

**ORDINANCE 866-23**

**ORDINANCE AMENDING § 16A-5.7 OF CHAPTER 16A “LAND USE AND DEVELOPMENT REGULATIONS” OF THE CODE OF LITTLE SILVER, COUNTY OF MONMOUTH, AND STATE OF NEW JERSEY**

**WHEREAS**, the Mayor and Borough Council have determined the section of the code of Little Silver relating to Accessory Structures requires updating for internal consistency within the code; and

**WHEREAS**, the power of the Mayor and Borough Council to adopt or amend a zoning ordinance relating to the nature and extent of the uses of land and of buildings and structures thereon is set forth in N.J.S.A 40:55D-62; and

**WHEREAS**, the Mayor and Borough Council believe § 16A-5.7 includes a definition of the term “accessory structures” that is inconsistent with the intent of the section; and

**WHEREAS**, the Mayor and Borough Council want to ensure consistency in the code of Little Silver, particularly regarding land use and development regulations;

**NOW THEREFORE BE IT ORDAINED** by the Mayor and Borough Council of the Borough of Little Silver, County of Monmouth, and State of New Jersey, (additions to text indicated by **bold text**; deletions to text indicated by ~~strikeout~~) as follows:

§ 16A-5.7 Accessory Structures.

Unless otherwise specified in this chapter, accessory structures shall conform to the following regulations as to their locations on the lot.

- A. An accessory structure attached to a principal structure shall comply in all respects with the yard requirements of this chapter for the principal structure. Detached accessory ~~buildings~~ **structures** shall be located in other than a front yard, and if located in a side or rear yard area shall be setback as provided in Article 10 of the ordinance from all lot lines, except that one storage shed containing 100 square feet or less of floor area and not more than 12 feet in height measured from the existing finished grade may be located not less than eight feet from any side or rear lot line.
- B. Accessory structures shall not exceed 16 feet in height.
- C. Accessory structures shall not exceed 150 square feet in size, except free standing garages, which may not exceed 600 square feet in size.
- D. A detached accessory structure, in any residential zone, shall be at least five feet from the principal structure and any other accessory structure.

- E. No accessory building shall be used for residence purposes.
- F. Air conditioners and condenser units shall be allowed three feet of the principal structure and at least 15 feet from the property line, except that the distance to the property line can be reduced to as little as eight feet if a sound absorption/reduction system to determine noise levels is installed.