

**HARDING TOWNSHIP
ORDINANCE #09-2022**

**AN ORDINANCE OF THE TOWNSHIP OF HARDING AMENDING CHAPTER 225 PART 3
(ZONING) OF THE CODE OF THE TOWNSHIP OF HARDING, SPECIFICALLY ARTICLE
XXIV, §225-122 ENTITLED “BULK REGULATIONS” TO CLARIFY CERTAIN
PERMITTED BUILDING AREA AND SETBACK REQUIREMENTS**

WHEREAS, the Township of Harding has under the Municipal Land Use Law, N.J.S.A. 40:55D-1, et seq., the authority to regulate land uses within its municipal boundaries; and

WHEREAS, the Township of Harding through the adoption of the Harding Township Code Chapter 225 has established Land Use and Development Regulations; and

WHEREAS, the permitted building area and setback requirements for structures within the R-1 Zone (also applicable to the RR Zone) are contained in two different sections of the Code (§225-122.C. and §225-122.F.(1)); and

WHEREAS, the Zoning Officer has advised that the current codification of the permitted building area and front setback requirements has led to some confusion by residents seeking to obtain Zoning Permits for new buildings; and

WHEREAS, the Township Committee has determined it is in the best interest of the general welfare to clarify the permitted building area and setback requirements within these zones.

NOW THEREFORE BE IT ORDAINED by the Township Committee of the Township of Harding, in the County of Morris, State of New Jersey, that Chapter 225, Article XXIV, §225-122 of the Code of the Township of Harding be and is hereby amended as follows (deletions have strike through; additions are bolded and underlined):

SECTION 1: §225-112 Bulk regulations.

A. *No change.*

B. *No change.*

C. Maximum building area. The maximum building area shall be as follows (see Subsection **F** for additional restrictions):

(1) Three percent of lot area for lots where any structures are set back less than 150 feet from the front lot line or road line; ~~or~~ up to a maximum of 3,920 square feet.

(2) – (4) *No changes.*

D. *No change.*

E. *No change.*

F. Minimum setbacks. All structures must be set back at least 100 feet from any lot line or road line except as modified by the building area limitations set forth below:

HARDING TOWNSHIP

ORDINANCE #09-2022

AN ORDINANCE OF THE TOWNSHIP OF HARDING AMENDING CHAPTER 225 PART 3 (ZONING) OF THE CODE OF THE TOWNSHIP OF HARDING, SPECIFICALLY ARTICLE XXIV, §225-122 ENTITLED "BULK REGULATIONS" TO CLARIFY CERTAIN PERMITTED BUILDING AREA AND SETBACK REQUIREMENTS

~~(1) The minimum setback from the front lot line or road line to all structures shall be increased to 150 feet when the total building area on the lot exceeds 3,920 square feet.~~

(21) In the case of a lot having frontage on more than one road, the minimum front setback restriction shall apply to all portions of the lot having frontage on a road.

(32) Notwithstanding the provisions of Subsection ~~FC~~(1) above, in the case of a flag lot, the minimum setback distance for the front, side, and rear yards shall be 100 feet.

G. *No change.*

H. *No change.*

SECTION 3: At least three copies of said full Ordinance are on file in the Office of the Municipal Clerk for public examination and acquisition. Copies are available for inspection or acquisition during regular weekday working hours and arrangements have been made for the publication of said proposed Ordinance in pamphlet or other similar form which will be available for purchase from the Township Clerk.

SECTION 4: This Ordinance shall take effect upon final passage and publication according to law.

SECTION 5: The Township Clerk is hereby directed to give notice at least ten days prior to the hearing on the adoption of this Ordinance to the County Planning Board, and to all others entitled thereto pursuant to the provisions of N.J.S.A. 40:55D-15. Upon adoption of this Ordinance, after public hearing thereon, the Municipal Clerk is further directed to publish notice of passage thereof and file a copy of this Ordinance as finally adopted with the County Planning Board as required by N.J.S.A. 40:55D-16 and with the Township Tax Assessor.

SECTION 6: All Ordinance or parts of Ordinances inconsistent herewith are hereby repealed.

SECTION 7: If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions.


HARDING TOWNSHIP

ORDINANCE #09-2022

**AN ORDINANCE OF THE TOWNSHIP OF HARDING AMENDING CHAPTER 225 PART 3
(ZONING) OF THE CODE OF THE TOWNSHIP OF HARDING, SPECIFICALLY ARTICLE
XXIV, §225-122 ENTITLED "BULK REGULATIONS" TO CLARIFY CERTAIN
PERMITTED BUILDING AREA AND SETBACK REQUIREMENTS**

ATTEST

TOWNSHIP OF HARDING



Lisa A. Sharp
Municipal Clerk



Timothy D. Jones,
Mayor

INTRODUCED: June 20, 2022

ADVERTISED: June 23, 2022

PUBLIC HEARING: July 11, 2022

ADOPTED: July 11, 2022

ADVERTISED: July 14, 2022

Vote on Adoption:

	MOTION	FOR APPROVAL	AGAINST APPROVAL	ABSTAIN
Ms. Chipperson		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dr. Lacz	Absent	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ms. Platt	2 nd	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Yates	1 st	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Jones		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>