

*Not Adopted*

**AN ORDINANCE AMENDING AND SUPPLEMENTING SECTION  
OF CHAPTER 225-7, LAND DEVELOPMENT, OF THE BOROUGH CODE**

WHEREAS, Chapter 225, Land Development, of the Borough Code governs zoning and land use issues in the Borough of Spring Lake; and

WHEREAS, the Borough Zoning Review Officer and the Administration have recommended certain clarifications, amendments, and supplements to Chapter 225 as being in the best interests of the Borough and zoning control; and

WHEREAS, the Mayor and Council, have determined that it is in the best interests of the health, safety and welfare of the residents of the Borough to amend and revise those regulations; and

WHEREAS, the following sections of Chapter 225 are amended and supplemented with deletions reflected in strikethrough and additions reflected in **bold underline**.

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Spring Lake in the County of Monmouth and State of New Jersey as follows:

**Section 1.**

1. Article II, Definitions and Descriptions, Section 225-7 of the Land Development Code, is hereby amended to provide as follows:

**BUILDING HEIGHT-** The vertical distance to the highest point of the roof. The vertical distance shall be measured from the mean elevation of the top of curb (or proposed top of curb where none exists) along the street line for principal buildings and from the average existing grade at the perimeter of a building for accessory buildings. In the case of a corner lot, building height shall be measured from the mean elevation of the top of curb along the street line upon which the building fronts. **In the case of items such as chimneys, antenna, lightning rods, or vent pipes or ornamental features such as cupolas, spires, belfries, or the like, these items may project above the maximum permitted building height on a principal structure by not more than 6 feet, provided that the combined area of all such projections shall not exceed ten percent (10%) and no single projection shall exceed 5% of the total building area of the building to which they are attached.**

**Section 2.**

All other provisions of Chapter 225 not amended or replaced herein remain in full force and effect.

**Section 3.**

If any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provisions so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective; and

**Section 4.**

Any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict; and

**Section 5.**

This Ordinance shall take effect on upon passage and publication in accordance with applicable law.

~~INTRODUCED: June 23, 2009~~

~~ADOPTED:~~

APPROVED: \_\_\_\_\_  
JENNIFER NAUGHTON, Mayor

Attest:

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JANE L. GILLESPIE, BOROUGH CLERK