

**ORDINANCE #08 – 2016**

**AN ORDINANCE AMENDING CHAPTER 175, LAND USE, OF THE CODE OF THE CITY OF MARGATE CITY, COUNTY OF ATLANTIC AND STATE OF NEW JERSEY**

**NOW THEREFORE BE IT ORDAINED** by the Commissioners of the City of Margate, County of Atlantic and State of New Jersey as follows:

**SECTION 1.** Margate City Code Chapter 175, Land Use, shall be amended as follows:

A. Article VII, Fees and Deposits, Section 175-42, Fee Schedule, shall be amended as follows:

At the time of filing any application with the Planning Board or Board of Adjustment, including any application for amendment to or extension of any development approval, any request for a zone change or recommendation of a zone change, any request for amendment of the Master Plan, and/or any request for concept review of a development proposal, each applicant shall pay to the City of Margate a nonrefundable application fee and technical review fee deposit in accordance with the following schedule. The applicant shall pay the fee required for each application which is submitted.

In addition, a \$2,000.00 (Two Thousand Dollars) performance guarantee is to be placed in escrow, which will be released upon submittal of an as-built survey prepared by a licensed professional land surveyor and approved by the building official prior to release.

<b>Action</b>	<b>Application Fee</b>	<b>Escrow Fee</b>
Staff Committee application	\$25	--
Site plan application		
Land area under 10,000 square feet	\$350	\$500
Land area 10,000 square feet or more	\$500	\$1,000
Site plan application for commercial changes with no physical alteration except redecorating and conforming sign	\$50	\$50

<b>Action</b>	<b>Application Fee</b>	<b>Escrow Fee</b>
Site plan application for commercial changes other than above	\$100	\$100
Minor subdivision	\$100 plus \$10 per lot after subdivision	\$300
Major subdivision		
Sketch plat classification	\$50 plus \$10 per lot	\$100
Preliminary plat review	\$200 plus \$25 per lot	\$25 per lot (minimum of \$500)
Final plat review	\$500 plus \$20 per lot	\$25 per lot (minimum of \$500)
Conditional use permits		
Principal use, for each such use	\$100	\$125
Resubmission of any application deemed to be technically incomplete	1/2 of original	Same as original, if original has been returned, or none, if original has been retained
Certificate of land use compliance	\$60	--
Appeals and interpretations	To be determined by the Board Administrator.	To be determined by the Board Administrator; amount may be required upon determination that consultants and technical staff are necessary to make a determination
Court reporter fee	To be established from time to time by the Planning and Zoning	--

<b>Action</b>	<b>Application Fee</b>	<b>Escrow Fee</b>
	Board Administrators	
Notices of publication of hearings required	Published by applicant at applicant's cost	--
Publication of final decision	Shall be the responsibility of the Board involved, to be paid for out of application fees	--
Transcripts of record of proceedings	Cost to be borne by applicant if applicant requests a transcript	--
Extension of any approval having a time limitation	Same as original	Same as original
Engineering inspection fee for site plans wherein land area is 10,000 square feet or more	--	\$150
Engineering inspection fee for major subdivisions	-	5% of improvement costs, as determined by the City Engineer, to be deposited prior to final subdivision approval by the Planning Board. If engineering inspection costs exceed the deposit, the excess shall be paid to the City by the subdivider prior to acceptance of the improvements by the City
Site plans or subdivisions amended prior to final action	1/2 of original	1/2 of original
Use and density (D) variances		
Single-family dwellings	\$500	\$100
Duplex, triplex or quadruplex	\$500	\$175

<b>Action</b>	<b>Application Fee</b>	<b>Escrow Fee</b>
Multiple dwellings	\$500	\$200
Commercial/office	\$500	\$250
Commercial/residential mixed	\$500	\$350
Maritime use or related	\$500	\$500
All other variances, including Zoning Board interpretation		
Single-family dwellings	\$250	\$200
Duplex, triplex or quadruplex	\$200	\$200
Multiple dwelling	\$350	\$300
Commercial/office	\$300	\$300
Commercial/residential mixed	\$300	\$350
Maritime use or related	\$250	\$500
Deck/bulkhead application [Added 9-18-2008 by Ord. 36-2008]	\$25	<del>\$500</del> <u>\$2,000</u> (includes application review and as-built review)

LAND USE

175 Attachment 4

**Schedule B-1  
City of Margate Schedule of Standards  
Residential Standards**

[Amended 9-24-2006 by Ord. No. 2006-26; 4-3-2008 by Ord. No. 12-2008;  
1-31-2013 by Ord. No. 01-2013; 8-15-2013 by Ord. No. 17-2013]

All One- and Two-Family Structures								
	S-60	S-50	S-40	S-30	S-25	S-25 (H)	TF	MF*
Minimum lot area (square feet)	6,000	5,000	4,000	3,000	2,500	2,500	3,200	4,400
Minimum lot width (feet)	50	50	50	40	40	40	40	40
Lots of 5,000+ square feet: 30%								
Maximum ** principal building coverage ***	Lots between 3,000 square feet and 4,999 square feet: The principal building coverage may be increased on a sliding scale, enlarging the 30% by multiplying the number of square feet less than 5,000 by .00005 and converting the result into a percentage figure.							45%
Lots less than 3,000 square feet: 40%								
<b>Yards</b>								
Minimum front yard	For front wall of house, prevailing setback of front walls of houses within 200 feet in the same block. Eliminate the high and low values before the average is calculated, unless there are fewer than 3 houses. Regardless of the average, minimum setback of at least 5 feet shall be provided.							
	For front of porch, prevailing setback of front walls of porches within 200 feet in the same block. Eliminate the high and low values before the average is calculated, unless there are fewer than 3 porches. Regardless of the average, minimum setback of at least 5 feet shall be provided. Porches or decks behind the front wall of a house shall not be included in the calculation.							
Minimum rear yard	20% of lot depth or 10 feet, whichever is greater						Minimum rear yard landscape buffer: 10 feet	
							Minimum rear yard: 20 feet	
Minimum side yard	Lots with 60 feet or more of frontage: total side yards: 37% of total lot width; minimum 10 feet each							
	Lots with 50 feet to 59.99 feet of frontage: total side yards: 37% of total lot width; minimum: 8 feet							
	Lots with less than 50 feet of frontage: total side yards: 37% of total lot width; 5 feet minimum							
	Regardless of lot width, the maximum combined yard requirements shall not exceed 22 feet.							
Maximum height	See Residential Height Regulating Map. <sup>1</sup>						2 habitable floors over parking or 2 1/2 habitable floors without parking and 30 feet above lowest floor	
	Any third-floor living space where the ceiling height is in excess of 5 feet shall be less than 50% of the floor area of the floor immediately below							

<sup>1</sup> Editor's Note: The Margate Single-Family and Two-Family Residential Height Regulating Map is on file in the City offices.

MARGATE CITY CODE

	All One- and Two-Family Structures							MF*
	S-60	S-50	S-40	S-30	S-25	S-25 (H)	TF	
Minimum roof pitch	5 on 12 required for roofs above the first floor level.							
Maximum density	NA							1 unit/2,200 square feet of lot area
Maximum FAR	NA							1.0
<b>Landscaping</b>								
Front yard landscape requirements	<p>No less than 60% of the front yard extending to the side property lines shall be landscaped with grass or other vegetative cover, shrubs and trees. This landscaped area shall not include parking, driveways, walkways, stones, wood, and any other nonvegetative cover or material.</p> <p>Such 60% landscaping minimum may be reduced to the extent required to accommodate front access stairs necessary to conform with lowest floor elevation requirements. In no case, however, shall such percentage be lower than 50% of the front yard. Until such time as this chapter is amended to conform with final FIRM mapping and related regulations, determination of "the extent required" shall be made by the BFE Design Committee in accordance with § 175-10 herein.</p>							
Minimum total landscaping coverage ****	<p>No less than 35% of any residential lot shall be covered by grass or other vegetative ground cover. Areas under building projections, and cantilevers, except roof overhangs, shall not be counted toward meeting the landscape requirements.</p> <p>Such 35% landscaping minimum may be reduced to the extent required to accommodate front access stairs necessary to conform with lowest floor elevation requirements. In no case, however, shall such percentage be lower than 30% of the lot. Until such time as this chapter is amended to conform with final FIRM mapping and related regulations, determination of "the extent required" shall be made by the BFE Design Committee in accordance with § 175-10 herein. Areas under projections permitted by § 175-30C(4) and (6) shall not be counted toward meeting the landscape requirements.</p>							
Minimum distance between external walls of principal buildings	Side yards shall be provided so as to maximize the distance between buildings on adjacent lots; however, in no case shall the distance between the external walls of principal buildings be less than 10 feet.						NA	

**NOTES:**

\* Regardless of zone, the table to the left shall apply to the development of any single-family or two-family home in the City of Margate.

\*\* No floor area of any building shall exceed the maximum area allowed by the principal building coverage limitation; in the case of nonconforming second floors, the half-story calculation shall be based on the maximum second floor which would be permitted by principal building coverage.

\*\*\* Beachfront property building coverage shall be measured from the property line. This shall include areas where the bulkhead line may be located inside the property line.

\*\*\*\* Landscape coverage for beachfront properties shall be measured from the property line. The area of beach lying between the bulkhead and property line shall be considered landscape coverage.

LAND USE

**Schedule B-4**  
**City of Margate Schedule of Residential Standards**  
**Additional Standards**  
*Bayfront, Canal Front & Lagoon Front Single Family*

	<b>S-60</b>	<b>S-50</b>	<b>S-40</b>	<b>S-30</b>
Minimum lot size (excluding riparian) (square feet)	6,000	–	2,750	–
Minimum lot width (feet)	60	–	50	–
Maximum principal building coverage	40%	–	50%	–
Yards: Minimum rear: 10 feet from bulkhead line (and 10 feet from property line abutting the beach)				

**SECTION 2:** All ordinances or parts of ordinances inconsistent with any terms of this ordinance are hereby repealed to the extent of such inconsistency only.

**SECTION 3:** This ordinance shall take effect upon its final passage and publication as required by law.

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Michael Becker, Mayor

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John Amodeo, Commissioner

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Maury Blumberg, Commissioner

Board of Commissioners of the City of  
Margate City, New Jersey

Introduction:

Enactment: