# Township of Cranford <br> Reconsidering the Bloomingdale Avenue R-6 District 

Blocks: 294, 295, 300, 302, 324, 325, 326, 327

Portion of Block 293
Block 299 - Lots 1.01-1.03

Office of Planning \& Zoning
6/17/2019

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## Summary:

The Township of Cranford - Office of Planning \& Zoning is recommending that the Township Committee and Planning Board consider amending the applicable regulations or rezoning the R-6 Zone (Townhouse Residence District) located along Bloomingdale Avenue in the northeastern quadrant of the township (subject area). The zone in question is comprised of Blocks 294, 295, 300, 302, 324, 326 and 327 as well as a portion of Block 293, the three residential lots at the northern extent of Block 299 and a portion of Block 325. (Figures 1-3)

Currently, R-6 Zones do not permit detached 1- or 2- family homes as either a principal or conditional permitted use. Semi-detached and attached 1-family homes (townhouses) are permitted as a conditional use in the R-5 zone but are the only principal permitted use in the R-6 zone. (§255-36A - Use Regulations) It is the recommendation of this office that the Township Committee consider the following amendment(s) to the Land Development Ordinance as it pertains to the subject area:

Figure 1 - Aerial Image depicting the approximate boundaries of the subject area.
Source: maps.google.com - Accessed 5/28/2019


1. Amend $\S 255-36 \mathrm{~A}$ to make the principal permitted uses of the $\mathrm{R}-1 / 5$ zones a principal permitted use in the subject area;
2. Amend the minimum lot area and lot width requirements for the R-6 zone in order to promote the development of townhouses without the need for a variance;
3. Amend $\S 255-37 \mathrm{C}$ - Supplemental Use Regulations - Townhouses and/or §255-Attachment 1, Schedule 1 - Schedule of Zone District Area, Yard and Building Requirements in order to correct contradictions between existing ordinances;
4. Consider the rezoning of the subject area to a more appropriate residential zone such as the $\mathrm{R}-3$ or $\mathrm{R}-4$ One-Family Detached Residence District or the R-5 One- and Two- Family Residence District.
5. Consider splitting up the existing Bloomfield Avenue R-6 Zone to reflect the boundaries as illustrated in the Township of Cranford Zoning Map (last revised February 2008) where Blocks 325-327 remain zoned for Townhouses and the remaining blocks within the area in question are rezoned to a more appropriate residential zone such as the R-3 or R-4 One-Family Detached Residence District or the R-5 One- and TwoFamily Residence District.

Figure 2 - Township of Cranford Tax Map - Index Map North Last Revised 1993


## Section 1 - Existing Conditions:

The subject area, located in the northeastern quadrant of the Township, and hereafter referred to as the subject area or the Bloomingdale Avenue R-6 Zone, consists of ten (10) blocks and eighty-nine (89) total lots. Seven (7) of the lots are owned by the Township of Cranford while the remainder are privately owned residential properties. The subject area is currently zoned as an R-6 - Townhouse Residence District which allows for the construction of semi-detached 1-family dwellings and attached 1-family dwellings.

Figure 3 - Township of Cranford - Zoning Map - Revised October 2014

The subject area is bordered to the east by an R4 One-Family Detached Residence District, to the southeast by the R-7 Parkway Village Garden Apartment District, to the west by an R1 One-Family Detached Residence District, and to the northwest by the R-SC-1 Senior Citizen Apartment Residence District and the P-1 Public Use District. Additionally, the subject area shares an intersection with the R-4 One-Family Detached Residence District that includes Wadsworth Terrace between Orange Avenue and Cranford Avenue as well as another shared intersection with an R-4 District at Lambert Street between Van Beuren and Wade Avenues. Additionally, the subject area shares a border with the Borough of Kenilworth at its northeast extent. The subject area is located with the Zone X - Area of Minimal Flood Hazard and is not considered to be at risk for flooding based
 upon the Flood Insurance Rate Maps that went effective in September of 2006.

The most common home types include one- and two-story frame structures with an attached garage. Architectural styles include Colonial Revival, Contemporary, Ranch, and Split-Level homes among others. Splitlevels represent a significant portion of the structures in the subject area which is typical for post-war suburbs of the 1950's and -60's. A review of the Township's tax assessment data for all of the residential properties within the subject area shows that they are largely classified as split-level homes. The average construction year for homes within the subject area is 1958 which, as previously mentioned, would be expected based upon the predominant architectural styles.

The Township's tax assessment data and tax maps were examined in order to gain a better understanding of the average lot dimensions for all of the residential properties within the subject area. Based upon this research, average lot dimensions were calculated for both lot area in square feet and lot width. Averages were broken down by individual blocks and for the subject area as a whole. (Appendix 1 - Master Property List)

The average lot size within the subject area is $\sim 8,600 \mathrm{ft}^{2}$ with an average lot width of $\sim 70$ feet. By block, these numbers vary considerably, ranging from as little as $7,509 \mathrm{ft}^{2}$ up to just over 10,000 $\mathrm{ft}^{2}$ in size. Lot widths also vary; ranging from as narrow as $\sim 63.5$ feet to nearly 80 feet wide. The summary provided along with the details in Table 1 - Existing Conditions - Average Lot Dimensions within the Subject Area, do not include Township owned property due to the fact that the Township owned lots are anomalous in size compared to the privately owned lots within the subject area. Inclusion of Township owned property in these calculations would skew the results significantly and would not accurately reflect the existing conditions as it pertains to average lot dimensions.

Figure 4 - Township of Cranford - Tax Map Index
North - Illustrating Township Owned Properties


The seven (7) properties owned by the Township within the subject area, some of which represent partial lots, average over 230,000 $\mathrm{ft}^{2}$ in size. (Appendix 1.8 - Municipal Properties) This is a significant departure from the average lot size identified in Table 1. Two (2) of the Township owned properties; Block 295, Lot 1 and Block 300, Lot 10, are listed as vacant land. Blocks 326 and 327 , which are adjacent to the R-7 Parkway Village Garden Apartment District, are listed as open space and Block 325 is classified in the Township's record as "park." Aerial imagery shows that a section of Block 325 is a part of Adams Park located along Lambert Street and included a section of an existing baseball field. The section of Block 293 that is within the subject area, listed as 210 Birchwood Avenue, is classified in the tax records as being a "Conservation Facility." Block 324 , Lot 22 is listed as a "tax lien foreclosure." It is also important to note that the New Jersey Department of Environmental Protection's Recreational and Open Space Inventory (ROSI) does not list any of the Township owned properties within the subject area as Green-Acres properties.

Table 1 - Average Lot Dimensions within the Subject Area

| BLOCK | LOT AREA (ft <br> Average | LOT WIDTH (ft) <br> Average | AVERAGE YEAR OF <br> CONSTRUCTION |
| :---: | :---: | :---: | :---: |
| 294 | $7,509 \mathrm{ft}^{2}$ | 63.76 | 1953 |
| 295 | $9,101 \mathrm{ft}^{2}$ | 63.63 | 1955 |
| 299 | $9,636 \mathrm{ft}^{2}$ | 78.05 | 1985 |
| 300 | $8,873 \mathrm{ft}^{2}$ | 78.53 | 1952 |
| 302 | $7,967 \mathrm{ft}^{2}$ | 69.88 | 1954 |
| 324 | $10,063 \mathrm{ft}^{\mathbf{2}}$ | 70.64 | 1968 |
| SUBJECT AREA | $\mathbf{8 , 6 0 7} \mathrm{ft}^{2}$ | $\mathbf{7 0 . 0 9}$ | $\mathbf{1 9 5 8}$ |
| The averages presented in Table 1 do not include property owned by the Township of Cranford. |  |  |  |

## Section 2 - Zoning:

Section 2 of Reconsidering the Bloomfield Avenue R-6 District will be focused on examining the associated conditions and issues within the subject area from the perspective of the Township's Zoning Ordinance, §255, namely principal and conditional permitted uses as well as the lot dimension requirements associated with the applicable zones.

## Section 2.1 - Principal and Conditional Permitted Uses

$\S 255-36 \mathrm{~A}$ - Use Regulations-Residential Districts, (Appendix 2.1 | Table 2) establishes the principal and conditional permitted uses for all of the residential districts throughout the Township. The Township's residential districts are broken down by type and further delineated based on lot area requirements as established by §255-Attachment 1 - Schedule 1 of Lot Area, Yard, and Building Requirements. (Appendix 2.2) Semi-detached one-family dwellings and attached one-family dwellings are considered principal permitted uses in the R-6 zone. Semi-detached and attached one-family homes are also considered conditional permitted uses within both the R-5 and R-7 zones. (Table 2 - Residential Use Regulations) The R-6 Zone does not have any additional conditional residential uses listed within the ordinance. The principal permitted uses associated with R-1 through R-5 zones are not permitted uses within the R-6 or R-7 residential zones.

Table 2 - §255-36A - Residential Use Regulations

| Use | R-1 | R-2 | R-3 | R-4 | R-5 | R-6 | R-7 | R-8 | R-SC-1 |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| Detached 1-Family Dwellings | PPU | PPU | PPU | PPU | PPU | - | - | - | - |
| Detached 2-Family Dwellings | - | - | - | - | PPU | - | - | - | - |
| Semi-Detached 1-Family Dwellings | - | - | - | - | CU | PPU | CU | - | - |
| Attached 1-Family Dwellings | - | - | - | - | CU | PPU | CU | - | - |
| Garden Apartment Dwellings | - | - | - | - | - | - | PPU | CU | - |
| $\quad$ Apartment Dwellings | - | - | - | - | - | - | - | PU | - |
| PPU - Principal Permitted Use <br> CU-Conditional Use |  |  |  |  |  |  |  |  |  |

An examination of the subject area conducted by the Office of Planning \& Zoning confirms that, based upon §255-36A - Use Regulations, there exist no conforming uses within the Bloomfield Avenue R-6 District. All of the development that has taken place within the subject area consists of single-family detached residential dwellings. Given that the R-6 Zone only allows for semi-detached and attached single-family homes, a unique problem is created within the subject area where there is not a single conforming use.

Based upon §255-42 - Nonconforming Uses and Structures, specifically §255-42C - Regulation of Nonconforming Uses (Appendix 2.4), "no existing building or premises devoted entirely or in part to a nonconforming use shall be enlarged, extended, reconstructed, substituted or structurally altered except to enlarge or allow a conforming use" except in the case of restorations, destruction, repairs or normal maintenance. Any existing property owner that was to seek a permit for a structural addition or alteration to their previously conforming structure would have to seek a d(2) expansion of nonconforming use variance from the Township of Cranford - Zoning Board of Adjustment based upon the conditions established within both $\S 255-36 A$ and $\S 255-42$ C. Additionally, new construction would require a d(1) use variance.

## Section 2.2 - Lot Area and Width Requirements

The minimum lot area for the R-6 zone as dictated by §255-Attachment 1, Schedule 1 - Schedule of Area, Yard, and Building Requirements- is $40,000 \mathrm{ft}^{2}$ with a minimum lot width of 150 feet. (Table 3) This is in direct conflict with §255-37C - Supplemental Use Regulations - Townhouses (Appendix 2.3) which outlines the specific requirements for townhouse development by both tract and lot. This subsection of the ordinance outlines the requirements for area, frontage, setbacks, lot width, building design, parking, and ownership of common areas. Based upon an examination of §255-Attachment 1, Schedule 1 as well as §255-37C - Supplemental Use Regulations - Townhouses, it would appear that the introduction of the R-6 Zone was to encourage large tract development with specific lot dimensions defined in order to regulate the scale of townhouse development within the Township. In that regard, the language utilized between §255-Attachment 1, Schedule 1 and §25537 C is, as previously mentioned, in conflict; particularly in how a tract and a lot is defined along with the area and lot width minimums established between the two ordinances. (Table 4)

Table 3-§255-Attachment 1, Schedule 1-Schedule of Zone District Area, Yard and Building Requirements (Amended 3/24/15 [Ord. No. 2015-16])

| Zone | Use | Minimum Lot Dimensions |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: |
|  |  | Interior Lots |  | Corner Lots |  |
|  | R-1 Area (SF) | One-Family <br> Detached | 12,000 | 80 | 12,000 |
| R-2 | One-Family <br> Detached | 10,000 | 70 | 10,000 | 85 |
| R-3 | One-Family <br> Detached | 8,000 | 65 | 8,000 | 75 |
| R-4 | One-Family <br> Detached | 6,000 | 60 | 6,000 | 70 |
| R-5 | One- and Two- <br> Family Detached <br> (One Family) | 5,000 | 50 | 5,000 | 60 |
| R-5 | One- and Two- <br> Family Detached <br> (Two Family) | 7,000 | 70 | 8,000 | 80 |
| R-6 | Townhouse <br> District | 40,000 | 150 | 40,000 | 150 |

§255-1B(2) - Definitions, defines a lot as "a designated parcel, tract or area of land established by a plat or otherwise as permitted by law and to be used, developed or built upon as a unit." A tract is defined as a "property which is the subject of a development application." The Schedule of Zone District Area, Yard, and Building Requirements defines the minimum lot dimensions for all zones throughout the Township. However, §255-37C-Supplemental Use Regulations-Townhouses, differentiates between the area and width requirements for tract development and for individual lots as it pertains to townhouses. This differentiation poses a problem in interpreting both the intent and the application of the zoning regulations for the R-6 zone

Table 4 - Minimum Lot Dimensions for Townhouses by Ordinance

| Ordinance | Minimum Lot Dimensions |  |
| :---: | :---: | :---: |
|  | Lot Area (SF) | Lot Width (FT) |
| Attachment 1, Schedule 1 | 40,000 | 150 |
| $\S 255-37 C(1)$ <br> Tract Development | 30,000 | 150 |
| §255-37C(2) <br> Individual Lots | Average of 1,600 | Average of <br> 20 |

The area and width requirements established in §255-Attachment 1, Schedule 1 closely resemble the requirements established in §255-37C(1) Townhouses Tract Development however they do differ. The Schedule of Zone District Area, Yard, and Building requirements, as previously noted, requires a minimum lot size of $40,000 \mathrm{ft}^{2}$ with a minimum lot width of 150 feet while $\S 255-37 \mathrm{C}(1)$ requires a minimum lot size of $30,000 \mathrm{ft}^{2}$ with a minimum lot width of 150 feet. In examining the subject area, all of the preexisting lots in private ownership within the the subject area are nonconforming based on both §255Attachment 1, Schedule 1 and §255-37C(1).

Critically examining the lot dimension minimums allows for the interpretation of the intent behind the creation of the R-6 Townhouse Residence District's and whether or not the zone requirements are appropriate as currently defined. Based on §255-37C, it can be deduced that the R-6 zone was introduced as a means of upzoning particular neighborhoods within the Township with the expectation that development would occur on a large-scale. The ordinance as currently constituted only allows for large tract development as opposed to construction on pre-existing individual lots. Depending upon which section of the ordinance were to be applied, §255-Attachment 1, Schedule 1 or §255-37C - Supplemental Use Regulations, townhouses could only be developed on blocks 325-327, all currently owned by the Township, as-of-right assuming all additional supplemental zoning regulations that apply were to be met.

Considering the fact that there are no pre-existing, conforming lots in private ownership within the subject area, the Township has created a condition in which all new, as-of-right construction requires a c(1) "hardship" variance and/or at least two c(2) "flexible" variances; minimum lot size and minimum lot width. The Township of Cranford Land Development Ordinance, specifically §255-35B(1)-Supplemental Zone District Regulations (Appendix 2.5) states that "notwithstanding any other provisions of this article, any existing nonconforming lot in the R-1, R-2, R03, R-4, and R-5 Zone which is in single ownership, is not adjoining any vacant land and is nonconforming due to shape, width, or area may be improve with a new structure or building as otherwise permitted by this chapter" assuming that the minimum setbacks adhere to the Township's Schedule of Area, Yard, and Building Requirements. This allows for the construction of new structures in the R-1 through R-5 zones assuming all other yard and bulk requirements are met. However, there is not a similar stipulation that would apply to the R-6 Townhouse Districts in the Township. If the regulations applied to R-1 through R-5 residential zones were applied to the $R-6$ zone as well, variances would not necessarily be required by default.

## Section 2.3 - Changes to the Zoning Map

Figure 5 - Township of Cranford - Zoning Map - June 21, 2007 - Last Revised February 21, 2008


At the time of the most recent adoption of the Master Plan which took place in 2009, the subject area was largely zoned as an R-3 Single Family Detached Residence District. Sometime between the Plan's adoption and the present time, the area was merged with the nearby R-6 Townhouse Residence District. (Figure 4) This is in conflict with the recommendations of the approved Master Plan Reexamination that was adopted in September of 2009. It is unclear what the purpose was behind the rezoning of the area from $R-3$ to R-6 as it was not only in conflict with the recommendations of the 2009 Master Plan but also in conflict with the character of the adjacent residential zones as well as the subject area as a whole.

Referring back to the tax maps and Appendix 1 Master Property List, the previously existing R-6 Zone consisting of Blocks 326 and 327 along with a portion of Block 325 are all classified as either park or open space. The classification of these lots as an R-6 Townhouse District could be considered consistent with the implied intent of the R-6 Zone designation however the merger with the adjacent R-3 One-Family Detached Residence District is less understood.

## Section 2.4 - Zoning Summary

In summary, the ordinance as it is presently constructed creates what can best be described as an undue burden upon existing homeowners within the Bloomingdale Avenue R-6 District as well as potential developers that may be interested in large-scale tract development or the construction of new one-family homes. At this time, there is no one single structure within the zone that would qualify as a conforming use. As such, any structural alterations or enlargements require a $d(2)$ expansion of nonconforming use variance because of the inherent contradictions and inadequacies within the ordinance. All new construction of a single family home in the zone would require a d(1) use variance. Furthermore, any potential developer intent upon following the zoning regulations would still be required to seek numerous variances from the Township's Zoning Board of Adjustment.

## Section 3 - Master Plan

N.J.S.A. 40:55D-64 stipulates that "prior to the hearing on adoption of a zoning ordinance, or any amendments thereto, the governing body shall refer any such proposed ordinance or amendment thereto to the planning board." The purpose of the referral is for the Planning Board to consider the proposed amendment to the Land Use Ordinance in terms of its consistency with the Township's adopted Master Plan; specifically the Land Use and Housing elements. The Master Plan serves as the fundamental guiding document for development within the Township. With that in mind, it is imperative that amendments to the Land Use Ordinance adhere to the principals and the goals established within the adopted Master Plan.

## Section 3.1 - Land Use Element

As of the writing of the adopted Master Plan (2010), approximately $66 \%$ of the Township's total land area was represented by residential use. Fifty-six percent of the Township is dominated by single-family residential uses. The R-1 through R-4 single-family residential zones are qualified as the Township's low-density areas. Additionally, the master plan points out that the preservation of the integrity of existing single-family neighborhoods was a primary concern for the Township.

Appendix LU-A: Recommended Development Density and Intensity Standards of the Master Plan outlines the recommended maximum density standards for all of the Township's residential zones. The subject area was previously zoned as an R-3 single-family residential district with the exception of three (3) Township owned properties along the southern extent of the subject area which was zoned for Townhouses at that time. The recommended maximum net density for the $R-3$ zone is 5.4 units per acres while the $R-6$ zone is recommended to achieve 8.7 units per acre. The difference of 3.3 units per acre could ultimately lead to an additional 110 units assuming a full build out of the subject area. The U.S. Census reports that there are approximately 2.79 persons per household (2018 5-Year Estimates) in the Township. A full buildout would lead to an increase of approximately 305 persons in a neighborhood that has been a single-family, low-density neighborhood since development took full-effect over fifty years ago.

Multi-family residential land uses only comprised $\sim 1.3 \%$ of the Township's land area in 2010. While densification was considered a goal of the document; growth was designed to occur largely in the downtown core. However, it was also noted that a goal of the Township was to "maintain the existing Multi-Family Residential Land Use areas as currently zoned." Considering a majority of the subject area and the entirety of the developed portions of the subject area was zoned R-3 at the time of the Master Plan's adoption, the modification of the area's zone to an R-6 Townhouse District was contrary to what was recommended and adopted by the Township.

Considering the subject area's original zoning and the goals identified within the Master Plan, it is the opinion of the Office of Planning \& Zoning that amending the permitted uses within the subject area or rezoning the subject area to a more appropriate zone would be consistent with the goals and intent of the Township's Master Plan.

## Section 3.2 - Housing Plan Element and Fair Share Plan

In November of 2018, the Township released its Housing Plan Element \& Fair Share Plan. Harbor Consultants was contracted to complete the document in order to address the Township's compliance with the Municipal Land Use Law, applicable Council on Afford Housing regulations, Uniform Housing Affordability Controls regulations, along with other applicable state laws. As a part of this analysis, Harbor Consultants was tasked with identifying growth areas in order to determine the Township's present and prospective fair share of low- and moderate- income housing and the total present and future capacity to address housing need including redevelopment areas.

The Housing Plan Element portion of the document does not provide any recommendations for the future within the Township. It does provide both historic and present context for the Township's existing housing stock, demographics, and employment characteristics. Due to the lack of recommendations included within the Housing Plan Element; there is no need to consider potential conflicts. It is still important to note that the recommendations presented as a part of this rezoning proposal do not alter the characteristics of the existing housing stock but instead serve to preserve the existing character of the subject area.

The Fair Share Plan sections of the plan do provide recommendations and outlines potential future opportunities to address the Township's affordable housing deficiencies. This was achieved by completing a Vacant Land Capacity Analysis along with considering future redevelopment potential. Potential projects were identified by block and lot along with the unit characteristics by both type and number of units. The plan did not identify any existing projects nor any potential future projects within the subject area that were considered to be a critical component of the Township's ability to meet its existing and future low- and moderate- income housing needs.

As the adopted Housing Plan Element and Fair Share Plan does not specify any of the properties within the subject area as being a requisite component of meeting the Township's housing needs, it is the opinion of the Office of Planning \& Zoning that the recommendations contained within this report are not in conflict with the Township's Housing Plan Element and Fair Share Plan.

## Section 4 - Recommendations

1. Amend the minimum lot area and lot width requirements for the R-6 zone in order to promote the development of townhomes without the need for a variance.
a. Modifying the minimum lot area and width requirements within the R-6 may allow for the potential of constructing townhomes in the districts where they are considered principal and conditional permitted uses;
b. The potential impact of this amendment would be negligible as the average lot size makes the development of traditional suburban townhomes difficult as numerous adjoining lots would be required for concurrent development to occur;
c. This recommendation can be perceived as being in conflict with the Master Plan.
2. Amend $\S 255-36 A$ to make the principal permitted uses of the R-1 through R-5 zones a principal permitted use in the R-6 zone in the subject area defined in Figures 1-3.
a. Removes the undue burden placed on home owners within the subject area while still allowing for the development of townhomes;
b. Recommendation 1 would still require consideration in order for this course of action to have any impact as it relates to densification of the area;
c. This recommendation track would require supplemental language to be applied to the lot area and setback requirements to be integrated into the ordinance as a means of minimizing the burden on property owners;
d. This recommendation could be perceived as being in conflict with the Master Plan.
3. Amend §255-37C in order to correct contradictions between existing ordinances.
a. The existing inconsistencies between §255-Attachment 1, Schedule 1 and §255-37C presents a regulatory concern that needs to be addressed if the subject area and additional R-6 zones in the Township are not rezoned. For example, providing more succinct definitions of tract and lot as it applies to townhouse development. Additionally, the variation in minimum lot area between should be corrected.
4. Consider rezoning the subject area to a more appropriate residential zone such as R-3, R-4 or R-5.
a. If it is the intent of the Township Committee and the Township's Planning Board to maintain the existing character and scale of the subject area as it currently exists, downzoning the neighborhood may be the most appropriate course of action;
b. Based upon the existing conditions as it pertains to average lot dimensions, reclassifying the subject area to an R-3 or R-4 One-Family Residence District would be appropriate. The average lot area and lot width are largely compliant with the minimum lot dimensions defined in §255-

Attachment 1, Schedule 1. The existing building stock is dominated by one-family detached homes. Additionally, R-4 zones represent the density sought in several nearby residential zones.
c. Based upon the existing conditions as it pertains to average lot dimensions, reclassifying the subject area to an R-5 One- and Two- Family Detached Residence District may be appropriate. This should be considered if the Planning Board determines that this area was intended to be up-zoned but wishes the scale to be in-line with existing development.
5. Consider splitting up the existing Bloomfield Avenue R-6 Zone to reflect the boundaries as illustrated in the Township of Cranford Zoning Map (last revised February 2008) where Blocks 325-327 remain zoned for Townhouses and the remaining blocks within the area in question are rezoned to a more appropriate residential zone such as the R-3 or R-4 One-Family Detached Residence District or the R-5 One- and TwoFamily Residence District.
a. If it is the intent of the Township Committee and the Township's Planning Board to maintain the existing character and scale of the subject area as it currently exists, downzoning the neighborhood may be the most appropriate course of action;
b. Based upon the existing conditions as it pertains to average lot dimensions, reclassifying the subject area to an R-3 or R-4 One-Family Residence District would be appropriate. The average lot area and lot width are largely compliant with the minimum lot dimensions defined in §255Attachment 1, Schedule 1. The existing building stock is dominated by one-family detached homes. Additionally, R-4 zones represent the density sought in several nearby residential zones.
c. Based upon the existing conditions as it pertains to average lot dimensions, reclassifying the subject area to an R-5 One- and Two- Family Detached Residence District may be appropriate. This should be considered if the Planning Board determines that this area was intended to be up-zoned but wishes the scale to be in-line with existing development.
d. The three (3) blocks (325-327) currently owned by the Township of Cranford mostly meet the area requirements established by the Zoning Ordinance for Townhouse Development notwithstanding the existing conflicts between §255 - Area, Yard, and Building Requirements and §255-37C - Supplemental Use Regulations - Townhouses.

## Section 5 - Procedural Requirements:

The Township Committee has the power to adopt or amend $\S 255$ - Land Development Ordinance. However, prior to the adoption of an amendment to the ordinance, the Committee must refer the ordinance to the Township's Planning Board. The Planning Board is charged with the responsibility of reviewing the proposed amendment in order to determine its consistency with the land use and housing plan elements of the adopted master plan (NJSA 40:55D-64).

The Township is also subject to the general notice requirements set forth in NJSA 40:49-2 and NJSA 40:49-2.1 which specifies that public notice must be provided for the Committee's hearings on the proposed amendment to the ordinance. In the case of a rezoning, personal notice must be given to all of the affected property owners as well as all of the property owners within 200 feet of the zone in question including those in the Borough of Kenilworth.

Notice must be given by the Township's Clerk at least ten (10) days prior to the hearing date (NJSA 40:55D-62.1). The notice must state the date, time and place of the hearing, the nature of the matter to be considered and an identification of the affected zoning districts and proposed amendment. Identification must include street names and references to block and lot numbers (NJSA 40:55D-62.1).

## APPENDIX 1

## MASTER PROPERTY LIST



Reconsidering the bloomingdale avenue r-6 district
APpendix 1.3 - block 295

| 88 |  |
| :---: | :---: |
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APPENDIX 1.


RECONSIDERING THE BLOOMINGDALE AVENUE R-6 ZONE
APPENDIX 1.4-BLOCK 299

| Block Lot | Loation | Owner | Owner Address | Owner Address 2 | Owner State | ow | Property Class code | Buulding Descripion | feet | cage | code | Exempt Statue Number | Exempt facilit Name | Builing Cass code | ${ }_{1086}$ | Assesment code | Width |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| ${ }^{299} 1.03$ | 105 Albanv AvE | PUCHINSSYT, TRUVIS I \& HEATHER | 105 Albanv Ave |  | N | CRANEORD |  | ${ }^{2255 \cdot-26}$ | 10625.00 | 0.24 | ${ }^{2016}$ |  |  | - ${ }^{16}$ | ${ }_{1986}$ |  | 79.16 70.00 |
| ${ }^{299} 1.001$ | 103 Alband AVE | GARESLLES: WILLIAM (E) \& JOANNE M | ${ }_{10}^{103}$ Albantrave |  | N | Crankero |  | $\frac{2}{2255-26}$ | ${ }_{9532.00}$ | 0.22 | ${ }_{7} 016$ |  |  | ${ }_{16}^{16}$ | ${ }_{1}^{1986}$ |  | $\underset{\substack{8.00}}{\text { 80.0 }}$ |
|  |  |  |  |  |  |  |  | AvERAGE | 9635.67 | 0.22 |  |  |  |  | 1985 |  | 78.05 |




reconsidering the bloomingdale avenue r-6 district
Municipal propertics


## APPENDIX 2

## APPLICABLE REGULATIONS

## APPENDIX 2.1 - USE REGULATIONS

## § 255-36 Use regulations.

The use regulations applicable to each zone district within the Township of Cranford are as follows. (Note that "PPU" is permitted principal use; "CU" is conditional use.)
A. Residential districts.
(1) Principal permitted and conditional uses.

| Uses | Districts Where Permitted |  |  |  |  |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  | R-1 | R-2 | R-3 | R-4 | R-5 | R-6 | R-7 | R-8 | R-SC-1 |
| Community residences for developmentally disabled ${ }^{1}$ | PPU | PPU | PPU | PPU | PPU | - | - | - | - |
| Community shelters for victims of domestic violence ${ }^{2}$ | Permitted in all zones |  |  |  |  |  |  |  |  |
| Family day-care homes ${ }^{3}$ | Permitted in all zones |  |  |  |  |  |  |  |  |
| Detached 1-family dwellings | PPU | PPU | PPU | PPU | PPU | - | - | - | - |
| Detached 2-family dwellings | - | - | - | - | PPU | - | - | - | - |
| Semidetached 1 family dwellings | - | - | - | - | CU | PPU | CU | - | - |
| Attached 1 -family dwellings | - | - | - | - | CU | PPU | CU | - | - |
| Garden apartment dwellings | - | - | - | - | - | - | PPU | CU | - |
| Apartment dwellings | - | - | - | - | - | - | - | PPU | - |
| Farms | PPU | PPU | PPU | PPU | PPU | PPU | PPU | PPU | PPU |
| Farm stands | CU | CU | CU | CU | CU | CU | CU | CU | CU |
| Country clubs and private swimming clubs | PPU | - | - | - | - | - | - | - | - |
| Institutional and public uses | CU | CU | CU | CU | CU | CU | CU | - | - |
| Essential services | PPU | PPU | PPU | PPU | PPU | PPU | PPU | PPU | PPU |

## NOTES:

One through six residents, excluding staff.
One to five residents. Each such facility shall register its street address with the Cranford Township Police Department prior to commencement or continuation of operations, for the purpose of expediting emergency services response.
Three to five children. Each such facility shall register its street address with the Cranford Township Police Department prior to commencement or continuation of operations, for the purpose of expediting emergency services response.

| Zone | Use | Minimum Lot Dimensions |  |  |  | Minimum Yards (Principal) |  |  |  | Maximum Bulk Standards |  |  |  |  | Maximum Distance From Front Street Right-of-Way That Minimum Lot Area May be Measured ${ }^{\text {d }}$ (feet) | Minimum Distance From Principal Building to a Railroad or Garden State Parkway (feet) | Minimum <br> Distance <br> From <br> Building to <br> 1-or 2- <br> Family <br> Residence <br> Zone <br> (feet) |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  |  | Interior Lots |  | Corner Lots |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  | $\begin{gathered} \text { Lot } \\ \text { Area } \\ \text { (square } \\ \text { feet) } \\ \hline \end{gathered}$ | $\begin{gathered} \text { Lot } \\ \text { Widt } \\ \text { h } \\ \text { (feet) } \\ \hline \end{gathered}$ | $\begin{gathered} \text { Lot } \\ \text { Area } \\ \text { (square } \\ \text { feet) } \\ \hline \end{gathered}$ | $\begin{gathered} \text { Lot } \\ \text { Widt } \\ \text { h } \\ \text { (feet) } \\ \hline \end{gathered}$ | Front ${ }^{\mathrm{c}, \mathrm{e}}$ (feet) | $\begin{aligned} & \text { Rear } \\ & \text { (feet) } \end{aligned}$ | Side |  | Maximum Floor Area Ratio (FAR) | Maximum Lot Impervious Coverage ${ }^{\text {i }}$ | Maximum Building Coverage | Maximum Building Height ${ }^{\text {b }}$ (stories/feet) |  |  |  |  |
|  |  |  |  |  |  |  |  | One (feet) | Both (feet) |  |  |  | Principal Building | Accessory Building |  |  |  |
| R-1 | One-Family Detached Residence District | 12,000 | 80 | 12,000 | 95 | 35 | Note f | $\begin{gathered} 10 \% \text { of lot width } \\ (7 \mathrm{ft} . \mathrm{min} .) \\ \hline \end{gathered}$ | $\begin{gathered} 30 \% \text { of lot } \\ \text { width } \end{gathered}$ | - | 35\% | 25\% | 21/2/32 | 1/16 | 150 | 100 | - |
| R-2 | One-Family Detached Residence District | 10,000 | 70 | 10,000 | 85 | 35 | Note f | $10 \%$ of lot width ( $7 \mathrm{ft} . \mathrm{min}$.) | $\begin{aligned} & 30 \% \text { of lot } \\ & \text { width } \end{aligned}$ | - | 35\% | 25\% | 21/2/32 | 1/16 | 145 | 100 | - |
| R-3 | One-Family Detached Residence District | 8,000 | 65 | 8,000 | 75 | 25 | Note f | $10 \%$ of lot width ( $7 \mathrm{ft} . \mathrm{min}$.) | $\begin{gathered} 30 \% \text { of lot } \\ \text { width } \end{gathered}$ | - | 38\% | 28\% | 21/2/32 | 1/16 | 125 | 100 | - |
| R-4 | One-Family Detached Residence District | 6,000 | 60 | 6,000 | 70 | 25 | Note f | $10 \%$ of lot width ( $7 \mathrm{ft} . \mathrm{min}$.) | $\begin{gathered} \hline 30 \% \text { of lot } \\ \text { width } \\ \hline \end{gathered}$ | - | 40\% | 30\% | 21/2/32 | 1/16 | 100 | 100 | - |
| R-5 | One- and Two-Family Residence District (Single-Family) | 5,000 | 50 | 5,000 | 60 | 25 | Note f | $10 \%$ of lot width ( $7 \mathrm{ft} . \mathrm{min}$.) | $\begin{gathered} \hline 30 \% \text { of lot } \\ \text { width } \end{gathered}$ | - | 45\% | 30\% | 21/2/32 | 1/16 | 100 | 100 | - |
| R-5 | One- and Two-Family Residence District (TwoFamily) | 7,000 | 70 | 8,000 | 80 | 25 | Note f | $10 \%$ of lot width (7 ft. min.) | $\begin{gathered} 30 \% \text { of lot } \\ \text { width } \end{gathered}$ | - | 50\% | 30\% | 21/2/32 | 1/16 | 100 | 100 | - |
| R-6 | Townhouse Residence District | 40,000 | 150 | 40,000 | 150 | See Article V, § 255-37C |  |  |  | - | 50\% | 25\% | 21/2/32 | 1/16 | - | 100 | 35 |
| R-7 | Garden Apartment Residence District | 40,000 | 150 | 40,000 | 150 | See Article V, § 255-37D |  |  |  | - | 70\% | 35\% | 21/2/32 | 1/16 | - | 100 | 35 |
| R-8 | Apartment Residence District | 40,000 | 150 | 40,000 | 150 | See Article V, § 255-37E |  |  |  | - | 80\% | 40\% | 5/60 | 1/16 | - | 100 | 60 |
| R-SC-1 ${ }^{\text {g }}$ | Senior Citizen Apartment Residence District | 40,000 | 150 | 40,000 | 150 | See Article V, § 255-37E |  |  |  | - | 80 | 40\% | 5/55 | 1/16 | - | - | - |
| IMR | Inclusionary Multifamily Residence District | See § 255-36A(3) |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| D-C | Downtown Core District | - | - | - | - | $5^{\text {a }}$ | 10 | 0 | 0 | 3.0 | 100\% | - | 3/45 | Same as principal building | - | - | 20 |
| D-B | Downtown Business District | - | - | - | - | $5^{\text {a }}$ | 10 | 0 | 0 | 2.5 | 80\% | - | 3/45 | Same as principal building | - | - | 20 |

CRANFORD CODE

| Zone | Use | Minimum Lot Dimensions |  |  |  | Minimum Yards (Principal) |  |  |  | Maximum Bulk Standards |  |  |  |  | Maximum Distance From Front Street Right-of-Way That Minimum Lot Area May be Measured ${ }^{\text {d }}$ | Minimum <br> Distance From <br> Principal <br> Building to a <br> Railroad or <br> Garden State <br> Parkway | Minimum Distance From Building to 1- or 2Family Residence |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  |  | Interior Lots |  | Corner Lots |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  | $\begin{gathered} \text { Lot } \\ \text { Area } \\ \text { (square } \\ \text { feet) } \\ \hline \end{gathered}$ | Lot <br> Widt h (feet) | $\begin{gathered} \text { Lot } \\ \text { Area } \\ \text { (square } \\ \text { feet) } \\ \hline \end{gathered}$ | Lot Widt h (feet) | $\begin{gathered} \text { Front }{ }^{\text {c,e }} \\ \text { (feet) } \\ \hline \end{gathered}$ | Rear (feet) | Side |  | Maximum Floor Area Ratio (FAR) | Maximum Lot Impervious Coverage ${ }^{\text {i }}$ | Maximum Building Coverage | Maximum Building Height ${ }^{\text {b }}$ (stories/feet) |  |  |  |  |
|  |  |  |  |  |  |  |  | One (feet) | $\begin{aligned} & \text { Both } \\ & \text { (feet) } \end{aligned}$ |  |  |  | Principal Building | Accessory Building |  |  |  |
| D-T | Downtown Transition District | - | - | - | - | $5^{\circ}$ | 10 | 0 | 0 | 2.5 | 80\% | - | 3/45 | Same as principal building | - | - | 20 |
| VC | Village Commercial District | - | - | - | - | $5^{\text {e }}$ | 25 | 0 | 0 | 1.8 | 90\% | - | 21/2/38 | Same as principal building | - | - | 10 |
| O-1 | Low-Density Office Building District | 250,000 | 300 | 250,000 | 100 | 50 | 50 | 50 | 100 | 0.2 | 75\% | 38\% | 2/30 | Same as principal building | - | - | 150 |
| O-2 | Medium-Density Office Building District | 15,000 | 100 | 15,000 | 100 | 30 | 25 | $10 \%$ of lot width ( $10 \mathrm{ft} . \mathrm{min}$.) | $20 \%$ of lot width ( 20 ft . min.) | 0.5 | 75\% | 40\% | 3/40 | Same as principal building | - | - | 20 |
| NC | Neighborhood Commercial District | 10,000 | 100 | 15,000 | 100 | 15 | 20 | 12 | 24 | - | 75\% | 40\% | 2/30 | Same as principal building | - | - | 20 |
| ORC | Office Residential Character District | 15,000 | 100 | 15,000 | 100 | 30 | 25 | $10 \%$ of lot width ( $10 \mathrm{ft} . \mathrm{min}$.) | $\begin{gathered} \hline 20 \% \text { of lot } \\ \text { width (20 ft. } \\ \text { min.) } \\ \hline \end{gathered}$ | 0.5 | 75\% | 30\% | 2.5/35 | Same as principal building | - | - | 20 |
| C-1 | Commercial-1 District | 150,000 | 250 | 100,000 | 250 | 50 | 100 | 50 | 100 | 3.0 | 70\% | 35\% | 6/75, <br> except <br> $4 / 45$ <br> adjacent <br> to <br> residence <br> districts <br> 3 | Same as principal building | - | - | 100 |
| C-2 | Commercial - 2 District | 10,000 | 75 | 10,000 | 75 | 20 | 25 | $10 \%$ of lot width ( $10 \mathrm{ft} . \mathrm{min}$.) | $\begin{gathered} \hline 20 \% \text { of lot } \\ \text { width ( } 20 \mathrm{ft} . \\ \text { min.) } \end{gathered}$ | 0.6 | 75\% | 40\% | 3/45 | Same as principal building | - | 10 | 25 |
| C-3 | Commercial - 3 District | 20 acres | 1,000 | 20 acres | 1,000 | 150 | 75 | $10 \%$ of lot width ( $10 \mathrm{ft} . \mathrm{min}$.) | $\begin{gathered} 20 \% \text { of lot } \\ \text { width ( } 20 \mathrm{ft} . \\ \text { min.) } \\ \hline \end{gathered}$ | 0.6 | $60 \%{ }^{\text {b }}$ | 25\% | 3/45 | Same as principal building | - | 75 | 100 |
| E-1 | Education District | 45 acres | See Article V, § 255-37G, for requirements applicable to the E-1 Zone |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| P-1 | Public Use District | See Article V, § 255-36F, for requirements applicable to the P-1 Zone |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |

In the R-1 through R-5 Zones, the minimum front yard setback shall be maintained, except that, where a prevailing setback has been established on improved lots within 200 feet of the subject lot, the prevailing
setback shall govern, but in no case shall the front yard be less than the minimum nor need be greater than the lot depth; and $90 \%$ of the balance of the lot depth.
g. In the R-SC- 1 Zone, required side yard shall be do
reduction plan may be developed with a maximum of $70 \%$ of the lot in impervious surface. i. No more than $35 \%$ of the required front yard area in any residential zone shall be paved for use as a driveway or off-street parking.

## APPENDIX $2.3-\S 255-37 C-$ SUPPLEMENTAL USE REGULATIONS

C. Townhouses. Townhouse dwellings shall comply with the following regulations:
(1) Tract development.
(a) Minimum tract area. The minimum tract area shall be 30,000 square feet.
(b) Minimum tract frontage. The minimum tract frontage shall be 150 feet.
(c) Development density. Each dwelling unit shall be constructed on an individual lot, and there shall be a minimum of 5,000 square feet of tract area per dwelling unit.
(2) Individual lots.
(a) Minimum width. The required average width of all individual lots shall be not less than 20 feet, and no individual lot shall have a width of less than 18 feet, said width to be measured at the actual building setback line for each individual lot. In addition, for each individual lot with a width less than the required average, there shall be not less than one individual lot with a width greater than the required average, and the deviation from the required average of the larger lot shall be at least equal to the deviation from the required average of the smaller lot.
(b) Minimum area. The required average area of all individual lots shall be not less than 1,600 square feet, and no individual lot shall have an area of less than 1,400 square feet. In addition, for each individual lot with an area less than the required average, there shall be not less than one individual lot with an area greater than the required average, and the deviation from the required average of the larger lot shall be at least equal to the deviation from the required average of the smaller lot.
(c) Front and rear yards. The required average for front and rear yards on all individual lots shall be not less than 25 feet, and no individual lot shall have a front or rear yard of less than 20 feet, except that where the front or rear property line of an individual lot abuts open space and which open space shall have a minimum dimension of 50 feet measured at right angles along the full length of the abutting property line, then the required average and minimum yard requirements set forth herein may be reduced by not more than 10 feet for the abutting yard. In addition, for each individual lot with a front or rear yard less than the required average, there shall be not less than one individual lot with corresponding yard greater than the required average, and the deviation from the required average of the larger yard shall be at least equal to the deviation from the required average of the corresponding smaller yard.
(d) Side yards. There shall be a single side yard of not less than 10 feet required only for each individual lot occupied by a semidetached dwelling unit.
(3) Buildings.
(a) Design.
[1] Each dwelling unit shall have not fewer than two means of ingress and egress.
[2] Each dwelling unit shall have not fewer than two exposures.
[3] There shall be no more than eight dwelling units in any single group of dwelling units.
[4] No living space shall be permitted above the second story.
[5] No more than two adjacent dwelling units may be constructed without providing a front wall setback of not less than four feet.
(b) Siting.
[1] Each group of dwelling units shall set back not less than 35 feet from primary or secondary arterial streets as designated in the Master Plan and not less than 25 feet from all other streets, roads or ways, whether public or private. New buildings shall not project closer to the street than the established setback, except where a prevailing setback has been established on improved lots within 200 feet of the subject lot. However, in no case need the setback from any public street exceed 50 feet.
[2] Each group of dwelling units shall set back not less than 35 feet from a zone district boundary line, except that, where abutting an R-7 or R-8 Zone, the setback may be reduced to 20 feet.
[3] Each group of dwelling units within a tract shall be set back not less than 30 feet from any other group of dwelling units within the same tract and shall set back not less than 15 feet from the tract boundary line.
(4) Garages.
(a) Design. All garages shall conform architecturally to, and be of similar materials as, the principal building in the development.
(b) Location. Garages may be built into townhouses or may be constructed on individual lots or on common areas, all subject to the approval of the Planning Board.
(c) Private garages. Garages constructed on individual lots under this article shall be subject to Subsection C(4)(a) and (b) above and the following:
[1] A garage need not be set back from one side line of an individual lot and may be attached to a garage on an adjacent individual lot.
[2] No garage which is not attached to or part of a townhouse on the same individual lot shall be closer than 20 feet to said townhouse.
(d) Common garages shall meet the setback requirements for parking areas as set forth in Article IV, $\S 255-26 \mathrm{G}(3)$, except that the rear walls of such garages may be situated as close as 25 feet to a peripheral public street subject to any greater existing setbacks and approval by the Planning Board.
(5) Ownership of common areas. Common areas of any tract utilized for a townhouse development which are not accepted by the Township shall be deeded to a corporation, association, individual or individuals or other legal entity consisting of a majority of the property owners within the development for their use, control, management and maintenance. Any agreement providing for such ownership shall be reviewed and approved by the Township Attorney to ensure that adequate safeguards are included guaranteeing the continuance of the agreement in perpetuity and protecting the Township from harm. In any event, said agreement shall give the Township the right to perform maintenance and assess the cost to the property owners in the event that said property owners fail to maintain the property in accordance with the agreement.

## APPENDIX 2.4 - §255-42C - NONCONFORMING USES AND STRUCTURES

C. Regulation of nonconforming uses.
(1) No existing building or premises devoted entirely or in part to a nonconforming use shall be enlarged, extended, reconstructed, substituted or structurally altered except to enlarge or allow a conforming use, or as follows:
(a) Restoration. Except as in Subsection C(1)(b) below, any nonconforming use or structure damaged by fire, casualty or act of God may be repaired but not further enlarged.
(b) Destruction. If, in the opinion of the Construction Official, a structure is damaged beyond repair, any new structure and the use thereof shall be in compliance with this chapter.
(c) Repairs. Normal maintenance and repair of a structure containing a nonconforming use is permitted, provided that it does not extend the area or volume of space occupied by the nonconforming use and does not increase the number of dwelling units.
(d) Residential garages. A single-family residence constructed with less than the required private garage parking may be enlarged, extended, substituted or structurally altered if otherwise in conformity, provided that the minimum number of off-street parking spaces as required under § 255-44 are constructed, but such spaces need not be garages.
(2) Nothing in this section shall prevent the strengthening or restoring to a safe or lawful condition of any part of any building or structure declared unsafe or unlawful by the Construction Official or other authorized state or Township official.
(3) Subdivision of land. No land upon which a nonconforming use is located may be subdivided except by action of the Zoning Board of Adjustment in accordance with Article II, § 255-3C(4).

## APPENDIX 2.5 - §255-335B(1) - SUPPLEMENTAL ZONE DISTRICT REGULATIONS

B. Lot regulations.
(1) Nonconforming lot. Notwithstanding any other provisions of this article, any existing nonconforming lot in the $\mathrm{R}-1, \mathrm{R}-2, \mathrm{R}-3, \mathrm{R}-4$ or $\mathrm{R}-5$ Zone which is in single ownership, is not adjoining any vacant land and is nonconforming due to shape, width or area may be improved with a new structure or building as otherwise permitted by this chapter, provided that:
(a) The minimum setback shall be as required in Schedule 1, except as noted below.
(b) Required side street setbacks on corner lots may be reduced one foot for each three feet the lot is under the minimum width required in the zone district but shall not be reduced below $1 / 2$ the minimum required setback. (See definition of "yard, street side.")

