

## ORDINANCE NO. 17-2012

### AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER AMENDING AND SUPPLEMENTING CHAPTER 166 OF THE CODE OF THE TOWNSHIP ENTITLED LAND USE AND DEVELOPMENT LEGISLATION, BY REVISING THE DEFINITIONS OF FLOOR AREA AND FLOOR AREA RATIO

**BE IT ORDAINED** by the Township Committee of the Township of Hanover in the County of Morris in the State of New Jersey, as follows:

**Section 1.** Subsection A. of Section 166-4., *Definitions and word usage*, in Article II, *Definitions*, is hereby amended by revising the definitions of “floor area” and “floor area ratio” to read as follows:

FLOOR AREA – Also known as “gross floor area.” The area of all floors in a building, measured from the outside face of exterior walls, and including the area of interior walls, but excluding, however, the following:

- attic and basement floors
- porches not enclosed by windows, screens or other similar enclosures
- breezeways
- the interior portions of buildings that do not contain actual floor platforms, including but not limited to the upper areas of multiple story rooms, the upper areas of stairwells and the like
- the interior portions of buildings where the floor to ceiling height is less than six feet
- chimneys

Notwithstanding the above, private garages shall be excluded from floor area calculations only for the purposes of determining the required number of parking spaces in this chapter. Also notwithstanding the above, any part of a basement in a nonresidential structure that is devoted to any use other than inactive storage area or service equipment for said structure shall be included in floor area calculations for the purpose of determining the required number of parking spaces in this chapter.

FLOOR AREA RATIO - The floor areas of all principal and accessory buildings divided by the total area of the site, unless specifically defined or regulated otherwise in the zoning regulations.

**Section 2.** All ordinances of the Township of Hanover which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

**Section 3.** If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this ordinance.

**Section 4.** This Ordinance shall take effect immediately.

TOWNSHIP COMMITTEE  
TOWNSHIP OF HANOVER  
COUNTY OF MORRIS  
STATE OF NEW JERSEY

DATE OF INTRODUCTION: July 26, 2012

DATE OF ADOPTION: August 23, 2012

#### **NOTICE OF INTRODUCTION**

**NOTICE IS HEREBY GIVEN,** That the foregoing Ordinance was submitted in writing at a meeting of the Township Committee of the Township of Hanover, in the County of Morris and State of New Jersey, held on the 26<sup>th</sup> day of July, 2012, introduced and read by title and passed on first reading and the Governing Body will further consider the same for second reading and final passage thereof at a meeting to be held on the 23<sup>rd</sup> day of August, 2012, at 8:30 o'clock in the evening prevailing time, at the Municipal Building, 1000 Route 10, Whippany, in said Township of Hanover, at which time and place a public hearing will be held thereon by the Governing Body and all persons and citizens in interest shall have an opportunity to be heard concerning same.

JOSEPH A. GIORGIO, TOWNSHIP CLERK  
TOWNSHIP OF HANOVER  
COUNTY OF MORRIS  
STATE OF NEW JERSEY

DATED: August 2, 2012