

ORDINANCE 1230-2014

AN ORDINANCE AMENDING ARTICLE 10, SECTIONS 1003(u)(1) AND 1006(a) OF THE LAND USE ORDINANCE OF THE BOROUGH OF MOUNTAINSIDE

WHEREAS, the Mayor and Council of the Borough of Mountainside, County of Union, and State of New Jersey have determined that there is a need to amend sections of the Land Use ordinance to address certain circumstances for when a zoning permit is necessary in the Borough; and

NOW THEREFORE BE IT ORDAINED by the Mayor and Council as follows: Article 10, Section 1003(u)(1) of the Borough Code be and the same is hereby is deleted and replaced by a new section (u)(1):

(u) Fences, Retaining Walls, Driveways, Walkways, Patios

(1) A zoning permit in a form approved by the Zoning Official is required for the construction of any fence 6 feet or less in height. A zoning permit is required for the construction of any retaining wall 4 feet or less in height including multiple stepped walls totaling 4 feet or less in combined height. No fence or wall shall exceed 6 feet in height in a residential zone nor 8 feet in height in nonresidential zones. No fence or wall shall be constructed within 6 inches of a property line or street side line. A zoning permit shall be required for any increase in size above the originally existing and Borough approved footprint, regardless of materials used, for driveways, walkways, and ground level patios.

AND BE IT FURTHER ORDAINED THAT Subsection 1006(a) of the Borough Code be and the same is hereby amended and with the addition of the following new sentence at the end of the subsection as follows:

(a) For the construction of sheds or similar structures totaling 100 square feet or less in size and 10 feet or less in height, a zoning permit shall be required in a form approved by the Zoning Official.

AND BE IT FURTHER ORDAINED THAT the proposed zoning permit application is hereby approved in substantially the same form as the version attached hereto.

AND BE IT FURTHER ORDAINED THAT the application fee for a zoning permit shall be \$50.00.

AND BE IT FURTHER ORDAINED THAT all ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

This ordinance shall take effect immediately upon final adoption and publication and in the manner provided by law.