



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

ORDINANCE 16-23

AN ORDINANCE AMENDING CHAPTER 21-86 OF THE BOROUGH CODE CONCERNING MINIMUM YARD REQUIREMENTS FOR FRONT DECKS IN EXISTING BUNGALOW COLONIES

WHEREAS, N.J.S.A. 40:55-D-1, et seq., authorizes local governmental units to adopt ordinances to regulate land use to promote the public health, safety, morals and general welfare; and

WHEREAS, the Borough regulates land use and zoning by and through Chapter 21 of the Borough Code; and

WHEREAS, the Governing Body has determined that it is in the best interests of the residents of the Borough to amend Code Section 21-86 to provide for the within changes; and

NOW, THEREFORE, BE IT ORDAINED by the governing body of the Borough of Highlands, the County of Monmouth, in the State of New Jersey, as follows:

SECTION I.

The following section of Chapter 21, Section 86, Subsection A(4), "Single Family Residence", of the Borough Code shall be amended to provide as follows: (All additions are shown in **bold italics with underlines**. The deletions are shown as ~~*strikeovers in bold italics*~~. Sections of Chapter 21 that will remain unchanged are shown in normal type).

4. Bulk and Area Requirements.

a. Single-family dwellings shall meet the requirements shown in Schedule I.

b. Existing bungalow colonies shall meet the following requirements:

(1) Density shall not exceed the number of units existing at the time of the adoption of this ordinance, as shown on existing Borough Tax Maps and/or other tax records.

(2) Any application for expansion of an individual dwelling unit, either vertically or horizontally, shall meet the following standards:

(a) Every unit shall have associated with it a minimum yard requirement around the perimeter of the unit and attached accessory structures of three (3) feet, **except for those decks attached to the front of the dwellings situated in Block 100, Lots 26.01-26.76 and Block 69, Lots 15.01-15.28, which**

may extend to locations equivalent to those which existed prior to elevation or reconstruction as determined by prior property surveys conducted by a licensed surveyor. For those properties situated in Block 100, Lots 26.01-26.76 and Block 69, Lots 15.01-15.28 that do not have prior property surveys available, any new decks attached to the front of the dwelling can extend to a location which is the equivalent of the location of the front decks located on adjacent properties situated in Block 100, Lots 26.01-26.76 and Block 69, Lots 15.01-15.28. Structures shall be located no closer together than the sum of the yard requirements, that is, six (6) feet. Detached accessory structures are prohibited in the minimum required yard area.

- (b) Each unit shall have associated with it a minimum of one (1) parking space, located on site, either adjacent to the individual unit or in a common parking area
- (c) Total building coverage shall not exceed thirty-five (35%) percent of the total lot area and total lot coverage shall not exceed seventy-five (75%) percent except for those situated in Block 100, Lots 26.01-26.76 and Block 69, Lots 15.01-15.28.
- (d) Building height shall not exceed twenty (20) feet.
- (e) Shall require an application for a site plan for the entire property except for those situated in Block 100, Lots 26.01-26.76 and Block 69, Lots 15.01-15.28.

(3) Bungalow colonies shall not be subject to the provisions of Section 21-98F below:

SECTION II. SEVERABILITY. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance, which shall otherwise remain in full force and effect.

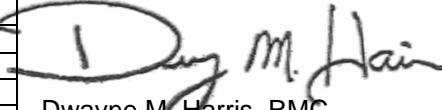
SECTION III. REPEALER. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION IV. EFFECTIVE DATE. This Ordinance shall take effect after final passage as provided by law.

and approval by the Mayor as described in N.J.S.A. 40:49-2.

Introduction – O-16-23	MOVED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BROULLON		X	X			
CARD	X		X			
D'ARRIGO			X			
WELLS			X			
NOLAN						X

I, Dwayne M, Harris, Acting Municipal Clerk of the Borough of Highlands, in the County of Monmouth, State of New Jersey, hereby certify this to be a true copy of the action of the Governing Body, at its Regular Meeting, held November 02, 2016. WITNESS my hand this 3rd day of November 2016.



Dwayne M. Harris, RMC
Municipal Clerk

Second Reading and Public Hearing will be held on December 21, 2016.