

BOROUGH OF DEAL

ORDINANCE NO. 1195

AN ORDINANCE AMENDING CHAPTER XXX DEVELOPMENT REGULATIONS OF THE BOROUGH OF DEAL IN THE COUNTY OF MONMOUTH, NEW JERSEY

WHEREAS, the Board of Commissioners has determined that it is in the best interest of the Borough to revise certain portions of its existing Borough Code to require a rendering for all planning board applications and change the setbacks for accessories; and

WHEREAS, the Borough Planning Board has reviewed the changes on May 2, 2019 and has recommended that such changes to the Development Regulation are consistent with the Master Plan.

NOW THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Borough of Deal, County of Monmouth, State of New Jersey, as follows:

Section 1. Chapter XXX, of the Ordinances of the Borough of Deal are hereby amended by the following:

CHAPTER XXX

DEVELOPMENT REGULATION

30-86.3 Accessory Uses

30-86.3b Standards for Accessory Uses. See Schedule B, Standards for Accessory Uses.

Minimum Distance from Side and Rear Lot Lines

Greenhouses – 10 feet minimum setback for an accessory 10 feet in height measured from grade to the highest point on the structure. Every 1 foot increase in height of the structure will require 1 foot increase in setback.

Garages - 10 feet minimum setback for an accessory 10 feet in height measured from grade to the highest point on the structure. Every 1 foot increase in height of the structure will require 1 foot increase in setback.

All other Accessory Uses - 10 feet minimum setback for an accessory 10 feet in height measured from grade to the highest point on the structure. Every 1 foot increase in height of the structure will require 1 foot increase in setback.

Note (1) - Unnatural and/or structural alterations to the topography of a property to achieve a lower height elevation of an

accessory shall not be permitted.

30-20 Submission of Informal Plat for Minor and Major Developments

30-20.2 Filing Procedures

- a. The developer shall submit to the Administrative Officer at least ten (10) days but not more than twenty (20) days prior to the public meeting of the Approving Authority eight (8) black-on-white copies of the preliminary plat; eight (8) completed copies of the application form for preliminary approval; two (2) completed copies of the preliminary checklist; three (3) copies of any protective covenants, deed restrictions and easements applying to the land being developed; three (3) copies of the drainage calculations and soil erosion and sediment control data as required by this chapter; the applicable fee; certification by the Tax Collector that all taxes are paid to date; **and a color street view rendering from each roadway frontage showing the proposed improvements.**

Section 2. The Borough Administrator /Clerk is directed to give notice at least ten days prior to hearing on the adoption of this Ordinance to the County Planning Board and to all other persons entitled thereto pursuant to N.J.S. 40:55D-15 and N.J.S. 40:55D-63 (if required).

Upon the adoption of this Ordinance after public hearing thereon, the Borough Administrator/Clerk is further directed to publish notice of the passage thereof and to file a copy of the Ordinance as finally adopted with the Monmouth County Planning Board as required by N.J.S. 40:55D-16. The Clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Borough Tax Assessor as required by N.J.S. 40:49-2.1.

Section 3. If any word, phrase, clause, section or provision of this ordinance shall be found by any court of competent jurisdiction to be unenforceable, illegal or unconstitutional, such word, phrase, clause, section or provision shall be severable from the balance of this ordinance and the remainder of the ordinance shall remain in full force and effect.

Section 4. This Ordinance shall become effective immediately upon its final passage and publication as required by law.

Introduced by Commissioner Simhon on May 10, 2019

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Motion to Amend by Mayor Cohen on June 12, 2019

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Motion to Adopt Amendment by Mayor Cohen on June 12, 2019

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon