

ORDINANCE NO. 3846-10

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF FRANKLIN, COUNTY OF SOMERSET, STATE OF NEW JERSEY, MORE PARTICULARLY CHAPTER 112, DEVELOPMENT, SECTION 112-4, DEFINITIONS, AND SCHEDULE 2, LOT AND YARD REQUIREMENTS

SUMMARY

This ordinance adds a definition for “Dwelling, Single Family (Zero Lot Line)”, amends the minimum lot area requirement for two-family dwellings in the R-7 zone and establishes lot and yard requirements for zero lot line single-family dwellings in a R-7 zone.

BE IT ORDAINED by the Township Council of the Township of Franklin, County of Somerset, State of New Jersey that the Code of the Township of Franklin is hereby amended as follows:

SECTION I

Chapter 112, Land Development – Section 112-4, Definitions, is amended as follows to add a definition for Dwelling, Single Family (Zero Lot Line):

Dwelling, Single Family (Zero Lot Line) – A single-family dwelling unit contained within a building containing two dwelling units on two lots (one dwelling unit on each lot), each of which is separated from the other by an unpierced wall extending from ground to roof or an unpierced ceiling and floor extending from exterior wall to exterior wall except for a common stairwell exterior to both dwelling units.

SECTION II

Chapter 112, Land Development – Schedule 2 Lot and Yard Requirements is amended as follows to: (1) increase the minimum lot area requirement for two-family dwellings in the R-7 zone to 15,000 square feet (with commensurate increases in required lot frontage); and (2) establish lot and yard requirements for zero lot line single-family dwellings in a R-7 zone:

**SCHEDULE 2 - LOT AND YARD REQUIREMENTS
FRANKLIN TOWNSHIP DEVELOPMENT ORDINANCE**

| | MINIMUM SIZE OF LOT | | | | MINIMUM REQUIRED YARD DEPTH IN FEET | | | | | | | |
|-----------------------------|--|---------------------------|--|---------------------------------|-------------------------------------|----------------------------|-------------------------------------|--------------|--------------------|-----------------|---|--------------|
| | INTERIOR LOTS | | CORNER LOTS | | PRINCIPAL BUILDING | | | | ACCESSORY BUILDING | | GARDEN SHED ¹⁰ ACCESSORY BLDG | |
| | AREA (square feet) | FRONT -AGE (feet) | AREA (square feet) | EACH FRONT -AGE (feet) | FRONT YARD | ANY ONE SIDE YARD | TOTAL OF TWO SIDE YARDS | REAR YARD | SIDE YARD | REAR YARD | SIDE YARD | REAR YARD |
| A ⁵ | 6 AC | 400 | 6 AC | 400 | 100 | 75 | 150 | 200 | 50 | 150 | 5 | 5 |
| CP ⁶ | 6 AC | 400 | 6 AC | 400 | 100 | 75 | 150 | 200 | 50 | 150 | - | - |
| RR3 | 3 AC | 200 | 3 AC | 200 | 50 ⁴ | 25 | 75 | 50 | 25 | 25 | 5 | 5 |
| RR5 | 5 AC | 200 | 5 AC | 200 | 50 ⁴ | 25 | 75 | 50 | 25 | 25 | 5 | 5 |
| R40 ⁵ | 40,000 | 200 | 40,000 | 200 | 40 ⁴ | 25 | 75 | 50 | 25 | 25 | 5 | 5 |
| R-20 | 20,000 | 100 | 26,000 | 130 | 35 ⁴ | 15 | 30 | 50 | 15 | 25 | 5 | 5 |
| R-15 | 15,000 ² | 100 | 18,000 ² | 120 | 30 ⁴ | 10 | 30 | 50 | 10 | 25 | 5 | 5 |
| R-10 | 10,000 ² | 100 | 13,125 ² | 105 | 25 ⁴ | 8 | 20 | 40 | 8 | 20 | 3 | 5 |
| R-10A | 10,000 | 75 | 10,000 | 75 | 25 | 8 | - | 25 | 8 ⁹ | 10 ⁹ | 3 | 5 |
| R-10B ⁹ | 7,500 | 75 | 7,500 | 75 | 25 | 8 | 20 | 20 | 8 | 10 | 3 | 5 |
| R-7 SF | 7,500 ² | 75 | 9,000 ² | 90 | 25 ⁴ | 8 | 20 | 20 | 8 | 10 | 3 | 5 |
| R-7SF (Zero lot line) | <u>7,500²</u> | <u>75</u> | <u>7,500²</u> | <u>75</u> | <u>25⁴</u> | <u>0</u> | <u>20</u> | <u>20</u> | <u>8</u> | <u>10</u> | <u>3</u> | <u>5</u> |
| R-7 2F | 40,000 <u>15,000²</u> | 400 <u>150</u> | 42,000 <u>15,000²</u> | 44 <u>150</u> | 25 ⁴ | 8 | 20 | 20 | 8 | 10 | 3 | 5 |
| C-R SF | 20,000 | 100 | 26,000 | 130 | 35 ⁴ | 15 | 30 | 50 | 15 | 25 | 5 | 5 |
| C-R 2F | 24,000 | 120 | 28,000 | 160 | 35 ⁴ | 15 | 30 | 50 | 15 | 25 | 5 | 5 |
| C-R APT TNH | 10 AC | 300 | 10 AC | 300 | 75 ⁴ | 45 | 100 | 75 | 30 | 40 | 5 | 5 |
| G-B | 80,000 | 100 | 80,000 | 100 | 20 | 10 | 40 | 30 | 10 | 10 | - | - |

| | MINIMUM SIZE OF LOT | | | | MINIMUM REQUIRED YARD DEPTH IN FEET | | | | | | | |
|---------------------|--------------------------|-------------------------|--------------------------|---------------------------------|-------------------------------------|----------------------------|-------------------------------------|--------------|--------------------|--------------|---|--------------|
| | INTERIOR LOTS | | CORNER LOTS | | PRINCIPAL BUILDING | | | | ACCESSORY BUILDING | | GARDEN SHED ¹⁰ ACCESSORY BLDG | |
| | AREA (square feet) | FRONT -AGE (feet) | AREA (square feet) | EACH FRONT -AGE (feet) | FRONT YARD | ANY ONE SIDE YARD | TOTAL OF TWO SIDE YARDS | REAR YARD | SIDE YARD | REAR YARD | SIDE YARD | REAR YARD |
| N-B | 20,000 | 100 | 20,000 | 100 | 20 | 10 | 25 | 30 | 10 | 10 | - | - |
| O-P SF ⁷ | 7,500 ² | 75 | 9,000 ² | 90 | 25 ⁴ | 8 | 20 | 20 | 8 | 10 | 3 | 5 |
| O-P 2F ⁷ | 10,000 ² | 100 | 12,000 ² | 115 | 25 ⁴ | 8 | 20 | 20 | 8 | 10 | 3 | 5 |
| O-P OFF | 10,000 | 100 | 10,000 | 100 | 40 | 10 | 20 | 30 | - | - | - | - |
| ROL | 25 AC | 800 | 25 AC | 800 | 150 | 200 | 500 | 500 | 100 | 200 | - | - |
| C-B | 5 AC | 300 | 5 AC | 300 | 75 | 50 | 120 | 100 | 40 | 50 | - | - |
| M-1 | 5 AC | 300 | 5 AC | 300 | 50 | 40 | 100 | 100 | 40 | 50 | - | - |
| M-2 | 2 AC | 150 | 2 AC | 170 | 50 | 10 | 50 | 25 | 20 | 25 | | |
| M-3 | 2 AC ³ | 150 | 2 AC | 170 | 50 | 10 | 50 | 25 | 20 | 25 | - | - |
| HBD | 10,000 | 100 | 10,000 | 100 | Varies ¹¹ | 0/5 ¹² | 15 | 20 | 5 | 5 | 3 | 5 |
| RDO | 80,000 | 100 | 80,000 | 100 | 20 | 10 | 40 | 30 | 10 | 10 | - | - |

SECTION III

Each clause, section or subsection of this ordinance shall be deemed a separate provision to the intent that if any such clause, section or subsection should be declared invalid, the remainder of the ordinance shall not be affected.

SECTION IV

All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed as the extent of such inconsistency.

SECTION V

This ordinance shall take effect immediately upon adoption and publication according to law.

ORDINANCE NO. 3846-10

This is a true copy of an ordinance adopted by the Township Council, Township of Franklin, Somerset County, New Jersey.

Introduced: January 12, 2010
Public Hearing: February 23, 2010
Adoption: February 23, 2010
Published: March 2, 2010
Effective Date: March 15, 2010

Ann M. McCarthy, RMC, CMC, Township Clerk