



15 South Pennsylvania Avenue  
Atlantic City, NJ 08401

**APPLICATION FOR NON-CONFORMING USE CERTIFICATION  
(pursuant to *N.J.A.C. 19:66-12.1*)  
TO THE  
CASINO REINVESTMENT DEVELOPMENT AUTHORITY  
DIVISION OF LAND USE AND REGULATORY ENFORCEMENT**

**Feb. 2018**

## **INSTRUCTIONS**

Enclosed are the necessary instructions and forms for making application to the Casino Reinvestment Development Authority, Division of Land Use and Regulatory Enforcement. Please submit the required documentation to:

**Casino Reinvestment Development Authority  
Division of Land Use and Regulatory Enforcement  
15 S Pennsylvania Avenue  
Atlantic City, NJ 08401**

Should you require additional information or clarification regarding this process, please contact the Division of Land Use and Regulatory Enforcement at (609) 347-0500.

1. The Applicant must meet the burden of proof for the relief requested. The Applicant has the obligation to present evidence to explain the history of the use. Specifically, the Applicant must provide evidence that the non-conforming use lawfully existed prior to the adoption of Ordinance and/or State Regulation which rendered the use nonconforming. Applicant must also provide evidence that such use has been continuous, unchanged and was not abandoned.
2. The Applicant shall submit to the Land Use Regulation Enforcement Official an original and 3 copies of the attached completed Application form along with copies of any evidence or documents supporting the claim of Nonconformity.
3. All evidence must predate the specific ordinance restricting the use and be arranged in chronological order.
4. Questions regarding the specific date or ordinance that rendered the use nonconforming prior to April, 2011 should be directed to the City of Atlantic City, Division of Planning, Room 506 at (609)347-5404. The best evidence or documentation of proof supporting a claim of Nonconformity are documents available through the City of Atlantic City or another governmental agencies. Examples include but are not limited to:

## EVIDENCE

- Property Record Cards
  
- Certificate of Occupancy (construction)
- Building Permit(s)
  
- Certificate of Occupancy (Sales or Rentals)
  
- State History Cards (3 or more units)
  
- Mercantile Licenses (Commercial uses and/or Rooming Houses)
  
- Rent Control Filing Records
  
- Landlord Registration Statements
  
- Fire Code Inspection Reports

## GOVERNMENTAL AGENCY

City Tax Assessor  
City Hall, Suite 606  
1301 Bacharach Boulevard  
Atlantic City, NJ 08401  
(609)347-5380

Division of Construction  
City Hall, Suite 101  
Atlantic City, NJ 08401  
(609)347-5660

Division of Code Enforcement  
City Hall, Suite 102

Atlantic City, NJ 08401  
(609)347-6450

Mercantile License Bureau  
City Hall, Suite 120  
1301 Bacharach Blvd  
Atlantic City, NJ 08401  
(609) 347-5315

Office of Landlord/Tenant Affairs  
City Hall, Suite 509  
1301 Bacharach Blvd.  
Atlantic City, NJ 08401  
(609)347-5530

City Clerk  
City Hall, Suite 704  
1301 Bacharach Blvd.  
Atlantic City, NJ 08401  
(609) 347-5510

Fire Prevention Bureau  
All Wars Memorial Building  
States & Pacific Avenues  
Atlantic City, NJ 08401  
(609) 347-5595

## EVIDENCE

- Previously Recorded Deeds
  
- State of New Jersey  
Rooming House Registration  
Records (less than 3 units)
  
- State of New Jersey  
Multi-Family Dwellings  
(3 or more units)

## GOVERNMENTAL AGENCY

Atlantic County Clerk  
County Office Building  
5901 Main Street  
Mays Landing, NJ 08330  
(609) 625-7000

N.J. Department of Community Affairs  
Bureau of Rooming & Boarding House  
Standards  
CN 804  
101 south Broad Street  
Trenton, NJ 08625-0804  
(609) 292-3874

N.J. Department of Community Affairs  
Bureau of Housing Inspection  
CN 810  
Trenton, NJ 08625-0810  
(609)347-6450

If searching for proof to predate 1929, you will first have to request a copy of the chain of ownership cards from the Office of the City Engineer (City Hall, Suite 603). These cards are commonly referred to as the “**Blue Cards**”.

### 5. **Non-governmental documents:**

Documents from Non-governmental sources that may support a claim of Nonconformity may be submitted for review. Applicants are cautioned however that this category of documents may not be given much credibility. Non-governmental documents may be found in the *Atlantic City Free Public Library* located on the corner of Tennessee and Atlantic Avenues. These include, but may not be limited to:

- The Polk Directory (business and residential listings cross referenced to address).  
**Note:** Prior to 1938, the Polk Directory was listed by name of owner/occupant or business.
- Advertisements or listings from Telephone Directories.
- Sanborn Maps.
- Other directories which may be appropriate.
- Property survey
- Utility Bills
- Lease agreements and/or rent receipts
- Fire and/or Flood Insurance Policies
- Private inspection reports

Please be advised that none of the documents listed in part 5 above constitute the lawful operation of use.

6. The Applicant will be notified in writing if there are any deficiencies in the application package. These deficiencies must be addressed along with providing any required additional information and plans.
7. Upon the determination by the Land Use Regulation Enforcement Officer that the application is complete, which includes submission all fees and escrow amount, the Applicant will be notified, in writing, of completeness.
8. The Land Use Regulation Enforcement Officer has the authority to review the application supporting documents and grant the Non-Conforming Use Certification pursuant to *N.J.A.C. 19:66-12.1*.
9. The Land Use Regulation Enforcement Officer will compile all evidence submitted and make a determination. A Non-Conforming Use Certification or a denial with reason for such denial will be issued. The approval may include the placement of any reasonable and necessary conditions of approval.
10. FEES: \$100.00 APPLICATION - RESIDENTIAL  
\$150.00 APPLICATION - COMMERCIAL



**15 South Pennsylvania Avenue**  
**Atlantic City, NJ 08401**

**APPLICATION FORM For**  
**Non-conforming Use Certification**

To be completed by CRDA staff only.

**Date Filed:** \_\_\_\_\_ **Application No.:** \_\_\_\_\_

**Application Fees:** \_\_\_\_\_ **Escrow Deposit:** \_\_\_\_\_

**Scheduled for:** \_\_\_\_\_  
**Review for Completeness:** \_\_\_\_\_ **Review:** \_\_\_\_\_

**1. SUBJECT PROPERTY**

Location: \_\_\_\_\_

Tax Map Page \_\_\_\_\_ Block \_\_\_\_\_ Lot(s) \_\_\_\_\_

Page \_\_\_\_\_ Block \_\_\_\_\_ Lot(s) \_\_\_\_\_

Dimensions Frontage \_\_\_ Depth \_\_\_\_\_ Total Area \_\_\_\_\_

Zoning District \_\_\_\_\_

Explain in detail current Use of Subject Property:

\_\_\_\_\_  
\_\_\_\_\_

Certificate of Nonconformity being sought for Nonconforming  
Use \_\_\_\_\_  Structure \_\_\_\_\_  Both \_\_\_\_\_

**2. APPLICANT**

Name \_\_\_\_\_

Email \_\_\_\_\_

Address \_\_\_\_\_

Telephone Number \_\_\_\_\_

Applicant is a: Corporation  Partnership  Individual

**3. DISCLOSURE STATEMENT**

Pursuant to N.J.S 40:55D-48.1 Application by corporation or partnership; list of stockholders owning 10% of stock or 10% interest in partnership.

Name _____	Address _____	Interest _____
Name _____	Address _____	Interest _____
Name _____	Address _____	Interest _____
Name _____	Address _____	Interest _____
Name _____	Address _____	Interest _____

**4. PROPERTY INFORMATION:**

Restrictions, covenants, easements, association by-laws, existing or proposed on the property:

Yes [attach copies]\_\_\_\_\_ No \_\_\_\_\_ Proposed \_\_\_\_\_

Present detailed use of the premises:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Note: All deed restrictions, covenants, easements, association bylaws, existing and proposed must be submitted for review and must be written in easily understandable English in order to be approved.

List the types of evidence supporting the claim of nonconformity (attach said evidence hereto):

- a. \_\_\_\_\_
- b. \_\_\_\_\_
- c. \_\_\_\_\_
- d. \_\_\_\_\_
- e. \_\_\_\_\_

**CERTIFICATIONS**

I \_\_\_\_\_ certify that the foregoing statements and the materials submitted are true. I further certify that I am the individual applicant or that I am an Officer of the Corporate applicant and that I am authorized to sign the application for the Corporation or that I am a general partner of the partnership applicant.

[If the applicant is a corporation, this must be signed by an authorized corporate officer. If the applicant is a partnership, this must be signed by a general partner.]

Sworn to and subscribed before me this  
\_\_\_ day of \_\_\_\_\_, 20 \_\_\_

\_\_\_\_\_  
NOTARY PUBLIC

\_\_\_\_\_  
SIGNATURE OF APPLICANT

I certify that I am the Owner of the property which is the subject of this application, that I have authorized the applicant to make this application and that I agree to be bound by the application, the representations made and the decision in the same manner as if I were the applicant.

[If the owner is a corporation, this must be signed by an authorized corporate officer. If the owner is a partnership, this must be signed by a general partner.]

Sworn to and subscribed before me this  
\_\_\_ day of \_\_\_\_\_, 20 \_\_\_

\_\_\_\_\_  
NOTARY PUBLIC

\_\_\_\_\_  
SIGNATURE OF OWNER