

ML - Spotswood

2/2/1977

Affidavit of Brigiani

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P.1. 2045

CA002189 ✓

MIDDLESEX COUNTY N.J.

77 MAR 30 A 8: 55

BOOK \_\_\_\_\_ PAGE \_\_\_\_\_  
FRANK SCHATZMAN  
CLERK

**FILED**

MAR 29 1977

**DAVID D. FURMAN, J.S.C.**

**GUIDO J. BRIGIANI**  
1 OAKLAND ROAD  
JAMESBURG, NEW JERSEY 08831  
(201) 521-0369  
ATTORNEY FOR Defendant,  
Borough of Spotswood

SUPERIOR COURT OF NEW JERSEY  
CHANCERY DIVISION  
MIDDLESEX COUNTY  
DOCKET NO. C-4122-73 <sup>314, 370</sup>  
374

URBAN LEAGUE OF GREATER NEW  
BRUNSWICK, et als., :

Plaintiffs, :

- vs - :

THE MAYOR AND COUNCIL OF THE  
BOROUGH OF CARTERET, et als., :

Defendants. :

Civil Action

AFFIDAVIT


STATE OF NEW JERSEY: SS:  
COUNTY OF MIDDLESEX:

GUIDO J. BRIGIANI, of full age, being duly sworn  
according to law, upon his oath, deposes and says:

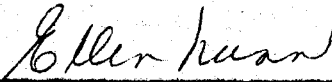
1. I am the Attorney for the Borough of Spotswood.
2. Attached hereto and made a part hereof are certified copies of amendments to the Zoning Ordinance of the Borough

of Spotswood together with Affidavits of Publication. Said amending ordinance was finally adopted on January 10, 1977.

3. I believe that the said amendments and modifications to the Spotswood Zoning Ordinance comply in every respect with the suggestions made by the Court at the time that the Conditional Order of Dismissal was entered in the within matter.

  
GUIDO J. BRIGIANI

Sworn and subscribed to  
before me this *2nd* day  
of *February*, 1977.

  
ELLEN NUNN  
A Notary Public of New Jersey  
My Commission Expires June 24, 1980

# AFFIDAVIT OF PUBLICATION

STATE OF NEW JERSEY, {  
COUNTY OF MIDDLESEX, { SS:

Before the undersigned a Notary Public in and for said County and State,  
personally appeared

Angela Duris

who being duly sworn, says that the annexed notice was published on the following dates, to wit:

..... 19 day of January 19 77  
..... day of ..... 19.....  
..... day of ..... 19.....  
..... day of ..... 19.....  
..... day of ..... 19.....

in THE HOME NEWS, a daily newspaper of general circulation printed and published in Middlesex County, New Jersey, of which the said affiant is book-keeper.

*Angela Duris*

Subscribed and sworn to before me, this 19th day of January 19 77

Witness my hand and notarial seal

*Callista V. Farley*

CALLISTA V. FARLEY  
NOTARY PUBLIC OF NEW JERSEY  
My Commission Expires May 4, 1981

FORM NO. AQ-8

NOTICE  
PUBLIC NOTICE is hereby given that at a regular meeting of the Borough Council of the Borough of Spotswood, N.J. held on Monday, January 10, 1977 the following ordinance was passed on second and final reading and ordered advertised according to law.

ORDINANCE No. 17  
AN ORDINANCE AMENDING "AN ORDINANCE TO LIMIT AND RESTRICT TO SPECIFIED DISTRICTS OR ZONES, AND TO REGULATE THEREIN, BUILDINGS AND STRUCTURES ACCORDING TO THEIR CONSTRUCTION AND THE NATURE AND EXTENT OF THEIR USE AND THE NATURE OF THE USES OF LAND IN THE BOROUGH OF SPOTSWOOD, IN THE COUNTY OF MIDDLESEX, AND PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT OF PROVISIONS HEREIN CONTAINED AND FIXING PENALTIES FOR THE VIOLATION THEREOF."

By order of the Borough Council of the Borough of Spotswood, N.J. and approved by the Mayor.

REGGIE PASTERCZYK  
Borough Clerk  
2656-1.19 9.80

AN ORDINANCE AMENDING " AN ORDINANCE TO LIMIT AND RESTRICT TO SPECIFIED DISTRICTS OR ZONES, AND TO REGULATE THEREIN, BUILDINGS AND STRUCTURES ACCORDING TO THEIR CONSTRUCTION AND THE NATURE AND EXTENT OF THEIR USE AND THE NATURE OF THE USES OF LAND IN THE BOROUGH OF SPOTSWOOD, IN THE COUNTY OF MIDDLESEX, AND PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT OF PROVISIONS HEREIN CONTAINED AND FIXING PENALTIES FOR THE VIOLATION THEREOF"

BE IT ORDAINED by the Borough Council of the Borough of Spotswood that the Zoning Ordinance of the Borough of Spotswood is hereby amended in the following respects only:

ARTICLE V

ESTABLISHMENT OF ZONES

1. Designation of Zones.

For the purposes of this Ordinance, the Borough of Spotswood is hereby divided into the following zones, differentiated according to use and building regulations, and to be designated as follows:

- (a) R-1 Single-family
- (b) R-2 Multiple-family
- (c) R-3 Single-family
- (d) C-1 Retail Business
- (e) C-2 Designed Shopping Center
- (f) C-3 Professional and Office
- (g) I-1 Light Industrial
- (h) M Mobile Home Parks

ARTICLE VI

R-1 ZONES

Section D. Minimum Lot Size

The minimum lot size of the R-1 Zone shall be 100 ft. by 100 ft., having a minimum lot area of 10,000 sq. ft.

Section G. Required Building Area.

The area of the main building shall not be less than 1,000 sq. ft. of living space, exclusive of garages.

ARTICLE VII

R-2 ZONES

Section A. Permitted Uses.

2. Multiple-family residences.

Section G. Minimum Floor Area.

2. Multiple-family residences;
  - a. Efficiency Units (400 square feet)
  - b. One bedroom Units (500 square feet)
  - c. Two bedroom Units (600 square feet)

Section J. Design Standards for Multiple-Family Residences.

5. deleted.

ARTICLE XXI

R-3 ZONES

The following regulations shall apply in all R-3 Zones.

Section A. Permitted Uses.

1. Single-family detached dwellings.

Section B. Permitted Accessory Uses.

1. Private garages.
2. Home occupations.
3. Home professional office.
4. Signs ( See Article XIII, Section D. )
5. Other accessory uses and structures customarily incident to a principal permitted use.

Section C. Other Uses Permitted Upon Application to the Board of Adjustmont for a Special Permit.

Section D. Minimum Lot Size

The minimum lot size in the R-3 Zone shall have a minimum area of 7,500 square feet.

Section E. Maximum Height.

Dwelling shall not exceed two (2) stories and attic and shall not exceed thirty (30) feet,

Section F. Maximum Lot Coverage.

All buildings, including accessory buildings, shall not cover more than 30 per cent of the area of the lot.

Section G. Required Building Area.

The area of the main building shall not be less than 850 square feet of living space, exclusive of garages.

Section H. Yard Requirements.

1. Front Yards - No building shall extend within twenty-five (25) feet of the front property line, or not less than the average set-back distance of existing buildings on that street between the two (2) nearest intersecting streets, or within two hundred (200) feet on each side of the property in question, whichever set-back is greatest.
2. Side Yard Width - not less than eight (8) feet, but the sum of the two side yards shall not be less than twenty (20) feet.
3. Rear Yard Depth - twenty-five (25) feet.

Section I. Location of Accessory Structures.

1. Attached - accessory structures attached to the principal structure shall meet all set-back requirements of the principal structure..
2. Detached.
  - (a) Detached accessory structures to single-family structures shall be at least ten (10) feet from a side lot line; twenty-five (25) feet from rear lot line.
  - (b) Detached accessory structures accessory to other permitted uses shall be set back from side and rear lot lines as provided in "a" above. If abutting a residence or residential zone, the Planning Board may require an additional set-back up to twenty-five (25) feet from a side lot line and twenty-five (25) feet from a rear lot line to provide buffers and safeguards to protect adjacent uses from nuisance characteristics.
  - (c) Detached accessory structures accessory to special exception uses shall be set back as required in Article XIV for the particular special exception use.

Section J. Designated Location of R-3 Zone.

ZONED FROM R-1 to R-3

<u>BLOCK</u>	<u>LOT</u>	<u>SQ. FT.</u>	<u>ACRES</u>
32	1		5.31
35	1 to 8	25,300	
35	12 to 75	160,000	
31	1 to 32	79,550	
30	14 to 58	109,500	
36	9 to 11		
36	76 to 139	170,000	
40	138 to 157	44,000	
39	158 to 168	28,800	
43	98 to 119	47,500	
46	48 to 69	56,700	
47	12 to 27	42,000	
44	1		2
38	1		3
37	1		5
		763,350	15.31
		17.48	15.31

32,79 acres

ZONED FROM INDUSTRIAL TO R-3

91	40		11.35
91	39		4.55
			15.90

*Barbara Krajceck*  
 Barbara Krajceck  
 Council President

Dated:

December 27, 1976

Attest:

*Reggie Pasterczyk*  
 Reggie Pasterczyk  
 Borough Clerk

THIS IS TO CERTIFY that this is  
 a true and compared copy of a  
Ordinance adopted  
 by the Borough Council of the  
 Borough of Sportwood on final  
 reading on January 10, 1977  
*Reggie Pasterczyk*  
 Reggie Pasterczyk  
 Borough Clerk