

~~1002~~ U.L. v. Carteret

Middlesex

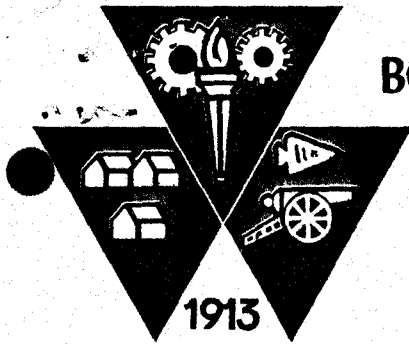
24-Mar-77

Copy of the Revised Zoning
Ordinance and cover letter

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BOROUGH OF MIDDLESEX, NEW JERSEY

OFFICE OF
EDWARD J. JOHNSON, Jr.
Borough Attorney

3/28

March 24, 1977

Honorable David D. Furman
Middlesex County Court House
New Brunswick, New Jersey

Re: Urban League v. Borough of Carteret et al
Docket No. C-4122-73

Dear Judge Furman:

I am enclosing herein a copy of the revised Zoning Ordinance of the Borough of Middlesex which was adopted by the governing body of the Borough of Middlesex at a meeting held on Tuesday, March 22, 1977.

I am also enclosing herein a copy of my letter to the attorneys for the Urban League, which is self-explanatory.

Under the terms of the settlement which was reached at the time of the trial, the Borough of Middlesex indicated that it would rezone additional land so that same would be available for multi-family development. At the time of the trial, it was indicated that the only land available for this purpose was a small tract of land located on Bound Brook Road (New Jersey Highway 28) near the easterly end of the Borough. Initially, the Mayor and Council referred this matter to the Planning Board and obtained a recommendation to rezone the small parcel of land located on Bound Brook road so that same could be developed for multi-family use. There was no representation on the part of the Borough that any additional land, other than this small parcel, would be rezoned so that same would be available for multi-family development.

Rather than adopt a Zoning Amendment covering only that portion of property, however, the Mayor and Council determined that a wholesale revision of the Zoning Ordinance should be made. Studies for this purpose had previously been initiated by the Borough and, with the assistance of the Borough Planning Board and the Borough Planner, a comprehensive new Zoning Ordinance has now been adopted.

Under the terms of the revised Ordinance, the Borough has provided for conditional uses in the R-75 Zone. On Page 3 of the enclosed Zoning Ordinance, under Section 82-8 (C), the revised Ordinance provides that Townhouses may be constructed as a conditional use subject to conditions and regulations set forth in the Ordinance. Under the terms of the revised Ordinance, certain large tracts of land which are currently being used for Nurseries have been rezoned and classified

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March 24, 1977

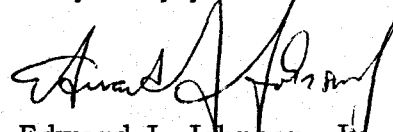
as R-75. Under the previous Zoning Ordinance, these tracts of land which were being used for Nurseries could not be developed for Townhouses but under the new revised Ordinance, these tracts of land can now be developed for Townhouses in accordance with the terms of the revised Ordinance.

I bring this fact to your attention because I feel that the Borough of Middlesex has gone beyond its commitment which was made at the time the case was settled. I think, therefore, that this clearly indicates a good faith attempt on the part of the governing body of the Borough of Middlesex to comply, not only with the "letter" of the Settlement Agreement, but also with the "intent" of said Agreement.

Pursuant to R.R. 4: 42-1 (b) I am enclosing an original and two copies of an Order of Dismissal which I would appreciate having signed by you. I have this day forwarded a copy of the proposed Order to all other parties involved in this litigation, together with a notice advising them that unless they notify you in writing of any specific objections thereto within five days after service of the Order on them, the Order of Dismissal may be signed in your discretion. I am enclosing herein a self-addressed stamped envelope and I would appreciate your forwarding to me the Order after same has been signed in order that I might in turn forward same to the Clerk of the Superior Court for filing.

Thank you for your cooperation in this matter.

Very truly yours,



Edward J. Johnson, Jr.

EJJJ/mc
Encls.

cc: Mayor Martin Matuskiewicz
Margaret Hanania, Clerk
All Attorneys of Record

Borough Of Middlesex

LEGAL NOTICE

Notice is hereby given that the following proposed ordinance was introduced and passed on first reading at a meeting of the Borough Council of the Borough of Middlesex, in the County of Middlesex, New Jersey, held on the 8th day of March, 1977 and that said ordinance will be taken up for further consideration for final passage at a meeting of said Borough Council to be held at its meeting room in the Municipal Building, 1200 Mountain Ave., Middlesex, New Jersey on the 22nd day of March, 1977, at 8:00 P.M. at which time and place all persons interested therein may be given an opportunity to be heard concerning same.

MARGARET HANANIA
Borough Clerk

Ordinance No. 748

ORDINANCE AMENDING ORDINANCE NO. 220 ENTITLED THE ZONING ORDINANCE OF THE BOROUGH OF MIDDLESEX.

WHEREAS, the Mayor and Council have determined that there should be a complete revision of the existing Zoning Ordinance of the Borough of Middlesex; now therefore;

BE IT ORDAINED by the Mayor and Council of the Borough of Middlesex, County of Middlesex New Jersey that the zoning ordinance be amended as follows:

ORDINANCE NO. 748

ARTICLE I Definitions

82-1. Usage; definitions.

Certain words and terms in this ordinance are defined for the purpose thereof as follows.

A. Words and phrase usage. Words used in the present tense include the future, the singular number includes the plural, and the plural, the singular. The word "lot" includes the word "plot." The word "building" includes the word "structure." The term "such as" where used herein shall be considered as introducing a typical or illustrative rather than an entirely exclusive or inclusive designation of permitted or prohibited uses, activities, establishments or structures.

B. Word definitions.

ACCESSORY USE OR BUILDING — A subordinate use or building, the purpose of which is incidental to that of a main use or building on the same lot.

ALLEY — Any public or private way less than fifty (50) feet in width unless such way existed prior to the passage of this ordinance in which case any public or private way which is less than thirty (30) feet in width.

BASEMENT — A story partly underground and having more than one-half (½) of its height above ground.

BUFFER AREA — An area in which no building, parking area, driveway except to provide access to property and which is perpendicular to the buffer area, street, sign (exceptional directional sign), storage of materials shall be permitted.

BUILDABLE AREA — That central portion of any lot lying between required yards and/or setback lines.

BUILDING — Any structure having a roof supported by columns or by walls and intended for the shelter, housing or enclosure of any person, animal or chattel.

BUILDING HEIGHT — The vertical distance measured from the mean elevation of the finished grade along the front of the building to the highest point of the roof for flat roofs; to the mean height level (between the eaves and ridge) for gable and hipped roofs; to the deck line for mansard roofs.

CELLAR — A story partly underground which has less than half (½) its height above ground level.

DWELLING UNIT — A dwelling unit is a permanent building or portion thereof providing sleeping room(s), bathroom(s), and kitchen facilities for the use of one or more persons. Dwelling units shall be differentiated one from the other as follows:

a. Dwelling, Single-Family. A detached building designed for or occupied exclusively by one family.

b. Dwelling, Two-Family. A building designed for or occupied exclusively by two families living independently of each other.

c. Dwelling, Multi-Family. A building used or designed as a residence for three or more families living independently of each other and doing their own cooking therein, including apartment houses but not including motels.

FAMILY — A family is one or more persons related by blood or marriage living together in a single housekeeping unit, or a collective number of persons living together in one house, whose relationship is of a permanent and distinct domestic character, and cooking as a single housekeeping unit. This definition shall be deemed to include maids, servants or other employees of one or more members of the family.

FLOOD HAZARD BOUNDARY — The flood hazard boundary shall be a line connecting points of varied elevation, and lands having an elevation below which water flows or periodically flows.

FLOOR AREA — The total area of all floors of a building.

GARAGE

a. Private Garage. A building or space used as an accessory to the main building which provides the storage of motor vehicles and in which no occupation, business or service for profit is carried on.

b. Public Garage. Any building, premises or land, or part thereof, other than a private garage, used for the storage, care or repair of motor vehicles for profit, or where any such vehicles are kept for hire.

c. Automobile Service Station. An area of land, including structures thereon that is used primarily for the retail sale and direct delivery to motor vehicles of gasoline and lubricating oil, and the making of minor repairs but not auto body work, welding or painting, nor any repair work in the open.

HOME OCCUPATION — Any gainful employment or occupation of one (1) or more members of the resident family which shall constitute either entirely or partly the means of livelihood of such member or members, and which shall be clearly secondary or accessory to the primary residential use of the principal structure. Such occupation may be pursued in the principal dwelling structure or in a secondary building which is accessory to such principal structure. Home occupations shall be limited to that of an artisan, including such activities as dressmaking, millinery, watch making, electrical and radio repair, and carpentry.

JUNKYARD — The use of any lot for the storage, keeping or abandonment of junk, including scrap metals or other scrap material, or for the dismantling, demolition or abandonment of structures, automobiles or other vehicles, equipment and machinery or parts thereof, provided, however, that this definition shall not be deemed to include any of the foregoing uses which are accessory and incidental to any agricultural or industrial use permitted in any zone. The term "Junkyard" as herein defined includes automobile wrecking yards.

LIGHT MANUFACTURING — The fabrication, processing or assembly of goods and materials or the storage of bulk goods and materials, but not including refining, distillation or chemical restructure of goods or materials.

LOT — A lot is a designated parcel, tract or area of land, established by a plat or otherwise permitted by law and to be used, developed or built upon as a unit.

LOT DEPTH — The shortest horizontal distance between the front lot line and a line drawn parallel to the front lot line through the midpoint of the rear lot line providing that in triangular lots having no rear lot line the distance shall be measured to the midpoint of a line parallel to the front lot line which shall be not less than ten (10) feet in length measured between its intersections with the side lot lines.

LOT FRONTAGE — That portion of a lot extending along a street line. In irregular or triangular-shaped lots the length of the frontage may be considered to be the same as the lot width except that such length of frontage shall not be less than one-half (½) of any minimum frontage herein required and that the actual length of the street line shall not be less than fifty (50) feet.

LOT WIDTH — The measured width of the lot at front set back line.

NONCONFORMING STRUCTURE — A structure which in its design or location upon a lot does not conform to the regulations of this ordinance for the district in which it is located.

NONCONFORMING USE — Use of a building or of land that does not conform to the regulations of this ordinance for the district in which it is situated.

SETBACK LINE — A line within any lot, marking the limits of a required yard area.

SIGN (BILLBOARD OR COMMERCIAL ADVERTISING SIGN) — A sign, structure, or symbol upon which space is displayed advertising copy describing a product(s) or service(s) not made, produced, assembled or sold from the lot or premises upon which the advertisement is located.

STORY — That portion of a building included between the surface of any floor and the surface of the next floor above it, or if there is no floor above it, then the space between the floor and the ceiling next above it. No story shall be deemed to be a first story if its floor level is more than six (6) feet above the level from which the height of the building is measured. A mezzanine floor shall be counted as a story if it covers over one-third (⅓) the area of the floor next below it, or if the vertical distance from the floor next below it to the floor next above it is twenty-four (24) feet or more. A basement shall be counted as a story if its ceiling is over five (5) feet above the level from which the height of the building is measured or if it is used for business purposes or if it is used for dwelling purposes by other than a janitor or domestic servants employed in the same building, including the family of the same.

STORY, HALF — A story of which any two exterior sides meet a sloping roof not more than two (2) feet above the floor of such story, or that portion of any structure herein defined as a basement.

STREET — A street is any road, avenue, street, lane, plaza or other way set aside for common street purposes.

STREET LINE — The dividing line between the lot and the street.

STRUCTURE — Anything constructed, assembled or erected, the use of which requires location on the ground or attachment to something having location on or in the ground, and which include tanks, towers, advertising devices, bins, tents, lunch wagons, trailers, dining cars, camp cars or similar structures on wheels or other supports used for business or living purposes. The word STRUCTURE shall not apply to fences nor to utilities entirely below ground.

STRUCTURAL ALTERATIONS — Any change in the supporting members of a building, such as bearing walls, columns, beams or girders or in the utility system or mechanical equipment of a structure which materially alters its usability, capacity or function.

TRAILER CAMP OR COURT — An area devoted to or designed for the accommodation of two (2) or more wheeled vehicles or portions thereof in use as or capable of use as a dwelling unit.

USE — The purposes for which land or a building thereon is designed, arranged or intended or for which it is or may be occupied or maintained.

YARD — An open space on the same lot with a building or a group of buildings, which lies between the principal building or group of buildings and the nearest lot line and is unoccupied and unobstructed from the ground upward except as herein permitted.

YARD, FRONT — A yard extending the full width of the lot and lying between the front or street line of the lot and the nearest wall or part of the building. The depth of the front yard shall be measured at right angles to the front line of the lot.

YARD, REAR — A yard extending across the full width of the lot and lying between the rear line of the lot and the nearest wall or part of the building. The depth of a rear yard shall be measured at right angles to the rear of the lot in the same manner as specified herein for the measurement of lot depth.

YARD, SIDE — An open, unoccupied space between the side line of the lot and the nearest wall or part of the building and extending from the front yard to the rear yard, or in the absence of either of such yards, to the

front or rear lot lines as the case may be. The width of a side yard shall be measured at right angles to the side line of the lot.

ARTICLE II Zones

82-2. Zone divisions.

The Borough of Middlesex is hereby divided into various zones as follows:

R-100	Residential
R-75	Residential
R-60(A)	Residential
R-60(B)	Residential
R-4	Multi-Family Residential
R-T	Residential-Transition
G.B.	General Business Zone
CLW	Commercial/Light Manufacturing/Wholesale
IND.	Industrial Zone
M.C.	Municipal Center Zone

82-3. Zoning Map.

The zoning map which accompanies this ordinance is hereby decreed to be a part thereof.

82-4. Boundaries.

When an uncertainty exists as to the boundaries of any of the aforesaid zones as part of the said map, the following rules shall apply:

A. Zone boundary lines are intended to follow street, lot or property lines as they exist on plats of record unless such district boundaries are fixed by dimensions as shown on the zoning map.

B. Where such boundaries are fixed by dimensions and where they approximately follow lot lines, and where they are not more than ten (10) feet distant therefrom, such lot lines shall be construed to be such boundaries unless shown otherwise.

82-5. General Regulations.

A. No building shall be erected and no existing building shall be moved, altered, added to or enlarged, nor shall any land or building be designed, used or intended to be used for any purpose or in any manner other than as specified among the uses hereinafter listed as permitted in the district in which such building or land is located.

B. No building shall be erected, no existing building be altered, enlarged or rebuilt, nor shall any open space surrounding any building be encroached upon or reduced in any manner, except in conformity to the yard, lot, area, and building location regulations hereinafter designated for the district in which such building or open space is located.

C. No yard or other open space provided about any building for the purpose of complying with the provisions of this ordinance shall be considered as providing a yard of open space for any other building, and no yard or other open space on one lot shall be considered as providing a yard or open space for a building on any other lot, except as is specifically permitted.

D. Every part of a required yard shall be open and unobstructed except for the ordinary projections of sills, belt courses, chimneys, flues, buttresses, ornamental features and eaves, provided however, that none of the aforesaid projections shall project into the minimum yards more than twenty-four (24) inches. Unroofed entrance porches or terraces which do not rise above the height of the floor level of the ground floor may extend into any yard providing the total area of all such porches which extend into such yards does not exceed two hundred (200) square feet.

E. The height limitations of this ordinance shall not apply to church spires, belfries, cupolas, domes not used for human occupancy; nor to chimneys, ventilators, skylights, water tanks, bulkheads and necessary mechanical appurtenances usually carried above the roof level or to non-commercial radio and television antennas or transmission apparatus except that such features if erected on a roof shall not exceed twenty percent (20%) of the total roof area.

F. Street widths. Every dwelling structure shall be built upon a lot with frontage upon a public street or private street approved by the Planning Board in accordance with law.

G. Required Building Elevation and Setback from a Water Body. Setback lines shall mark the location closest to the stream or body of water at which any structure may be erected, regardless of other regulations in this or other ordinances governing front, side or rear yards, providing however that this shall not apply to structures necessary for access and safety such as bridges, culverts or protective walls and fences.

H. Intersection - Sight Right Triangle. At the intersection of two streets no hedge, fence or wall higher than 30 inches above curb level shall be permitted on any lot within the triangular area formed by two (2) intersecting street lines bounding said lot, or the projection of such lines, and by a line connecting a point on each street line located twenty-five (25) feet from the intersection of the street lines.

I. Corner Lots. On all corner lots the width of all yards abutting upon streets shall not be less than the minimum front yard depth required on an adjoining interior lot fronting on such street, except that at least one (1) frontage of the lot shall be designated by the owner of the lot as its principal frontage and the full front yard requirements for that frontage shall be observed as elsewhere required in this ordinance.

J. Unless elsewhere specified in the ordinance, accessory buildings shall conform to the following regulations as to their locations on the lot.

1. Accessory buildings may occupy not more than twenty-five percent (25%) of the rear yard area in any residence zone, and not more than forty percent (40%) of the rear yard area in business or industrial zones provided that such buildings shall not exceed fifteen (15) feet in height. Such accessory buildings shall be included in computing the maximum percentage of the lot area which may be built upon in any given case.

2. In the case of an interior lot abutting on one street, no detached accessory building shall be erected or altered so as to occupy the front half of the lot except where lots are over two hundred (200) feet in depth this setback need not exceed one hundred (100) feet.

3. In the case of an interior lot abutting on two (2) or more streets, no detached accessory building shall be erected or altered with the minimum required front yard setback for principal buildings.

4. A garage attached to any side of the dwelling and constructed as a part of such dwelling shall be considered as a part of the dwelling and not as an accessory building and shall meet all requirements for front, side or rear yards, other setbacks and height of structure.

K. Nonconforming Uses. The following regulations shall control nonconforming uses in existence at the time of passage of this ordinance.

1. If any nonconforming structure shall be more than fifty percent (50%) destroyed by reason of windstorm, fire, explosion or other act of God or the public enemy, such structure shall not be rebuilt except in conformity with the provisions of this ordinance controlling side and rear yards, front yard setbacks, maximum coverage and maximum height.

2. No nonconforming structure in existence at the time of passage of this ordinance shall be extended, added to or altered, unless such alterations or additions are in conformity with the provisions of this ordinance.

3. The provisions of this section shall not be construed to allow the extension of any nonconforming structure or of any nonconforming use of land or structure into any front yard or side or rear yard or other reserved open space provided for elsewhere in this ordinance.

4. If any nonconforming use shall terminate its activity for a period of one (1) year, such termination shall constitute an abandonment for the purposes of this ordinance, and no land or building used for the purposes of such nonconforming use shall be used for any other use except in conformity with the provisions of this ordinance.

5. A nonconforming use of a structure, a nonconforming use of land, or a nonconforming use of a structure and land, shall not be extended or enlarged by attachment on a building or premises of additional signs intended to be seen from off the premises, or by the addition of other uses of a nature which would be prohibited generally in the district involved.

6. Construction begun. To avoid undue hardship, nothing in this chapter shall be deemed to require a change in the plans, construction or designated use of any building on which actual construction was lawfully begun prior to the adoption of this chapter and upon which actual building construction has been diligently carried on. Actual construction is hereby defined to include the placing of construction materials in permanent position and fastened in permanent manner according to architectural and engineering design, except that where demolition or removal of an existing building has been substantially begun preparatory to re-building, such demolition or removal shall be deemed to be actual construction, provided that work shall be diligently carried on until completion of the building involved.

7. Adjacent Nonconforming Lots in Single Ownership. If two or more lots or combinations or portions of lots with continuous frontage in single ownership regardless of separate deeds and if all or part of the lots do not meet the requirements for lot width and area as established by this chapter, the lands involved shall be considered to be an undivided parcel for the purposes of this chapter, and no portion of the parcel shall be used which does not meet lot width and area requirements established by this chapter, nor shall any division of the parcel be made which leaves remaining any lot with width or area below the requirements stated in this chapter.

L. Ingress or Egress. No ingress or egress over private roads, private driveways or local streets through districts zoned for residential uses shall be permitted to or from properties fronting on primary arterial roads and further, provided any access driveway to any use shall be deemed to be accessory to such use. No driveway that is accessory to a business or industrial use shall be established in any Residence Zone.

M. Minimum Lowest Floor Level. The lowest floor level in a cellar, basement, crawl space, or other structure in any building or structure located on a lot within or partially within a flood hazard area shall not be less than elevation than flood elevation as defined and established by the Flood Hazard Ordinance (Ordinance No. 583) of the Borough of Middlesex.

N. Flood Hazard Area Delineation. The Flood Hazard Map adopted as part of ordinance 583 shows the delineation of flood hazard areas as mapped by the Borough of Middlesex. The standards for control and regulation of land within said areas as promulgated by the Borough of Middlesex by Ordinance No. 583 are hereby incorporated in this chapter.

O. Site Plan Requirement. Except as hereinafter provided, no building permit shall be issued for building or use or enlargement of any building or use unless a site plan is first submitted and approved in accordance with this chapter and no certificate of occupancy shall be given unless all construction conforms to the approved plan, except that site approval shall not be required for single-family and two-family dwellings or for such accessory uses as a private garage, tool house, gardens and private greenhouses, incidental to single-family dwellings; but that shall not limit the requirements for submission of subdivision plans for subdivision approval as otherwise provided in the subdivision ordinance.

P. Performance Standards. All uses and activities shall comply with performance standards as set forth in this chapter and applicable state and federal law.

Q. Application to Borough. Regardless of whether the Borough or any duly constituted board, agency, or department is acting in or pursuant to the performance of a governmental function carrying out a legislative mandate or in the exercise of its private rights as a corporate body, any municipally owned, operated or controlled building, structure, facility or use, either existing or proposed, shall be permitted in any zone district.

R. Telephone transformer stations but not including yards and storage facilities shall be permitted as a conditional use in all districts provided such use complies with all development regulations of the district in which located.

S. In the event that a demolition permit is required as a result of a development application, no site plan or subdivision application shall be granted final approval until a demolition permit is granted by the Borough Building Inspector.

T. Fences. Except as otherwise specified herein or other applicable ordinances of the Borough of Middlesex no solid fence shall be erected in a required front yard area. For purposes of this ordinance splitrail chain

link equivalent fences shall not be deemed to be solid fences but stockade, woven wood states or equivalent shall be deemed to be solid fences.

82-6. Schedule of District Regulations.

A. Schedule. The schedule of regulations applying to each zoning district, entitled Schedule of Zoning Regulations (hereafter called the "schedule"), is hereby declared to be a part of this chapter and is attached hereto.

B. Intent. The schedule is intended to summarize the major regulations by zoning district, including those applying to lot size, yards, building height, and other regulations that may be easily summarized in tabular form; it is not meant to provide comprehensive coverage of all requirements and provisions of this chapter.

82-7. Residence (R-100) Zone.

A. Uses Permitted. In the Residence (R-100) Zone no lot shall be used or no structure shall be erected, altered or occupied for any purpose except the following:

1. Detached single-family dwellings and the accessory structure and uses normally auxiliary thereto.

B. Accessory Uses.

1. The home professional office of a residence on the lot and providing that not more than twenty-five percent (25%) of the habitable first floor area is used for office space.

2. Private garage and swimming pools as an accessory use to a single-family home.

C. Conditional Uses.

1. Eleemosynary, charitable and philanthropic institutions.

2. Churches, parochial and private schools.

D. Signs as specified in Section 82-16.

E. Area, yard and building as specified on the Schedule (Section 82-6) except as modified hereinafter.

1. Front yards. In blocks where structures have already been erected, then the average setback line observed by buildings on the same side of the street within two hundred (200) feet on each side of any vacant lot shall determine the setback of all structures on such lot, except that this distance need not be required to exceed sixty (60) feet.

2. On any corner lot a garage or other accessory building shall comply with the minimum front yard setback requirements for a principle structure.

82-8. Residence (R-75) Zone.

A. Uses Permitted. In the Residence (R-75) Zone no lot shall be used or no structure shall be erected, altered or occupied for any purpose except the following:

1. Detached single-family dwellings and the accessory structures and uses normally auxiliary thereto.

2. Nurseries and commercial greenhouses provided that:

a. Such activities shall not be established on a parcel of less than five (5) acres.

b. The building yard width limitations shall be the same as for general business zones where they adjoin residential zones.

c. No material of odoriferous nature shall be stored nor shall any building or shelter for the storage of material of such nature be erected or used closer than one hundred (100) feet from any property line.

3. Eleemosynary, charitable and philanthropic institutions.

4. Churches and parochial schools.

B. Accessory Uses.

1. Private garage and swimming pools used as an accessory use to a single-family home.

2. Home professional office in residence on the lot and providing that not more than fifty percent (50%) of the habitable first floor area is used for office space.

C. Conditional Uses.

1. Townhouses subject to the following conditions and regulations:

a. The overall density shall not exceed seven (7) dwellings per acre.

b. The development of a tract for townhouse use shall have a minimum area of 15 acres and shall have frontage on a street classified as other than a local access street as shown in the Master Plan of the Borough of Middlesex.

c. A townhouse development for purposes of this subsection shall mean a townhouse residential cluster developed as a single entity in which individual lots have a common or public open space as an appurtenance, and further, such townhouse development shall comply with the following minimum standards:

(1) Minimum setback distance — 100 feet from all existing state and county roads, or any road other than a local street as designated upon the Master Plan. The minimum setback from all other public streets — 50 feet.

(2) Minimum width of any townhouse — 18 feet.

(3) Minimum floor area per unit — 800 square feet.

(4) Maximum floor area per unit — 1,600 square feet.

(5) Maximum average aggregate per unit floor area of all townhouses — 1,200 square feet.

(6) Maximum building height — 30 feet.

(7) Minimum number of units per structure — 4.

(8) Maximum number of units per structure — 8.

(9) Minimum distance between structures — 50 feet.

(10) Minimum off-street parking requirements — 1.75 spaces shall be required per unit. No off-street parking lots shall contain more than 50 spaces.

(11) Maximum percent building coverage — 20%.

(12) Floor plans for each typical development shall be required.

(13) Minimum developed recreation play-area 10% of total site area.

D. Signs as specified in Subsection 82-16.

E. Area, yard and building requirements as specified in the Schedule (Section 82-6) except as modified hereinafter:

1. Side yards. The side yard of any corner lot adjacent to the street shall be no less than twenty (20) feet.

2. Front yards. In blocks where structures have already been erected, then the average setback line observed by buildings on the same

side of the street within two hundred (200) feet on each side of any vacant lot shall determine the setback of all structures on such lot, except that this distance shall not be required to exceed forty (40) feet.

3. On any corner lot no garage or other accessory building shall be constructed nearer the street line than required front setback for principal buildings or the average setback line observed by primary structure fronting on such street whichever applicable.

82-9. Residence (R-60) (A) Zone.

A. Uses Permitted. In the Residence (R-60) (A) Zone no lot shall be used or no structure shall be erected, altered or occupied for any purpose except the following:

1. Detached single-family dwellings and the accessory structure and uses normally auxiliary thereto.

2. Nurseries and commercial greenhouses under the same restriction for such activities as required in the Residence (R-75) Zone.

3. Eleemosynary, charitable and philanthropic institutions.

4. Churches and parochial schools.

B. Accessory Uses.

1. Same as permitted in R-75 zone.

C. Conditional Uses.

None.

D. Signs as specified in Section 82-16.

E. Area, yard and building requirements as specified in Section 82-6 except as modified hereinafter:

1. Side yards — The side yard of any corner lot adjacent to the street shall be no less than fifteen (15) feet.

2. In blocks where structures have already been erected the average setback line observed by buildings on the same side of the street within two hundred (200) feet on each side of any vacant lot shall determine the setback of all structures on such lot, except that this distance need not exceed forty (40) feet, but shall not be less than twenty (20) feet in any case.

3. Lots of record at the time of passage of this ordinance which are less than fifty-five (55) feet in width, the Building Inspector may allow any garage to be constructed closer to a side line than five (5) feet after determination that this distance is excessive and provided further that such distance shall in no case be less than three (3) feet.

4. On any corner lot no garage or other accessory building shall be constructed nearer the street line on the secondary street than the average setback line observed by primary structures fronting on such street.

82-10. Residence (R-60) (B) Zone.

A. Uses permitted. In the Residence (R-60) (B) Zone no lot shall be used or no structure shall be erected, altered or occupied for any purposes except the following:

1. Same as specified in the R-60A zone.

2. Detached single-family dwellings and the accessory structures and uses normally auxiliary thereto except that nothing in this section shall prohibit the conversion or alteration of any single-family structure in existence at the time of passage of this ordinance to a two-family building provided that such dwelling units created shall conform to the following:

a. Any single-family dwelling converted under the provisions of this section shall be required to have within the enclosing walls of the original structure not less than one thousand two hundred fifty (1,250) square feet of habitable floor area.

b. There shall be a minimum habitable floor area of five hundred (500) square feet for each separate dwelling unit established under the provisions of this section.

3. Two-family dwellings provided that each dwelling unit shall have a minimum habitable floor area of 750 square feet.

B. Accessory uses.

1. Same as specified for R-60A zone.

2. Home occupations provided that:

a. Not more than three (3) persons shall be engaged in such home occupation at any time.

b. The total floor area including accessory structures devoted to any permitted home occupation shall not exceed fifty percent (50%) of the habitable first floor area of the principal dwelling on the lot.

C. Conditional Uses.

None.

D. Signs as specified in Subsection 82-16.

E. Area, yard and building requirements as specified in Section 82-6 except as modified hereinafter:

1. No side yard shall be less than six (6) feet, except that on lots occupied by two-family dwellings, no side yard shall be less than ten (10) feet. The side yard of any corner lot adjacent to the street shall be no less than fifteen (15) feet.

2. In blocks where structures have already been erected the average setback line observed by buildings on the same side of the street within two hundred (200) feet on each side of any vacant lot shall determine the setback of all structures on such lot, except that this distance need not exceed forty (40) feet, but shall not be less than twenty (20) feet in any case.

3. In lots of record at the time of passage of this ordinance which are less than fifty-five (55) feet in width the Building Inspector may allow any garage to be constructed closer to a side line than five (5) feet after determination that this distance is excessive and, provided further that such distance shall in no case be less than three (3) feet.

4. On any corner lot no garage or other accessory building shall be constructed nearer the street line on the secondary street than the average setback line observed by primary structures fronting on such street.

5. No two-family dwelling shall be erected on less than seven thousand five hundred (7,500) square feet of lot area.

6. No two-family dwelling shall be erected upon a lot which is less than seventy-five (75) feet in width.

82-11. (R-4) Multi-Family Residence Zone.

A. Permitted uses.

1. Uses permitted in the R-60B zone.

2. Garden apartments in conformance with the following:

a. The building shall conform to minimum requirements of the New Jersey State Housing Code and all municipal building regulations, and case of conflict shall conform to the higher requirements.

b. All electrical and telephone conduits shall be placed underground as detailed in the tariffs filed by the supplying utility.

c. There shall be one (1) central antenna in each building for use of occupants therein.

d. Fifty (50) square feet of recreation area shall be provided for each dwelling unit.

e. No structure shall be so designed or so located in the project site that the distance from any window of any room used for human habitation shall be less than fifty (50) feet from another window on a separate building.

f. There shall be no more than sixteen (16) dwelling units per acre.

g. No separate freestanding building shall be closer than thirty (30) feet to any other building on the site.

h. Basement apartments are prohibited.

i. All staircases shall be interior.

j. At least two (2) washers and two (2) dryers shall be provided for each sixteen (16) units to be installed in a designated utility area. Such area shall be equipped with a sink and a toilet and shall be properly heated, lighted and ventilated. Outside drying facilities are prohibited.

B. Accessory Uses.

1. Same as specified for R-60B zone.

C. Conditional Uses.

1. None.

D. Signs as specified in Subsection 82-16.

E. Area, yard and building requirements as specified in Section 82-6 except as modified herein:

1. Any lot existing at the time of adoption of this chapter having an area or dimension of less than the minimum lot size and dimension as specified in the Schedule may be developed for uses permitted by Subsection 82-11.A. 1. provided such development complies with the yard width and building requirements for the R-60B district.

82-12. R-T Zone.

A. Permitted Uses.

1. Uses permitted in the R-75 zone.

2. Professional offices such as, but not limited to, those of a doctor, lawyer, engineer, architect, accountant, real estate broker, and general business office providing no such use includes the sale of any goods, products or merchandise.

3. Banks.

4. Nurseries limited to the sale of plants, flowers and trees subject to the requirements of Subsection 82-8.A.2.

B. Permitted accessory uses.

1. Same as specified for R-75 zone.

C. Conditional Uses.

1. None.

D. Signs as specified in Subsection 82-16.

E. Area, yard and building requirements as specified in Section 82-6 except as modified hereinafter:

1. Same as permitted in R-60A zone.

2. Wherever a development application for a use excepting single-family dwelling is proposed adjacent to a lot in a residential zone a landscaped buffer strip of five (5) feet in width shall be established adjacent and along any abutting residential zone boundary.

82-13. General Business (G.B.) Zone.

A. Uses Permitted. In the General Business (G.B.) Zone no lot shall be used or no structure shall be erected, altered or occupied for any purpose except the following:

1. Any business uses permitted in a residential zone.

2. Commercial, retail or business uses including the following uses or those uses similar in character, operation and intensity of activity.

a. Gift shops, stationary, art supplies.

b. Furniture stores, including household electrical equipment and appliances.

c. Drug stores, clothing stores, and shoe stores.

d. Professional offices, banks, commercial schools, clerical occupations of all kinds.

e. Recreation and amusement facilities such as:

(1) Bowling alleys.

(2) Indoor tennis courts.

(3) Skating rinks.

(4) Theaters.

(5) Swimming pools.

f. Services and service agencies such as:

(1) Motels.

(2) Funeral homes.

(3) Animal hospitals.

B. Accessory Uses.

1. Uses that are incidental to the conduct and operation of the principal use.

C. Conditional Uses.

1. Gasoline service stations and public garages subject to the following:

a. No more than two (2) vehicles which are incapable of operation or use are stored on the premises, exclusive of those vehicles awaiting repair.

b. No more than three (3) public garages or gasoline service stations shall be permitted within one (1) mile measured along the center line of existing streets and from the nearest lot lines of any other garage and gasoline service station.

c. No gasoline service station shall be permitted within fifty (50) feet of the nearest lot line of any other building.

d. No gasoline service station shall be permitted within two hundred (200) feet of the nearest lot line of any church, school or library.

e. Access driveways into a gasoline service station shall be least ten (10) feet from any nearest side lot line and at least twenty (20) feet from the nearest street lines. There shall not be more than two (2) access driveways along any one (1) street.

f. No repair work on vehicles shall be done in the open on the premises except:

(1) Lubrication and changing of oil.

(2) The repair of tires and tubes.

(3) The recharging and rental of batteries.

(4) Such incidental work as may be necessary in connection with the installation, mounting or adjustment of minor automotive accessories or in connection with the testing and adjustment of the fuel and electric systems of motor vehicles.

g. Advertising or identification signs painted on the face of the building, and the use of strings of pennants (except for a period of one (1) week following grand opening), flags or similar decorations, whirling displays, cards, flickering, rotating, flashing or colored lights on the premises are expressly prohibited. The lighting sources on the premises shall be so erected and maintained that no disturbing glare will occur at any time to adjacent property owners or to motorists using the public streets.

h. No more than two (2) vehicles, not including those owned or leased by the proprietors, per service bay shall be stored out of doors overnight at the premises. Further, no vehicles shall be parked over night on a public street.

i. No more than ten percent (10%) of the site shall be used for storage of any rental vehicles.

j. Any inoperable, wrecked vehicle shall be stored in an enclosed area by a solid fence of at least six (6) feet in order to shield said vehicle(s) from view from the street and adjoining properties.

2. Restaurants subject to the following:

a. No restaurant, diner or other eating establishment shall be permitted within one thousand five hundred (1,500) feet, measured within the nearest lot lines of any other restaurant, diner or eating establishment. Not more than one (1) restaurant, diner or other eating establishment shall be permitted within or at a street intersection.

b. No restaurant, diner or other eating establishment shall be permitted within two hundred (200) feet of the nearest lot line of any church, school or library.

D. Signs as specified in Subsection 82-16.

E. Area, yard and building requirement as specified in Section 82-6 except as modified hereinafter:

1. Same as permitted in the R-60A zone.

2. Wherever a development application for a use is proposed on a lot adjacent to a residential zone, a landscaped buffer strip of fifteen (15) feet in width shall be established adjacent and along any abutting zone boundary except that the Planning Board may permit a lesser width due to natural or man-made conditions.

82-14. Municipal Center Zone.

This district includes lands known as tracts 2, 3, & 4 as sold by the Borough of Middlesex to Midd Construction Company under contract awarded by Resolution dated August 30, 1955. The development regulations controlling the uses of land, and intensity of development shall be those regulations in effect prior to the adoption of this Ordinance, and said development regulations shall remain in full force and effect.

82-14. Commercial/Light Manufacturing/Wholesale (CLW) Zone.

A. Uses Permitted. In the CLW zone no lot shall be used or no structure shall be erected, altered or occupied for any purpose which was not so used prior to the passage of this ordinance except the following:

1. All business and commercial uses permitted in the General Business (G.B.) Zone.

2. Public utility and service activities of an industrial character such as repair and maintenance yards, storage facilities, depots and stations, classification yards or roundhouses.

3. Activities of an industrial nature which may include the fabrication, processing or assembly of goods and materials or the storage of bulk goods and materials provided no nuisance or hazard may occur beyond the limits of the lot occupied by such activity from fire or explosion, toxic or corrosive fumes, gas, smoke, odors, flashes, or objectionable effluent.

4. Public garages, automotive repair shops and truck terminal distribution centers.

5. Storage warehouses and lumber yards.

6. Laundry, cleaning and dyeing work, and carpet and rug cleaning.

7. Automobile wrecking, salvage, the storage and sale of used and reclaimed materials and baling of junk if within a building, walled enclosure or solid fence not less than eight (8) feet high.

8. The manufacture, compounding, processing, packaging or treatment of consumable products such as beverages, food, candy, cosmetics, dairy products, drugs, ice, perfumes, pharmaceuticals, toilet supplies and similar products.

9. The finishing or assembling of articles made from previously prepared or refined materials such as wood, metal, plastics, glass, leather or shell.

10. Metal working, machine welding and machine shops.

11. Research laboratories.

12. Office and clerical activities.

B. Accessory Uses.

1. Uses that are incidental to the conduct and operation of the principal use.

C. Conditional Uses.

1. Commercial billboards and roadside advertising providing no structure for this purpose shall be closer than fifty (50) feet to any front or side lot line.

2. Gasoline service stations and public garages as specified in Section 82-13.C. 1.

D. Signs as specified in Subsection 82-16.

E. Area, yard and building requirements as specified in Section 82-6 except as modified hereinafter:

1. Same as specified in Subsection 82-13.E.2.

82-15. Industrial (IND.) Zone.

A. Uses Permitted. In the industrial zone no lot shall be used or no structure shall be erected, altered or occupied for any purpose except the following:

1. Public utility and service activities of an industrial character such as repair and maintenance yards, storage facilities, depots and stations, classification, yards or roundhouses.

2. Activities of an industrial nature which may include the fabrication, processing or assembly of goods and materials or the storage of bulk goods and materials provided no nuisance or hazard may occur beyond the limits of the lot occupied by such activity from fire or explosion, toxic or corrosive fumes, gas, smoke, odors, flashes, or objection effluent.

3. Storage warehouses (except for the storage of chemicals and other combustible chemicals) and lumber yard.

4. Research laboratories.

5. Offices and banks.

6. The manufacture, compounding, processing, packaging or treatment of consumable products such as beverages, food, candy, cosmetics, dairy products, drugs, ice, perfumes, pharmaceuticals, toilet supplies and similar products.

7. The finishing or assembling of articles made from previously prepared or refined materials such as wood, metal, plastics, glass, leather or shell.

8. Metal working, machine welding and heavy machine shops.

B. Accessory Uses. Uses and buildings customarily and clearly incidental to the principal uses and/or building.

C. Conditional Uses.

The preparation and/or processing of metal and metal products and the preparation and/or fabrication of chemicals and chemical products and the storage of chemicals and/or combustible materials and a use or activity involving hazardous materials as defined and regulated by the New Jersey Department of Labor and Industry subject to the following:

a. Any such use or activity shall be conducted in a building and no building used for such purpose shall be located within 300 feet of a residential zone boundary or building not located on the same lot and open to the general public including, but not limited to restaurants, bowling alleys, churches, schools and shopping centers.

b. An applicant for such use shall, prior to application for development obtain necessary environmental protection permits or certificates except in the instance that such permit or certificate may be granted only after local approval local approval shall be conditioned upon such permit.

D. Signs as specified in Subsection 82-16.

E. Area, yard and building requirements as specified in Section 82-6 except as modified hereinafter:

1. Except for lots and buildings within a park, front yard width may be reduced to the average front yard depth of buildings on adjoining lots except the width may not be reduced to less than 15 feet.

2. Industrial park development modification.

a. An industrial development constructed according to specific plans to provide industrial sites which are so arranged and designed as to maximize the use of available spaces while achieving and maintaining an aesthetically desirable appearance.

b. An industrial park shall consist of a tract or parcel of land under single ownership which has a total area of not less than 10 acres.

c. Lot Area: Individual sites or lots shall be of such size that the development will have architectural unity and flexibility in arrangements and be of such size that all space requirements provided in this ordinance are satisfied, however, no lot shall have an area less than 30,000 square feet.

d. Lot Width: One hundred fifty (150) feet (minimum).

e. Front Yard: Fifteen (15) feet of the height of the principal building whichever the greater.

f. Side Yard: There shall be two (2) side yards the sum of which shall equal at least 20 percent of the lot width as measured at the front building line. No side yard shall be less than 15 feet.

g. Rear Yard: Twenty-five (25) feet.

h. Lot Coverage: Forty percent (40%) (maximum).

i. Building Height: Thirty-five (35) feet (maximum) or two (2) stories whichever the lesser.

j. Minimum Gross Floor Area: 8,000 square feet.

3. Wherever a development application for a use is proposed on a lot adjacent to a residential zone, a landscaped buffer strip of fifteen (15) feet in width shall be established adjacent and along any abutment zone boundary except that the Planning Board may permit a lesser width due to natural or man-made conditions.

82-16. Sign Regulations.

A. General Provisions. All signs hereafter erected or maintained, except official traffic and street signs, shall conform with the provisions of this ordinance.

1. Permits Required. It shall be unlawful for any person to erect, structurally alter or relocate any sign without first obtaining a permit as prescribed by Ordinance #743-Uniform Construction Code of the Borough of Middlesex.

2. Reference to Zoning Districts. Except as otherwise provided in this ordinance, no outdoor sign or other form of exterior advertising shall be erected or maintained unless the same complies with the requirements established for the zoning district in which such sign is located.

B. Definitions. For the purposes of this ordinance, the following words and phrases shall have the meanings respectively ascribed to them by this section.

1. Sign. A name, identification, description, display or illustration which is affixed to, or printed, or represented directly or indirectly upon a building, structure, or parcel of land, and which directs attention to a person, institution, organization, activity, place, object or product of

business, provided that the display of public notices, or the flag, emblem, or insignia of a nation, political unit, or temporary display in connection with a charity drive for contributions shall not be considered signs under the provisions of this ordinance.

2. Animated Sign. A sign which has its illumination maintained at a constant intensity at the source of such illumination, and the animation is created by other means than the increase or decrease of said intensity at its source.

3. Business Sign. A sign which directs attention to a business, industry, profession, commodity, service or entertainment sold or offered upon the same premises where such sign is located.

4. Directional Sign. Signs containing directional information about public places owned or operated by federal, state or local governments or their agencies; publicly or privately owned natural phenomena, historic, cultural, scientific, educational and religious sites; and areas of natural beauty or naturally suited to outdoor recreation.

5. Erect. To construct, build, raise, assemble, place, affix, attach, create, paint, draw or in any other way bring into being or establish, but it shall not include any of the foregoing activities when performed as an incident to the change of advertising message or normal maintenance or repair of a sign or sign structure.

6. Flashing Sign. A flashing sign is a sign, the illumination of which is not kept constant in intensity at all times when in use.

7. Indirectly Illuminated Sign. Any illuminated sign whose illumination is derived from an external artificial source.

8. Marquee. A permanent roof-like shelter extending from part or all of a building face over public right-of-way, and constructed of some durable material such as metal, wood or plastic.

9. Nameplate Sign. A sign which states the name or address or both of the occupant of the lot where the sign is located.

10. Outdoor Advertising Sign. A sign which directs attention to a business, industry, profession, commodity, service or entertainment not necessarily sold or offered upon the premises where the sign is located.

11. Professional Sign. A sign listing only the name and profession of each resident practitioner.

12. Projecting Sign. A sign which is attached to the building wall and extends more than 18 inches from the face of such wall.

13. Roof Sign. A sign constructed or supported upon the roof of any building or structure.

14. Revolving Sign. A sign which revolves 360 degrees.

15. Sign Area. Sign area is the entire area within a continuous perimeter enclosing the limits of the actual message or copy area. It does not include any structural elements outside the limits of such sign surface and not forming an integral part of the display. For projecting or double-faced signs, where the sign faces are parallel the sign area of only one display face shall be measured in computing total sign area.

16. Structure of Sign. Any structure which supports or is capable of supporting any sign or signs.

17. Temporary Sign. A sign which is intended to advertise community or civic projects, real estate for sale or lease, or other special events on a temporary basis.

18. Wall Sign. A wall sign is a sign which is attached to the wall of a building with the face in a plane parallel to such wall and not extending more than 18 inches from the face of such wall.

C. Exempt Signs. The provisions and regulations of this article shall not apply to the following signs, provided, however, said signs shall be subject to the provisions of Section 82-18.C.

1. Professional nameplate signs indicating the name and profession of the occupant of a dwelling, providing such signs do not exceed one square foot. Said signs shall not be lighted between the hours of 9 PM and 8 AM.

2. Temporary signs inside windows of commercial establishments not covering more than 25 percent of any given window.

3. Directional signs containing directional information about public places owned or operated by federal, state, county or local governments or their agencies; publicly or privately owned natural phenomena, historic, cultural, scientific, educational and religious sites; and areas of natural beauty or naturally suited to outdoor recreation.

4. Temporary signs of non-profit and charitable organizations providing such signs do not exceed 16 square feet. Said signs shall be removed within 30 days after completion of said event or function.

5. Bulletin boards not over 32 square feet in area for public, charitable or religious institutions when same are located on the premises of said institutions.

6. Signs denoting the architect, engineer or contractor when placed upon work under construction, and not exceeding 16 square feet in area. Said signs to be removed within 20 days after issuance of certificate of occupancy or placing in operation of the facility.

7. Memorial signs or tablets, names of buildings and dates of erection when cut into any masonry surface or when constructed of bronze or other incombustible material.

8. Any signs forbidding trespassing, hunting, fishing or trapping as authorized by the fish and game laws.

9. Temporary signs indicating a political preference or a political event provided such signs do not exceed 32 square feet in area on any one side. Said signs shall be removed within 30 days after the completion of said political function.

D. Prohibited Sign Features.

1. No sign shall be erected, used or maintained which in any way simulates official, directional or warning signs erected or maintained by the State of New Jersey, by any county or municipality thereof, or by any public utility or similar agency concerned with the protection of the public health or safety.

2. No neon sign or similar illuminated advertisement shall be of such color or located in such a fashion as to diminish or detract in any way from the effectiveness of any traffic signal or similar safety or warning device.

3. The following advertisements are specifically prohibited; any advertisement which uses a series of two or more signs placed in a line parallel to the highway or in similar fashion all carrying in a single advertisement message, part of which is contained on each sign.

4. No sign shall have flashing lights or exposed high flashing lights or exposed high intensity illumination.

5. No sign may obstruct any window, door, fire escape, stairway or opening intended to provide light or ingress and egress to or from any building or structure, with the exception that 25 percent of any window may be occupied by a sign or signs subject to the further provisions of this ordinance.

6. No sign may be placed in such a position to cause a danger to traffic by obscuring visibility.

E. Prohibited Signs.

1. Billboards and outdoor display structures and signs mounted on cars, trailers or platforms.

2. Signs projecting more than 3 feet from the wall of a building and all roof signs.

3. Signs visible from the street using the word "stop" or "danger" or any other word, phrase, symbol, or character with the intent of simulating a public safety warning or traffic sign.

4. Signs other than officially authorized signs tacked, pasted, painted, or otherwise attached to poles, posts, trees, fences, sidewalks, or curbs.

5. Exterior signs using moving parts except clocks and weather information.

6. No sign other than official traffic control devices or street signs shall be erected within, or encroached upon, the right-of-way of any street unless specifically authorized by other ordinances or regulations of the Borough.

7. Rotating or moving signs.

F. General Regulations.

1. Illumination. Illumination devices such as, but not limited to, floor or spot lights shall be so placed and so shielded as to prevent the rays of illumination thereof from being cast into neighborhood dwellings and approaching vehicles.

2. Signs Over Public Right-of-Way. No portion of any sign shall be located within or suspended over a public right-of-way or pedestrian walkway.

3. Setback from Residential District. No sign shall be located closer than 10 feet to any residential zone boundary and further, shrubbery, a wall, or other suitable device shall be provided as a visual barrier between said sign and adjoining residential properties, and further, no sign shall be located in a required buffer area.

4. General Provisions. No existing sign shall be enlarged, rebuilt, structurally altered, or relocated except in accordance with the provisions of this ordinance and until a permit has been issued by the Building Inspector. The issuance of a permit shall not relieve the owner or lessee of the premises from the duty of maintaining safely any of such structures. No sign of any description shall be installed, erected, enlarged, constructed or maintained in such manner as to obstruct any fire escape or any window or door, nor shall any sign be attached in any manner to a fire escape. Every sign constructed or maintained shall be plainly marked with the name of the person, firm or corporation erecting or maintaining such sign.

5. Non-Conforming Signs. Non-conforming signs may be continued in use but may not be enlarged, relocated, altered, rebuilt, and further provided that failure to keep signs painted, and in good repair for a period of 6 consecutive calendar months shall constitute abandonment and such sign may not then be replaced or reused and must be removed by the owner upon notice in writing from the Building Inspector.

6. Maintenance of Signs. Any sign that is or shall become dangerous or unsafe in any manner whatsoever shall be repaired, made safe, in conformity with this ordinance or shall be removed by the owner, lessor, agent or occupant of the building, property or land upon which it is placed or to which it is attached. A written notice shall be served upon the owner, lessor, agent, or occupant of a building, property or land upon which a dangerous or unsafe sign is located. Said notice shall require necessary action to be taken within 10 days from the date of service of the notice upon such person, or within such lesser time as shall be deemed reasonable in the case where the danger to public health, safety and general welfare is so imminent as to require more immediate abatement. All signs shall be painted, properly illuminated and maintained in good repair at all times.

7. Shielding of Signs. Any sign which is illuminated shall be shielded in such a manner as to prevent direct rays of light from being cast beyond the property line of the site.

G. Administration, Filing Procedure and Permits.

1. Administration. Permits for the erection or construction of a sign shall be filed with the Uniform Construction Code Officer Pursuant to Ordinance #743-Uniform Construction Code of the Borough of Middlesex.

2. Filing procedure. Application for permits to erect, hang or place a sign shall be made to the Uniform Construction Code Officer of the Borough of Middlesex pursuant to Ordinance #743-Uniform Construction Code of the Borough of Middlesex.

3. Fees-Fee Schedule. The fees charged for filing for a sign permit shall be as prescribed by Ordinance #743-Uniform Construction Code of the Borough of Middlesex.

4. Temporary Signs. A temporary sign shall not remain in place for a period exceeding 6 months and no renewal for the same temporary sign shall be permitted. The applicant for a temporary sign permit shall pay a sum of \$10.00 with the Building Inspector to ensure proper removal of the temporary sign when its purpose ceases to exist or when the permit period expires, whichever is the shorter period of time. A temporary sign shall be removed by the person, firm or corporation owning such sign or structure or by the owner of the building or premises on which such sign is affixed or erected within 10 days following the date on which the permit expires.

a. Temporary Signs - R-100, R-75, R-80(A), R-80(B), R-4 and R-T Zones. Temporary signs advertising the name of a residential development builder shall be permitted provided:

(1) No more than one such sign shall be erected for each development;

(2) No one side of a sign shall exceed 16 square feet in area;

(3) No sign shall exceed five (5) feet in height;

(4) No sign shall be located closer than 20 feet to any lot line; and,

(5) No sign shall be illuminated in any manner.

b. Temporary Signs - G.B., CLW and IND. Zones. Temporary signs advertising the sale, rental or development of a lot shall be permitted provided:

(1) No more than one such sign shall be permitted per lot;

(2) No one side of such sign shall exceed 16 square feet in area;

(3) No such sign shall exceed 8 feet in height;

(4) No such sign shall be located less than 10 feet from any lot line;

and,

(5) No such sign shall be illuminated in any manner.

H. Signs in Residential Districts - R-100, R-75, R-80(A), R-80(B), R-4 and R-T Zones. Free-standing signs in accordance with the following regulations:

1. One residential nameplate sign, situated within the property lines and not exceeding one square foot.

2. One sign advertising a farm, nursery or permitted use in the R-T zone situated not less than 20 feet from any street or property line and not exceeding 10 square feet in area on any one side.

3. One sign identifying a church, public building, playground or other such permitted use and not exceeding 20 square feet in area on any one side and located not less than 10 feet from any street or property line.

4. One sign to identify a permitted professional home office which does not exceed one square foot on any one side.

I. Signs in G.B., CLW and IND. Zones.

1. A sign attached to the main building advertising a business conducted on the premises shall be subject to the following regulations:

a. Such sign or signs shall be restricted in area to 10 percent of the wall area, including windows and doors of the wall upon which such is attached or affixed.

b. Such sign shall not project more than 18 inches from the building facade to which it is attached and further provided, however, where a sign does extend more than 3 inches from the face of said wall, the bottom edge of said sign shall not be less than 10 feet from the ground.

c. Such sign shall not have a vertical dimension in excess of 5 feet.

2. Free-standing signs shall be permitted subject to the following conditions and regulations:

a. Such signs shall not exceed a height of 15 feet measured from the ground level to the topmost portion of the structure.

b. The area of any free-standing sign shall not exceed 25 square feet on any one surface except that if the lot on which said sign is located has a width of more than 100 feet, the size of the sign may be increased by 25 square feet for each 100 foot interval or fraction thereof that the width of the lot exceeds 100 feet. The maximum length of any one side shall not exceed 10 feet.

c. No more than one free-standing sign shall be permitted on any one street frontage.

d. Such sign may be internally lighted with non-glaring lights or may be illuminated by shielded flood lights. No lights of intermittent or flashing type shall be permitted.

e. Such signs shall advertise only such businesses as conducted on the premises.

f. All free-standing signs shall be located within a curbed area and no portion of any free-standing sign shall project beyond the curb line of the sign location.

g. No free-standing sign shall be located closer than 10 feet to any property line.

3. Any sign permitted in the residential zones.

J. Structural Regulations/Removal of Certain Signs.

1. The maintenance, construction and enforcement of sign regulations shall be as prescribed by Ordinance #743 - Uniform Construction Code of the Borough of Middlesex.

82-17. General Off-Street Parking and Loading-Unloading Requirements.

A. General Provisions.

1. Scope of Provisions. Off-street parking, unloading and service requirements of this section shall apply and govern in all present and future zoning districts within the borough. Except as provided in this section, no application for a building permit shall be approved unless there is included with the plan for such building, improvement or use, a site plan showing the required space reserved for off-street parking, unloading and service purposes. An occupancy permit shall not be given unless the required off-street parking unloading and service facilities have been provided in accordance with those shown on the approved plan.

2. Duty to Provide and Maintain Off-Street Parking and Loading. No land shall be used or occupied, no structure shall be designed, created, altered, used or occupied, and no use shall be operated unless off-street parking and loading facilities are provided in at least the amount and maintained in the manner required by this section provided, however, that any use in operation on the effective date of these regulations is not affected by the provisions of this section until such time as the existing gross floor area is increased.

B. Plan and Design Standards.

1. Required Size of Parking Spaces and Access.

a. Employee off-street parking spaces: each parking space shall be not less than 9 feet wide nor less than 18 feet deep.

Employee parking spaces shall not be intermixed with other spaces.

Employee parking must be located in separated and designated parking bay areas.

b. All other off-street parking spaces: each space shall be not less than 10 feet wide nor less than 19 feet deep.

c. All parking spaces shall connect to an on-site driveway.

2. Provision for Proper Drainage and Maintenance. All off-street parking, off-street loading, and service facilities shall be so drained as to prevent damage to abutting properties or public streets and shall be constructed of materials which will assure a surface resistant to erosion.

Such drainage and materials shall be installed as approved by the Borough Engineer. All such areas shall be at all times maintained at the expense of the owners thereof, in a clean, orderly and dust-free condition.

3. Separation from Walkways and Streets. All off-street parking, off-street loading and service areas shall be separated from walkways, sidewalks, streets, or alleys by curbing or other protective device.

4. Private Walks Adjacent to Business Buildings. A private walk, if provided, adjacent to a building, shall not be less than 4 feet in width and shall be in addition to the other requirements of this section.

5. Screen Required When Adjoining Property is Residential. Where off-street parking, loading or service areas are proposed to be located closer than 50 feet to a lot on any residential zoning district or to any lot upon which there exists a dwelling as a permitted use under these regulations, except where a state or federal highway coincides or is located between the lot line and the residential district, and where such parking, loading or service areas are not entirely screened visually from such lot by an intervening building or structure, there shall be provided along the lot line a continuous screen in accordance with applicable buffer and transition requirements set forth in this chapter. No such screen shall extend nearer to a street right of way line than the established building line of the adjoining residential lot, and no screen shall be required along the line of a public street.

6. Interior Driveway. Interior driveways shall be at least 24 feet wide where used with 90 degree angle parking, at least 20 feet wide where used with 60 degree angle parking, and at least 15 feet wide where used with 45 degree parking. Where used with parallel parking or where there is no parking, interior driveways shall be at least 12 feet wide for one-way traffic movement and at least 22 feet wide for two-way traffic movement.

7. Connection to a Public Right of Way. Each off-street parking, loading or service area shall be connected to a public street right of way by means of a driveway constructed in accordance with at least the minimum standards required by the engineer.

8. Size of Driveways. A driveway exclusive of curb return radii shall be not less than 12 feet nor more than 24 feet in width.

9. Location of Curb Cuts. At the intersection of streets, except lanes and alleys, a curb cut shall be set back not less than 25 feet from the intersection of two curb lines or such lines extended, and shall be set back not less than 5 feet from the intersection of 2 property lines or such lines extended. Between the curb returns for any 2 driveways serving the same property there shall be at least 25 feet of curb except that this distance may be reduced to as little as 5 feet where it is demonstrated that restricted frontage makes this necessary in order to provide not more than 2 adequate driveways for the property.

10. Off-Street Parking Space Within Building. Garage space or space within building, in basements or on the roofs of buildings may be used to meet the off-street parking requirements of this chapter, provided each space is designated to serve as off-street parking space.

11. Pavement Markings and Signs. Each off-street parking space shall be clearly marked, and pavement directional arrows or signs shall be provided wherever necessary. Markers, directional arrows and signs shall be properly maintained so as to ensure their maximum efficiency.

12. Lighting for Night Use. Adequate lighting shall be provided if the off-street parking facilities are used at night. If the parking facilities abut residential land, the lighting shall be arranged and installed so as not to reflect or cause glare on the abutting residential land in accordance with provisions of performance standards.

13. Required Off-Street Parking Area Shall Not be Reduced. No off-street parking area shall be reduced in size or encroached upon by any building, vehicle storage, loading or unloading, or any other use where such reduction or encroachment will reduce the off-street parking and loading spaces below that required by these regulations.

14. Joint Parking Facilities. The off-street parking requirements for two or more non-residential neighboring uses, of the same or different types located on the same lot or on contiguous lots and within the same zoning district may be satisfied by the allocation of the required number of spaces for each use in a common parking facility, provided that the number of off-street parking spaces is not less than the sum of individual requirements, and provided further, that there be compliance with all other provisions of these regulations.

15. Parking Provided on Same Lot as Main Building. Off-street parking spaces for one family, two family and multi-family dwellings shall be provided on the same lot as the main building. Off-street parking spaces for all other uses shall be provided on the same lot as the main building to be served by such parking unless otherwise provided for herein.

16. Requirements for Combined Uses. The number of off-street parking spaces required by land or buildings used for two or more purposes shall be the sum of the requirements for the various individual uses.

17. Sharing of Parking Facilities. Off-street parking facilities for one use shall not be considered as providing the required facilities for any other use, provided that one-half of the off-street parking space required by any use whose peak attendance will be at night or on Sundays, such as churches, theatres, and assembly halls, may be assigned to a use which will be closed at night or on Sundays.

18. Computing Number of Employees. For the purpose of this subsection, the number of employees shall be computed on the basis of the average number of persons to be employed, taking into consideration day, night and seasonal variations.

19. Fractional Spaces Required. When units of measurements determining the number of required off-street parking space and off-street loading spaces result in the requirement of a fractional space, any fraction up to and including one-half shall be disregarded and any fraction over one-half shall require one off-street parking or loading space.

20. Off-Street Parking and Loading Space within a Required Set-back. No required off-street parking and loading space, including maneuvering areas for such off-street parking and loading space shall be established in the area between the front building line and the street right of way line in any industrial district.

21. Other Use of Off-Street Parking Spaces Prohibited. No off-street parking or loading area shall be used for the sale, repair, dismantling or

servicing of any vehicle, equipment, materials or supplies.

22. Size of Loading Berth. A loading berth shall be at least 12 feet wide with at least 15 feet overhead clearance. The length of the loading berth shall be at least 48 feet or shall be a length such that the horizontal distance from the front of a dock for back-in parking to the limiting boundary of the loading and unloading area shall be not less than twice the overall length of the longest vehicle expected to use the facility.

A loading space need not be necessarily a full berth but shall have a minimum plan dimension of at least ten feet overhead clearance. The Building Inspector shall determine the sufficiency of the off-street loading and maneuvering space based upon the kind and amount of loading and unloading operation required by the given use, but in no case shall the use of such space hinder the free movement of vehicles and pedestrians over a street, sidewalk or alley.

C. Minimum Space Requirements for Off-Street Parking Areas; Use and Minimum Space Requirements.

1. Automobile and Gasoline Service Stations. At least one space for each gasoline pump, grease rack, or similar service area.

2. Automobile Repair and Service Station. At least one space for each gasoline pump, grease rack, or similar service area, one additional space for each 500 square feet of gross floor area of the shop or garage.

3. Automobile Sales Establishment; Flower or Plant Nursery; Landscape Gardeners Business. At least one space for every 1,000 square feet of the building area used for such purposes.

4. Bowling Establishment. At least four spaces for each bowling lane. If additional facilities such as bar or restaurant are provided, additional parking spaces shall be provided in accordance with the requirements for similar uses set forth in this section.

5. Church, Synagogue or Other Places of Worship. At least one space for each five seats.

6. Commercial or Personal Service Establishments, unless otherwise specified hereinafter. At least one space for each 200 square feet of gross first floor area plus one additional space for each 300 square feet of additional gross floor area.

7. Educational Institution, Public or Private. At least one space for each two employees, including teachers and administration. Sufficient off-street spaces for the safe and convenient loading and unloading of students. Additional facilities for student parking, taking into consideration the total number of students driving automobiles. The requirements for stadium, gymnasium and auditorium use shall be in addition to these above requirements.

8. Eleemosynary or Philanthropic Institutions. At least one space for each two employees, plus such additional facilities for residents and visitors as shall be deemed necessary in accordance with the provisions of Section 82-6.

9. Professional Home Office. At least one parking space in addition to the requirement for the dwelling unit plus one additional space for any full-time employee, where permitted, except that in the case of doctors and dentists, three parking spaces in addition to the requirement for the dwelling unit plus one space for any full-time employee shall be required.

10. Hotel-Motel. One space for each sleeping room.

11. Industrial or Manufacturing Establishment or Warehouse. At least one space for each two plant employees and one space for each 500 square feet of floor area except the Planning Board may waive the construction of up to fifty percent (50%) of the required number of spaces provided an area equal to the amount of off-street parking area waived by the Planning Board is reserved and so delineated on a site plan and off-street parking area.

12. Medical or Dental Practitioners' Office. Each office shall provide at least five spaces for each professional person occupying or using each office, plus an additional space for each employee.

13. Mortuary or Funeral Home. At least one parking space for each four seats in the chapel, one additional space for each residential family, and one additional space for each funeral vehicle.

14. Motel, Auto Court, Motor Lodges, Tourist Courts. At least one space for each guest or sleeping room.

15. Multi-Family Dwelling. 1.75 spaces per dwelling unit.

16. Office Building, Professional Building or Similar Uses. At least one space for each 300 square feet of floor area exclusive of stairwells and utility rooms.

17. One or Two-Family Detached Dwelling. At least two spaces per dwelling unit. A driveway shall be calculated as providing two off-street parking spaces provided same has a surface 400 square feet or greater.

18. Private Club. At least one space for 150 square feet gross floor space.

19. Restaurant or Similar Place Dispensing Food, Drink or Refreshments. At least one space for each three seats provided for patron use, or one space for each 75 square feet of building floor area excluding kitchen and utility room(s), whichever the greater.

20. Shopping Center. At least 8.5 spaces for each 1,000 square feet of floor area or fraction thereof for shopping centers having a gross floor area of less than 200,000 square feet. In shopping centers containing more than 200,000 square feet in gross floor area, 5.5 spaces for 1,000 square feet of gross floor area or fraction thereof shall be required.

21. Swimming Pool or Natural Bathing Place Operated for Profit. At least one space for each four persons within the recommended or legal capacity prescribed under applicable State and local laws, ordinances or resolutions.

22. Theatre. At least one space for each four (4) seats.

23. Tennis Court. Four spaces per court plus one space for each 200 square feet of floor area used for lounge or restaurant service.

D. Minimum Requirements for Off-Street Loading Space; Use and Minimum Loading Space Requirements. Industrial and wholesale operations with gross floor areas of 10,000 square feet or over and as follows:

10,000	—	40,000	—	1
40,000	—	100,000	—	2
100,000	—	180,000	—	3
180,000	—	240,000	—	4
Each 100,000 feet above				
240,000 square feet				1

82-18. Performance Standards and Procedures.

A. General Intent. As a condition to approval and as a condition to continuance of any building, process, installation, production or other use in an industrial district, the applicant shall supply evidence, satisfactory to the planning board or to its designated representative, that the proposed building, process, installation, production or other use will conform fully with all of the applicable performance standards. As evidence of compliance, the board may require certification of tests by appropriate government agencies or by recognized testing laboratories, any costs to be borne by the applicant. The planning board may require that specific types of equipment, machinery or devices be installed, or that specific operating procedures or methods be followed if the government agencies or testing laboratories examining the proposed operation shall determine that the use of such specific types of machinery, equipment, devices, procedures or methods are required in order to assure compliance with the applicable performance standards.

B. Liquid Wastes. No liquid waste shall be discharged into any water course in the municipality except as herein provided. If the applicant proposes to construct facilities for the treatment of waste he shall supply:

1. Statement by the New Jersey Department of Health that such proposed facilities are in compliance with applicable state laws and regulations; and,

2. Statement by the Borough of Middlesex Sewer Department that it approves of the installation of such facilities.

C. Industrial Waste. No industrial waste shall be discharged into the public sewage collection and disposal system unless the appropriate officials of the Borough of Middlesex shall have first investigated the character and volume of such waste and shall have certified that it will accept the discharge of the waste material into the system, by provision of Subsection 82-18. B. The applicant shall comply with any requirements of the Borough including the pretreating of such wastes, the installation of processing methods, separation of screening of wastes, control of pH, and other methods of improving such wastes prior to discharge, as a condition to acceptance by the Borough.

D. Solid Wastes. Each industrial use shall conform to proper codes of New Jersey and the borough.

E. Noise and Vibration Noise. All uses and activities shall comply with noise and vibration standards promulgated and administered by the New Jersey Department of Environmental Protection.

F. Heat. No process or use shall be permitted that produces heat to the extent that such heat has an adverse effect of any kind upon adjoining properties and uses. Any process or use that produces high temperatures within its own building shall comply with applicable regulations of the State Department of Health.

G. Glare. Any process producing intense glare or flashing of lights shall be performed within a completely enclosed building in such manner that no discomfort glare shall be disseminated beyond the building. No sky reflected or indirect glare shall be permitted, if any operation is to be conducted in any area outside of a building except where required for safety purposes. Lighting of any interior roadway or driveway shall conform to "American Standard Practice for Roadway Lighting," ASA D 12.1 - 1963 sponsored by the Illuminating Engineering Society and published by the United States American Standards Institute. Lighting of any parking area or of any loading and unloading area shall conform to the strictest standards described in "Recommended Practice for Outdoor Parking Area Lighting" published by the Illuminating Engineering Society, with spacing and type of luminaire such that spill light shall be kept at a minimum and glare controlled with lenses, louvers or shields so as to minimize objectionable glare to any point beyond the lot line. Parking, and loading and unloading areas that are in use after dark shall be so situated as to provide maximum shielding and concealment of lighting from adjoining properties. Luminaires for lighting of any sign, building exterior, fountain or decorative fixture shall be placed in such manner that the lighting is directed only toward the object to be lighted and does not disseminate glare. The section shall not be construed to prohibit lighting required by police or other enforcement agencies for the safety and protection of employees and of the general public.

H. Additional Standards and References. In order to satisfy itself that the applicant will comply fully with all of the applicable performance standards the planning board or its designated representative may examine and refer to any or all of the available standards, codes, regulations and requirements, including but not necessarily limited to:

1. Laws, regulations and codes administered by the New Jersey State Department of Health.

2. Laws, regulations and codes administered by the New Jersey Department of Labor and Industry.

3. Standard Building Code of the Borough of Middlesex.

4. Standards and regulations administered by the New Jersey Department of Environmental Protection.

5. Standards and regulations administered by the Somerset-Union Soils Conservation District.

I. Testing Procedures and Technical Assistance. In all cases where the planning board shall deem it advisable to determine whether or not the facility will be in conformance with the applicable performance standards or other provisions of this chapter, the planning board or its designated representatives shall require adequate testing procedures, and shall utilize the expert assistance and recommendation of:

1. Such agencies of the State government as shall have technical equipment and competent personnel and shall be available to test conformance with the performance standards.

2. Certification of a recognized testing laboratory, at the expense of the applicant, that the operations are in conformity with the applicable performance standards set forth herein.

82-19. General and Administrative.

A. Zoning Permits. Zoning permits shall hereafter be secured from the Zoning Officer prior to construction, erection or alteration of any structure or part of a structure or use of a structure or land. All requests for zoning permits shall be made in writing by the owner or his authorized agent and shall include a statement of the use or intended use of the building or structure or land and shall be accompanied by a plan of the plot showing thereon the exact size, shape and location of all proposed structures and all existing structures and such other information as may be necessary to provide for the enforcement of this ordinance.

The plot plan hereinabove referred to shall have a scale of not less than one (1) inch equal to thirty (30) feet and shall also designate the location of structures on adjoining properties within two hundred (200) feet of the property lines of the plot in question.

B. Certificate of Occupancy. It shall be unlawful to use or permit the use of any building or premises or part thereof hereafter created, located, erected, changed, converted or enlarged wholly or partly until a certificate of occupancy has been issued for that premises certifying that the structure or use complies with the provisions of this ordinance. Such occupancy permits shall be granted or denied within ten (10) days from the date that a written application is filed with the Zoning Officer.

C. Enforcement. It shall be the duty of the Zoning Officer to enforce the provisions of this ordinance. It shall also be the duty of the members of the Police Department and the Fire Department to report any violations of the provisions of this ordinance in writing to the Zoning Officer and at the same time to send a copy of such report to the Borough Clerk. The Zoning Officer shall not issue any permit or certificate of occupancy for any structure or use which does not conform with the provisions of this ordinance. It shall be the duty of the Zoning Officer, upon the filing with him of any structure to require the owner or agent of such structure or land, to certify in writing the use or intended use of any structure or land, so to be constructed, altered or repaired, and the Zoning Officer shall thereupon determine if such structure or use is permitted by provisions of this or any other ordinance. In case he shall determine such structure or use, or both, is nonconforming, he shall notify such owner or agent in writing to that effect, stating in what respect such building is a nonconforming structure or use.

D. Temporary Use Permits.

1. It is recognized that it may be advantageous to the general health, safety, morals or convenience of the borough to permit as temporary activities for a limited time only, the establishment of uses within any zones established by this ordinance, which uses may be prohibited by other provisions of this ordinance.

2. Such uses may be of such a nature or so located under conditions existing at the time of petition or their establishment that they will:

a. In no way exert a detrimental effect upon the uses of land and activities normally permitted in the zone.

b. Contribute materially to the welfare of the community, particularly in a state of emergency, under conditions peculiar to the time and place involved.

3. Under these conditions and subject to all regulations for the issuance of use permits elsewhere specified the Planning Board may issue a temporary use permit for a period not to exceed two (2) years, such period to be extended not more than once for an additional period of two (2) years upon finding by the Board that such peculiar conditions exist or that the welfare of the community will be served by the issuance of such permit.

82-20. Violations and Penalties.

A. Penalties. For each and every violation of the provisions of this ordinance, the owner, contractor or other person or persons interested as lessee, tenant or otherwise, in any building or premises where such violation has been committed or shall exist, and who refuses to abate said violation within five (5) days after written notice has been served upon him, either by registered mail or by personal service, shall for each and every violation be subject to a fine of not more than two hundred dollars (\$200), or imprisonment for a period not exceeding thirty (30) days, or both, at the discretion of the court or judicial officer before whom a conviction may be had. Each and every day that such violation continues after such notice shall be considered a separate and specific violation of this ordinance.

82-21. Validity of Ordinance.

A. Separability. If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged, and the remainder of this ordinance shall be deemed valid and effective.

82-22. When Effective; Repealer.

A. Effective Date. This ordinance shall take effect upon its final passage and publication as provided by law, but any building or structure the erection of which has been authorized by a permit issued by the Building Inspector prior to the passage of this ordinance may be completed in accordance with the permit and the requirements of law and ordinance in force at the time when such permit was granted, and may be used for the purpose designated in the plan and in the permit.

B. Repeal of Inconsistent Ordinance. All ordinances and parts of ordinances inconsistent herewith are hereby repealed except for sections 82-71 A through I, and L of ordinance 600 of the Borough of Middlesex which preserved section shall provide the minimum requirements for site plan submission as required by subsection 82-5.0 of this chapter.

SECTION 82-6
SCHEDULE OF AREA, YARD AND BUILDING REQUIREMENTS
ZONING ORDINANCE OF THE BOPOUGH OF MIDDLESEX
MIDDLESEX COUNTY, NEW JERSEY

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Zone	Minimum Size of Lots		Minimum Required Yard Areas (in Feet)						Maximum % Lot Coverage by Building	Maximum Height		Maximum % Lot Coverage by Buildings & Pavement	Minimum Habitable Floor Area in Square Feet	
	Interior Lots		Principal Building ⁽¹⁾				Accessory Building ⁽¹⁾			In Stories	In Feet		One Story Buildings	More than One Story Buildings
	Area in Square Feet	Lot Width in Feet	Front Yard in Feet	Minimum One Side Yard in Feet	Both Side Yards in Feet	Rear Yard in Feet	Side Yard in Feet	Rear Yard in Feet						
R-100	20,000	100	50	10	25	30	5	4	20	2½	35	50	1,000	1,500
R-75	7,500	75	30	8	20	20	5	4	20	2½	35	60	900	900
R-60A	6,000		25	6	15	20	5	4	25	2½	35	75	750	750
R-60B	6,000	60	25	6	15	20	5	4	25	2½	35	75	750	750
R-4	80,000	200	50	50	100	50	50	50	20	3	35	75	NA	NA
R-T	7,500	75	25	10	25	25	10	25	20	2½	35	80	900	900
G-B	1,000	100		6	15	30	5	30	25	3	35	95	2,000	2,000
C-L-W	20,000	100	15'	25	20	30	5	30	50	3	35	95	2,000	2,000
(2)	40,000	200	30	15	30	30	5	30	40	3	35	95	2,000	2,000

NA Not Applicable

- (1) Modifications are permitted and described in specific circumstances and set forth by zone and further in any C-L-W or zone no side or rear yard shall required between Gt lines coinciding with a railroad right-of-way line.
- (2) Modifications are permitted in Section 82-15, E.

BOROUGH OF MIDDLESEX
MIDDLESEX COUNTY, NEW JERSEY

ZONING MAP
NOVEMBER 24, 1978

