

**BOROUGH OF NORWOOD
ORDINANCE NO. 16:26**

**An Ordinance Amending Chapter 233
the Code of the Borough of Norwood
Titled "Zoning," Regarding Permitted Encroachments and Checklists**

WHEREAS, the Mayor and Council of the Borough of Norwood is authorized to create and from time to time modify land use regulations consistent with the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.), and the purpose of this ordinance is to clarify and better define some of the existing regulations relating to encroachments permitted in required yards and application checklists.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Norwood as follows:

Section 1: Section 233-3(B) of the Code of the Borough of Norwood ("Code") is amended in part to delete the current definition of the term "egress opening" and to substitute the following definition:

Egress opening – An architectural feature of a building or structure used for egress from below grade facilities, which may include a landing and ladder providing access to the grade level.

Section 2: Code Section 233-17 titled "Yards and Open Spaces" is amended in part as follows:

§233-17. Yards and Open Spaces.

- A. [Remains unchanged].
- B. Projections into required yards – general exceptions.
 - 1. The projection of parapets, windowsills, doorposts, rainwater leaders, roof gutters, and similar ornamental or structural

fixtures may project a maximum distance of not more than six inches into required yards.

2. Cornices, canopies, bay windows, window wells, balconies, landings, and other similar architectural features may project a maximum distance of not more than two feet into required yards. Egress openings no larger than 27 square feet may project into any required yards. Front steps may project a distance of not more than four feet into a required front yard. Uncovered front walkways that are no wider than three feet unless otherwise required by the Americans with Disabilities Act or any regulations thereunder may extend from front steps or from the building's front entrance to the sidewalk or right of way in front of the building, provided that the walkways are not covered by a permanent roof. These encroachments are permitted only if the improvements on the lot otherwise comply with all of the other applicable regulations, including, but not limited to Maximum Lot Coverage and Improved Lot Coverage, set forth in this Code.

[Subsections 3 to 8 remain unchanged].

Section 3: Article XIX of Chapter 233 of the Code will be titled "Application Checklists" and will be amended to state:

§233-135. Checklists for Site Plan, Subdivision, and Variance Applications. Application checklists for applications for site plan, minor subdivision, major subdivision, and variance approvals are set forth in full on the schedules attached to and made a part of this Code. These checklists have been published in summary form by reference and are incorporated herein as if set forth at length.

Section 4: All ordinances or parts of ordinances that are inconsistent with the provisions of this ordinance are hereby repealed, but only to the extent of any inconsistencies.

Section 5: The provisions of this ordinance are severable. If any part of this ordinance is declared to be unconstitutional or invalid by any court, the remaining parts of this ordinance will remain in full force and effect.

Section 6: This ordinance will take effect upon passage and publication in accordance with N.J.S.A. 40:49-2(d), and copies will be served on the County Planning Board and the Borough's tax assessor within thirty days of adoption.

Introduced and passed first reading:

Passed second reading:

ATTEST:

APPROVED BY:



Lorraine L. McMackin,
Borough Clerk



James P. Barsa, Mayor

Introduced: November 9, 2016
Adopted: December 14, 2016