

**\*\*\* ADOPTED 12/18/2006 \*\*\***

**DELANCO TOWNSHIP**

**ORDINANCE 2006-26**

**AN ORDINANCE AMENDING CHAPTER 110 GOVERNING "ZONING"**

**WHEREAS**, the Township Committee of the Township of Delanco ("Township") is dedicated to improving and preserving the appearance of the Township for the betterment of the community; and

**WHEREAS**, the Township has reviewed existing Code provisions, with regard to zoning in an effort to improve existing regulations and allow for better enforcement of existing provisions.

**NOW, WHEREFORE, IT IS HEREBY ORDAINED** by the Township Committee of the Township of Delanco as follows:

**Section I.**

Chapter §110-6 entitled, 'Definitions.' will be amended and supplemented as follows:

"Building Coverage – The ratio of the of the horizontal area measured from the exterior surface of the exterior walls of the ground floor of all principal and accessory buildings on a lot to the total lot area."

"Cabana – A building containing facilities for changing associated with a pool, beach, or watercourse. No plumbing or cooking facilities are permitted in a cabana structure."

"Gazebo – A roofed open structure, which is not attached to the principal structure, or other accessory structure. All sides of the gazebo shall be completely and permanently open to the outside air, except for a small portion of the walls at the bottom, which may be solid to a height not greater than 42 inches above the floor elevation. A gazebo may be screened."

"Lot Coverage – The total area of all impervious surfaces made of any natural or manmade surface that does not permit the infiltration of water, including but not limited to principal and accessory buildings, covered porches, swimming pools, driveways, sidewalks, patios, and parking areas constructed of crushed stone, gravel, asphalt, and concrete."

"Interior Parking Space Where a typical single vehicle requires, 11.25 linear feet of width and 22 linear feet of depth to permit circulation and door swing and where two vehicles require 20 linear feet of width and 22 feet of linear depth to permit circulation and door swing, no single interior vehicle space in any **Private Residential Garage**, as defined, shall exceed 248 square feet in area. The reference book Architectural Graphic Standards and subsequent editions shall govern the vehicular space requirements"

"Pergola – A structure with a defined support system for an open roof, either attached to a building or freestanding. The roof must maintain a maximum opacity of 70%. All sides of the pergola shall be completely and permanently open to the outside air."

"Private Residential Garage – A structure that is accessory to a residential building and that is used for the parking and storage of vehicles owned and operated by the residents thereof and that is not a separate commercial enterprise available to the general public. No private residential garage shall contain an **interior parking space**, as defined, that is larger than permitted by definition."

### **Section 2.**

The Schedule of Area and Bulk Requirements shall be amended as follows:

Maximum Lot Cover shall read, "Maximum Lot Coverage"

The R-2 Zoning District shall permit a Maximum Lot Coverage of 55%

The R-3 Zoning District shall permit a Maximum Lot Coverage of 60%

The R-5 Zoning District shall permit a Maximum Lot Coverage of 60%

### **Section 3.**

§110-12 entitled "Accessory structures" shall be amended to say, "Accessory uses, buildings, and structures."

"Prior to the construction or placement of an accessory use, building, or structure, a zoning permit shall be issued by the Zoning Officer."

### **Section 4.**

Accessory uses. The regulations governing "accessory uses" under Chapter 110 are hereby amended as follows:

A. Chapters 110-23.B, 110-24.B, 110-26.B, 110-27.B, 110-28.B, 110-29.B, 110-30.b, and 110-31.B are hereby amended to **add** after the words accessory use "and/or structure".

A. Chapters 110-23.B, 110-24.B, 110-26.B, 110-27.B, 110-28.B, 110-29.B, 110-30.b, and 110-31.B are hereby amended to **amend** the following as permitted a permitted accessory use:

#### ***(1) Private residential garages, as defined.***

A. Chapters 110-23.B, 110-24.B, 110-26.B, 110-27.B, 110-28.B, 110-29.6, 110-30.b, and 110-31.B are hereby amended to **add** the following as permitted a permitted accessory use:

#### ***(7) Gazebos, pergolas, and cabanas.***

B. Chapters 110-23.B, 110-24.B, 110-26.B, 110-27.B, 110-28.B, 110-29.B, 110-30.B, and 110-31.B are hereby amended to **amend** the following as an accessory use:

#### ***(5) Fences and walls pursuant to §110-13;***

**(6) decks and patios;**

**Section 5.**

Section 'B' of Chapter §110-12, 'Accessory Structures.' shall be amended to read as follows:

"B. Number, height and area.

- (1) All accessory structures shall be considered as either lot coverage or building coverage, as defined, and outlined in the Schedule of Area and Bulk Requirements.
- (2) Attached or detached private residential garages shall not exceed the building coverage or area of the principal dwelling. There shall be not more than one attached or detached private residential garage pursuant to the following

<b>Lot Area in Square Feet</b>	<b>Maximum Permitted Square foot of Private Residential Garage</b>
3,000- 5,999	250
6,000-7,499	460
7,500-9,999	650
10,000-19,999	740
20,000 and greater	840

- (3) Attached and detached private residential garages, as defined, may be designed for a **maximum** of three (3) vehicles and shall not exceed 35 feet in width by 24 feet in depth.
- (4) Attached or detached private residential garages shall not exceed the building coverage or area of the principal dwelling.
- (5) The maximum height of detached garages and cabanas shall be fifteen (15) feet to the peak of the roof measured from grade.
- (6) The maximum height of sheds, gazebos, and pergolas shall be no greater than 12 feet to the peak of the roof, measured from grade.
- (7) Garages, cabanas, and sheds must have a minimum roof pitch of 2:12, a maximum roof pitch of 8:12, or be consistent with the roof pitch of the principal structure.
- (8) It is encouraged that the architectural style, materials, colors, and detailing of those garages, sheds, and cabana structures shall match those of the principal building."

**Section 6.**

Repealer, Severability and Effective Date.

- A. Repealer. Any and all Ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent of any such inconsistencies.
- B. Severability. In the event that any clause, section, paragraph or sentence of this Ordinance is deemed to be invalid or unenforceable for any reason, then the Township Committee hereby declares its intent that the balance of the Ordinance not affected by said invalidity shall remain in full force and effect to the extent that it allows the Township to meet the goals of the Ordinance.
- C. Effective Date. This Ordinance shall take effect upon proper passage and approval in accordance with the law.