BOROUGH OF SPRING LAKE
COUNTY OF MONMOUTH

ORDINANCE NO. 2013-012

AN ORDINANCE AMENDING AND SUPPLEMENTING SECTION 23 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 and the Administration have recommended certain clarifications, amendments, and supplements to Chapter 225 as being in the best interests of the Borough and zoning control; 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 amend and revise those regulations; 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.

§ 225-23. Location of outdoor heating, ventilation, and air conditioning (HVAC) equipment, generators and swimming pool equipment. [Added 8-14-2000 by Ord. No. 29-2000; amended 7-27-2004 by Ord. No. 27-2004; 11-27-2007 by Ord. No. 2007-023; 4-10-2012 by Ord. No. 2012-0005.]

A. In all residential zones and properties immediately adjacent to residential zones or uses, outdoor heating, ventilation and air conditioning (HVAC) equipment, generators and swimming pool equipment shall be located so as to have the least practical visual and noise impacts on adjoining residential uses. Outdoor heating, ventilation and air conditioning (HVAC) equipment and generators shall be located in the side or rear yard as defined in § 225-7, Definitions. Swimming pool equipment shall be located exclusively within the rear yard, as defined. All equipment shall be located within eight feet of the principal structure or accessory **except generators which shall be located within 12 feet**, and shall have a setback of 10 feet from any property line. The provisions of this section shall not be applicable to window-mounted HVAC units or the replacement of existing outdoor heating, ventilation and air conditioning (HVAC) equipment, generators

and swimming pool equipment in its existing location, provided the equipment is not located in the front yard area.

B. Generators and/or HVAC equipment placed in a side yard shall be suitably buffered from adjacent properties with either evergreen plantings or screening fence in compliance with the chapter.

INTRODUCED: October 8, 2013

ADOPTED: October 22, 2013

APPROVED: Jennifer Naughton
JENNIFER NAUGHTON, Mayor

Attest:

Jane L. Gillespie
JANE L. GILLESPIE, Borough Clerk