

**TOWNSHIP OF LONG HILL
ORDINANCE # 376-16**

**AN ORDINANCE ADOPTING AMENDMENTS TO THE TOWNSHIP LAND USE
ORDINANCE AS RECOMMENDED BY THE PLANNING BOARD
WITH RESPECT TO THROUGH LOTS AND SUPPLEMENTING AND AMENDING SECTION
133 OF THE TOWNSHIP LAND USE ORDINANCE (1996) ENTITLED “YARD AND
BUILDING REQUIREMENTS”**

***STATEMENT OF PURPOSE:** To allow homeowners of qualified “through lots” to designate one of the adjoining streets as the front and the other as the rear and thus allow accessory structures to be constructed in the designated rear yard.*

WHEREAS, the Planning Board has recommended certain changes to Subsection 133.1 in Section 130 of the Township Land Use Ordinance entitled “Yard and Building Requirements”, as outlined in a December 30, 2015 memorandum from Planning Board Planner, Kevin O'Brien, so as to allow homeowners of qualified through lots to designate one of the adjoining streets as the front yard and the other as the rear yard and thus permit accessory structures to be constructed in the designated rear yard;

NOW THEREFORE BE IT ORDAINED by the Township Committee of the Township of Long Hill in the County of Morris, State of New Jersey that subsection 133.1 in section 130 of the Township Land Use Ordinance entitled “Yard and Building Requirements” is hereby supplemented and amended by adding the following new subparagraph “a”¹:

Section 1. *133.1 All yards facing on a public street shall be considered front yards and shall conform to the minimum front yard requirements for the zone in which located. Corner and through lots shall provide the minimum front yard requirements for the respective zone for both streets, for both principal and accessory buildings. On corner and through lots of twenty thousand (20,000) square feet or less in area, the minimum front yard requirement for one (1) of the fronting streets may be reduced to not less than sixty (60) percent of the requirement for the zone in which the lot is located.*

a. In a residential zone, one of the front yards of a residential through lot may be designated as the rear yard in accordance with the following:

1. The lot must meet all required setback regulations for the zone in which it is located.

¹Additions in text indicated by underline; deletions by strikeouts.

2. The designated rear yard shall be the same distance as the required front yard setback.
3. No accessory structures may be placed between the designated rear yard setback and the adjoining street.
4. The designated rear yard shall be closed to all vehicular access to the property.
5. The designated rear yard shall provide a buffer to the adjoining street by means of shrubbery, trees or other natural buffer. Fences and walls in the designated rear yard shall follow the regulations for fences and walls in the front yard.
6. The designated rear yard shall generally be opposite the front door to the home and subject to the approval of the Administrative Officer, who shall consider the context of the neighborhood in rendering a decision.
7. Applicants shall submit a Zoning Permit application to the Administrative Officer.
8. A negative decision of the Administrative Officer may be appealed to the Township Zoning Board of Adjustment in the same manner as an appeal in accordance with the Municipal Land Use Law (N.J.S.A. 40:55D-70a).

Section 2. Any and all other ordinances or parts thereof in conflict or inconsistent with any of the terms hereof are hereby repealed to such extent as they are so in conflict or inconsistent.

Section 3. In case any article, section or provision of this ordinance shall be held invalid in any court of competent jurisdiction, the same shall not affect any other article, section or provision of this ordinance except insofar as the article, section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

Section 4. This ordinance shall take effect immediately upon final passage and publication as required by law.

NOTICE

The foregoing ordinance having been introduced and passed on first reading by the Township Committee of the Township of Long Hill, in the County of Morris on Wednesday, January 27, 2016, will be considered for final passage and adoption at a public hearing held at a meeting beginning at 7:30 p.m. on **Wednesday, March 9, 2016** at the Municipal Building, 915 Valley Road, Gillette, New Jersey when and where or at such time and place to which said meeting may be adjourned, all persons interested will be given an opportunity to be heard concerning said ordinance.

Cathy Reese, RMC, CMR,
Township Clerk

1st Reading and Introduction: January 27, 2016

1st Publication: February 4, 2016

Referral to Planning Board: January 28, 2016

Notice to County Planning Board Prior to Adoption: January 28, 2016

2nd Reading and Adoption: March 9, 2016

2nd Publication: March 17, 2016

Filing with County Planning Board: March 10, 2016