

**ORDINANCE 2013-001  
TOWNSHIP OF NORTH HANOVER  
COUNTY OF BURLINGTON**

**AN ORDINANCE OF THE TOWNSHIP OF NORTH HANOVER AMENDING CHAPTER 16 OF THE TOWNSHIP CODE, ENTITLED “ZONING” BY AMENDING SECTION 16-080.4, “PRE-EXISTING LOTS IN THE R-A ZONE,” OF ORDINANCE No. 2009-19, ENTITLED “AN ORDINANCE AMENDING CHAPTER 16 ‘ZONING’ BY SUPPLEMENTING SECTION 060 ENTITLED ‘DEFINITIONS’ BY ADDING DEFINITIONS – BY REPEALING AND REPLACING SECTION 080 ESTABLISHING USE AND BULK REGULATIONS FOR THE RA-RESIDENTIAL AGRICULTURAL ZONE – ENACTING A NEW SECTION, SECTION 081 ESTABLISHING USE AND BULK REGULATIONS FOR PANNED UNIT RESIDENTIAL DEVELOPMENTS AND BY SUPPLEMENTING SECTION 250 ENTITLED ‘CONDITIONAL USES’ BY ADDING CONDITIONAL USES AND ESTABLISHING STANDARDS FOR THE SAME”**

**Section 1.** This section amends the development regulations of the North Hanover Township Code, Chapter 16 “Zoning”, by amending Section 16-080.4 of Ordinance No. 2009-19, to read as follows [added portions are bolded and underlined; deleted portions have strikethrough]:

**16.080.4 Pre-existing Lots in the R-A Zone**

**A.** Notwithstanding the previous provisions of this section **16.080** and of §16.310 of this Chapter and except as provided by NJSA 40:55D-35 and 36, ~~vacant~~ **those** lots **identified in subparagraph B below** in either of the following two categories may be developed with single family homes and all permitted accessory buildings and structures, ~~but only in~~ **subject to being in** compliance with the percolation/permeability requirements established in §16-081.2.c and the following bulk requirements **set forth in subparagraph C below**:

- ~~1. Minimum lot area — 2 acres~~
- ~~2. Lot frontage along lot line — 200 feet~~
- ~~3. Lot width along setback line — 200 feet~~
- ~~4. Lot depth — 200 feet~~
- ~~5. Each side yard — 30 feet~~
- ~~6. Front yard setback — 50 feet~~
- ~~7. Rear yard setback — 75 feet~~
- ~~8. Maximum building coverage — 12% for the principal building and 3% for accessory buildings~~
- ~~9. Maximum building height — 35 feet~~

**B.** **A. (1)** Lots in single and separate ownership with a lot area of at least two (2) acres but less than twenty-five (25) acres in existence as of November 1, 2009, regardless of whether the lot was conforming or non-conforming as of that date.

**(2) Any lot created subsequent to November 1, 2009 by way of subdivision or otherwise from any lot identified in section B (1) hereinabove that is at least two (2) acres in size and less than twenty-five (25) acres in size.**

~~B.~~ **(3) Lots appearing on an approved subdivision plan and whose protection from zoning changes pursuant to the Municipal Land Use Law and/or the Permit Extension Act of 2008 has not expired.**

**C. Area and Yard Requirements. Notwithstanding the provisions of section 16-080.3, the following area and yard requirements shall apply to those lots identified in subparagraph B hereinabove:**

- 1. Minimum lot area – 2 acres**
- 2. Lot frontage along lot line – 200 feet**
- 3. Lot width along setback line – 200 feet**
- 4. Lot depth – 200 feet**
- 5. Each side yard – 30 feet**
- 6. Front yard setback – 50 feet**
- 7. Rear yard setback – 75 feet**
- 8. Maximum building coverage – 12% for the principal building and 3% for accessory buildings**
- 9. Maximum building height – 35 feet**

**SECTION 2.** 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 3:** This ordinance shall take effect upon final passage and publication according to law.

**SECTION 4.** 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. 40:44D-15. Upon adoption of this Ordinance, after public hearing thereon, the Township 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. 40:55D-16 and with the Township Tax Assessor.

**SECTION 5:** All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

**SECTION 6:** 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.

**NOTICE**

The above Ordinance was introduced and passed on first reading at the meeting of the Township Committee of the Township of North Hanover, in the County of Burlington, held on the day 7<sup>th</sup> of February 2013, and will be considered for final passage at a meeting to be held by the Township Committee at the Municipal Building located at 41 Schoolhouse Road, Jacobstown, New Jersey, at 7:00 PM on the 4<sup>th</sup> day of March, 2013, at which time and place any person interested will be given an opportunity to be heard.

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Cindy Dye  
Municipal Clerk