

ORDINANCE 2025-12

AN ORDINANCE OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 32 OF THE BOROUGH CODE ENTITLED - ZONING

Language in **bold** is thus new language.

32-4.4 Area and Bulk Regulations.

a.

In the Medium Density and Low Density Residential Districts, the Primary use permitted will be single-family dwellings as heretofore defined in section 32-1 and subsection 32-4.1a of this chapter.

b.

In the Medium Density Residential District, the following provisions shall apply:

1.

Lot Size. A residential lot shall have a minimum frontage of seventy-five (75') feet upon a street accepted by the municipality and shall have a depth of one hundred (100') feet and minimum area of seven thousand five hundred (7,500) square feet, except that any existing subdivided lots or parcels of land containing at least three thousand seven hundred fifty (3,750) square feet, having a frontage of fifty (50') feet on an accepted street and having a depth of seventy-five (75') feet, will not be a nonconforming use but will continue to be a residential lot.

2.

Setbacks.

(a)

Principal buildings: twenty (20') feet.

(1)

Minimum front setback: twenty (20') feet.

(2)

Minimum rear setback: twenty (20') feet.

(3)

Minimum side setback: eight (8') feet. However, where the lot is located on a corner, the minimum side setback shall not be less than twenty (20') feet from the right-of-way.

(b)

Accessory buildings:

| Use | Rear Setback | Side Setback |
|--|--------------|--------------|
| Swimming pool, Above and in-ground | 10 feet | 10 feet |

Utility Sheds

less than

100 SF 3 feet 3 feet

Accessory

buildings

more than

100 SF

with exterior

walls

of one (1) hour

fire rating 5 feet 5 feet

Accessory

buildings more

than 100 SF

with exterior

walls less than

one (1) hour

fire rating 8 feet 8 feet

Detached decks 8 feet 8 feet

Attached decks to principal - Setbacks to comply with those of principal building

Ground mounted

dish antennas 8 feet 8 feet

Where the lot is located on a corner, the minimum side setback shall not be less than twenty (20') feet from the right-of-way.

3.

Building Area. All structures subsequently erected in this district shall occupy not less than one thousand sixty (1,060) square feet including the area occupied by accessory use structures as defined in subsection 32-4.2 of this chapter.

4.

Maximum Building Heights: thirty-five (35') feet. In any event, the building shall not contain more than two and one-half (2 1/2) usable floor levels counted vertically at any point in the building above the grade level as determined by the average grade evaluation of the corners of the building.

5.

If any **principal** structure existing as of the date of the adoption of this paragraph violates setback or height requirements and proposed new additions or alterations do not create new or extend or increase any existing zoning or setback violations, such additions or alterations shall be permitted to be made without the necessity of obtaining a variance, provided the following conditions are met:

(a)

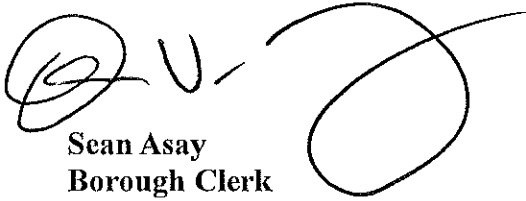
The use shall be a conforming use in this zone; and

(b)

The lot shall conform to the area and yard requirements of this zone.

Any vertical or horizontal extension of a structure or a portion thereof in an area that is not in conformity with the present zoning ordinances, shall continue to be an expansion of a nonconforming structure and shall require approval by the Borough Land Use Board.

The foregoing Ordinance was duly adopted by the Mayor and Council at their Regular Meeting on October 14, 2025 in the Borough.



Sean Asay
Borough Clerk