

TOWNSHIP OF PEQUANNOCK

ORDINANCE NO. 2017-12

**ORDINANCE AMENDING CHAPTER 189 OF THE REVISED GENERAL ORDINANCES OF
THE TOWNSHIP OF PEQUANNOCK**

BE IT ORDAINED by the Township Council of the Township of Pequannock, County of Morris, as follows:

Section 1. Chapter 189, subsection 189.03.060 entitled "R-9 residence district" shall be amended to read in its entirety as follows:

189.03.060 R-9 residence district.

In the R-9 Residence District, the following regulations shall apply:

A. Use regulations. A building may be erected or used and a lot may be used or occupied for the following purposes and no other:

- (1) Permitted uses. Uses permitted in the R-87 Zone are permitted in the R-9 Zone, except that private open space or recreational areas are not permitted since clustering is not permitted.
- (2) Accessory uses. Accessory uses permitted in the R-87 Zone are permitted in the R-9 Zone.
- (3) Conditional uses. All conditional uses shall meet the requirements of Article VII of this chapter.
 - (a) Conditional uses permitted in the R-87 Zone are permitted in the R-9 Zone.
 - (b) Professional offices.
- (4) Prohibited uses. Those uses which are not specifically permitted in the R-9 Zone are hereby prohibited.

B. Bulk regulations.

- (1) Lot area. A lot area of not less than nine thousand three hundred seventy-five (9,375) square feet shall be provided.
- (2) Lot width. The minimum lot width shall be seventy-five (75) feet.
- (3) Height. No structure shall exceed two and one-half (2 1/2) stories or thirty-two (32) feet in height, whichever is less, except that the height for residential structures, located in the Special Flood Hazard Area, may be increased to two and one-half (2 1/2) stories or thirty-five (35) feet, whichever is greater provided the increased height, in excess of the underlying maximum permitted height, is necessary to raise the structure's first floor elevation above the Special Flood Hazard Area.
- (4) Front Yard Setback. There shall be a front yard at least thirty-five (35) feet in depth. The front yard setback of a residential structure located in the Special Flood Hazard Area may be reduced to not less than 25' if the elevation of the structure has been raised above the Special Flood Hazard Area elevation and subject to the limitations contained in the subsection. The purpose of the decreased front yard setback is to provide additional area for that portion of the structure related to the entrance staircase, platform(s)/landings(s) and porch needed in the effort to raise an existing residential structure's first floor elevation above the Special Flood Hazard Area. Such entrance staircase, platform(s)/landing(s) and porch shall not occupy more than 4% of the required front yard area of the residence,

where the standard front yard setback is 35'. The entrance staircase structure shall not exceed a maximum of 10 risers to a platform/landing. Such a restriction will ensure that any proposed new entry will not result in a long expansive staircase entrance to the home. The entrance shall be permitted to be covered by a roof to provide both protection from the elements and to provide aesthetic improvement. Such covered structure shall only be over the raised first floor entrance and its encroachment into the required front yard setback shall not exceed the permitted 25' setback associated with the entrance staircase, platform(s)/landing(s) and porch. The area around the entrance staircase and platform(s)/landing(s) shall be landscaped with a variety of evergreen shrubs to provide screenings and coverage of the base or underside of the entrance staircase, platform(s)/landing(s) and porch structure.

(4A) All new or elevated structures shall comply with the following requirements:

(a) Structures that are built on conventional concrete or concrete block foundations shall provide a maximum exposed foundation of 36". Treatment is required for exposed foundations in excess of the 36" limit and shall include treatments such as natural or faux stone facing, brick facing, wood batten, lattice or siding. Treatment shall not include a skim coat of mortar over concrete block work.

(b) Structures that are built on piling or pier type foundations shall enclose the entire foundation with a finished architectural treatment, such as stone, masonry, framed lattice, framed louvers or siding to enclose the entire foundation same to be reviewed and approved by the Construction Official.

(5) Rear yard. There shall be a rear yard which shall be twenty five feet (25') in depth.

(6) Side yard. There shall be two (2) side yards, each not less than ten (10) feet.

(7) Coverage. No more than seventeen percent (17%) of the area shall be covered by buildings, and not more than forty-two (42%) of any lot shall be covered by impervious surfaces.

(8) Lot frontage. Shall be the same as lot width provided, however, that for lots around the bulb of a cul-de-sac lot frontage shall be at least fifty percent (50%) of the lot depth.

(9) Lot depth. There shall be a minimum lot depth of one hundred twenty five (125) feet.


Section 3. If any section or provision of this Ordinance shall be held invalid in any Court of competent jurisdiction, the same shall not affect the other sections or provisions of this Ordinance, except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

Section 4. All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed to the extent of such inconsistency.

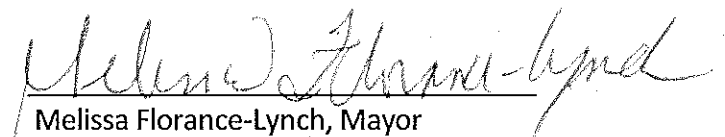
Section 5. This Ordinance shall take effect immediately after final passage and publication in the manner provided by law.

Introduced: August 8, 2017

Adopted: August 22, 2017



Carol J. Marsh, Township Clerk



Melissa Florance-Lynch, Mayor