

**TOWNSHIP OF PEMBERTON**  
**ORDINANCE NO. 15-2014**

**ORDINANCE AMENDING CHAPTER 190, ZONING OF THE CODE OF THE  
TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON,  
AND STATE OF NEW JERSEY**

**WHEREAS**, the Township Council is desirous of amending Chapter 190, Zoning, of the Code of the Township of Pemberton to better regulate the development of land located within the Residential R-100 zoning district; and

**WHEREAS**, it is the intention of the Council that the Ordinance should be administered by the Planning and Zoning Boards of the Township in a way that fairly and equitably takes into consideration the unique nature of each piece of property, recognizing the burdens of existing conditions in terms of setbacks and lot sizes and that, in appropriate cases, the Land Use Boards of the Township should utilize their statutory discretion to effectuate the intent and purposes of the ordinance and to encourage harmony and prosperity in the Township.

**NOW, THEREFORE, BE IT ORDAINED** by the Township Council of the Township of Pemberton, that Chapter 190-16 B(6) is hereby amended to add the following:

**I.** (f) In the R-100 District, single-family residences existing at the time of adoption of this amendment on existing lots of 10,000 square feet or more may have additions constructed and accessory buildings constructed as regulated by “190-Attachment 6” and shall follow the Area and Yard Requirements as amended for the R-100 Single-Family District as follows:

**II.** Amending 190-16 E to add the following:

Zoning District	Lot Area (Square Feet)	Principal Building Minimum Lot			Principal Building Minimum Yards		
		Frontage (Feet)	Width (Feet)	Depth (Feet)	Side (Feet)	Front (Feet)	Rear (Feet)
R-100Single Family	10,000**	80	80	125	10	25	40*

\* May be reduced to 25' for corner lots

\*\* 10,000 square foot requirement applies to residentially developed lots as of the adoption of this amendment. Residential development on vacant lots shall be subject to a one acre lot area requirement and compliance with the density transfer program standards of Section 190-50R

Accessory Building Minimum Distance to			Maximum Building Coverage	
Side Yard (Feet)	Rear Yard (Feet)	Other Building (Feet)	Principal Building (Percent)	Accessory Building (Percent)
10	10	20	25%	5%

Except as otherwise provided in this chapter, any lawful use existing at the time of adoption of this amendment may be continued, although such use or building does not conform to the regulations in this chapter for the zone in which such land or buildings are located provided, however, that:

- (1.) No nonconforming lot shall be further reduced in size.
- (2.) No nonconforming setback shall be further reduced or exacerbate an existing condition.
- (3.) No nonconforming building shall be enlarged, extended or increased unless such enlargement would reduce the degree of nonconformance.

**III.** Article 190-37.C (1) entitled “Restoration” is hereby amended as follows:

Any structure or use which has been condemned or destroyed by fire, explosion, flood, windstorm or other act of God under the following condition:

A single-family residence may be reconstructed in kind as the residence existed prior to damage or destruction, so long as reconstruction is commenced within five years. A use variance shall be required as provided by state statutes for any building or use that does not conform to this condition.

All other provisions of Chapter 190 of the Zoning Ordinances of the Township of Pemberton shall remain in full force and effect; however any Ordinances or parts of Ordinances inconsistent with the provisions of this ordinance as amended are hereby repealed to the extent of said inconsistency.

This Ordinance shall take effect immediately upon final passage and the publication in accordance with the laws of the State of New Jersey. Further in accordance with provisions of N.J.S.A. 40: 55-D-16, a copy of this Ordinance as finally adopted shall be filed with the Burlington County Planning Board.

**PEMBERTON TOWNSHIP COUNCIL**

**TOWNSHIP OF PEMBERTON  
ORDINANCE NO. 15 –2014**

**NOTICE OF PUBLIC HEARING**

**ORDINANCE AMENDING CHAPTER 190, ZONING OF THE CODE OF THE  
TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON,  
AND STATE OF NEW JERSEY**

The foregoing Ordinance was introduced and passed on first reading by the governing body of Pemberton Township at a meeting held on November 5, 2014 and will be considered for final passage after a public hearing at a meeting of the said governing body to be held on December 17, 2014 at the Pemberton Township Municipal Building, 500 Pemberton-Browns Mills Road, Pemberton, New Jersey, at 6:30 p.m. prevailing time, at which time any interested member of the public may comment on said Ordinance. During the week prior to and up to and including the date of such meeting or further consideration, copies of said Ordinance in its entirety may be obtained from the Township Clerk.

ATTEST:

  
AMY P. COSNOSKI, RMC, TOWNSHIP CLERK


**TOWNSHIP OF PEMBERTON  
ORDINANCE NO. 15 – 2014**

**NOTICE OF FINAL PASSAGE**

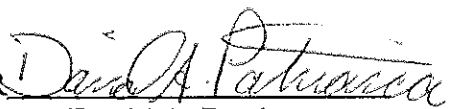
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Notice is hereby given that Ordinance No. 15 – 2014 as entitled above has been finally adopted on final reading by the governing body of Pemberton Township after a public hearing, at a meeting held on December 17, 2014. Said Ordinance shall take effect in accordance with law.

ATTEST:

  
AMY P. COSNOSKI, RMC, TOWNSHIP CLERK

ACKNOWLEDGEMENT OF APPROVAL BY MAYOR

  
David A. Patriarca

ATTEST:

  
AMY P. COSNOSKI, RMC, TOWNSHIP CLERK

DATE: 12/19/2014