

**THIS ORDINANCE WAS SENT TO THE PLANNING BOARD AND FOUND TO BE NOT INCONSISTENT WITH THE MASTER PLAN AT ITS 12/12/2016 MEETING.**

**THE COUNCIL TOOK THE ORDINANCE UP FOR SECOND READING AND PUBLIC HEARING ON 12/13/2016 AND AFTER THE PUBLIC HEARING AND MUCH DISCUSSION REGARDING CHANGES, MR. BALDINI SUGGESTED THE COUNCIL WITHDRAW THE ORDINANCE FROM FURTHER CONSIDERATION. MR. GIBSON MADE THE MOTION TO WITHDRAW AND MR. DIVNEY SECONDED IT FOLLOWED BY A UNANIMOUS AYE VOTE.**

**CITY OF SEA ISLE CITY  
NEW JERSEY**

**ORDINANCE NO. 1596 (2016)**

**AN ORDINANCE TO AMEND CHAPTER 26 SECTION 27.6 ENTITLED “ENCROACHMENTS” OF THE REVISED GENERAL ORDINANCES OF THE CITY OF SEA ISLE CITY TO REFLECT CHANGES ALLOWING SETBACK ENCROACHMENTS FOR CERTAIN ARCHITECTURAL FEATURES, COMMONLY REFERRED TO AS “BUMP OUT” ALLOWING SAME FOR CORNER LOTS.**

**WHEREAS**, the City of Sea Isle City regulates the mass of buildings by requiring setbacks in the front, rear and side yards; and

**WHEREAS**, there have been issues raised to the City and to City Council as to architectural features, “bump out” that can encroach into required setbacks when on a corner lot; and

**WHEREAS**, the City and City Council are desirous of clarifying the requirement of setback encroachments for certain architectural features to insure a fair and equitable application of the Ordinance;

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Sea Isle City, County of Cape May and State of New Jersey as follows:

**SECTION I.** Chapter 26 Section 27.6 of the Revised General Ordinances of the City of Sea Isle City, entitled “Encroachments” is hereby amended to delete the following Section in its entirety and replace same as follows:

**DELETED SECTION:**

**26-27.6 Encroachments.**

e. In all yards that are seven (7') or greater in width, projections for decorative, ornamental or canopy overhangs over exterior doors or windows shall be permitted to extend up to two (2') feet into the yard setback over the exterior doors or windows. All overhangs in all yards shall be a minimum of five (5') feet from the property line.

In side yards that are five feet (5') or greater in width projections shall be permitted up to eighteen inches (18") in depth and eight feet (8') in length. Any projections must be separated by seven feet (7'). All measurements herein shall be as measured on the exterior of the structure.

**REPLACEMENT SECTION:**

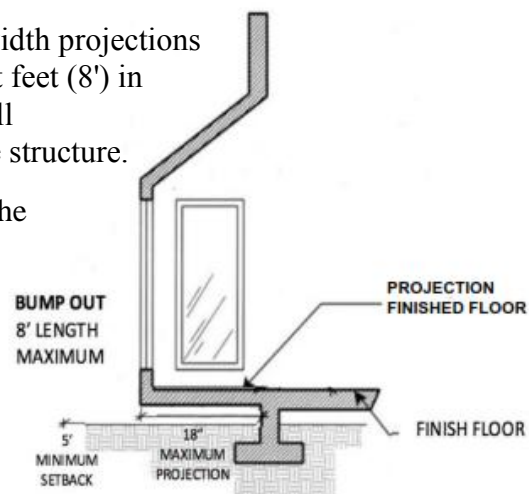
**26-27.6 Encroachments.**

e. *Architectural Enhancements.* Setback encroachment allowance for certain architectural features.

1. In all yards that are seven (7') or greater in width, projections for decorative, ornamental or canopy overhangs over exterior doors or windows shall be permitted to extend up to two (2') feet into the yard setback over the exterior doors or windows. All overhangs in all yards shall be a minimum of five (5') feet from the property line.

2. In side yards that are five feet (5') or greater in width projections shall be permitted up to eighteen inches (18") in depth and eight feet (8') in length. Any projections must be separated by seven feet (7'). All measurements herein shall be as measured on the exterior of the structure.

3. In corner lot yards, with two front yards, where the yards are five feet (5') or greater in width projections shall be permitted up to eighteen inches (18") in depth and eight feet (8') in length. Projections shall be limited to encroach on the rear yard and the front yard situated on the opposite side of the structure from the rear yard. Any projections must be separated by seven feet (7'). All measurements herein shall be as measured on the exterior of the structure.



**SECTION XVII.** Severability. If for any reason any section of this Ordinance shall be declared illegal by any Court of competent jurisdiction, the remaining section of the Ordinance shall remain in full force and effect, notwithstanding.

**SECTION XVIII.** Repealer. Any Ordinance or provision thereof inconsistent with this Ordinance is hereby repealed to the extent of such inconsistency.

**SECTION XIX.** Publication. This Ordinance shall take effect immediately upon the adoption and publication in accordance with the law.

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William J. Kehner, Council President

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Mayor Leonard C. Desiderio

**I HEREBY CERTIFY THAT** the foregoing ordinance was duly passed by the City Council of the City of Sea Isle City, New Jersey on first reading at the regular meeting of said Council held on the 15<sup>th</sup> day of November, 2016 and was sent to the Planning Board for Master Plan Consistency Review. The Ordinance was taken up for second reading, public hearing and final passage at the regular meeting of said Council held on the 13<sup>th</sup> day of December, 2016, in City Hall, 3<sup>rd</sup> Floor Council Chambers, 233 JFK Blvd., Sea Isle City, New Jersey at 10:00 a.m.

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Cindy L. Griffith, Municipal Clerk