

BOROUGH OF DEAL

ORDINANCE NO. 1180

AN ORDINANCE AMENDING CHAPTER XXX DEVELOPMENT REGULATIONS OF THE BOROUGH OF DEAL IN THE COUNTY OF MONMOUTH, NEW JERSEY

WHEREAS, the Board of Commissioners has determined that it is in the best interest of the Borough to revise certain portions of its existing Borough Code to allow the construction of conforming structures on non-conforming lots; and

WHEREAS, the Board of Commissioners of the Borough feels that this change will save time and money for the residents of the Borough;

NOW THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Borough of Deal, County of Monmouth, State of New Jersey, as follows:

Section 1. Chapter XXX, of the Ordinances of the Borough of Deal are hereby amended by the following:

CHAPTER XXX

DEVELOPMENT REGULATION

30-48 Non-Conforming Uses, Structures or Lots

- f. Any development proposed on a non-conforming lot that has no ability to expand, and that is in accordance with all zoning standards shall be able to obtain a zoning permit so long as all the improvements on the property, existing and/or proposed are in accordance to the zoning standards established for said property.
- g. Should the non-conforming lot maintain any existing or proposed improvements that are not in conformance to zoning standard, the development application would require approval from the Planning Board.

Section 2. The Borough Administrator /Clerk is directed to give notice at least ten days prior to hearing on the adoption of this Ordinance to the County Planning Board and to all other persons entitled thereto pursuant to NJ.S. 40:55D-15 and N.J.S. 40:55D-63 (if required).

Upon the adoption of this Ordinance after public hearing thereon, the Borough Administrator/Clerk is further directed to publish notice of the passage thereof and

to file a copy of the Ordinance as finally adopted with the Monmouth County Planning Board as required by N.J.S. 40:55D-16. The Clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Borough Tax Assessor as required by N.J.S. 40:49-2.1.

Section 3. If any word, phrase, clause, section or provision of this ordinance shall be found by any court of competent jurisdiction to be unenforceable, illegal or unconstitutional, such word, phrase, clause, section or provision shall be severable from the balance of this ordinance and the remainder of the ordinance shall remain in full force and effect.

Section 4. This Ordinance shall become effective immediately upon its final passage and publication as required by law.

Introduced by Commissioner Ades on November 9, 2018

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Motion to Adopt by Commissioner Simhon on December 12, 2018

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon