

**ORDINANCE NO. 01-2024 AN ORDINANCE AMENDING CHAPTER 207 OF THE
BOROUGH OF KINNELON CODE TITLED "ZONING"**

WHEREAS, pursuant to N.J.S.A. 40:48-2, the governing body of a municipality may make, amend, repeal, and enforce such other ordinances, regulations, rules and by-laws not contrary to the laws of this state or of the United States, as it may deem necessary and proper for the good government, order and protection of person and property, and for the preservation of the public health, safety and welfare of the municipality and its inhabitants, and as may be necessary to carry into effect the powers and duties conferred and imposed by this subtitle, or by any law; and

WHEREAS, the Borough of Kinnelon ("Borough") desires to amend Chapter 207 of its municipal Code, titled "Zoning" and specifically section 145 thereof, titled "Sheds";

NOW, THEREFORE, BE IT ORDAINED, by the Governing Body of the Borough of Kinnelon, County of Morris, State of New Jersey, as follows:

SECTION 1. The Code of the Borough of Kinnelon, Part II General Legislation therein, is hereby amended by repealing section 207-145, titled "Sheds" and replacing it with the following:

§ 207-145. Sheds.

- A. A zoning permit and a survey shall be required for all sheds, regardless of size;
- B. Sheds may not be greater than 200 square feet.
- C. Sheds shall be located in either a side yard or rear yard;
- D. ~~Sheds shall not be used for habitation or a commercial purpose;~~
- E. Sheds shall be prohibited in any front yard including those properties which have more than one front yard such as "corner lots" or "through lots";

F. Sheds shall be for the exclusive use of the property's resident and shall not be rented or otherwise used by a third party;

G. Required setbacks:

(1) For sheds up to and including 100 square feet, the following requirements apply:

(a) A minimum 5 ft. side yard setback is required.

(b) A minimum 5 ft. rear yard setback is required.

(c) The maximum permitted height shall be 10 ft to the highest ridge, measured from the grade at the entrance of the shed.

(2) For sheds over 100 sq ft, but less than 200 sq ft, the following requirements apply:

(a) A minimum 10 ft. side yard setback is required.

(b) A minimum 5 ft. rear yard setback is required.

(c) A max height of 15ft to the highest ridge, measured from the grade at the entrance of the shed.

H. Sheds shall be located no less than 10 ft. from any building.

I. Maximum number of sheds:

(1) For properties having a lot area of less than 60,000 sq. ft., one (1) shed is permitted.

(2) For properties having a lot area of at least 60,000 sq. ft., a maximum of two (2) sheds are permitted.

(3) In addition to the sheds permitted under I(1) and I(2) above, a property owner may also install or maintain a maximum of one additional storage structure, provided it is less than 24 sq ft in floor area and less than 72" in height. These additional structures may be located within 10 feet of any building but shall otherwise be subject to the setback requirements of § 207-145 G. (1)


SECTION 2. All ordinances, resolutions and regulations or parts of ordinances, resolutions and regulations inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 3. This Ordinance shall take effect after approval and publication as required by law.

ATTEST:

BOROUGH OF KINNELON


Karen M. Iuele, RMC, Borough Clerk


James J. Freda, Mayor

CERTIFICATION

I, Karen M. Iuele, Borough Clerk of the Borough of Kinnelon, County of Morris, State of New Jersey, do hereby certify the foregoing to be a true copy of an Ordinance introduced, read by title and passed on the first reading at the regular meeting of the Borough held on January 18, 2024 and adopted by the Governing Body at a regular meeting of the Borough held on

March 21, 2024


Karen M. Iuele, RMC, Borough Clerk

RECORD OF VOTE -ORDINANCE 01-2024				
Motion A.Chirido				
Second E. Harriz				
Council person	Yes	No	Abstain	Absent
W. Yago		X		
E. Harriz	X			
S. Mabey	X			
V. Russo		X		
C. Frank	X			