

ORDINANCE NO. 13-13
INTRODUCTION DATE: 06-19-13
ADOPTION DATE: 07-17-13

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XXXV "LAND USE AND DEVELOPMENT REGULATIONS" OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF MILLSTONE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, REGARDING A REWRITING OF THE DEFINITION OF "LOT, CORNER" AND A NEW DEFINITION OF "LOT, THROUGH" IN SECTION 2-2, "SPECIFIC DEFINITIONS", WITHIN ARTICLE 2, "DEFINITIONS", AND A REWRITING OF SUBSECTION 4-4.5, "CORNER LOTS", TO BE RENAMED "CORNER & THROUGH LOTS" AND A REWRITING OF SUBSECTION 4-9.4, "LOCATION OF ACCESSORY BUILDINGS", BOTH WITHIN ARTICLE 4, "REGULATIONS APPLICABLE TO ALL ZONING DISTRICTS"

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MILLSTONE in the County of Monmouth and the State of New Jersey, that Chapter XXXV, the "Land Use And Development Regulations" ordinance is hereby amended and supplemented as follows:

SECTION 1. Change the existing definition of "Lot, Corner" in Section 2-2, "Specific Definitions", within Article 2, "Definitions", to read in its entirety as follows:

"Lot, Corner: A lot fronting upon two (2) or more streets at their intersection or upon two (2) parts of the same street forming an interior angle of less than one hundred thirty-five degrees (135°)."

SECTION 2. Add a new definition of "Lot, Through" in Section 2-2, "Specific Definitions", within Article 2, "Definitions", to read in its entirety as follows:

"Lot, Through": A lot either fronting upon two (2) parallel streets or fronting upon two (2) streets that do not intersect with each other along the boundaries of the lot."

SECTION 3. Change existing Subsection 4-4.5, "Corner Lots", in Section 4-4, "Lot And Yard Requirements", to be renamed "Corner & Through Lots" and to read in its entirety as

CORNER & THROUGH LOTS

follows:

"4-4.5 Corner & Through Lots.

a. *Corner Lots.*

1. In the case of a corner lot, each yard facing a street shall be considered a front yard, and all buildings and structures shall be set back from the street right-of-way line in accordance with the minimum front yard setback requirements of the zoning district within which the lot is located.

2. While corner lots shall have two (2) front yards, the yard behind the principal building as it fronts on one of the streets shall be considered a rear yard, and the remaining yard shall be considered a side yard, and the principal building and all accessory buildings and structures shall be set back from the designated rear property line and the designated side property line in accordance with the minimum setback requirements of the zoning district within which the lot is located.

b. *Through Lots.*

1. In the case of a through lot, the yard in front of the principal building as it fronts on one of the streets shall be considered a front yard, and all buildings and structures shall be set back from that street right-of-way line in accordance with the minimum front yard setback requirements of the zoning district within which the lot is located.

2. The yard behind the principal building as it fronts on one of the streets shall be considered a rear yard even though it fronts on a second street, and the remaining two (2) yards shall be considered side yards.

(a) From the designated rear property street right-of-way line, the principal building and all accessory buildings and structures shall be set back the distance required for the rear yard setback of a principal building in the zoning district within which the lot is located.

(b) From the two (2) side yard property lines, the principal building and all accessory buildings and structures shall be set back in accordance with the distances required for the applicable side yard setbacks in the zoning district within which the lot is located."

SECTION 4. Change existing Subsection 4-9.4, "Location of Accessory Buildings", in

Section 4-9, "Accessory Buildings And Structures", to read in its entirety as follows:

"4-9.4 Location of Accessory Buildings.

Accessory buildings shall be located in the side or rear yard only, and shall meet the yard requirements for accessory buildings as set forth in the Schedule of Area, Yard and Building Requirements in this Chapter."

SECTION 5. All Ordinances and parts of Ordinances inconsistent herewith are repealed.

SECTION 6. If any section, subparagraph, sentence, clause or phrase of this Ordinance shall be held to be invalid, such decision shall not invalidate the remaining portion of this Ordinance.

SECTION 7. This Ordinance shall take effect upon adoption and publication according to law and filing with the Monmouth County Planning Board.

EXPLANATORY STATEMENT: This ordinance amendment changes the definition of "corner" lots, adds a new definition of "through" lots, allows corner lots to have one side and one rear yard, and adds new regulations for the location of accessory structures in one of the front yards on a through lot.