

BOROUGH OF HO-HO-KUS
COUNTY OF BERGEN, NJ

ORDINANCE 2022-67

**AN ORDINANCE TO AMEND ARTICLE III, CHAPTER 85-7B, ZONING OF
THE BOROUGH OF HO-HO-KUS – CORNER LOTS**

WHEREAS, the Borough seeks to establish criteria to clarify the definition of lot lines of corner lots; and

WHEREAS, to further the goal of promoting appropriate light, air and open space on properties in the Borough; and

WHEREAS, to establish appropriate relationship of buildings and structures on lots and between properties in residential and commercial zones, some amendments to the zoning ordinance are reasonable and appropriate.

BE IT ORDAINED by the Mayor and Council of the Borough of Ho-Ho-Kus, in the County of Bergen and State of New Jersey, that Article III section §85-7 entitled “Word usage; definitions” is hereby amended and supplemented in the existing code in the following particulars only: (deleted sections are noted by ~~striketroughs~~, new sections are underlined)

Section 1. Amend section §85-7 B. by amending to add the following to the definition below:

LOT, CORNER

A plot or parcel of land at the junction of and fronting on two or more intersecting streets or a lot bounded on two or more sides by the same street. The rear lot line on a corner lot shall be the lot line most distant from the front lot lines or opposite the narrower front lot line. The remaining non-front lot lines shall be the side lot lines. Where a lot or tract contains two non-front lot lines that are equidistant from the front lot lines, then one of the non-front lot lines shall be designated as the rear lot line for purposes of identifying the rear yard setback requirement of the zone. The owner or their agent shall determine which of the equidistant non-front lot lines they intend to consider as their rear yard, and they shall then conform to the requirements of this chapter in accordance with such election. Once such a determination and election has been made as to any lot as recorded on the records of the Borough and the principal building is constructed, such determination shall be deemed to be a final election and cannot thereafter be altered.

Section 2. If any section, subsection, paragraph, sentence, or any other part of this ordinance is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance.

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 All ordinances or parts of ordinances which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

Section 4. The Borough Clerk is hereby directed to give notice at least ten (10) days prior to the hearing on the adoption of this ordinance to the Bergen County Planning Board, and to all others entitled thereto pursuant to the provisions of N.J.S.A. 40:55D-15. Upon adoption of this ordinance, after public hearing thereon, the Borough clerk is further directed to publish notice of the passage thereof and to file copy of this ordinance as finally adopted with the Bergen County Planning Board as required by N.J.S.A. 40:55D-16 and with the Borough Tax Assessor.

Section 5. This ordinance shall take effect twenty (20) days after final passage and publication as prescribed by law.

NOTICE OF PENDING ORDINANCE

This Ordinance published herewith was introduced and pass upon first reading at a meeting of the Municipal Council of the Borough of Ho-Ho-Kus, in the County of Bergen, New Jersey, held on March 29, 2022. It will be further considered for final passage after the public hearing thereon, at a meeting of said Municipal Council to be held at the Public Meeting on April 26, 2022, at 7:00 p.m. at which time and place all interested member of the public who desire will be given an opportunity to be heard in connection with said Ordinance, and during the week prior to and up to and including the date of such meeting, copies of said has been posted on the bulletin board upon which public notices are customarily posted in the Borough Hall and copies are available on the borough website www.ho-ho-kusboro.com for members of the general public who may request them.

THIS IS TO CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF AN ORDINANCE ADOPTED BY THE MUNICIPAL COUNCIL OF THE BOROUGH OF HO-HO-KUS AT THE PUBLIC MEETING ON **April 26, 2022**.

ATTEST: _____ Joan Herve, RMC, Borough Clerk

APPROVED: _____ Thomas W. Randall, Mayor