

ORDINANCE 2009-11

LAND DEVELOPMENT ORDINANCE OF THE BOROUGH OF ELMER-AMENDMENT NO. 3

This Ordinance shall be known as and may be cited as “**Land Development Ordinance of the Borough of Elmer-Amendment No. 3.**”

BE IT ORDAINED by the Mayor and Borough Council of the Borough of Elmer County of State and State of New Jersey as follows:

1. The foregoing Ordinance is amended by changing the application fee entitled Fee Schedule (Page 32) and amending the following:
 - A. Minor Subdivision
 1. Application fee-\$250.00
 2. Review fee deposit-\$500.00 per lot with a minimum deposit of \$2,000.00 for legal and engineering review, including map revisions required by the subdivisions.
 - B. Major Subdivision
 1. Application fee-\$500.00
 2. Escrow-\$2,000.00
 - C. Major Subdivision Preliminary Review
 1. Application fee-\$500.00
 2. Review fee deposit-\$500.00 per lot, with a minimum deposit of \$2,000.00 for legal and engineering review.
 - D. Major Subdivision Final Review
 1. Application fee-\$350.00
 2. Review fee deposit-\$500.00 per lot, with a minimum deposit of \$2,000.00 for legal and engineering review.
 - E. Conditional Use
 1. Application fee-\$250.00
 2. Review fee deposit-\$2.00 per gross square foot of building floor area included in the proposed development, plus \$200.00 per area pro-rated for fractions of land included in the lots involved, but not less than \$1,000.00.
 - F. Site Plan, Preliminary Review
 1. Application fee-\$350.00
 2. Review fee deposit-\$2,000.00 per lot or fraction thereof submitted for review, with a minimum of \$2,000.00 for legal and engineering review.

G. Site Plan, Final Review

1. Application fee-\$350.00
2. Review fee deposit-\$250.00 per lot or fraction thereof submitted for review, with a minimum of \$1,000.00 for legal and engineering review.

Reduced fee for certain residential applicants.

When the subject matter of an application consists of an addition, whether attached or detached, to an existing single-family residential house, or alterations thereof, site plan approval, subdivision approval or variance fees shall be as follows:

- A. Application fee-\$175.00
- B. Review Fee Deposit-\$1,000.00

The determination of the appropriate application fee shall be at the discretion of the Land Use Board and said determination shall be binding on the applicant.

H. Use Variance

1. Application fee-\$150.00
2. Review fee deposit-\$2.00 per gross square foot of building floor area included in the proposed development, plus \$500.00 per area pro-rated for fractions of land included in the lots involved, but not less than \$1,000.00.

*All other types of variances-\$25.00 (For example sign variances)

I. Site Plan Waiver

1. Application fee - \$200.00 plus escrow fees of \$1,000.00

J. Amendment of Minor Subdivision Approval

1. Application fee - \$200.00 plus escrow fees of \$1,000.00

K. Informal Review

1. \$100 to be credited toward fee for review of the application for development for which the concept plan was presented. Escrow \$500.00

L. Amendment of Preliminary Major Subdivision Approval

1. Application fee - \$300.00 plus escrow fees of \$1,000.00

M. Bulk Variance

1. Application fee - \$150.00 plus escrow fees of \$1,000.00

2. The foregoing Ordinance is further amended by adding the following to the “Elmer Borough Zoning Ordinance Schedule of District Regulations Maximum-Minimum Building Standards (Page 37):

RP Principal/Accessory 15,000' 125' 175' 35'/35' 20'/10' 40'/20' 35'/25' 20% 20%

- B. District map. The boundaries of these zoning districts are established on the map entitled "Elmer Borough Zoning Map", dated February 1, 1993, or as may be subsequently amended. Said map and all notions, references, and dates pertaining to zoning and zoning districts shown thereon are hereby incorporated by reference into this ordinance and shall be as much a part of this ordinance as if they were fully described herein.

5. The foregoing Ordinance is further amended by adding the following to Section 3.3 (Page 43) entitled "Justification and Intent of District Categories, Locations and Regulations":

RP-Residential Professional

The residential-professional district has been delineated to encourage the location of professional offices and health related support facilities because of the character of existing development in this area and the proximity of the hospital.

LC-Limited Commercial District

The limited commercial district includes an area along Front Street in the western portion of the Borough. The intent of this district is to encourage mixed commercial and light industry uses, thus permitting economic development compatible with the current land use pattern.

6. If any section or provision of this Ordinance shall be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of this Ordinance as a whole or any part thereof.
7. All Ordinances, or parts of Ordinances, heretofore adopted and that are consistent with the terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistency.
8. This Ordinance shall be effective upon its final passage, adoption and publication in the manner prescribed by law.

ADOPTED: June 10, 2009

Approved by the Mayor on June 10, 2009