

ORDINANCE NO. 3701

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF FRANKLIN, SOMERSET COUNTY, NEW JERSEY, MORE PARTICULARLY CHAPTER 112, DEVELOPMENT, SECTION 112-6(B), OFFICIAL ZONING MAP TO CHANGE THE ZONE DESIGNATION OF BLOCK 5.02, LOTS 120-122; 124-127; 129-130; 132; 134; 133.02; 135 AND PORTIONS OF LOTS 123, 131 AND 133.01 FROM ZONE DESIGNATION O-P (OFFICE PROFESSIONAL) TO R-20-H (SINGLE FAMILY RESIDENTIAL); AMEND SCHEDULE 1, PERMITTED USES TO PERMIT PROFESSIONAL OFFICE USES IN THE R-20-H DISTRICT AS A CONDITIONAL USE; AND AMEND ARTICLE V, CONDITONAL USES TO PROVIDE CONDITIONAL USE STANDARDS FOR PROFESSIONAL USES IN THE R-20-H DISTRICT.

SUMMARY

An Ordinance amending Chapter 112, Development Ordinance, Section 112-6(B), Official Zoning Map to change the zone designation of Block 5.02, Lots 120-122; 124-127; 129-130; 132; 134; 133.02; 135 and portions of Lots 123, 131 and 133.01 from zone designation O-P (Office Professional) to R-20-H (Single Family Residential); Amend Schedule 1, Permitted Uses to permit professional office uses in the R-20-H district as a conditional use; and amend Article V, Conditional Uses to provide conditional use standards for professional uses in the R-20-H district.

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

SECTION I

Chapter 112, Land Development, Article II, Section 112-6, Zoning Map Paragraph B, Official Zoning Map, is hereby amended as follows:

The Official Zoning Map is amended to change the zone designation property known as Block 5.02, Lots 120-122; 124-127; 129-130; 132; 134; 133.02; 135 and portions of Lots 123, 131 and 133.01 from zone designation O-P (Office Professional) to R-20-H (Single Family Residential).

SECTION II

Chapter 112, Land Development – Schedule 1 is amended as follows:

**SCHEDULE 1
PERMITTED USES**

DISTRICT CATEGORY	PRINCIPAL USES	ACCESSORY USES	CONDITIONAL USES
R-20 Residential	<ul style="list-style-type: none"> •Single-family dwellings •Private, non-profit schools accredited by the New Jersey Department of Education 	<ul style="list-style-type: none"> •Private garages •Private swimming pools •Signs (See Article XII.) 	<ul style="list-style-type: none"> •Membership swimming pools •Public utility installations [See § 112-48.] •Proprietary schools •Community residences •Home occupations •Churches and other similar places of worship •Wireless Communications antennas in accordance with the specific zoning conditions, standards and limitations for their location, approval and operation included within Article VI. <ul style="list-style-type: none"> ▪ <i>Professional offices in the R-20-H District.</i>

SECTION III

Chapter 112, Land Development, Article V, Section 112-46, Philanthropic or eleemosynary uses, is hereby amended as follows:

~~§ 112-46. Philanthropic or eleemosynary uses.~~

~~See § 112-41.~~

§ 112-46. Professional office uses in the R-20-H District

- A. *Professional office uses shall be permitted in the R-20-H District upon authorization by the Planning Board in accordance with the following standards and site plan review:*
- B. *Such use is located in the R-20-H district located along the north side of Route 27 east of its intersection with Shaw Drive.*
- C. *Such uses shall only be located on lots that meet or exceed the minimum lot area and frontage requirements of the R-20 district.*
- D. *Such use shall only be permitted in buildings in existence as of the adoption of this ordinance.*
- E. *No expansion or other modification to the building exterior shall affect the residential appearance of the building.*
- F. *Lot coverage shall not exceed 20% and impervious surface coverage shall not exceed 45%.*
- G. *Parking areas shall be located to the rear of the building and/or to the side of it. No parking area shall extend closer to the street than the front of the building. Additionally, no off-street parking area shall be located closer than 10-feet to a property line.*
- H. *A landscaped buffer area at 10-feet in width shall be located around the perimeter of the parking and loading areas of such use.*
- I. *Signs for such uses shall be limited to one freestanding sign not exceeding 6 square feet in area or 6 feet in height (including supports) nor located closer than 10-feet from a property line. Such signs shall be constructed on high-quality materials such as carved wood, architecturally-treated metal or stone. Only externally-lighted signs shall be permitted. No building-mounted signage shall be permitted.*

SECTION IV

All ordinances or parts thereof which are inconsistent or conflict with the provisions of this ordinance or any part thereof are hereby repealed to the extent of said inconsistency or conflict.

SECTION V

If the provisions of any section, subsection, paragraph, subdivision or clause of this ordinance shall be judged to be invalid by a Court of competent jurisdiction, such Order or Judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision or clause if this ordinance, or any other ordinance which is referred to herein, and to this end, the provisions of any section, subsection, paragraph, subdivision or clause of this ordinance are hereby declared to be severable.

Should any clause, sentence or other part of this ordinance be judged invalid by a Court of competent jurisdiction, such judgment shall not affect, impair or invalidate the remainder of this ordinance.

ORDINANCE NO. 3701

THIS IS A TRUE COPY OF AN ORDINANCE ADOPTED BY THE
TOWNSHIP COUNCIL, TOWNSHIP OF FRANKLIN, SOMERSET, NJ

Introduced: May 8, 2007
Public Hearing: June 28, 2007
Adopted: June 28, 2007
Notice of Final Adoption: July 10, 2007
Effective Date: July 18, 2007

Ann Marie McCarthy, Township Clerk