BOROUGH OF SPRING LAKE **ORDINANCE NO. 2013-011**
COUNTY OF MONMOUTH

AN ORDINANCE AMENDING AND SUPPLEMENTING VARIOUS SECTIONS OF CHAPTER 225, LAND DEVELOPMENT OF THE BOROUGH CODE

WHEREAS, Chapter 225, Land Development, of the Borough Code governs zoning and land use issues in the Borough of Spring Lake; and

WHEREAS, the Borough Zoning Review Officer, Engineer and the Administration have recommended that properties affected by the flooding of Wreck Pond and otherwise in the designated flood zones be permitted to elevate their houses above normal limits; and

WHEREAS, the Mayor and Council, have determined that it is in the best interests of the health, safety and welfare of the residents of the Borough to provide those residents with such relief; and

WHEREAS, the following sections of Chapter 225 are amended and supplemented with deletions reflected in ~~strikethrough~~ and additions reflected in **bold underline**;

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Spring Lake in the County of Monmouth and State of New Jersey as follows:

Section 1.

1. Article II, Definitions and Descriptions, Section 225-7, "Definitions," of the Land Development Code, is hereby amended to provide as follows:

BUILDING HEIGHT – The vertical distance to the highest point of the roof. The vertical distance shall be measured from the existing curb height along the street line at the midpoint of the lot frontage (proposed curb height shall be used for new construction) for principal buildings and from the average existing grade at the perimeter of a building for accessory buildings. In the case of a corner lot, building height shall be measured from the curb height along the street line upon which the building fronts as defined in the Ordinance.

Notwithstanding the above, the following shall apply to structures located within the AE Flood Zone as shown on the most current FEMA – Flood Insurance Rate Map (FIRM) or Advisory Base Flood Elevation Map (ABFE), with the exception of properties with a valid Letter of Map Revision (LOMR) or Letter of Map Amendment (LOMA):

1. Existing principal dwellings in the AE Zone can be raised so that the finished floor elevation (FFE) is a maximum of three (3) feet above the

base flood elevation as determined by the FIRM or the ABFE provided that the resulting building height, as defined above, does not exceed 42 feet.

2. New or reconstructed dwellings constructed in the AE Zone shall be permitted to have the finished floor a maximum of three (3) feet above the base flood elevation as determined by the FIRM or the ABFE provided that the highest point of the roof is no more than 32 feet above the finished floor elevation (FFE).

3. Stairs and landings required to be extended as a result of an existing dwelling being raised shall be permitted to extend into any required setback a distance deemed necessary by the Zoning Review Agent and Construction Code Official based on the access requirements of the Uniform Construction Code.

4. **The three (3) feet limitation above the FIRM or the ABFE shall not apply to existing homes being raised that meet the definition of cellar and building height as provided herein. Building height should be no more than 35 feet as measured from the top of the curb at the midpoint of the lot.**

INTRODUCED: SEPTEMBER 10, 2013
ADOPTED: SEPTEMBER 24, 2013

APPROVED: _____
JENNIFER NAUGHTON, Mayor

Attest:

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JANE L. GILLESPIE, Borough Clerk