancy renewal.
  - (9) The dwelling unit, building and premises will comply with all other laws and ordinances in all respects if the application is granted.
  - (10) The said owners will enter into a written agreement with the Township of Bloomfield, in a form created by the Township and sufficient for recording in the office of the Register of Essex County, which said agreement shall be subject to the approval of the Township Attorney, whereby the said owners will agree that such use of the premises shall terminate at such time as the applicant no longer owns or occupies the said premises or at such time as the parent or the parents no longer occupy the said premises, whichever shall first occur.
  - (11) The owner will obtain a certificate of occupancy for the conditional use and renew said occupancy certificate once a year in the month of January for the duration of the use, presenting at the time of such renewal proof in the form of an affidavit that the circumstances for which the conditional use was granted have not changed. The accessory dwelling shall be subject to annual inspection as part of the occupancy certificate renewal.
  - (12) The Applicant shall provide notice of all Planning Board hearings on the application to the owners of all real property as shown on the current tax duplicates located within 200 feet in all directions of the property, which is the subject of such hearing, and as may be further required by the Municipal Land Use Law, N.J.S.A. 40:55D-1, et seq.
  - (13) The grant of such conditional use shall not become effective and a certificate of occupancy shall not be issued until such time as the owner has delivered to the Township Attorney the agreement required under Subsection a(11), duly executed, together with the funds necessary to cover the cost of the recording of said agreement with the Register of Essex County.
  - (14) A use permitted by this section shall be deemed abandoned when at any time any of the above requirements cease to be complied with.
- (11) In addition to the above conditions, the applicant for conditional use approval must satisfy all standards for site plan approval set forth in Article III of this chapter.

Section 2. All ordinances inconsistent herewith are hereby repealed.

Section 3. This ordinance shall take effect upon final passage and publication in accordance with the law.

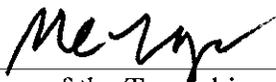
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Approved as to form and procedure on basis of facts set forth.

  
 \_\_\_\_\_  
 Director of Law-Township Attorney

I hereby certify that the above ordinance was duly adopted by the Mayor and Council of the Township of Bloomfield at a meeting of said Township Council held on .

  
 \_\_\_\_\_  
 Municipal Clerk of the Township of Bloomfield

  
 \_\_\_\_\_  
 Mayor of the Township of Bloomfield

✓ Vote Record - Ordinance						
<input type="checkbox"/> Adopt		Yes/Aye	No/Nay	Abstain	Absent	
<input type="checkbox"/> Deny	Jenny Mundell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Withdrawn	Nicholas Joanow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Table	Sarah Cruz	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Not Discussed	Wartyna Davis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> First Reading	Ted Gamble	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Table with no Vote	Richard Rockwell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Approve	Michael J. Venezia	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<input type="checkbox"/> Veto by Mayor						
<input type="checkbox"/> Discussion						
<input type="checkbox"/> Defeated						
<input type="checkbox"/> Discussion No Vote						

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