

**ORDINANCE NO. 55-2019**

**AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER IN THE COUNTY OF MORRIS AND STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING SECTION 166-114., "ACCESSORY BUILDINGS", IN ARTICLE XIX, GENERAL PROVISIONS, OF CHAPTER 166 OF THE CODE OF THE TOWNSHIP ENTITLED LAND USE AND DEVELOPMENT LEGISLATION, IN ORDER TO PERMIT AND REGULATE DETACHED GARAGES FOR RESIDENTIAL USES**

**WHEREAS**, the Hanover Township Planning Board has conducted a reexamination of the master plan and development regulations, and compiled its findings and recommendations in a report dated October 10, 2019; and

**WHEREAS**, one of the recommendations in the reexamination report is to "(a) amend the existing prohibition of detached garages in §166-114.B.(1) to permit detached garages with appropriate height, area and setback requirements"; and

**WHEREAS**, the Township Planning Board has provided specific recommendations concerning the appropriate standards that should apply to detached garages and other accessory buildings for residential properties.

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

**Section 1.** Subsection B. of Section 166-114., *Accessory buildings*, is amended to read as follows:

B. Buildings and other roofed structures accessory to residential use. The following requirements shall apply to buildings and roofed structures that are accessory to residential uses; provided, however, that if the standards in a particular zone district conflict with any of the following requirements, the standards for the district shall apply:

(1) Permitted yards.

(a) No accessory building or other roofed accessory structure shall be permitted in the front yard, provided that bus shelters and gatehouses designed and to serve multifamily residential developments shall be permitted in the front yard.

(b) On corner lots and through lots, no accessory building or other roofed accessory structure shall be permitted in any front yard.

(c) Accessory buildings and other roofed accessory structures are permitted in the side and rear yard, subject to the requirements of this Subsection and all other applicable requirements of this Chapter.

(2) Required setbacks.

(a) Attached structures. When an accessory building or other roofed accessory structure is attached to a principal building or is separated

from the principal building by a distance less than 10 feet or the height of said accessory building or roofed structure, whichever is greater, such accessory building shall be subject to the same yard setback requirements as the principal building.

- (b) Detached structures in side yard. Detached accessory buildings and other roofed detached accessory structures located within the side yard shall be subject to the required front and side yard setbacks for principal buildings in the zone.
- (c) Detached structures in rear yard. Detached accessory buildings and other roofed detached accessory structures located within the rear yard shall be subject to the following:
  - [1] Accessory buildings and other roofed accessory structures in the rear yard on corner lots or through lots shall be subject to the required front yard setbacks for principal buildings in the zone.
  - [2] Accessory buildings and other roofed accessory structures in the rear yard shall be located at least 10 feet from the side and rear lot lines.
- (3) Maximum height. The maximum permitted height of detached accessory buildings and other detached roofed accessory structures shall be as follows:
  - (a) Detached garages: one and one-half story or 17 feet, whichever is less; provided, however, that no detached garage shall be permitted to have a height greater than 13 unless the main roof of such garage has a pitch of at least 4:12 (vertical : horizontal).
  - (b) Other detached structures: one story and 13 feet.
- (4) Maximum building coverage. In addition to the requirements of §166-113.1., the maximum cumulative building coverage of all detached accessory buildings and roofed accessory structures, excluding detached accessory structures used for the keeping of livestock as permitted by § 166-136.2., shall be as follows:

Lot Area	Maximum Building Coverage
0 to 13,249 sq. ft.	5.000% of the lot area, but not more than 550 sq. ft.
13,250 to 16,499 sq. ft.	4.151% of the lot area, but not more than 600 sq. ft.
16,500 to 19,749 sq. ft.	3.636% of the lot area, but not more than 650 sq. ft.
19,750 to 22,999 sq. ft.	3.291% of the lot area, but not more than 700 sq. ft.
23,000 to 26,249 sq. ft.	3.043% of the lot area, but not more than 750 sq. ft.
26,250 to 29,499 sq. ft.	2.857% of the lot area, but not more than 800 sq. ft.
29,500 to 32,749 sq. ft.	2.712% of the lot area, but not more than 850 sq. ft.
32,750 to 35,999 sq. ft.	2.595% of the lot area, but not more than 900 sq. ft.
36,000 sq. ft. or more	900 sq. ft.

- (5) In addition to the requirements of Paragraph (4) above, the aggregate building coverage of all detached accessory buildings and roofed accessory structures, excluding detached accessory structures used for the keeping of livestock as permitted by § 166-136.2., shall not exceed one-half of the actual building coverage of the principal building on the same lot.
- (6) No more than two detached accessory buildings or roofed accessory structures shall be permitted on any residential lot, except for permitted multifamily residential developments.
- (7) The aggregate number of vehicle spaces in garages, both detached and attached, shall be subject to the requirements of §166-118.
- (8) The exterior walls and roofs of detached garages shall be designed using an architectural style and materials which are compatible with the style and materials of the dwelling(s) to which they are accessory.

**Section 2.** In case, for any reason, any section or provision of this Ordinance shall be held to be unconstitutional or invalid, the same shall not affect any other section or provision of this Ordinance, except so far as the section or provision so declared unconstitutional or invalid shall be severed from the remainder or any portion thereof.

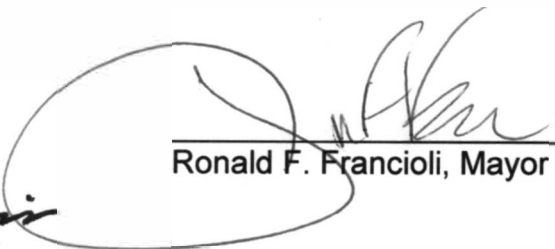
**Section 3.** All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are, to the extent of such inconsistency, hereby repealed.

**Section 4.** This ordinance shall take effect in accordance with the law.

ATTEST:

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

  
Joseph A. Giorgio, Township Clerk

  
Ronald F. Francioli, Mayor

DATE OF INTRODUCTION: November 14, 2019  
DATE OF ADOPTION: December 12, 2019

I hereby certify the foregoing to be a true copy of a Resolution/Ordinance adopted by the Township Committee of the Township of Hanover at a Regular/Special Meeting held on the 12<sup>th</sup> day of DECEMBER, 2019

  
Joseph A. Giorgio, Township Clerk, R.M.C.