

TOWNSHIP OF MAPLEWOOD



ORDINANCE

# 2720-13

AN ORDINANCE  
TO AMEND CHAPTER 271  
OF THE CODE  
OF THE TOWNSHIP OF MAPLEWOOD  
ENTITLED  
"ZONING AND DEVELOPMENT REGULATIONS"

*"Interpretive Statement"*

*This ordinance will permit preexisting nonconforming garages to be rebuilt as of right in certain circumstances and shall establish the rear setback at four (4) feet for a garage erected within the rear yard.*

WHEREAS, the Maplewood Zoning Board of Adjustment ("Board of Adjustment") has made certain recommendations to the Township Committee regarding the rebuilding of pre-existing nonconforming garages; and

WHEREAS, the Code Enforcement Committee of the Maplewood Township Committee has reviewed the recommendations of the Board of Adjustment and has made certain recommendations to the Township Committee.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Maplewood, County of Essex, State of New Jersey, that Section 271 of the Code of the Township of Maplewood entitled "Zoning and Development Regulations" be amended as follows:

**FIRST: Section 271-35: Accessory Buildings and Structures:**

Shall be amended as follow:

- C. A garage erected in the rear yard shall be placed no less than four (4) feet from the rear property line. If the lot has a greater depth than one hundred fifty (150') feet, the garage may be located as though the lot had a depth of only one hundred fifty (150') feet.

A pre-existing nonconforming detached garage may be rebuilt as of right in the event of destruction or desire to modernize provided the newly

constructed garage does not increase any nonconformity with current ordinance requirements that exist with the pre-existing nonconforming garage.

All other provisions of this section shall remain unchanged.

**SECOND: Severability**

If any section, paragraph, subparagraph, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the specific section, paragraph, subparagraph, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

**THIRD: Repeal of Prior Ordinances**

Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance be and the same are hereby repealed to the extent of any such inconsistencies.

**FOURTH: Effective Date**

This Ordinance shall take effect after final passage and publication and as provided by law and upon notice by personal service or by certified mail to the Municipal Clerks of all adjoining municipalities and to the Essex County Planning Board, which notice will be provided within thirty (30) days following final adoption of this ordinance.

**PUBLIC NOTICE** is hereby given that the foregoing proposed Ordinance was introduced and read by title for the first time at a meeting of the Township Committee of the Township of Maplewood, held on April 2, 2013, and that Committee met again on May 7, 2013, at 7:30 p.m. at the Municipal Building, 574 Valley Street, Maplewood, New Jersey, at which time and place the Committee proceeded to consider the said Ordinance on second reading and final passage.

**ELIZABETH J. FRITZEN, R.M.C.**  
Township Clerk