

TOWNSHIP OF VERNON

ORDINANCE #25-03

ORDINANCE OF THE TOWNSHIP OF VERNON, COUNTY OF SUSSEX, STATE OF NEW JERSEY, AMENDING CHAPTER 330, "NONCONFORMING BUILDINGS AND USES" OF THE CODE OF THE TOWNSHIP OF VERNON TO ALLOW FOR THE RECONSTRUCTION OF EXISTING DWELLINGS WITHIN THE EXISTING FOOTPRINT

WHEREAS, the Township Council of the Township of Vernon ("Township") has reviewed the existing language of the Township Code regarding pre-existing, non-conforming uses, specifically, residences that were constructed prior to the adoption of the Township Code; and

WHEREAS, The Township Council has determined that it is in the best interests of the Township to permit the demolition and reconstruction of certain residential structures without the need for a variance application.

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Vernon that the code of the Township of Vernon is hereby amended as follows:

SECTION 1. Article XI, "Zoning," is hereby supplemented as follows:

§ 330-181 Nonconforming buildings and uses.

[no changes to Subsections A through E]

F. A principal building, accessory building or structure and/or deck including its foundation, which is conforming in use but violates the yard, coverage, setback, and/or height requirements of this article ~~may not be extended, expanded, or enlarged within any required yard or setback area nor extended above the height limits of this article~~ be demolished and reconstructed provided that the following standards are met:

(1) Any lawfully pre-existing, non-conforming residence constructed prior to 9-26-2005, may have constructed upon it a new dwelling, including a new foundation, and/or construction of an accessory building pursuant to subsection (2), below, without an appeal for variance relief and provided that:

i. The existing uses on the lot conform to the permitted uses in that zone; and

ii. The new building footprint is identical to or smaller than the existing building footprint; and

iii. The new building does not exceed the permitted height in the zone.

(2) Any lawfully pre-existing, non-conforming accessory building or structure constructed prior to 9-26-2005 may be reconstructed provided that:

i. The new accessory building or structure footprint is identical to or smaller than the existing building footprint; and

- ii. The new accessory building or structure does not exceed the maximum permitted height in the zone; and
 - iii. Any accessory building or structure shall not, for any length of time, exist on the property without the presence of a principal structure that has been issued a Certificate of Occupancy.
- (3) Any lawfully pre-existing, non-conforming residential deck or porch constructed prior to 9-26-2005 may be reconstructed provided that:
- i. The new deck or porch footprint is identical to or smaller than the pre-existing porch or deck footprint.

[no changes to Subsections G through K]

SECTION 2. Severability.

The provisions of this Ordinance shall be severable. In the event that any portion of this Ordinance is found to be invalid for any reason by any Court of competent jurisdiction, such judgment shall be limited in its effect only to the portion the Ordinance actually adjudged invalid and shall not be deemed to affect the operation of any other portion thereof, which shall remain in full force and effect.

SECTION 3. Repealer.


All ordinances and resolutions, and parts of ordinances and resolutions which are inconsistent with provisions of this ordinance shall be, and are hereby, repealed to the extent of any such inconsistency.


SECTION 4. Effective Date.

This ordinance shall take effect upon final adoption and publication in accordance with law.

CERTIFICATION

This is to certify that the above Ordinance was introduced and passed on first reading at the Meeting of the Township Council held on February 10, 2025, and the same came up for final passage and was adopted at the Meeting of the Township Council held on March 24, 2025 at which time all persons interested were given an opportunity to be heard. The above ordinance will be in full force and effect in the Township of Vernon according to law.


Marcy Gianattasio, Clerk
Township of Vernon


Anthony Rossi, Mayor

Township of Vernon

INTRODUCED: February 10, 2025

NAME	M	S	YES	NO	ABSTAIN	ABSENT
Buccieri, N.						X
DeBenedetto, J.			X			
Higgins, W.		X	X			
Sparta, B.	X		X			
Rizzuto, P.			X			

ADOPTED: March 24, 2025

NAME	M	S	YES	NO	ABSTAIN	ABSENT
Buccieri, N.	X		X			
DeBenedetto, J.			X			
Higgins, W.			X			
Sparta, B.		X	X			
Rizzuto, P.			X			