

Egg Harbor Township

Ordinance No. 25

2021

An ordinance to amend the Code of the Township of Egg Harbor, Chapter 225, entitled “Zoning”, specifically Article XIII Nonconforming Uses, Section 80 C entitled “Continuance.”

BE IT ORDAINED, by the Township Committee of the Township of Egg Harbor, County of Atlantic and State of New Jersey as follows:

SECTION 1: Chapter 225 of the Code of the Township of Egg Harbor, specifically Section 225-80C, Nonconforming improved lot, is hereby amended by deleting it in its entirety and replacing it with the following:

§225-80 Continuance.

C. Nonconforming improved lot. When an improved residential lot in a residential zone or a residential home in the NB Zoning District exists as a separate isolated lot under separate ownership and does not adjoin any vacant land or vacant lot of the same owner, and which said improved lot is nonconforming due to lot area, lot width or building setback, any existing residential building or structure on the lot may be further improved, provided that:

- (1) The number of dwelling units shall not be increased even if such increased number of dwelling units are allowed in a zone, unless approved by the Board of Adjustment.
- (2) Any existing nonconforming setbacks from streets, side lot lines or rear lot lines shall not be made more nonconforming, including any vertical additional of any type.
- (3) Any existing and proposed improvement on the nonconforming improved lot shall not exceed the percentage of maximum impervious coverage set forth in the Schedule of Minimum Area, Yard and Building Requirements. [1]

[1] Editor's Note: Said schedule is included at the end of this chapter.

- (4) Any existing and proposed improvement on the nonconforming improved lot shall conform to all other zone standards, including off-street parking.

SECTION 2: All ordinances and parts of Ordinances inconsistent with the provisions of this ordinance are, to the extent of such inconsistency, hereby repealed.

SECTION 3: Should any section, clause, sentence, phrase or provision of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the remaining portions of this ordinance.

SECTION 4. This Ordinance shall become effective immediately upon final adoption and publication according to law.

NOTICE IS HEREBY GIVEN THAT THE FOREGOING ORDINANCE WAS INTRODUCED AT A MEETING OF THE TOWNSHIP COMMITTEE OF EGG HARBOR TOWNSHIP, IN THE COUNTY OF ATLANTIC, STATE OF NEW JERSEY, HELD MAY 19, 2021 AND WILL BE FURTHER CONSIDERED FOR FINAL PASSAGE AFTER A PUBLIC HEARING THEREON AT A REGULAR MEETING OF SAID TOWNSHIP COMMITTEE TO BE HELD AT THE MUNICIPAL BUILDING, IN SAID TOWNSHIP, ON JUNE 23, 2021.

Dated: May 19, 2021

Eileen M. Tedesco, RMC
Township Clerk