

AN ORDINANCE AMENDING SECTION 225-12 OF CHAPTER 225: "LAND DEVELOPMENT" OF THE BOROUGH'S REVISED GENERAL ORDINANCES

WHEREAS, Chapter 225, Land Development, of the Spring Lake Borough Code governs zoning and land use issues and zoning.

WHEREAS, the Mayor & Council of the Borough of Spring Lake (the "Borough") having formed an Ad Hoc Land Use Committee ("Committee") consisting of members of the Governing Body, Planning Board and certain professionals.

WHEREAS, the Committee has made certain recommendations to amend Chapter 25 and the Mayor and Council, have determined that it is in the best interests of the health, safety and welfare of the residents of the Borough to amend and revise Section 225-12,

NOW, THEREFORE BE IT ORDAINED by the Mayor and Council of the Borough of Spring Lake, County of Monmouth, and State of New Jersey as follows:

SECTION 1. Section 225-12 of Chapter 225 entitled "Land Development" of the Revised General Ordinances of the Borough of Spring Lake is hereby amended as follows (~~stricken~~ text deleted; underlined text added):

§225-12. R-1, R-2, and R-3 Residential.

B. Accessory uses permitted

- (1) Private garages in accordance with § 225-16 of this chapter.
- (2) Attached garages in accordance with § 225-17 of this chapter.
- (3) Tool and storage sheds provided they are located a minimum of 5 feet from any detached garage.
- (4) Greenhouses provided they are located a minimum of 5 feet from any detached garage.
- (5) Gazebos provided they are located a minimum of 5 feet from any detached garage.
- (6) Pool Cabanas, provided that the portion of the pool cabana that shall contain heating, hot water plumbing or sanitary facilities does not exceed 60 sq. ft and that no portion of the pool cabana be closer than 5 ft. to the garage.
- (7) Decks, provided that the deck is attached to the principal building and is not located in any front yard.
- (8) Fences in accordance with § 225-18 of this chapter.
- (9) Private residential swimming pools in accordance with § 225-29 of this chapter.
- (10) Signs in accordance with § 225-25 of this chapter.
- (11) Off-street parking in accordance with § 225-21 of this chapter.

D. Area and yard requirements

Maximum Impervious Coverage (% of lot area or square feet)	Detached Dwellings in the			
	R-1 District	R-2 District	R-3 District	Churches

Principal Building coverage (1)	25%	25%	25%	15%
Front Porch Coverage (4)	2.5%	2.5%	2.5%	
Swimming pools	7%	7%	7%	—
Driveways	1,650 square feet	1,650 square feet	1,650 square feet	—
Walkways	350 square feet	200 square feet	275 square feet	—
Detached private garages	600 square feet	500 square feet	550 square feet	600 square feet
Total cumulative accessory building coverage (excluding detached private garages (3))	100 square feet	100 square feet	100 square feet	
Maximum total impervious surface coverage	40%	50%	45%	35%

Notes:

- (1) The net habitable square footage of the second floor of the principal structure shall be no greater than 80% of the 1st floor footprint up to 25% coverage and no closer to the primary front property line than 30 feet (on corner lots, the second-floor front yard setback shall be minimum of 25 feet from the secondary front yard); the half story at the third level shall be no greater than 50% of the second story net habitable square footage.
- (2) (Reserved)
- (3) Accessory structures include tool and storage sheds, greenhouses, gazebos and pool cabanas.
- (4) Front porch coverage calculations can not include any ~~ever~~ enclosed areas for the purpose of calculating the 2.5% The 2.5% does not count toward building and impervious coverage and only is permitted on lots with 50 feet or less of width. No basement area is permitted under the additional 2.5% of coverage for a front porch.
- (5) A balcony is permitted on the second floor over the front porch however, no roof is permitted. No balcony shall be permitted higher than the highest habitable floor. No uncovered balcony on the ½ story shall be greater than 150 square feet. An uncovered balcony 150 square feet or less shall not be calculated into the 50% habitable floor area.
- (6) A detached private garage shall be required for all new construction of a principal residential structure in the R-1 and R-3 Districts in accordance with the provisions of § 225-16.
- (7) No garage shall be higher than 1 ½ stories and 15' in height such that the half-story above shall be non-habitable and provide no more than six feet standing room from the top of the floor framing to the roof framing / collar tie at the underside of the roof. Flat roofs shall not be permitted. Basements are allowable in garages for utilities and storage only.
- (8) For properties located in the AE Flood Zone as shown on the most current FEMA — Flood Insurance Rate Map (FIRM), the Maximum "Building Height" shall be as defined in § 225-7, Definitions.
- (9) For corner lots, in accordance with the definition provided within § 225-7, in the R-2 Zone District, the minimum lot area shall be 9,750 square feet. The minimum lot frontage shall be 65 feet and the

minimum lot width shall be 65 feet. A corner lot with contiguous lot(s) under single ownership that conformed to the zoning requirements prior to the adoption of Ordinance No. 2013-001, March 26, 2013, shall be considered to be an undivided parcel pursuant to § 225-20A(1), except any lots held under single ownership pursuant to an approved subdivision by a Borough land use board, or otherwise held in single ownership, where the distinct identity of the lots has not been destroyed. Furthermore, no portion of the said lot(s) shall be conveyed or divided except through the filing of an approved subdivision in accordance with the requirements adopted on March 26, 2013.

- (10) The permitted impervious total for any detached garage in any residential zone may be increased up to a total of five percent of the lot area of the lot subject to a maximum permitted area of 750 square feet.
- (11) The permitted impervious total for any accessory building in any residential zone may be increased up to 1% of the lot area of the lot subject to a maximum permitted area of 150 sq. ft.

This Ordinance shall take effect upon its passage and publication as required by law.

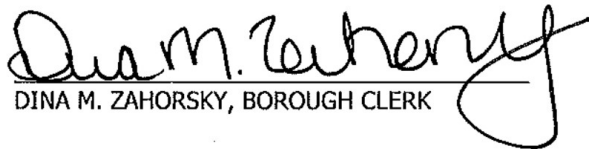
INTRODUCED: February 28, 2023

ADOPTED: March 14, 2023

APPROVED:


JENNIFER NAUGHTON, Mayor

Attest:


DINA M. ZAHORSKY, BOROUGH CLERK