

ORDINANCE NO. 19-2010

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

WHEREAS, the jurisdiction of the Subdivision/Site Plan Committee of the Planning Board is now limited to making recommendations to the full Board, the Planning Board has recommended that the jurisdiction of such Committee be expanded to permit it to either approve minor subdivisions or minor site plans or, in its discretion, to refer any such subdivision or plan to the full Board for action; and

WHEREAS, the 2007 Master Plan recommends that roofed open porches be permitted to extend into residential front yards without need for a variance, and the Zoning Board of Adjustment has recommended that the distance by which such porches be permitted to extend into residential front yards without a variance be 72 inches;

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. §170-3 "Definitions" of the Code of the Township of Livingston is hereby amended by adding language shown in **bold** as follows:

SUBDIVISION/SITE PLAN COMMITTEE – A Committee of at least three, **but always less than a quorum of**, Planning Board members appointed by the Chairman of the Board for the purpose of reviewing subdivisions and site plans, and such other duties as relate to land subdivision or site plans which may be conferred on this Committee by the Board and the Board's rules of procedure, for determination of whether the subdivision or site plan is a minor subdivision or a minor site plan and **making this Committee may then grant approval of such subdivision or site plan or, in its discretion, make** recommendations to the Board in respect of action thereon.

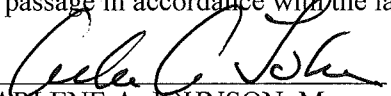
Section 2. §170-3 "Definitions" of the Code of the Township of Livingston is hereby further amended by deleting language shown by ~~strike through~~ and adding language shown in **bold** as follows:

YARDS –

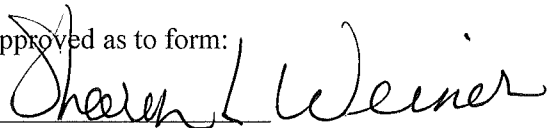
- (1) **FRONT YARD** – An open, unoccupied space, unless occupied by a use hereinafter specifically permitted, extending across the full width of any lot and lying between the front street right-of-way line and the nearest line of any building on said lot; provided, however, that where there is a proposed widening of the right-of-way of any street as shown on the Master Plan of the Township, the front yard setback requirement shall be measured from the proposed right-of-way line as shown on said Master Plan rather than from the existing front street right-of-way line. No steps, fence, wall or any other aboveground object which is appurtenant to the private property shall extend into any street right-of-way in any zone district. Front steps, terraces, **porches** or balconies extending not more than ~~60~~ **72** inches from the front line of any building and within the required front yard shall not be construed as part of said building unless said projections are enclosed on one or more sides.

Section 3. Except as hereby amended, the Code of the Township of Livingston shall remain in full force and effect.

Section 4. This Ordinance shall take effect twenty days from final passage in accordance with the law.


ARLENE A, JOHNSON, Mayor


GLENN R. TURTLETAUB,
Township Clerk

Approved as to form:

SHARON L. WEINER,
Township Attorney

Adopted: 6/7/10