

**BOROUGH OF BEACH HAVEN  
COUNTY OF OCEAN**

**ORDINANCE #2024-2C**

**AN ORDINANCE AMENDING Chapter 212 “Zoning”, Section 21, “Permitted modifications and exceptions” in the Borough Code of the Borough of Beach Haven, County of Ocean, State of New Jersey**

**PURPOSE**

The purpose of this Ordinance is to remove exceptions to yard width within the Borough of Beach Haven, except for properties located in the Historic District.

**NOW THEREFORE, THE MAYOR AND COUNCIL OF THE BOROUGH OF BEACH HAVEN DO ORDAIN:**

**SECTION I.**

Chapter 212-21B shall be repealed and replaced as follows:

§ 212-21B. Exceptions to yard widths in the Historic District.

(1) In order to maintain the integrity of the Historic District, as defined in Section 41-2 of the Borough Code and as shown on the Zoning Map of the Borough of Beach Haven, the following provisions shall be applicable to properties that are located within the Historic District:

- (a) Front yards.
  - [1] Where a lot is situated between two lots, each of which is developed with a main building which has been so maintained since the enactment of this chapter, the minimum front yard requirement of such lot may be the average of the front yards of said existing buildings.
  - [2] Where a lot adjoins one lot developed as described above and a vacant lot, the minimum front yard requirement of such lot may be the average of the front yard of existing building and the established front setback line.
- (b) Where in a given block there is a pronounced uniformity in the alignment of existing buildings in which the front yard depths are greater than required in this chapter, then any new building shall conform substantially to this established alignment.

**SECTION II**

All Ordinances or parts of Ordinances inconsistent herewith are repealed to the extent of such inconsistency. The Clerk of the Borough is authorized to renumber and/or re-codify any sections affected by such repeal to the extent consistent with this Ordinance.

**SECTION III**

If any word, phrase, clause, sections, 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 the Ordinance and the remainder of the Ordinance shall remain in full force and effect.

**SECTION IV**

This Ordinance shall take effect upon publication thereof after final passage according to law.

**CERTIFICATION**

I, Sherry Mason, RMC, Municipal Clerk of the Borough of Beach Haven, do hereby certify that the foregoing Ordinance was duly adopted by the Borough Council of the Borough of Beach Haven at a public meeting held on the 11<sup>th</sup> day of March 2024, a quorum being present and voting in the majority.

IN WITNESS WHEREOF, I have hereunto set my hand an official seal this 11<sup>th</sup> day of March 2024.

  
Sherry Mason, RMC, Borough Clerk

<i>Introduction:</i>	<i>February 12, 2024</i>
<i>First Publication:</i>	<i>February 22, 2024</i>
<i>Adoption:</i>	<i>March 11, 2024</i>
<i>Second Publication:</i>	<i>March 21, 2024</i>
<i>Effective Date:</i>	<i>March 31, 2024</i>