

**ORDINANCE
TOWNSHIP OF FRANKLIN
O-5-2010
ESTABLISHING A MEDIUM DENSITY RESIDENTIAL ZONE**

WHEREAS, the Township Committee of the Township of Franklin, County of Gloucester and State of New Jersey recognizes there are certain portions of the Township that have been developed in the past in such a way that a residential scheme and neighborhood character has developed such that development can occur in a way which is more dense than within the existing residential agricultural (R-A) zone of the Township of Franklin; and

WHEREAS, certain lots within the Township of Franklin which are otherwise susceptible to development with single family homes, under existing zoning, cannot satisfy the bulk requirements required for the development of a single family home; and

WHEREAS, the Township of Franklin Committee believes that it is in the best interest of the Township of Franklin to protect existing residents who may be required to obtain variances for additions and/or modifications to existing properties and also to avoid the possibility that a property owner could be subject to a taking of this property in violation of the takings clause of the United States Constitution, the Township of Franklin Committee believes that it is in the best interest of the tax payers of Franklin Township to enact this zoning amendment.

NOW THEREFORE, BE IT ORDAINED, by the Township of Franklin, Committee of the Township of Franklin, County of Gloucester, State of New Jersey that there is hereby established a new residential zone within the Township of Franklin as follows:

1. The new zone shall be referred to as the Medium Density Residential Zone and shall encompass those tracts of land designated on the tax maps of Franklin Township as follows: Block 2601, Lots 58, 59, 60, 61, 62, 63, 64.01 and 64.
2. Permitted uses shall be single family, detached dwelling units together with customary accessory uses including but not limited to sheds, decks, pools, etc.
3. The bulk standards for the zone shall be as follows:
 - A. Minimum lot size: 30,000 square feet;
 - B. Minimum lot frontage: 60 feet;
 - C. Front yard setback shall be 50 feet;
 - D. Rear yard setback shall be 50 feet;
 - E. Side yard setback on each side of a residential dwelling shall be 15 feet;
 - F. Maximum building coverage shall be 25%.

BE IT FURTHER ORDAINED, that if any section, sentence, clause, provision or portion of this Ordinance shall be held to be invalid or unconstitutional by any Court of competent jurisdiction, such holding shall not affect or impair any other section, sentence, clause, provision or portion of this Ordinance.

BE IT FURTHER ORDAINED that this ordinance shall take effect immediately upon its final passage, adoption and publication as provided by law including submission to the Gloucester County Planning Board as may be necessary.

ATTEST:

TOWNSHIP OF FRANKLIN

CAROLYN K. TOY, CLERK

PATRICK DOUGHERTY, MAYOR

CERTIFICATION

I, Carolyn K. Toy, Clerk of the Township of Franklin the County of Gloucester, do hereby certify that the foregoing to be a true and correct copy of an Ordinance introduced by the Township Committee of the Township of Franklin at a meeting held on Tuesday, February 23, 2010 with a subsequent second reading and public hearing held on April 13, 2010 and continued until April 27, 2010 at which time any person interested therein was given an opportunity to be heard.

CAROLYN K. TOY, CLERK

