



TOWN OF DOVER
MAYOR AND BOARD OF ALDERMEN

Date of First Reading 6-26-07

**Date Second Reading/
Public Hearing 7-10-07**

Ordinance No. 22-2007

An ordinance of the Mayor and Board of Alderman of the Town of Dover, County of Morris and the State of New Jersey amending Chapter 236, LAND USE AND DEVELOPMENT of the Code of the Town of Dover to regulate Floor Area Ratio and Building Height as follows:

BE IT ORDAINED by the Mayor and Board of Alderman of the Town of Dover, County of Morris and state of New Jersey as follows:

Section 1

Chapter 236, LAND USE AND DEVELOPMENT, ARTICLE II, Definitions and Word Usage, § 236-5. Terms defined, is amended as follows:

The term "STORY ABOVE GRADE" is replaced with the following:

STORY ABOVE GRADE -- Any story having its finished floor surface entirely above grade except that a basement shall be considered as a story above grade where the finished surface of the floor above the basement is:

- A. More than four (4) feet above grade plane;
- B. More than four (4) feet above the finished ground level for more than 50% of the total building perimeter; or
- C. More than six (6) feet above the finished ground level at any point.

Section 2

Chapter 236, LAND USE AND DEVELOPMENT, ARTICLE IV, Zoning, § 236-13. R-1 and R-2 Single-Family Districts, Par. E. Height limits, is replaced with the following:

- E. Height limits. No building or structure in the R-1 and R-2 Districts shall have a Height of Building in excess of 30 feet. There shall be no more than two and one half (2-½) "stories above grade" (see definition of "STORY ABOVE GRADE"). Any story above the second "STORY ABOVE GRADE" that constitutes more than a "HALF STORY" as defined herein, or any story below the first story that is not a "BASEMENT", as previously defined, shall be deemed a violation of this limitation.

Section 3

Chapter 236, LAND USE AND DEVELOPMENT, ARTICLE IV, Zoning, § 236-13. R-1 and R-2 Single-Family Districts, is amended and supplemented with the following

Par. "G." Off-street parking, is relabeled as Par. "F."

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New Par. G. is inserted as follows:

- G. Floor Area Ratio (FAR). FAR shall not exceed 0.55 for residential principal structures. FAR shall include all floor spaces, including basements, attached garages and half-story spaces within all principal structures, but excluding attached open decks, open porches and detached accessory structures.

Section 4

All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistencies.

Section 5

If any article, section, subsection, paragraph, phrase or sentence is, for any reason, held to be unconstitutional or invalid, said article, section, subsection, paragraph, phrase or sentence shall be deemed severable.

Section 6

This ordinance shall take effect immediately upon final publication as provided by law.

Mover: Alderman Visioli, Visioli

Seconded: Alderman Timpani, Delaney

Aldermen	AYE	NAY	N.V.	A.B
PICCIALLO	X X			
POOLAS	X X			
DONOFRIO	X		X	
RYAN	X	X		

Aldermen	AYE	NAY	N.V.	A.B
VISIOLI	X X			
FAHY	X			X
DELANEY	X X			
TIMPANI	X			X
MAYOR DODD	X X			

X - Indicates Vote

A.B. - Absent

N.V. - Not Voting (Abstained or Excused)

Tabled _____

Removed from Table _____

Entered on Board of Aldermen Minutes, Page _____

Adopted July 10 20 07

Mun. Clerk's Cert Margaret J. Verop

Mayor [Signature]