

ORDINANCE NO. 221

AN ORDINANCE AMENDING ORDINANCE NO. 156 ENTITLED "AN ORDINANCE ESTABLISHING LAND USE DEVELOPMENT REGULATIONS AND RESTRICTIONS PURSUANT TO THE MUNICIPAL LAND USE LAW (CHAPTER 291, LAWS OF N. J. 1975); ESTABLISHING A ZONING BOARD OF ADJUSTMENT AND PLANNING BOARD PURSUANT TO SAID LAW; AND REPEALING ALL PRIOR ORDINANCES RELATING TO ZONING AND PLANNING, AND PROVIDING PENALTIES FOR THE VIOLATION OF THE TERMS AND PROVISIONS THEREOF IN THE VILLAGE OF LOCH ARBOUR, IN THE COUNTY OF MONMOUTH, AND STATE OF NEW JERSEY" TO MAKE PROVISIONS ALLOWING AN INTERESTED PARTY TO APPEAL TO THE GOVERNING BODY A FINAL DECISION OF THE BOARD OF ADJUSTMENT APPROVING A USE VARIANCE AND TO ESTABLISH REGULATIONS PERTAINING TO FENCES AND WALLS, PERMITTED PRINCIPAL USES AND REQUIRED SIZE OF PARKING STALLS IN AND BY THE VILLAGE OF LOCH ARBOUR, MONMOUTH COUNTY, 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 Ordinance No. 156 referred to in the title hereof is amended and supplemented as follows:

Section 1. Section 403 (APPEAL) of Article 4 (GENERAL PROVISIONS) is hereby amended to read as follows:

403 APPEAL

Any interested party may appeal to the governing body any final decision of the Board of Adjustment approving an application for development pursuant to N.J.S.A. 40:55D-70d. The appeal shall be made within 10 days of the date of publication of the final decision of the Board of Adjustment. The appeal to the governing body shall be made by serving the Municipal Clerk in person or by certified mail with a notice of appeal specifying the grounds therefor and the name and address of the appellant and the name and address of his attorney, if represented. Such appeal shall be decided by the governing body only upon the record established before the Board of Adjustment.

Section 2. Section 609 (FENCES AND WALLS) of Article 6 (DESIGN AND PERFORMANCE STANDARDS) is hereby amended to read as follows:

609 FENCES AND WALLS

- A. In any district on a corner lot, nothing shall be constructed or maintained higher than 2 feet on a horizontal plane above the horizontal plane of the top of the curb line of the intersecting roads in the triangular area bounded by the following three lines: the front lot line; the side lot line; and a line connecting these two lines at a point 10 feet from the intersection of the front and side lot lines.
- B. No fences on any interior lot line or within the lot shall be higher than 6 feet.
- C. The finished side of all fences shall be constructed to face the adjacent property. Any fence or portion thereof that is exposed to the public on both sides shall be constructed with both sides of finished facing.

Section 3. Subsection "C" of Section 619 (OFF-STREET PARKING AND LOADING) of Article 6 (DESIGN AND PERFORMANCE STANDARDS) is hereby amended to read as follows:

619 OFF-STREET PARKING AND LOADING

C. Dimensions:

Off-street parking spaces shall be 9 feet wide and a minimum of 20 feet in length in accordance with the following schedule. In any event, in parking lots containing more than ten (10) spaces a minimum of one space shall be a minimum of 12 feet wide and for parking lots with more than 20 spaces, five percent of all spaces but not more than ten (10) spaces shall be 12 feet wide. These wider spaces shall be located in one area and designated as parking for the handicapped. They shall be located so that access does not require wheeling or walking behind parked cars.

Angle of Parking Space	For Parking Spaces Nine (9) Feet Wide	
	One-Way Aisle	Two-Way Aisle
90 degrees	22'	22'
60 degrees	18'	20'
45 degrees	15'	18'
30 degrees	12'	18'
parallel	12'	18'

Off-street loading spaces shall have 15 feet of vertical clearance and be designated in accordance with the following schedule:

<u>Loading Space Length</u>	<u>Width</u>	<u>Apron/Aisle Length</u>	
		<u>90 degrees</u>	<u>60 degrees</u>
60'	10'	72'	66'
60'	12'	63'	57'
60'	14'	60'	54'

Section 4. Section 620 (PRINCIPAL USE) of Article 6 (DESIGN AND PERFORMANCE STANDARDS) is hereby amended to read as follows:

620 PRINCIPAL USE

No lot shall have erected upon it more than one principal permitted use. No more than one principal building shall be permitted on a lot.

Section 5. All Ordinances or parts of Ordinances which are inconsistent herewith are repealed, but only to the extent of such inconsistency. All other parts of Ordinance No. 156 not inconsistent herewith are hereby ratified and confirmed.

Section 6. This Ordinance shall take effect immediately upon its final passage and publication as required by law.

NOTICE

PUBLIC NOTICE IS HEREBY GIVEN that Ordinance No. 221 was introduced at a meeting of the Board of Trustees of the Village of Loch Arbour, in the County of Monmouth and State of New Jersey, on the 10th day of August, 1988, and was then read for the first time. The said Ordinance will be further considered for final passage by the Board of Trustees at Village Hall at 7:30 p.m. on the 14th day of September, 1988. At such time and place, or at any time or place to which said meeting may

be adjourned, all persons interested will be given an opportunity to be heard concerning said Ordinance.

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