

May 6, 2016

To: Planning Board Commissioners

From: Tanya Marione, AICP, PP, Principal Planner

RE: Amendments to the R-1 side yard setbacks and to Supplemental zoning regarding non-conforming lots

Amendment to Jersey City Land Development Ordinance for Chapter 345, Article V, Section 40 - R-1 One and Two Family Housing District. E. Bulk Standards for One and Two Family Dwellings

(Material indicated by strikethrough ~~like this~~ is existing material that is intended to be deleted. Material indicated by bold italic *like this* is new material that is intended to be enacted):

1. *All existing lots of record at time of the adoption of this ordinance are considered conforming.*
- ~~2.~~ 2. Minimum Lot Size: Two thousand five hundred (2,500) square feet.
- ~~3.~~ 3. Minimum Lot Width: Twenty-five (25) feet.
- ~~4.~~ 4. Minimum Lot Depth: One hundred (100) feet.
- ~~5.~~ 5. Front Yard Setback:
Front yard setback shall match the setback of the Front Primary Façade (see Article I for definition of Front Primary Façade) of the closest permitted use on either side of the subject parcel, provided that the building setback to be matched shall be closest to the predominant (most frequently occurring) setback on the blockfront. A current signed and sealed survey of the subject property showing adjacent building setbacks on both sides along with photos showing the entire blockfront to the left and right of the subject property must be provided to the Zoning Officer as part of the application for a building permit. **[Amended 1-24-2007 by Ord. No. 07-009; 2-13-2013 by Ord. No. 13-010]**
- ~~6.~~ 6. Side Yards:
 - ~~a. Minimum two (2) feet (one)/five (5' 1") feet (both) if adjacent dwelling is detached with side yard; where adjacent dwelling has zero (0) side yard (i.e., is built to the side lot line) then maximum 0.0 feet is required (i.e. new house must also be built to the side lot line); except where existing adjacent building has windows less than three (3) feet from the side lot line then three feet required starting from one foot in front of the first window to the rear building line. **[Amended 3-14-2007 by Ord. No. 07-036; 1-29-2014 by Ord. No. 14-005]**~~
 - ~~b. In the case of construction of two or more houses, maximum 0.0 feet required between all new houses in the row where the end house is adjacent to a dwelling with no side yard. Same standards shall apply to corner lots.
[Added 3-14-2007 by Ord. No. 07-03~~
- a. Detached Buildings:

Minimum setback for One Side: Two (2 ft)

Minimum setback for Both Sides: Five feet One Inch (5'1")

b. Attached Buildings:

- i. If adjacent building has zero (0) side yard setback (i.e., is built to the side lot line), a zero (0) feet side yard may be permitted (i.e., new house may also be built to the side lot line)
- ii. In the instance the adjacent building has a zero (0) side yard setback but also has an existing window that is either directly on the side lot line or setback less than three (3) feet, the new building may still build to the zero (0) side lot line, starting at the front building line, but shall be required to setback the new building three (3) feet, starting from one foot in front of the existing window, to the rear building line.

c. All side yard setbacks three (3) feet or greater:

The side yard starting at the front of the building shall be enclosed with a fence constructed in compliance with the design standards in 345-67.B.

Amendment to Jersey City Land Development Ordinance for Chapter 345, Article V, Section 60 – Supplementary Zoning Regulations. V. Nonconforming Uses, Structures and Lots. 5. Nonconforming Lots

5. Nonconforming Lots.

- a. Any existing lot ~~on which a building or structure is located and~~ which lot does not meet the minimum lot size, or a structure which violates any yard requirements, may have additions to the principal building and/or construct an accessory building without an appeal to the Board of Adjustment, provided that: the total permitted lot and building coverage is not exceeded; the accessory building and/or any addition to the principal building do not violate any other requirements of this Chapter such as, but not limited to, height, setback and parking.
- b. Any vacant lot existing at the effective date of adoption or amendment of this Chapter whose area or dimensions do not meet the requirements of the district in which the lot is located may have a building permit issued for a use permitted for that zoning district without an appeal to the Board of Adjustment, provided that the building and lot coverage limit is not exceeded, parking requirements are met and the yard and height provisions are met and provided no adjacent lot is in common ownership.