

ORDINANCE No. 1-2007

ORDINANCE OF THE TOWNSHIP OF LIVINGSTON AMENDING CHAPTER 170-86 OF THE CODE OF THE TOWNSHIP OF LIVINGSTON

WHEREAS, the owner of Lot 21, Block 1900 has requested to restore R-4 zoning of that property which is presently zoned R-3; and

WHEREAS, after receiving the professional opinion of the Director of Planning and a full discussion by the unanimous vote of the members present, the Planning Board recommends that the requested rezoning be accomplished; and

WHEREAS, the rezoning would be consistent with the Master Plan and sound zoning principles as the property fronts on East McClellan Avenue and on its westerly side abuts the easterly side of the paper street Scott Terrace and is the only property that abuts that side of the paper street; and

WHEREAS, the property and the lots which abut the westerly side of the paper street are all unimproved. They were all originally in R-4 zone but rezoned to R-3. The properties on the western side were subsequently restored to R-4 zoning after settlement of litigation; and

WHEREAS, This has resulted in the zone line location now being such that residential properties on opposite sides of the street are in different zones. As the properties are developed in the future, the houses and set backs on the opposite side of the street would be subject to different standards. The norm in Livingston is to have zone changes between the rears of properties, rather than at the street, so as to avoid such differences; and

WHEREAS, the rezoning requested would therefore be compatible with the potential other uses on the street and would be consistent with a comprehensive zoning plan for Livingston.

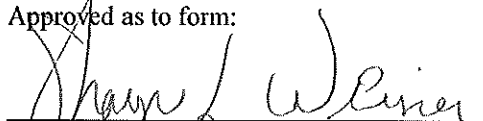
NOW, THEREFORE BE IT ORDAINED, by the Township Council of the Township of Livingston, in the County of Essex, State of New Jersey, as follows:


Section 1. The zoning map referenced in Chapter 170-86 of the Code of the Township of Livingston, as here forth amended, is further amended to rezone and designate as being within the R-4 Residence zone the property designated as Lot 21 and Block 1900 as shown on the official tax map of the Township of Livingston which property is presently in the R-4 residence district.

Section 2. Except as hereby amended, the Code of the Township of Livingston shall remain in full force and effect.

Section 3. This Ordinance shall take effect upon final passage and twenty days from the date of publication in accordance with law.

Approved as to form:


Sharon L. Weiner, Township Attorney


Stephen A. Santola, Township Mayor


Glenn R. Turteltaub, Township Clerk

Introduction: 1/22/07
Adopted: 2/26/07