

**ORDINANCE 6-2013
TOWNSHIP OF MENDHAM
MORRIS COUNTY – NEW JERSEY**

**AN ORDINANCE OF THE TOWNSHIP OF MENDHAM AMENDING
CHAPTER 21, SECTIONS 21-6.4 AND 21-6.5; AND AMENDING
THE DEFINITION OF "HEIGHT OF STRUCTURE"**

BE IT HEREBY ORDAINED by the Township Committee of the Township of Mendham as follows:

SECTION ONE:

Chapter 21 Section 21-6.4 e. is amended to read in its entirety as follows:

"e. In addition to the restrictions in "d." above, an accessory structure with a footprint area in excess of 100 square feet shall not be closer to the side or rear lot line than the minimum setback distance required for the principal building, provided, however, that in the R-3, R-5, and R-10 Zone Districts, driveways and parking areas shall be set back from the side lot lines a minimum distance equal to one-half the applicable side yard setback dimension required for the principal structure in the respective zone district."

Chapter 21 Section 21-6.5 f. is amended to read in its entirety as follows:

"f. An accessory structure with a footprint of 100 square feet or less, shall be located no less than 10 feet from the side or rear property line, while also respecting the restrictions set forth in "a" through "d", above.

The definitions section of Chapter 21 is hereby amended as follows:

HEIGHT OF STRUCTURE- The vertical distance measured from the average finished grade around a structure to the horizontal projection

of the highest point of the roof of a structure. The average finished grade shall be as computed by averaging spot grade elevations at no greater than 15 foot intervals along a line that is 10 feet distant and parallel to the outer perimeter of the structure. Additional spot grade elevations may be required to properly incorporate abrupt grade changes into the calculation.

SECTION TWO

If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason found to be unconstitutional or unenforceable, such decision shall not affect the remaining portion of this ordinance.

SECTION THREE

All ordinances of the Township are inconsistent with the provisions of this of Mendham which ordinance are hereby repealed to the extent of such inconsistency.

SECTION FOUR

This ordinance shall take effect upon final passage and publication thereof as provided by law.

INTRODUCED: 5/28/2013

ADVERTISED: 5/31/2013

PUBLIC HEARING: 7/08/2013

ADOPTED: 7/08/2013

ADVERTISED: 7/11/2013

ATTEST:

TOWNSHIP OF MENDHAM
IN THE COUNTY OF MORRIS


Kathleen Potter, RMC
Township Clerk


Richard A. Merkt
Mayor