

ORDINANCE #706

**AN ORDINANCE OF THE BOROUGH OF MANVILLE TO
AMEND AN ORDINANCE ENTITLED, "THE ZONING
ORDINANCE OF THE BOROUGH OF MANVILLE."**

BE IT ORDAINED by the Mayor and Council of the Borough of Manville that the Zoning Ordinance of the Borough of Manville be and the same is hereby amended as follows:

1. **Article 3, Section 301, "Definitions of terms"** is hereby amended by adding thereto the following:

301.60-1. TOWNHOUSE - One (1) structure, developed as a single entity, in a line of two (2) or more connected dwelling units having common interior walls, in which individual lots have a common or public open space as an appurtenance.

2. **Article 6, "Zone District Regulations"** is hereby amended by adding thereto the following:

601.4-5	Townhouses
602.4-5	Townhouses
603.4-5	Townhouses
604.1-5	Same as Section 601.4-5
605.1-3	Townhouses
606.1q	Townhouses
607.1-6	Townhouses
608.	S-MD Residential - Townhouses

608.1 AREA AND DENSITY REQUIREMENT

A. The minimum lot size shall be no less than twenty thousand (20,000) square feet in an area having a frontage on an existing public street of not less than one hundred (100) feet.

B. The maximum density shall not exceed twelve (12) dwellings per acre.

C. The maximum building coverage (ground-floor area) of all buildings shall not exceed thirty-five (35) percent of the lot area.

D. No more than four (4) townhouses, each containing the required number of dwelling units, will be permitted per acre.

608.2. SETBACK REQUIREMENTS

A. No principal building shall be located within twenty (20) feet of a street, nor within (20) feet of a rear property line, or within ten (10) feet of a side property line.

B. No principal building shall be located within five (5) feet of an internal roadway or driveway.

C. There shall be a minimum distance between principal buildings of twenty (20) feet plus one-half ($\frac{1}{2}$) foot for each foot of opposing building wall in excess of fifty (50) feet.

D. On corner lots, principal buildings shall meet the front yard setback from all streets.

608.3 BUILDING REQUIREMENTS

A. No building shall exceed a height of two and one-half ($2\frac{1}{2}$) stories or thirty-five (35) feet.

B. No townhouse dwelling structure shall contain less than two (2), nor more than six (6) townhouse dwelling units.

C. Building plans and elevations shall show a variation in design and appearance of units and structures to be achieved by types of roof, heights of eaves and peaks, building materials and architectural treatment of the building facade.

D. Each townhouse dwelling unit shall be separated from adjoining units by a fire wall extending from the basement to the roof and constructed in accordance with the building code.

608.4. DWELLING UNIT REQUIREMENTS.

A. Each townhouse dwelling unit shall contain as a minimum a separate living room, a separate bedroom, a separate bath, a basement for storage and utilities and

separate kitchen, which kitchen facility shall be located and apart from the other rooms in the unit with the exception of the dining room.

B. Each townhouse dwelling unit shall have a minimum floor area of six hundred (600) square feet plus one hundred fifty (150) square feet for each bedroom.

C. No room within the townhouse dwelling unit intended for human habitation shall be located in a cellar, basement or attic except that a cellar or basement may contain a family room or recreation room.

D. Each townhouse dwelling unit shall have individual private outside front and rear entrances.

E. Each townhouse dwelling unit shall contain its own heating plant and system and shall constitute a separate, independent unit for metering and all other purposes with respect to all required utilities and similar facilities intended for two (2) or more dwelling units shall be permitted in a townhouse development.

F. Each townhouse dwelling unit shall have an individual private front yard area adjoining the unit of at least ten (10) feet in depth and an individual private rear yard area or open patio or court adjoining the unit of at least fifteen (15) feet. Each private rear yard area, patio or court shall be effectively screened from adjoining units by a fence, wall or natural screening in order to provide a recallable degree of privacy.

608.5. ACCESSORY BUILDING REQUIREMENTS.

A. Any accessory building shall be located at rear of any principal building and shall be a minimum of fifteen (15) feet from any principal building, three (3) feet from the property line and ten (10) feet from another accessory building. Clubhouses, swimming pools and recreation facilities shall be at least fifteen (15) feet from a principal building property line.

B. The maximum height of an accessory building shall not exceed sixteen (16) feet.

C. Architectural design and materials used in the construction of accessory building shall conform to or compliment those used in the construction of the principal buildings.

608.6. OFF-STREET PARKING REQUIREMENTS

A. Provision shall be made for at least two (2) off-street parking spaces for each one (1) dwelling unit. Garages may be included in calculating the number of parking spaces.

B. Parking spaces or driveways serving individual dwellings can enter directly from street, only when there is not an on-site parking lot.

C. All off-street parking areas and internal roadways shall be paved, bounded by permanent curbing and constructed in accordance with Borough road specifications.

D. Internal roadways shall be at least (20) feet in width for two-way traffic and twelve (12) feet in width for one-way traffic. Parking in internal roadways shall be prohibited.

E. The arrangement and location of garages, parking areas and internal roadways shall be subject to approval of the Borough Engineer and shall be designed to insure maximum safety, proper circulation and maximum convenience for residents and their guests.

608.7. LANDSCAPING AND OPEN SPACE REQUIREMENTS.

A. Exclusive of internal roadways, driveways and parking areas, there shall be provided a minimum of twenty (20) percent of the entire tract for common open space and facilities.

B. Effective screening by a fence or wall no less than four (4) feet nor more than six (6) feet in height shall be provided to shield parking areas and other common facilities from view of adjoining residential

properties; provided, however, screening by hedge or other natural landscaping may be substituted for the required fence or wall if approved by the approving authority as part of the development plan.

C. Adequate lighting shall be provided in parking areas and along sidewalks, walkways and internal roadways. The source of lighting shall be directed downward, away from the buildings and adjoining street and property lines. Lighting fixtures shall be so arranged that the direct source of light is not visible from any adjacent residential area.

608.8. RESIDENT ASSOCIATION.

In the event that the individual residential units are sold on a condominium or other individually owned basis, containing common areas, a membership association shall be created for the purpose of owning and maintaining the common areas in accordance with N.J.S.A. 40:55D-43 and shall contain the following provisions:

A. Membership in any created resident association shall be mandatory, and each member shall agree, in writing, to be responsible for his pro rata share of the association costs, and the Borough of Manville shall be a party beneficiary to such agreement.

B. Each Deed for the individual unit shall, in the form of restrictions and covenants, set forth the individual owner's responsibility to be a member of the resident association and liability for its responsibilities.

C. The agreements of the resident association and the deeds of conveyance shall provide that in the event that the resident association shall cease to function or shall fail to pay municipal taxes, maintain the property or facilities, including maintenance, upkeep, snowplowing and snow removal, then the Borough of Manville shall have the right, by special assessment, to assess to owners of each condominium unit in the development annually a sum of money which will be sufficient to pay the taxes, provide proper upkeep and maintenance, snowplowing and snow removal and public liability insurance for said premises.

Amend per Board Engineer

Said restriction shall further provide that the same shall not be altered, amended, voided or released in whole or in part without the written consent of the Borough of Manville.

BOROUGH OF MANVILLE

Rudolph F. Nowak
 Rudolph F. Nowak, Mayor

FIRST READING:

INTRODUCED BY: *C. Zujkowski*
 SECONDED BY: *W. P. Shulack*
 ATTESTED BY: *P. S. Petrone*
 DATE: 7-9-90

ROLL CALL	YES	NO	AB	ABS	YES	NO	AB	ABS
Counc. Corradino	✓					✓		
Counc. Esock		✓			✓			
Counc. Novak	✓				✓			
Counc. Petrone						✓		
Counc. Shulack					✓			
Counc. Zujkowski					✓			

SECOND READING:

INTRODUCED BY: *Rudolph Nowak*
 SECONDED BY: *C. Zujkowski*
 ATTESTED BY: *P. S. Petrone*
 DATE: 8/13/90

ROLL CALL:	YES	NO	AB	ABS	YES	NO	AB	ABS
Counc. Corradino	✓					✓		
Counc. Esock		✓						✓
Counc. Novak	✓				✓			
Counc. Petrone						✓		
Counc. Shulack								✓
Counc. Zujkowski					✓			

Mayor YES