

## ORDINANCE 2015-03

### AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 55-305 ENTITLED "DEFINITIONS AND WORD USAGE" OF THE LAND USE CODE OF THE TOWNSHIP OF BARNEGAT

**BE IT ORDAINED** by the Township Committee of the Township of Barnegat, County of Ocean, State of New Jersey that Chapter 55-305 of the Land Use Code of the Township of Barnegat entitled "Definitions and Word Usage" is hereby amended and supplemented as follows:

SECTION 55-305, Section B shall be supplemented by the amendment of the following definitions:

#### BUILDING HEIGHT –

- a. For residential properties which are not located in a flood hazard area (FHA), as defined by N.J.A.C. 7:13, building height shall be the vertical dimension measured from the average elevation of the finished grade at the front of the building to the highest point of the roof for flat roofs; the average distance between eaves and ridge level for gable, hip and gambrel roofs; and to the deck level for mansard roofs. Building height shall be a maximum of 35 feet and 2.5 stories.
- b. For residential properties which are located in a flood hazard area (FHA), as defined by N.J.A.C. 7:13, building height shall be the vertical dimension measured from the flood hazard area design flood elevation, as defined by N.J.A.C. 7:13 (Design flood is the BFE required height plus one (1) foot of freeboard), to the highest point of the roof for flat roofs; the average distance between eaves and ridge level for gable, hip and gambrel roofs; and to the deck level for mansard roofs. Building height in a FHA shall be a maximum of 32 feet and 2.5 stories.
- c. For non-residential properties, building height shall be the vertical dimension measured from the average elevation of the finished grade at the front of the building to the highest point of the roof for flat roofs; the average distance between the eaves and ridge level for gable, hip and gambrel roofs; and to the deck level for mansard roofs. Building height shall be as required by the zoning district requirements.

**STORY** – That part of a building between the surface of any floor and the next floor above it, or in its absence, then the finished ceiling or roof above it. A split-level story shall be considered a second story if its floor level is six feet or more above the level of the line of the finished floor next below it, except a cellar. Any floor under a sloping roof at the top of a building

which is more than two feet below the top plate shall be counted as a story, and if less than two feet below the top plate, it shall be counted as a half story. A basement shall be counted as a story if it averages more than five (5) feet above grade.

In a Special Flood Hazard Area, the lowest floor or story shall be the floor or story of the lowest enclosed area, but excluding any unfinished flood-resistant enclosure that is usable solely for vehicle parking, building access or limited storage.

### **NOTICE**

**NOTICE IS HEREBY GIVEN** that the foregoing ordinance was introduced and passed by the Township Committee of Barnegat Township on first reading at a regular meeting held on the 4<sup>th</sup> day of May 2015, and will be considered for second and final adoption at a regular meeting of the Township Committee to be held on the 1<sup>st</sup> day of June 2015, or soon thereafter, 900 West Bay Avenue, Barnegat, New Jersey at which time and place any person wishing to speak on the subject shall be given an opportunity to be so heard.

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Michele Rivers, RMC  
Municipal Clerk

### **CERTIFICATION**

I, Michele Rivers, Municipal Clerk of the Township of Barnegat, County of Ocean State of New Jersey do hereby certify that the foregoing ordinance 2015-03 was duly adopted on second reading by the Barnegat Township Committee at their meeting held on the 1<sup>st</sup> day of June 2015.

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Michele Rivers, RMC  
Municipal Clerk