

**ORDINANCE NO. 2026-11**

**ORDINANCE OF THE BOROUGH OF SEASIDE PARK,  
COUNTY OF OCEAN, STATE OF NEW JERSEY,  
AMENDING CHAPTER 200, ARTICLE VII “ZONING  
PROVISIONS” TO INCLUDE “BEACHFRONT  
RESIDENTIAL ZONE.”**

**NOW, THEREFORE, BE IT ORDAINED**, by the governing body of the Borough of Seaside Park, County of Ocean, State of New Jersey as follows:

**SECTION 1.** The Governing Body hereby amends Article VII, Section 200 “Zoning Provisions” of the Borough Code as follows<sup>1</sup>:

*§200-XX – Beachfront Residential Zone.*

*a. Area and Purpose.*

- 1. The Beachfront Residential Zone (“BR”) shall include the following area: East of E. Central Avenue, north to south from 1<sup>st</sup> Lane to 20<sup>th</sup> Avenue. This includes the Midway Beach Condominium Association.*
- 2. The purpose of this zone shall be to establish standards for the predominantly residential area governed by the Midway Beach Condominium Association. It is the intention of this subsection to maintain sufficient rear yard separation between existing cottages or homes, in particular, where a cottage or home has been expanded. Where there are existing nonresidential uses that do not conform with the new BR Beachfront Residential Zoning, those uses shall be considered preexisting nonconforming uses and shall be governed by ordinance standards for same.*

*b. Permitted Uses.*

- 1. Detached single-family dwellings for residential purposes, together with their accessory structures.*
- 2. All dwellings which front on a lane and do not maintain any frontage on the Ocean shall be in accordance with the following standards:*

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<sup>1</sup> Additions shall be in *italics*; deletions shall be in ~~striketrough~~.

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- a) *The enclosed floor area of a dwelling may be extended from the rear wall of the structure a distance of not more than 12 feet from the present rear wall and a width not greater than the dimension of the present sidewall. A deck may be added to the rear of a dwelling provided the elevation of same shall not exceed 18 inches above ground level, and that said deck shall not cause a rear yard expansion to be greater than 16 feet from the original cottage or home. Further, the combination of the addition and deck shall not violate the minimum distance in the rear yard as set forth in Subsection h below.*
- b) *An outside shower area of four feet by four feet shall be permitted off the rear of an existing dwelling. Said shower area may be constructed off the side of a dwelling provided the rear wall of the proposed shower area is aligned with the rear wall of the dwelling.*
- c) *No extension, expansion or deck shall be permitted in the side yards except as listed above in subsection b.*
- d) *A ground level platform or sitting area may be added to the front of a dwelling. Said area shall not exceed three feet by the width of the dwelling and shall not be enclosed.*
- e) *In no instance shall the height of any structure be increased above 14 feet (except to accommodate required base flood elevation and in that situation, the height of the dwelling space shall not be increased above 14 feet) nor shall any second story enclosed living space or storage space be permitted.*
- f) *A shed may be permitted, however, shall not exceed 32 square feet (four feet by eight feet by eight feet). In no instance shall a shed exceed the height of any residential structure.*
- g) *No fence shall exceed four feet in height. Fences can extend only the width of the cottage and in no instance can a fence extend into the rear alleyway. No fence shall be permitted which will encroach on the minimum rear separation area.*
- h) *A minimum distance of six feet shall be maintained in the rear yard area between any expansion or deck and the rear wall or deck of another dwelling. In no instance*

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*shall a rear expansion, rear deck, outdoor shower area or shed be permitted to encroach into the minimum six feet wide rear yard separation area; the alleyway.*

3. *All dwellings which have direct frontage on the Ocean shall be in accordance with the following standards:*
- a) *All new and reconstructed dwellings shall maintain a front yard setback to Ocean Lane equivalent to the average front yard setback of all other Ocean front dwellings.*
  - b) *No new or reconstructed dwelling shall exceed 35 feet in height or 2 1/2 stories.*
  - c) *Exterior second story decks shall be permitted, provided that they shall not exceed twelve-foot length x the width of the dwelling.*
  - d) *Side yard decks shall not be permitted. This does not pertain to ground level walkways.*

**SECTION 2.** If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

**SECTION 3.** This ordinance shall take effect after second reading and publication as required by law.



Approved this 30<sup>th</sup> day of March, 2026:  
Borough of Seaside Park  
Honorable John A. Peterson Jr., Mayor

### NOTICE

**NOTICE IS HEREBY GIVEN** that the foregoing ordinance was introduced and passed on first reading at a regular meeting of the Borough Council of the Borough of Seaside Park, in the County of Ocean, State of New Jersey, held on **February 19, 2026**, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the **30<sup>th</sup> day of March, 2026**, or as soon thereafter as this matter can be reached, at the meeting room of the Municipal Building located at Sixth & Central Avenues, Seaside Park, New Jersey at which time all persons interested shall be given an opportunity to be heard concerning this ordinance.



JENNA JANKOWSKI, RMC, CMR



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