

0.13.05

**AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT ORDINANCE
MAKING CHANGES IN ZONING DISTRICTS AS REFLECTED IN THE
TOWNSHIP OF DEPTFORD "ZONING MAP" DATED AND ADOPTED
DECEMBER 2, 2004**

WHEREAS, the Municipal Land Use Law, 40: 55D -62 entitled "Power to Zone" enables the governing body to amend its official "Zoning Map" reflecting the provisions of its Master Plan ; and

WHEREAS, the official "Zoning Map" of the Township was amended and adopted at a regular meeting of the Township Council of the Township of Deptford on December 2, 21002 which sets forth the zoning districts and all land within the Township of Deptford: and

WHEREAS, the Municipal Land Use Law, N.J.S.A. 40: 55D-2 requires that an Ordinance amending a municipality's "Zoning Map" shall be reviewed by the Planning Board to determine if amendments proposed by the governing body are substantially consistent with the "Land Use Plan" and "Housing Element Plan" of the Master Plan of the Township of Deptford; and

WHEREAS, the Municipal Land Use Law further requires the governing body to set forth reasons as to amending zoning districts as described in the Township of Deptford "Zoning Map" dated December 2, 2002; and

WHEREAS, governing body has determined that R-6 Zoning District bounded by the TC-1 zone on Cooper Street to the north, N. J. State Highway 47 (aka Delsea Drive) to the east, and R-40 zone to the south, and the New Jersey Turnpike right-of-way to the west, including parts of Block(s) 87, 93, 94,95,96,97,180, 181; and Block(s) 99, 100,101,102,103, 104, 105, 107, 108, and 109 be changed to the R-10 Zoning District for reasons as follows:

1. The existing R-6 Zoning District as set forth within the Township Zoning Map adopted 12-12-74 and revised through 06-01-79 required the district to be developed pursuant to R-2 development standards as follows:

A. Lot Size Area without water and sewer 15,000 square feet and street frontage of 100 feet.

B. Lot Size Area with water and sewer 10,000 square feet and street frontage of 100 feet.

2. The existing R-6 Zoning District adopted 09-27-89 NOW requires the district to be developed to development standards as follows:

A. Lot Size Area with water and sewer 6,000 square feet and street frontage of 50 feet minimum.

B. Lot Size Area without water and sewer must comply with the bulk standards provided for the R-40 District.

3. The Township Planner, Marc R. Shuster, PP, AICP, in a report dated March 4, 2005 regarding an analysis of R-6, R-10, and R-10A Zoning Districts reveal that 299 lots (+/-) are confirmed to be undersized having at least 4,000 square feet in area; and that a majority, or 166 lots (+/-) within Block(s) 87, 95 though 105, and 107 are located in said R-6 Zoning District.

4. A visual inspection of the existing R-6 Zoning District indicates that said area has been developed by individual property owners pursuant to R-10 Zoning District development standards.

5. Proposed future development of this area utilizing R-6 development standards would be contrary to how this area has developed utilizing R-10 development standards.

NOW, THEREFORE BE IT ORDAINED by the Township Council of the Township of Deptford, County of Gloucester, New Jersey that the "Zoning Map" of the Township of Deptford dated December 23, 2002 is hereby amended to change the R-6 Zoning District described as the area bounded by the TC-1 zone on Cooper Street to the north, N.J. Route 47 (aka Delsea Drive) to the east, an R-40 Zoning District to the south, and the New Jersey Turnpike right-of-way to the west; including parts of Block(s) 87, 93, 94, 95, 96, 97, 180, 181, and Block(s) 99, 100, 101, 102, 103, 104, 105, 107, 108, and 109 is hereby changed to R-10 Zoning District.

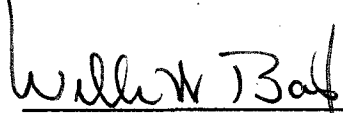
BE IT FURTHER ORDAINED as follows:

SECTION 1. The Township Clerk of the Township of Deptford pursuant to 40: 49-4, shall cause to be published, in the manner required by law, a copy of this ordinance in a newspaper of general circulation in the Township of Deptford; and shall provide sufficient copies of said ordinance in the office of the Township Clerk for inspection by the public at all times during regular business hours.

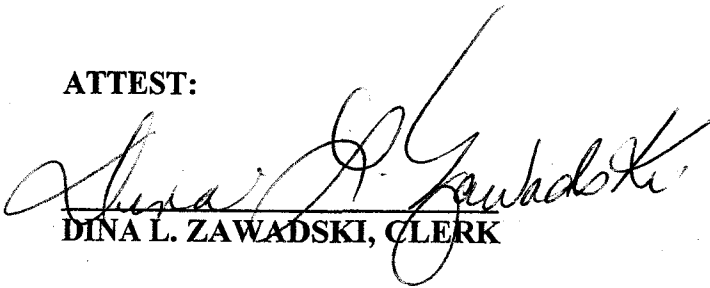
SECTION 2. If any provision of this ordinance is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, the remaining provisions of this ordinance shall not be invalidated.

SECTION 3. This ordinance shall become effective twenty (20) days upon final passage by Township Council, and publication according to law.

TOWNSHIP OF DEPTFORD


WILLIAM W. BAIN, JR., MAYOR

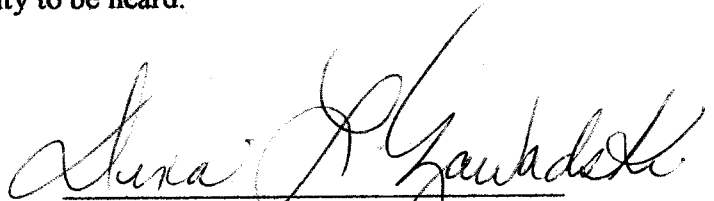
ATTEST:


DINA L. ZAWADSKI, CLERK

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CERTIFICATION

The above Ordinance was introduced and passed upon first reading at a meeting of the Township Council of the Township of Deptford held on the 14th day of November 2005 and will be taken up for final consideration and passage at the Regular meeting of Mayor and Council of the Township of Deptford to be held at the Municipal Building, 1011 Cooper Street, Deptford, NJ, Gloucester County, on the 5th day of December 2005 at 7:30 P.M. or as soon thereafter as the matter can be reached at which time any person interested shall be given an opportunity to be heard.


DINA L. ZAWADSKI, CLERK