

ORDINANCE 269

AN ORDINANCE TO AMEND ORDINANCE 156 ENTITLED “AN ORDINANCE ESTABLISHING LAND USE DEVELOPMENT REGULATIONS AND RESTRICTION PURSUANT TO THE MUNICIPAL LAND USE LAW (CHAPTER 291, P.L. 1975); ESTABLISHING A ZONING BOARD OF ADJUSTMENTS AND PLANNING BOARD PURSUANT TO SAID LAW; AND REPEALING ALL PRIOR ORDINANCES RELATING TO ZONING AND PLANNING, PROVIDING PENALTIES FOR THE VIOLATION OF THE TERMS AND PROVISIONS THEREOF IN THE VILLAGE OF LOCH ARBOUR, IN THE COUNTY OF MONMOUTH, NEW JERSEY”

BE IT ORDAINED by the Board of trustees of the Village of Loch Arbour, in the County of Monmouth and State of New Jersey, that the Ordinance referred to in the title hereof is amended and supplemented as follows:

Section 1.

Section 609 (Fences and walls) is supplemented as adopted as follows:

Section 609. A. In any district, fences and walls must be set back a minimum of six inches from all property lines. All fences and walls must be installed with the “good” side of the structure facing outward. Any gate in a fence or wall shall not be higher than the height of the surrounding fence or wall. All heights noted in this ordinance are intended to be the maximum permitted height, and may be constructed at a lesser height, except for pool fences, which must be the height indicated.

B. A pre-existing, non-conforming fence structure damaged to the extent equal to or greater than 25% of its total linear footage along one property line may not be repaired or replaced unless it conforms to the requirements set forth.

C. Residential Zone:

1. Interior Lot (see sketch 1): on an interior lot, the maximum height of a fence or wall in a front yard shall be not more than 36” above the ground; side and rear yard fences shall be a maximum of 72” above the ground.

a. Any interior lot line facing a street shall conform to the front yard requirement.

2. Corner Lot (see sketch 2):

a. A fence or wall in the front yard extending across the property (facing a street) shall have a maximum height of 24” above the ground. The side facing an interior lot shall have a maximum height of 36” above the ground.

b. A fence or wall on the side line adjacent to an interior lot shall have a maximum height of 72” above the ground.

c. A fence or wall on the side line adjacent to the street shall have a maximum height of 36” above ground.

d. A fence or wall on the rear lot line adjacent to the street shall have a maximum height of 36” above the ground unless the fence is set back at least 72” from the property line, in which event the maximum height shall be 72” above the ground. The remainder of the fence facing other property lines shall have a maximum height of 72”.

D. Pool Fence (inground or above ground): The entire pool area, including sidewalk or walkways around the pool, must be surrounded by a fence of not less than 60” above the ground nor more than 72” above the ground. All fences must have a self-latching gate consistent with the surrounding fence and be not less than 60” above the ground and not more than 72” above the ground.

E. Beach Zone: All properties within the Beach Zone may have a fence which shall be set back six inches from all property lines and shall have a maximum height not to exceed 72” above the ground. All fences shall be made of a chain link or similar fencing material. The use of ‘webbing’ or any other such material through or attached to a fence of the chain link type is prohibited.

Section 2.

Section 624 is supplemented and is adopted as follows:

Section 624. A. Sidewalks shall be required along all streets.

1. Concrete sidewalks shall be 4’0” x 4” thick, except across driveway openings where the sidewalk shall be 6” thick and reinforced with steel wire mesh, constructed of class ‘C’ concrete upon firm sub-base, rolled smooth, in accordance with the requirements of the New Jersey State Highway Department of standard Specifications for Road and Bridge Construction 1961, as revised.
2. Sidewalks and driveways may be constructed of other materials, including concrete pavers, in accordance with the requirements the New Jersey State Department of Transportation Specifications and upon approval of the Code Enforcement Official.

3.

B. Sidewalks and the public right-of-way shall be maintained clear and free of all obstructions for their full length and width and for a height of not less than 80” measured from the sidewalk elevation. No obstructions shall be permitted in this area. The owner of abutting property shall cause a tree, branches, shrubs and other natural or artificial conditions to be trimmed or removed to permit this designated area to remain open.

Section 3. All Ordinances or parts of Ordinances which are inconsistent herewith are repealed, but only to the extent of such inconsistency. All parts of Ordinance No. 156 and its successors not inconsistent herewith are hereby ratified and confirmed.

Section 4. This Ordinance shall take effect immediately upon its final passage and publication as required by law.