

BOROUGH OF FLORHAM PARK
ORDINANCE #10-8

**AMENDING AND SUPPLEMENTING
CHAPTER 250, ZONING,
OF THE CODE OF THE BOROUGH OF FLORHAM PARK**

IT IS HEREBY ORDAINED by the Borough Council of the Borough of Florham Park, Morris County, State of New Jersey, as follows:

SECTION 1 - Section 250-121.A, first sentence, of Chapter 250, Zoning, of the Code of the Borough of Florham Park, is hereby amended to read as follows:

Permitted building height shall be (a) 60', with a maximum of four stories, for buildings not exceeding minimum required front, side and rear yard setbacks, and (b) 75', with a maximum of five stories, where the applicable minimum front, side and rear yard setbacks required under this Section 250-121 are increased 3' for each one foot of building height above 60', and where a minimum distance of 75' is maintained between adjoining buildings. The setback requirements specified in this Section for buildings exceeding 60' in height shall control notwithstanding anything to the contrary elsewhere in this Section 250-121.

SECTION 2 - Section 250-2.2 of Chapter 250, Zoning, of the Code of the Borough of Florham Park is hereby amended by modifying the definition of "basement" to read in its entirety as follows:

BASEMENT - An interior space of a building having a floor level more than 2 feet below the average level of the finished grade at the front of the building. A basement in a non-residential building shall be considered a story unless the basement is and remains unfinished and under-utilized except for storage or utility purposes. (See also N.J.A.C. 5:23-1.4.). Notwithstanding the foregoing, basements in office buildings in the POD-S Zone (regardless of finish or use) shall not be counted as a story so long as the finished basement space, and basement space used for purposes other than storage

(including vehicle parking) or utility service, are counted as floor area in determining compliance with the limits on maximum permitted office space under Section 250-123.A(1)(b) below.

SECTION 3 - All ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistencies.

SECTION 4 - If any article, section, sub-section, paragraph, phrase or sentence of this ordinance is for any reason declared to be invalid, such declaration shall not affect the remainder of the ordinance.

SECTION 5 - This ordinance shall take effect upon final publication as provided for by law.

I hereby certify that this is a true copy of an ordinance duly adopted by the Mayor and Borough Council of the Borough of Florham Park on April 27, 2010.

INTRODUCED: April 13, 2010

ADOPTED: April 27, 2010

R. Scott Eveland, Mayor

Attest:

Sheila Williams, Borough Clerk

CERTIFICATION

I, Sheila A. Williams, Registered Municipal Clerk of the Borough of Florham Park, County of Morris and State of New Jersey, do hereby certify the foregoing to be a true copy of an Ordinance adopted by the Borough Council on April 27, 2010

Sheila Williams, Borough Clerk