

BOROUGH OF BRADLEY BEACH, MONMOUTH COUNTY

ORDINANCE 2018-1

**AN ORDINANCE TO AMEND CHAPTER 450, ATTACHMENT 1:1 OF
THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BRADLEY
BEACH, COUNTY OF MONMOUTH, STATE OF NEW JERSEY**

WHEREAS, the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq., (the “Statute”) permits New Jersey municipalities to regulate the use of land within their boundaries, and establishes a framework within which local governments may exercise zoning power through adoption of zoning ordinances; and

WHEREAS, the Statute provides that lawfully existing structures and uses, which are later rendered unlawful due to changes to the zoning ordinance, may be maintained as non-conforming structures and uses; and

WHEREAS, the Borough of Bradley Beach has adopted Chapter 450, entitled the Zoning Ordinance of the Borough of Bradley Beach; and

WHEREAS, the provision exempting lots existing on February 1, 2003 from lot width, depth and area requirements in Chapter 450, Attachment 1:1, Schedule of Height, Area and Yard Requirements, Note 1, is not consistent with the provisions of the Statute; and

WHEREAS, the proposed amendment will be referred to the Planning Board for recommendations prior to final passage; and

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Bradley Beach, Monmouth County, State of New Jersey, that Chapter 450 Attachment 1:1 of the Borough of Bradley Beach Code be amended as follows:

ZONING

450 Attachment 1

Schedule of Height, Area and Yard Requirements
Borough of Bradley Beach

[Amended 8-8-2006 by Ord. No. 2006-12; 4-24-2007 by Ord. No. 2007-6; 10-25-2011 by Ord. No. 2011-19; 8-26-2014 by Ord. No. 2014-16]

			Minimum Lot Requirements	Minimum Yard Requirements	Coverage and Height
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Zone District	Use	Location	Area ¹ (square feet)	Width ¹ (feet)	Depth ¹ (feet)	Principal Structure			Accessory Structure		Maximum Building Coverage (%)	Maximum Impervious Coverage (%)	Maximum Building Height (feet)
						Front (feet)	Rear (feet)	Side (feet)	Rear (feet)	Side (feet)			
R-1	All	Interior lot	5,000	50	100	15 and 25 ²	25 ³	5 and 10 ⁴	5	5	35%	60%	35
		Comer lot	5,000	50	100	15 and 25 ²	25 ³	5 and 10 ⁴	5	5	35%	60%	35
R-T	I family	Interior lot	5,000	50	100	15 and 25 ²	25 ³	5 and 10 ⁴	5	5	35%	60%	35
		Comer lot	5,000	50	100	15 and 25 ²	25 ³	5 and 10 ⁴	5	5	35%	60%	35
	Townhouse	All	30,000	200	100	15 and 25 ²	25	5 and 10	5	5	35%	60%	35
R-B	I family	Interior lot	5,000	50	100	15 and 25 ²	25 ³	5 and 10 ⁴	5	5	35%	60%	35
		Comer lot	5,000	50	100	15 and 25 ²	25 ³	5 and 10 ⁴	5	5	35%	60%	35
	2 family	Interior lot	5,000	50	100	15 and 25 ²	25	5 and 10	5	5	35%	60%	35
		Comer lot	5,000	50	100	15 and 25 ²	25 ³	5 and 10 ⁴	5	5	35%	60%	35
	Garden apartment Townhouse	All	30,000	200	100	15 and 25 ²	25	5 and 10	5	5	20%	60%	35
		All	30,000	200	100	15 and 25 ²	25	5 and 10	5	5	25%	60%	35
GB	Business	All	5,000	50	100	None	10	None	5	5	90%	100%	40
GBW	Business	All	5,000	50	100	None	10	None	5	5	90%	100%	48
O-P	Office professional	All	5,000	50	100	None	10	None	5	5	90%	100%	40
B-0-R	Business office	All	20,000	100	100	10	10	10 and 14	5	5	50%	80%	40

NOTES:

~~1. Any and all lots existing on February 1, 2003, shall be deemed conforming with respect to lot width, depth and area.~~

1. The minimum front yard shall be 15 feet on north-south streets and 25 feet on east-west streets.
2. The rear yard for lots not meeting the minimum lot depth requirement may be reduced proportionately to the existing lot depth as a percentage of required lot depth, but in no case shall they be less than 10 feet.
3. The minimum side yards for lots not meeting the minimum lot width requirement that exist shall be 10% and 20% of the lot width.

BE IT FURTHER ORDAINED, that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the Courts to be invalid, such adjudication shall only apply to the section, paragraph, subsection, clause or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective.

BE IT FURTHER ORDAINED, This ordinance shall take effect twenty (20) days after passage by the Mayor and Council and publication according to law.

SO ORDAINED as aforesaid.

KELLY BARRETT
Municipal Clerk

GARY ENGELSTAD
Mayor

Introduced:

Date of Hearing Adoption: