

**Ord.#24-2009**

An Ordinance of the Township of Mount Olive to Amend and Supplement Article VII Entitled "Zoning District Use and Bulk Regulations" of Section 400-100 Entitled "Rural and Residential Districts" of the Code of the Township of Mount Olive.

**CLERK:**

Delivered to Mayor:

Date: 11/25/09

Time: 11:00 am

Signed: *Roam. Rushway*  
Township Clerk

**MAYOR:**

Action by Mayor:

Approved: *✓*

Date: 12/1/09

Vetoed: \_\_\_\_\_

Date: \_\_\_\_\_

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

Signed: *[Signature]*  
Mayor

**CLERK:**

Returned:

Date: 12/3/09

Time: 3:00 pm

Not returned within the (10) days:

Date: \_\_\_\_\_

Signed: *Roam. Rushway*  
Township Clerk

**Ord. #24-2009**

**AN ORDINANCE OF THE TOWNSHIP OF MOUNT OLIVE TO AMEND AND SUPPLEMENT ARTICLE VII ENTITLED "ZONING DISTRICT USE AND BULK REGULATIONS" OF SECTION 400-100 ENTITLED "RURAL AND RESIDENTIAL DISTRICTS" OF THE CODE OF THE TOWNSHIP OF MOUNT OLIVE**

WHEREAS, Mount Olive Township has established bulk standards for certain residential districts to permit storage sheds within five (5) feet to a side or rear lot line; and

WHEREAS, these standards only apply to residential lots consisting of 10,000 square feet or less; and

WHEREAS, the Planning Department staff has denied a number of zoning permits to locate a storage shed on properties within the R-2-R-5 zones consisting of 10,001 square feet or greater; and

WHEREAS, as a result, the Zoning Board of Adjustment has reviewed a number of variance applications to locate a storage shed within the restricted setbacks; and

WHEREAS, the Township Council recognizes that the aforementioned situations are not equitable to the homeowners affected, create a hardship to those homeowners both financially and potentially limiting the potential use of their property; and

WHEREAS, the Township Council recognizes that this not only causes financial burden to the homeowners affected but also burden the Mount Olive Zoning Board of Adjustment with numerous applications for construction of accessory structures~ and

WHEREAS, based on all the above circumstances and considerations, the Township Council believes that it is in the best interest of the Township to amend and supplement Chapter 400 "Land Use" of the Township of Mount Olive to permit storage sheds within five (5) feet to a side or rear lot line on properties located within the R-2-R-S zone districts with a lot size of one acre or less.

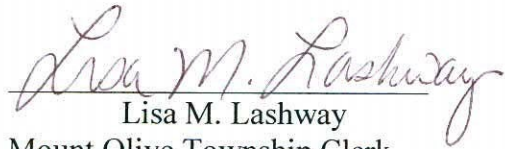
NOW THEREFORE, BE IT ORDAINED, by the Council of the Township of Mount Olive in the County of Morris and State of New Jersey that the Townships Land Use regulations set forth in Chapter 400 of the Township Code shall be revised and modified as follows:

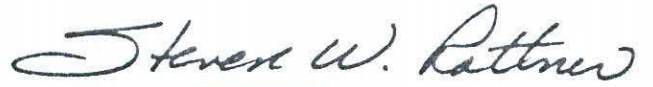
Section 1. Section 400-Attachment 3:1-3.2 entitled "Schedule of Limitations, Residential Districts is hereby amended and supplemented to read:

(d) R-2-R-5: The maximum height is 15 feet (except 400-82). The minimum setback shall be 1.5 times the height except for lots of one acre or less where the setback shall be five (5) feet for accessory structures having a maximum height of 12 feet from grade to peak.

Section 2. This ordinance shall take effect in accordance with law.

ATTEST: 11/24/09

  
Lisa M. Lashway  
Mount Olive Township Clerk



Steven W. Rattner  
Mount Olive Twp. Council President