

MONMOUTH COUNTY PLANNING BOARD

Hall of Records Annex
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No. 7149

Municipality: Monmouth Beach Boro
To: Joyce L. Escalante
Address: 22 Beach Road
Monmouth Beach, NJ 07750

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The following document(s) was received on this date at the offices of the Monmouth County Planning Board, in accordance with the provisions of R.S. 40:55D-15 and 40:55D-16 – Municipal Land Use Law (Chapter 291 Laws of 1975) and other applicable statutes.

Amending certain definitions & building height limitations in Arts. 30-2.3 & 30-11.4 of the Code of the the Borough of Monmouth Beach.

If we have any comments or recommendations concerning the above document(s), they will be forwarded to you prior to the Public Hearing scheduled to be held on 1/15/2013

Date Adopted: 1/15/2013

PLEASE RETAIN ALL CORRESPONDENCE AND RECEIPTS FROM THE MONMOUTH COUNTY PLANNING BOARD FOR YOUR OFFICIAL RECORDS.

Date Transmitted: 1/28/2013

Transmitted By: MRL

Title: Sr. Planner

**BOROUGH OF MONMOUTH BEACH
22 BEACH ROAD
MONMOUTH BEACH, NJ 07750**

COMMISSIONERS

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Mayor

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Director of Revenue & Finance

WILLIAM J. McBRIDE JR.
Director of Public Works

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JOYCE L. ESCALANTE, R.M.C.
Borough Clerk

GERALD CHISMAR
Borough Administrator


January 22, 2013

Monmouth County Planning Board
Hall of Records
One East Main Street
Freehold, NJ 07728

Re: An Ordinance Amending And Supplementing Articles 30-2.3 And 30-11.4 Of Chapter XXX Titled "Land Development Regulations" Of The Code Of The Borough Of Monmouth Beach To Amend Certain Definitions And Building Height Limitations

Enclosed please find a copy of the above referenced ordinance which was adopted by the Board of Commissioners of the Borough of Monmouth Beach at a meeting held on January 15, 2013.

Very truly yours,


Joyce L. Escalante, RMC
Municipal Clerk

Enc.

cc: Gerald Chismar, Borough Administrator
Timothy Anfuso, Tax Assessor

**BOROUGH OF MONMOUTH BEACH
COUNTY OF MONMOUTH**

AN ORDINANCE AMENDING AND SUPPLEMENTING ARTICLES 30-2.3 AND 30-11.4 OF CHAPTER XXX TITLED "LAND DEVELOPMENT REGULATIONS" OF THE CODE OF THE BOROUGH OF MONMOUTH BEACH TO AMEND CERTAIN DEFINITIONS AND BUILDING HEIGHT LIMITATIONS.

BE IT ORDAINED by the Mayor and Borough Commissioners of the Borough of Monmouth Beach, County of Monmouth, and State of New Jersey that Chapter XXX (Land Use Regulations) of the General Ordinances of the Borough of Monmouth Beach is hereby amended or supplemented as follows:

PURPOSE

The purpose of this ordinance is to modify certain provisions to the Borough's Land Use Regulations to encourage construction of buildings by not penalizing owners where the lowest floor will be above the base flood elevation in areas of special flood hazard by providing for an increase in the permitted building height.

Chapter XXX (Land Use Regulations) of the General Ordinances of the Borough of Monmouth Beach is hereby amended or supplemented as follows (new text is double underlined, text to be deleted is ~~struck through~~ and notations to the reader and changes in subparagraph designations either with or without changes to content are italicized):

SECTION 1

Chapter XXX (Land Use Regulations) Article 30-2.3 (Definitions) shall be amended as follows:

Building Height shall mean the vertical distance as measured by the crown of the road of the improved street on which it fronts at the mid-point of the lot. The building height shall not exceed thirty-five (35) feet except in those instances where structures, in areas of special flood hazard, have the lowest floor thirty-six(36) inches above the advisory base flood elevation as defined in Chapter 22. In those instances the maximum building height may be increased by three feet.

Chapter XXX (Land Use Regulations) Article 30-11.4 (Schedule of Limitations) shall be amended as follows

SECTION 2

30-11.4 Schedule of Limitations.

The restrictions and controls intended to regulate development in each zoning district are set forth in the attached Schedule of Limitations and supplemented by other sections of this chapter.

The Schedule of Limitations comprises a list of permitted principal and accessory uses, as well as height limitations, area, coverage and yard requirements, conditional uses and liveable floor area requirements. The maximum permitted building height listed in the schedule of limitations may be modified consistent with the definition of Building Height contained in Article 30-2.3.

No building shall hereafter be erected, altered, converted or enlarged wholly or in part, except in conformity with the Schedule of Limitations and this chapter.

SECTION 3

All ordinances or parts thereof inconsistent with the provisions of this ordinance are hereby repealed as to such inconsistency.

SECTION 4

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

SECTION 5.

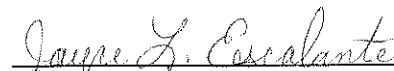
This ordinance shall take effect upon its passage and publication according to law.

SECTION 6

The Borough Clerk is hereby directed, upon adoption of the Ordinance after public hearing thereon, to publish notice of the passage thereof and to file a copy of this 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 if required by N.J.S. 40:49-2.1.

Introduced: December 27, 2012

Adopted: January 15, 2013



Joyce L. Escalante, RMC

Municipal Clerk