

Is your multi-family residence a legal use?

Although Tax Assessor's records may identify a property's "type of use" as a multi-family dwelling, it does not mean that use is a legal nonconforming use in accordance with the Township Zoning Code. Additional units within a residential structure require the Planning Board to determine that certain conditions have been satisfied. See Sections 205-11 and 205-74 of the Township Code.

If a property owner cannot produce a certificate of nonconformity, pursuant to *N.J.S.A. 40:55D-68*, or a resolution of approval from the Township Planning or Zoning Board, then the property may be in violation of the Zoning Code. Additionally, if construction approvals were not properly obtained, the building may also be in violation of the construction code.

What can you do?

1. Submit a Request for Government Records (an Open Public Records Act or "OPRA" request-see link below) to the Township Clerk for copies of the appropriate (Planning or Zoning Board) approvals and construction permit final inspection for the creation of the unit/s. A date must be provided for when the approvals were obtained; if you are not sure of the date, please provide a range of dates e.g., Jan. 1, 1995- December 31, 1996.
<https://www.mapleshade.com/maple-shade-clerk-registrars-office/>
2. If the property owner cannot produce records of approval and no records of approvals can be located by the Township, then the property is being used in violation of the Township Code. The unapproved use of the property **must cease** unless and until all necessary approvals are obtained from the Zoning Board and if necessary, the construction office. In the alternative, the structure/dwelling must revert to a permitted use appropriate for the zone in which it is located. <https://www.mapleshade.com/planning-zoning/>
3. In addition, please note Township Code Section 205-71 as applicable to legal nonconforming building structures or uses. <https://ecode360.com/6929636>