

**ORDINANCE 659**

**AN ORDINANCE OF THE TOWNSHIP OF MAURICE RIVER  
AMENDING CHAPTER 35 LAND DEVELOPMENT REGULATIONS.**

**WHEREAS**, the purpose of this Ordinance is to amend Chapter 35, Land Development Regulations of the Township of Maurice River; and

**WHEREAS**, the Planning Board referred this ordinance for adoption to the Township Committee in accordance with the requirements of N.J.S.A. 40:55D-64. The Planning Board found that the proposed ordinance is consistent with the adopted Master Plan and made a favorable recommendation supporting the ordinance amendments at their March 1, 2017 meeting.

**NOW THEREFORE, BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF  
THE TOWNSHIP OF MAURICE RIVER, NEW JERSEY THAT CHAPTER 35 LAND  
DEVELOPMENT REGULATIONS BE AMENDED AS FOLLOWS:**

**Section 1.** Delete and Replace Section 35-8.1 "Accessory Use Structures or Uses" as follows:

35.8.1. Accessory Uses and Structures.

In all zoning districts, any structure or use, allowed as necessary to support a customary incidental use in connection with a permitted residential use on the same lot, shall be setback from the rear and side yard property lines as provided in the Schedule of District Regulations for the zoning district in which they are located. If the height of the proposed accessory use or structure exceeds a set back distance set as stipulated in the Schedule of District Regulations for the zoning district in which it is to be located, then the setback to the side and rear yards shall be no less than ten (10) feet or the height of the structure, whichever is greater. Unless specifically permitted by the Land Use Board in site plan review, no accessory structure shall be located in front of the front yard building setback line.

The following shall apply to accessory structures on all single-family residential lots:

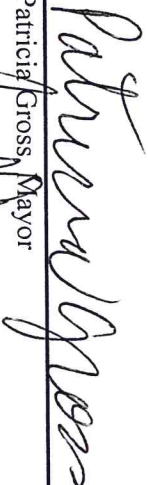
- A. The total area of all accessory structures on a residential lot shall not exceed two-times the total habitable floor area of the principal structure and attached garage.
- B. Notwithstanding the above, no single accessory structure shall exceed 2,500 square feet.
- C. Properties that are Qualified Farms with an active agricultural operation are not limited to items A. and B. above provided the accessory structure is to be utilized for the farming/agricultural operation.

The accessory use shall be used in the computation of building and total lot coverage if deemed to have created an impervious cover to the ground whereon it is located. For example, a garden shed set on cement blocks shall not be deemed to have made the ground beneath impervious.

The Zoning Officer is hereby authorized to grant a one-time approval of a commercial accessory building not exceeding two hundred forty (240) square feet in area without prior approval from the Land Use Board provided that all applicable setback requirements can be met.

**Section 3.** If any section, sentence or any part of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not affect, impair or invalidate the remainder of the Ordinance, but shall be confined in its effect to the section, sentence or other part of this Ordinance directly involved in the controversy in which judgment shall have been rendered.

**NOW THEREFORE, BE IT FURTHER ORDAINED** by the Governing Body for the Township of Maurice River, County of Cumberland and State of New Jersey, that a certified copy of this ordinance is forwarded to the Pinelands Commission for certification.

  
\_\_\_\_\_  
Patricia Gross, Mayor

  
\_\_\_\_\_  
J. Roy Oliver, Deputy Mayor

  
\_\_\_\_\_  
Kenneth Whildin, Committeeman

ATTEST  
  
\_\_\_\_\_  
Denise Peterson, Municipal Clerk

First Reading	<u>March 16, 2017</u>
Publication	<u>March 21, 2017</u>
Public Hearing	<u>April 20, 2017</u>
Adoption	<u>April 20, 2017</u>
Publication of Notice of Adoption	<u>April 26, 2017</u>