

TOWNSHIP OF MENDHAM ORDINANCE NO. 2018-3

AN ORDINANCE AMENDING AN ORDINANCE ENTITLED " AN ORDINANCE CREATING A NEW REUSE OF EXISTING BUILDINGS OVERLAY DISTRICT" IN A PORTION OF THE R-10 ZONE, PERMITTING THE REUSE OF EXISTING BUILDINGS FOR MULTIPLE USES AS A CONDITIONAL USE, AMENDING CHAPTER XXI "ZONING REGULATIONS" OF THE LAND USE ORDINANCE OF THE TOWNSHIP OF MENDHAM WHICH WAS ADOPTED AS ORDINANCE NO. 12-2014

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM, IN THE COUNTY OF MENDHAM, NEW JERSEY, as follows:

SECTION 1.

Chapter XXI, Section 21-5-B is hereby amended to add a new provision as follows:

21-5B-2 PERMITTED DEPARTURE FROM THE REQUIREMENTS AND CONDITIONS OF THE REUSE AND RECONSTRUCTION OF EXISTING BUILDINGS OVERLAY ZONE

21-5B-2 Demolition of buildings and structures allowed upon showing of certain conditions.

In the case of a residential unit development, in a Townhouse configuration, located within the Overlay District, the Planning Board or in certain cases, the Board of Adjustment may allow for the demolition of existing buildings and structures, upon the demonstration (as determined by the reviewing body) of (one or more) some or all of the following factors.

- A. Findings allowing for the demolition of certain buildings and structures within the R-10 overlay zone.
 - (1) The structures are obsolete.
 - (2) The structures present no economic value.
 - (3) The cost to re-adapt, re-purpose and re-use the structures exceeds the utility to be gained thereby.
 - (4) The structures do not lend themselves to the approved project.
 - (5) Any other reasons acceptable to the reviewing body. (Any other reason related to the viability of the repurposing or reuse of the structure.)

SECTION 2.

Chapter 21 Section 4.6 Conditional Uses Sub Section in 21-4.6g.1 is amended to add an additional paragraph:

Should the developer request permission to demolish the existing buildings on the site and not retain the principal building pursuant to Section 21-5B-2, reconstruction shall be subject to the following requirements:

- (1) Minimum building setback from property boundaries: 80 feet.
- (2) Maximum building height: 35 feet.
- (3) Total impervious coverage shall be no more than 218,000 square feet.
- (4) Parking requirements shall be pursuant to the New Jersey Residential Site Improvement Standards (RSIS)

SECTION 3.

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 4.

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

SECTION 5.

This Ordinance shall take effect after final passage and publication pursuant to law.

INTRODUCED: 2/12/18

PUBLIC HEARING: 2/27/18

ADOPTED: 2/27/18

ADVERTISED: 2/15/18

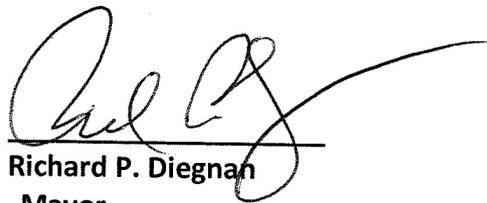
ADVERTISED: 3/2/18

ATTEST:

TOWNSHIP OF MENDHAM
IN THE COUNTY OF MORRIS



Mary Beth Zichelli, RMC, CMR
Township Clerk



Richard P. Diegnan
Mayor