

Portion of R-50 Zone Ordinance

- (2) Off-street parking.
  - (3) Private residential swimming pools.
  - (4) Satellite dish antennas, subject to the provisions of Subsection 15-5.2.
  - (5) Sheds (garden, storage, or tool).
  - (6) Home occupations subject to the provisions of 15-5.13. **[Amended 12/27/2001 by Ord. No. 2001-035]**
- C. Conditional uses, subject to the provisions of Section 15-5. of this chapter, are as follows:
- (1) Same as permitted in the R-75 Residential Zone District.
- D. Signs:
- (1) Same as permitted in the R-75 Residential Zone District.
- E. Area, yard and building requirements:
- (1) Minimum lot area: 5,000 square feet.
  - (2) Minimum lot width: 50 feet.
  - (3) Minimum lot depth: 100 feet.
  - (4) Minimum front yard setback: 20 feet.
  - (5) Minimum side yard setback: 5 feet.
  - (6) Minimum combined side yard setback: 15 feet.
  - (7) Minimum rear yard setback: 20 feet.
  - (8) Minimum accessory building side and rear yard setback: 5 feet.
  - (9) Maximum building height: 35 feet. **[Amended 8/23/2001 by Ord. No. 2001-019]**
  - (10) Maximum percent building coverage: 30 percent.
- F. Exemption to the minimum lot area, lot depth and rear yard setback requirements:
- (1) Notwithstanding the minimum lot area, lot depth and rear yard setback requirements set forth in Subsection E. above, the following lot area, lot depth and rear yard setback requirements shall apply only to lagoon, or other waterfront, detached single-family building lots shown on a final major subdivision plat and/or minor subdivision plat filed on or before November 1, 1987:
    - (a) Minimum lot area: 4,500 square feet.
    - (b) Lot depth: 90 feet.
    - (c) Rear yard setback: 20 feet; 15 feet if a bulkheaded lot.
    - (d) No accessory structure shall be constructed closer than 15 feet to the bulkhead. **[Amended 12/23/2002 by Ord. No. 2002-043]**
  - (2) The minimum lot area of a specified lot is less than 5,000 square feet or bulkhead has been required landward of the lot line. Requirements are as follows:
    - (a) No part of a dwelling shall be closer than 20 feet from the bulkhead if the location of the bulkhead is equal to or greater than 90 feet as measured from the front property line.

**ORDINANCE NO. 2013 – 01**

**AN ORDINANCE OF THE TOWNSHIP OF LITTLE EGG HARBOR, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 15 OF THE TOWNSHIP CODE OF THE TOWNSHIP OF LITTLE EGG HARBOR, ENTITLED “LAND USE AND DEVELOPMENT”**

**BE IT ORDAINED**, by the governing body of the Township of Little Egg Harbor, County of Ocean, State of New Jersey, as follows:

**SECTION 1.** The Township Code of the Township of Little Egg Harbor is hereby amended and supplemented so as to amend Chapter 15, entitled “Land Use and Development” so as to amend §15-4.10 entitled “R-100 Residential Zone.” so as to amend subsection E. so as to add subsection (11) which shall read as follows:

(11) Maximum building height for lots located in Areas of Special Flood Hazard as set forth in §185-7: 40 feet.

**SECTION 2.** The Township Code of the Township of Little Egg Harbor is hereby amended and supplemented so as to amend Chapter 15, entitled “Land Use and Development” so as to amend §15-4.12 entitled “R-75A Residential Zone.” so as to amend subsection E. so as to add subsection (11) which shall read as follows:

(11) Maximum building height for lots located in Areas of Special Flood Hazard as set forth in §185-7: 40 feet.

**SECTION 3.** The Township Code of the Township of Little Egg Harbor is hereby amended and supplemented so as to amend Chapter 15, entitled “Land Use and

Development” so as to amend §15-4.13 entitled “R-70 Residential Zone.” so as to amend subsection E. so as to add subsection (11) which shall read as follows:

(11) Maximum building height for lots located in Areas of Special Flood Hazard as set forth in §185-7: 40 feet.

**SECTION 4.** The Township Code of the Township of Little Egg Harbor is hereby amended and supplemented so as to amend Chapter 15, entitled “Land Use and Development” so as to amend §15-4.14 entitled “R-50 Residential Zone.” so as to amend subsection E. so as to add subsection (11) which shall read as follows:

(11) Maximum building height for lots located in Areas of Special Flood Hazard as set forth in §185-7: 40 feet.

**SECTION 5.** The Township Code of the Township of Little Egg Harbor is hereby amended and supplemented so as to amend Chapter 15, entitled “Land Use and Development” so as to amend §15-4.14 entitled “R-50 Residential Zone,” so as to amend subsection F. entitled “Exemption to the minimum lot area, lot depth and rear yard setback requirements” to replace the requirements for (1)(a) and (b) which shall read as follows:

- (a) Minimum lot area: 4,350 square feet.
- (b) Lot depth: 87 feet.

**SECTION 6.** The Township Code of the Township of Little Egg Harbor is hereby amended and supplemented so as to amend Chapter 15, entitled “Land Use and Development” so as to amend §15-7.8 entitled “Yard Areas,” so as to amend subsection F. which shall read as follows:

F. Within any residential zone, no heating, ventilating and/or air-conditioning units, ducts, heaters, furnaces, well pumps or other aboveground mechanicals shall

be placed within four feet of any property line nor within any front yard setback. Air conditioning units requiring replacement due to destruction by flood or fire may be placed within three feet of any property line but shall not be placed within any front yard setback.

**SECTION 7.** The Township Code of the Township of Little Egg Harbor is hereby amended and supplemented so as to amend Chapter 15, entitled "Land Use and Development" so as to amend §15-7.8 entitled "Yard Areas," so as to add subsection I. which shall read as follows:

I. In order to accommodate elevated building construction in Areas of Special Flood Hazard as set forth in §185-7, uncovered stairs may encroach into the required front yard setback as required to elevate the building to the minimum of the ABFE or the BFE, plus any required freeboard. No such additional encroachment shall exceed five (5) feet.

**SECTION 8.** If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

**SECTION 9.** This ordinance shall take effect after second reading and publication as required by law.

**NOTICE**

**NOTICE IS HEREBY GIVEN** that the foregoing ordinance was introduced and passed by the Township Committee on first reading at a meeting of the Township Committee of the Township of Little Egg Harbor held on the 10<sup>th</sup> day of **January, 2013**, and will be considered for second and final passage at a meeting of the Township Committee to be held on the 24<sup>th</sup> day of **January, 2013**, at 7:30 p.m. at the Municipal Building located at 665 Radio Road, Little Egg Harbor, New Jersey, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.

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**DIANA K. MCCRACKEN, RMC, Clerk**

Township of Little Egg Harbor

Introduction

<u>Yes</u>	Kobryn	<u>Yes</u>	Gormley	<u>Yes</u>	Midgley
<u>Yes</u>	Kehm	<u>Yes</u>	Nuttall		

Second Reading & Adoption

<u>yes</u>	Kobryn	<u>yes</u>	Gormley	<u>yes</u>	Midgley
<u>absent</u>	Kehm	<u>yes</u>	Nuttall		