

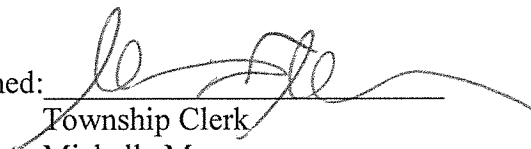
Ord.#6-2017 An Ordinance of the Township of Mount Olive to Amend
and Supplement Various Sections of the Code of the
Township of Mount Olive.

CLERK:

Delivered to Mayor:

Date: 2/29/2017

Time: 10:00 am

Signed: 

Township Clerk
Michelle Masser

MAYOR:

Action by Mayor:


Approved: ☒

Date: 3/1/2017

Vetoed: ☐

Date: _____

(Reasons for which Mayor has withheld approval of Ordinance, item or part Thereof.)

Signed: 

Mayor

CLERK:

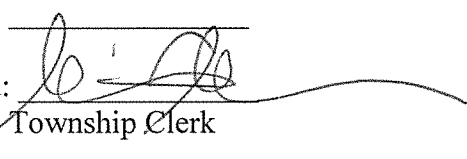
Returned:

Date: 3/1/17

Time: 10:20 am

Not returned with in (10) days

Date: _____

Signed: 

Township Clerk

Ord. #6-2017

**AN ORDINANCE OF THE TOWNSHIP OF MOUNT OLIVE TO AMEND
AND SUPPLEMENT VARIOUS SECTIONS OF THE CODE OF THE
TOWNSHIP OF MOUNT OLIVE**

WHEREAS, the Mount Olive Planning Board did adopt a Periodic Reexamination Report of the Master Plan and Development Regulations on June 20, 2013 which set forth a number of recommendations to amend, modify and eliminate certain zone districts and certain development regulations in the Township's Land Use Ordinance; and

WHEREAS, THE Township Council is in agreement with said recommendations and intends to implement same;

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Mount Olive, County of Morris, and State of New Jersey:

SECTION 1. Article VI entitled "Zoning", Section 550-82 entitled "Fences and Walls", Subsection A(1), is hereby amended and supplemented to provide as follows:

Section 550-82. Fences and Walls.

A. Height and construction requirements;

- (1) No fence or wall shall be erected, altered or constructed in any residential zone which shall exceed six (6) feet in height above ground level, except as otherwise provided by ordinance; no closed type or chain link fence shall be erected within the front yard setback; all such fences or walls shall be located within the boundary lines of the premises intended to be fenced or walled. Ornamental fencing, such as wrought iron, open picket or post and rail, may be permitted within the front yard setback.

For pre-existing nonconforming dwellings in a residential district a fence or wall no greater than ~~four~~ (4) six (6) feet in height may be constructed or maintained at a point no closer to the ~~street right-of-way~~ front lot line than the front foundation wall of the principal building. In the case of corner lots, the property owner may designate one front and one side yard for the purposes of locating a fence, subject to requirements for sight triangle easement as set forth in Section 550-62 of this Chapter. The fence on the side yard shall not extend beyond the plane of the house nor encroach within a required sight triangle.

SECTION 2. Article VII entitled “Zoning District Use and Bulk Regulations”, Section 550-101 entitled “Rural and residential zone districts”, **Sections 550-101C. RR-AA; 550-101D. RR-A; Subsection 5(f) ; Sections 550-101E. R-1; 550-101 F. R-2, 550-101G. R-3, 550-101 I. R-4. Subsection 5(g)** are hereby amended and supplemented to provide as follows:

A through lot as defined in this Chapter containing a single family home shall be permitted to locate an accessory structure to the rear of the dwelling in accordance with the applicable standards for side and rear yard setbacks for the purpose of securing a zoning permit.

Section 3. Article III entitled “Zoning District Use and Bulk Regulations”, Section 550-17 Fees is hereby amended and supplemented to provide as follows:

Section 550-17B - Site Plan and subdivision review.

(1) Minor Subdivision.

(a) Two lots: \$200 plus 50 per lot, plus an escrow fee of ~~\$2,000~~ \$3,500.00

(b) Three lots: \$200 plus \$50 per lot, plus an escrow fee of ~~\$2,500~~ \$4,000.00

(8) Site plan revision/amendment/miscellaneous: \$400 minimum. The escrow fee shall be ~~\$1,000~~ \$2,500.00 minimum

Section 550-17F. Variances and other appeals.

(5) D variance.

(a) Residential: \$250 per lot. The minimum escrow fee shall be ~~\$1,500~~ \$2,000 per lot.

(b) Nonresidential: \$500 per lot. The minimum escrow fee shall be ~~\$2,000~~ \$5,000 per lot.

Section 550-17G. Zone change request: \$1,500. The escrow fee shall be ~~\$5,000~~ \$10,000.

Section 4. Article V entitled “Design Guidelines and Technical Standards” Section 550-75 is hereby amended and supplemented to provide as follows:

Section 550-75E(7) A forest management plan in accordance with the standards of Section L herein or a tree removal plan shall be filed with the Planning Board for removal of more than five-trees per year on tracts in excess of one acre (43,560 square feet). ~~or more than 10 trees per acre on tracts in excess of five acres.~~

Section 550-75F Exceptions

(6) Trees cut as part of the operation of a tree farm, according to a forestry management plan. Owners of property subject to such a program must file with the Director of Planning or to the administrative officer under Subsection E(4) above so stating signed by the forester developing the plan. No tree clearing will be permitted under this provision until and unless the Director of Planning or the administrative officer issues a letter authorizing the proposed removal of the trees. The Director of Planning or the Administrative Officer may rely ~~under-on~~ a qualified expert, including, but not limited to, the Township Engineer, a licensed landscape architect, a registered forester or a like professional with the requisite training and experience to review the forestry management plan. A minimum fee ~~of not to exceed \$500~~ \$1,000 established in accordance with N.J.S.A. 40:55D-53.2 and with Section 550-17 of this chapter may be charged to the applicant for the purpose of conducting said review.

Section 550-75 I(1)(a) The replacement requirement for trees removed to facilitate the construction of a residential dwelling on an existing lot or for a minor residential subdivision ~~or a site plan on a parcel less than one acre~~ in accordance with the applicable zone district, shall be on a one-for-one basis.

Section 5. Article VII 505-101 Rural and residential districts and Section 550-103 are hereby amended and supplemented to provide as follows: Remove Section N. AR/Active Recreation Zone District and Section O. PC-2/Professional Commercial-2 Zone District in their entirety and place in their entirety in Section 550-103 Nonresidential Districts in new Sections J. Active Recreation Zone district and K. Professional Commercial-2 Zone district.

Section 6. Section 550 Attachment 3 entitled “Schedule of Limitations Residential Districts” is hereby amended to provide as follows:

RR-AA Rural Residential square footage minimum lot area ~~4-acres~~ 5 acres

RR-A Rural Residential square footage minimum lot area ~~100,000-square feet~~ 3 acres

R-5 Residential square footage minimum lot area Apartments ~~5-acres~~ 10 acres

L-I/Light Industrial Bldg./Structure Height in Feet ~~30~~ 40

Section 7.

Rezone Lot 12 in Block 5800 in its entirety from R-1/residential zone district to LI/Light Industrial Zone district. Rezone rear portion of Lot 9 from R-1/residential zone district to LI/Light Industrial Zone district. Eliminate the Office Research (OR) zone district, Subsection D (1)-(4) in Section 550-103. Rezone properties listed in Schedule A attached to P/Public zone.

SECTION 8.

Amend Article VII “Zoning District Use and Bulk Regulations” Section 550-102 E.

E. Whenever a conforming lot with a conforming use within any residential zone district is subject to building setback and/or building/total impervious coverage standards, which have imposed subsequent to the creation of said lot and improvements, the bulk ~~and~~ standard in force at the time said lot or structure were created shall prevail.

Amend Section 550-102 to add new subsection H.

H. Residential dwellings built prior to adoption of Township's first zoning regulations, adopted on July 21, 1950, which are located in a residential zone district in Mount Olive may be permitted to construct an open front porch, steps, landing, and portico without the need for variance relief for front yard setback, building and/or lot coverage requirements subject to the following:

No part of the said improvements shall be closer than ten (10) feet to the front lot line and shall not extend past the existing dwelling on either side. Owner shall be required to obtain a Zoning Permit prior to securing building permits.

SECTION 9.

Amend Article VI "Zoning" Section 550-78F "Zoning districts and map" to reflect zoning changes set forth in this ordinance.

SECTION 10. If any section, subsection, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid by any court or competent jurisdiction, such decision shall not affect the remaining portion of this ordinance.

SECTION 11. This ordinance may be renumbered for purposes of codification.

SECTION 12. This Ordinance shall take affect in accordance with law.

All ordinances of the Township of Mount Olive which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

TOWNSHIP OF MOUNT OLIVE



JOE NICASTRO

Mount Olive Township Council President

I hereby certify the above to be a true copy of an ordinance passed by the Mount Olive Township Council at a duly convened meeting held on February 28, 2017.


MICHELLE MASSER
Mount Olive Township Municipal Clerk