

§ 143-137. **ACCESSORY BUILDING.** Except as otherwise provided in this Article, buildings which are accessory to a principal use or building are permitted in all zones as follows:

- A. Attachment to principal buildings. Any accessory building attached to a principal building shall be considered part of the principal building, and the total structure shall adhere to the yard requirements for the principal building regardless of the technique of connecting the principal and accessory buildings.
- B. Construction prior to principal building. No building permit shall be issued for construction of any accessory building prior to the issuance of a building permit for the construction of the main building does not precede or coincide with the construction of the accessory building, the Building Inspector shall revoke the building permit for the accessory building until construction of the main building has proceeded substantially toward completion.
- C. Distance between adjacent buildings. The minimum distance between an accessory building and any other building(s) on the same lot shall be as prescribed in Schedule D.
- D. Height. The height of accessory buildings shall be as prescribed in Schedule D. In residential zones 14 feet max.
- E. Location. An accessory building may be erected in side and rear yard areas only and shall be set back from side and rear lot lines as prescribed in the individual district regulations, except that if erected on a corner lot, the accessory building shall be set back from the side street to comply with the setback line applying to the principal building for that side street.
- F. A maximum of two accessory structures and two private storage sheds as regulated in § 143-139 shall be permitted. No more than one detached garage shall be permitted per residential lot. Playsets, gym and swing sets and similar structures shall be included in the number of allowable accessory structures. Swimming pools are not to be included in the total number of allowable accessory structures. The total of all accessory structures shall not exceed the lot coverage as provided for in Schedule "D".

§ 143-139 **PRIVATE STORAGE SHEDS.**

STORAGE SHED, PRIVATE — An accessory building or structure only for the storage of tools, implements, appliances and other items incidental to the care and upkeep of the dwelling unit or structure on the lot.

- A. No private residential storage shed shall be constructed or installed on any lot unless the lot contains a residence building. Storage sheds shall be located in rear yard areas only and shall meet the setback distances for accessory buildings as specified for each particular zoning district.
- B. Storage sheds shall meet the maximum lot coverage for accessory buildings as specified for each particular zoning district in Sch. D and no individual storage shed shall exceed an area of 200 square feet. Any structure used as a storage shed greater than 200 square feet shall require a permanent foundation and require site plan approval by the Board. Any such storage shed shall have a sloping roof and shall be designed so as to be compatible with the residential surroundings.
- C. Storage sheds shall be firmly anchored to the ground to insure stability. All sheds having an area of 200 square feet or more shall be placed on a concrete slab approved by the Construction Department.
- D. No residential uses shall contain more than two storage sheds on any one lot.

§ 143-142. **GARAGES IN RESIDENTIAL DISTRICTS.**

No building permit shall hereinafter be granted for the erection of a new one- or two-family dwelling unless provision is made for the construction of a garage, connected by an adequately surfaced driveway to the adjacent street. Driveway surfacing shall be asphalt or equal for the total distance from the garage apron to the street pavement.

GARAGE, PRIVATE — An accessory building or structure or portion of a main building or structure only for the parking of vehicles, including but not limited to boats, construction equipment, recreational vehicles, quads, motorcycles, etc., of the occupants of the principal use, building or structure on the lot. A private garage as defined must meet the design criteria of the principle use and may not be constructed of cloth, canvas, plastic, vinyl or any similar type material.

§ 143-143. **PARKING AND STORAGE OF VEHICLES ON RESIDENTIAL LOTS.**

- A. All vehicles must be owned or used by a resident of the premises. Only one vehicle used for commercial purposes may be parked on a property.
- B. Parking in front yards shall be in a paved driveway or in a paved area served by a driveway in accordance with § 143-133. The total paved area shall not exceed 35% of the front yard area.
- C. No truck or other vehicle with a registered gross vehicle weight exceeding 15,000 pounds, having a height measured from the ground exceeding eight feet, or having a length measured bumper-to-bumper exceeding 24 feet shall be parked on a residential lot unless stored in a completely enclosed garage at all times.
- D. All parking for motor vehicles and trailers shall be paved.
- E. All parking and storage shall be located at least five feet from a property line.
- F. Asphalt or other hard surfacing is limited to driveways, parking areas, storage areas, walkways and patios. The total of all hard surfacing shall not exceed 25% of the available lot area.
- G. Any motor vehicle parked or stored shall have a valid DMV registration except those vehicles stored in a fully enclosed garage.
- H. A total of two recreation vehicles, as defined herein may be stored or parked within a residential district provided that the following requirements are met:

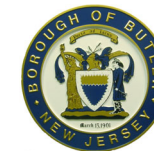
(1) Such recreational vehicles shall be parked, stored within the side or rear yard only of the subject premises upon which the owner of said vehicle(s) reside; (2) Recreational vehicles as defined herein must be kept licensed, registered and in proper repair and may not be used for living purposes, or for storage of materials other than those which are customarily used in conjunction with said vehicle. (3) Commercial vehicles as defined by this chapter are prohibited from being stored within a residential district. (4) Storage and/or parking of recreational vehicles shall be on an asphalt paved, concrete or concrete paver surface and must meet the minimum required setbacks for accessory structure per the particular residential zone, but in no case shall it be less than 10 feet when stored or parked in the side yard. (5) Only one self-propelled motor home is allowed which shall not exceed a bumper-to-bumper length of 36 feet (including trailer) or a height of 10 feet measured to the top of the roof.

Borough of Butler

One Ace Road, Butler, New Jersey 07405

973-838-7200 x224

Zoning@ButlerBorough.com



**APPLICATION
ZONING PERMIT**

Survey and Fee must accompany ALL Applications for a Zoning Permit.

Block _____ Lot _____ Street Address _____

APPLICANT

Property Owner Name: _____

Name of Contractor (if applicable) _____

Address of Applicant/Contractor: _____

City, State, Zip: _____ Email: _____

Phone/Cell: _____

Required. Please print clearly

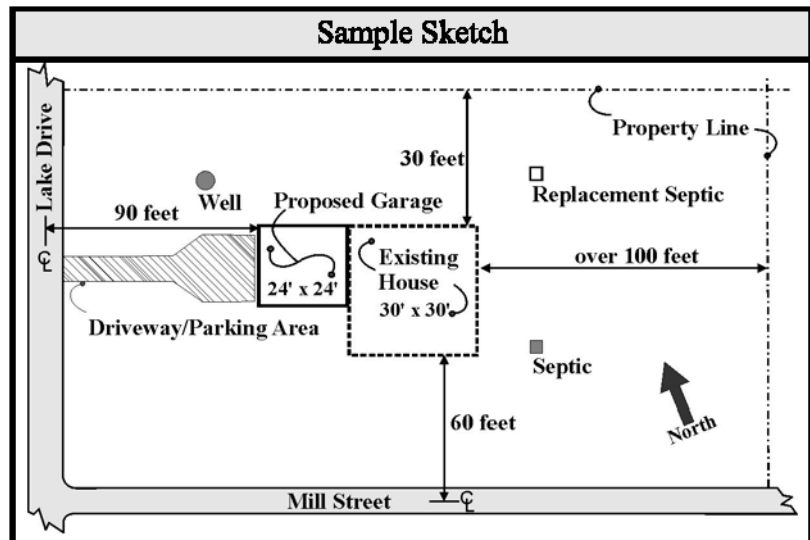
**Fee must accompany Application. We are not permitted to accept credit cards.
Mail completed Application and Check to 1 Ace Road, Butler, NJ 07405**

Residential <i>Check all that apply</i>	Fees	Detailed Description On Back Page	Dimensions
<input type="checkbox"/> New Single Family House	\$50		Length _____ Width _____ Height _____ # Stories _____ Lot Area _____ Lot Coverage _____ %
<input type="checkbox"/> New Two Family House	\$50		
<input type="checkbox"/> Addition / Alteration	\$35		Length _____ Width _____ Height _____ Lot Area _____ Lot Coverage _____ %
<input type="checkbox"/> Solar Panels	\$35		
<input type="checkbox"/> Garage/Accessory Building	\$35		Length _____ Width _____ Height _____ Lot Area _____ Lot Coverage _____ %
<input type="checkbox"/> Shed [200 sq. ft. or less]	\$10		
<input type="checkbox"/> Pool	\$25	<input type="checkbox"/> In-ground <input type="checkbox"/> Above ground Dimensions: L _____ W _____ H _____	<input type="checkbox"/> New Fence <input type="checkbox"/> Deck around pool <input type="checkbox"/> At least 10' from property lines
<input type="checkbox"/> Hot Tub	\$25		Dimensions _____
<input type="checkbox"/> Deck	\$25		Length _____ Width _____ Height _____
<input type="checkbox"/> Fence	\$10	<input type="checkbox"/> Gate opens onto property <input type="checkbox"/> Within 10 feet of driveway <input type="checkbox"/> Front yard fence consists of no more than 50% solid material.	<input type="checkbox"/> Front Yard Height _____ <input type="checkbox"/> Side/Rear Yards Height _____ Materials _____
<input type="checkbox"/> Driveway	\$10	% Coverage of Front Yard _____	Length _____ Width _____
<input type="checkbox"/> Air Conditioner	\$10		Distance from: House _____ Property Line _____
<input type="checkbox"/> Generator	\$10		
<input type="checkbox"/> Self-storage Containers	\$10	First Permit _____ Second Permit _____	Size of Pad _____
Non-Residential			
<input type="checkbox"/> Sign	\$50	<input type="checkbox"/> Freestanding <input type="checkbox"/> Attached Material _____	<input type="checkbox"/> Rendering of Sign Attached Dimensions _____
<input type="checkbox"/> Awning	\$50	<input type="checkbox"/> Sign Attached to Awning	Dimensions _____
<input type="checkbox"/> Alterations	\$200	Attach Full Description with Dimensions	
<input type="checkbox"/> New Accessory Building	\$200	Attach Full Description with Dimensions	Attach Planning Board Resolution
<input type="checkbox"/> New Construction / Addition	\$300	Attach Full Description with Dimensions	Attach Planning Board Resolution

**Survey and fee must accompany ALL applications for a Zoning Permit.
Applicant responsible for obtaining all necessary Building Permits.**

→→ Print Applicant Name: _____ Signature: _____ Date: _____

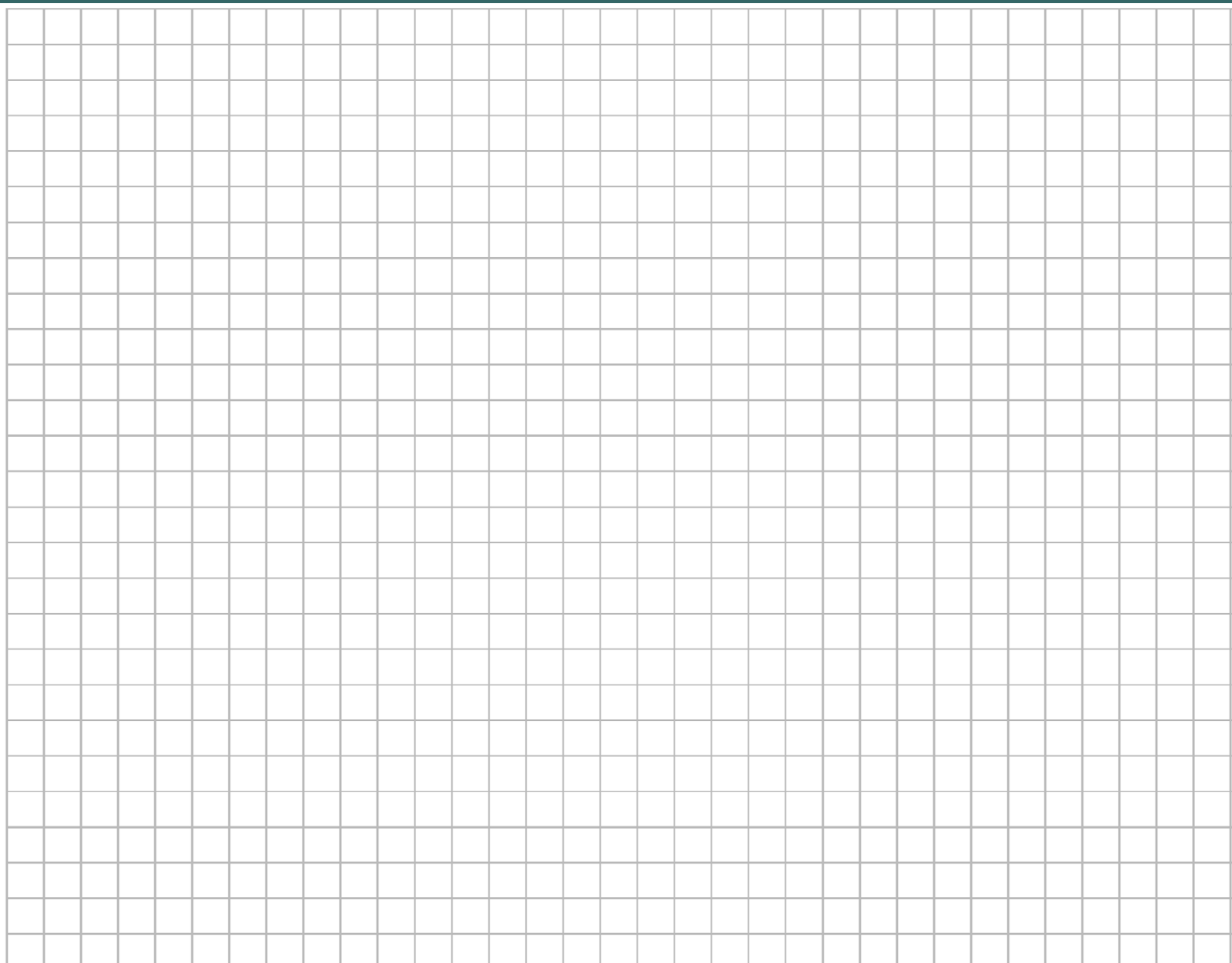
Use this page to give a detailed description of proposed work and/or sketch the intended layout of the project on the property.



Provide a sketch that shows the following:

1. Location and dimensions of existing and proposed structures.
2. Distance between such structures and property lines, cross streets, rivers/streams, easements, etc.
3. Location of driveways and parking areas.
4. Location of well and septic systems if not connected to town utilities.
5. North Arrow.

In addition to the sketch below a Survey must accompany ALL Applications for a Zoning Permit.



In addition to the sketch above a survey must accompany ALL Applications for a Zoning Permit. Applicant responsible for obtaining all necessary Building Permits.

Zoning Regulations

To read the entire Zoning Ordinance please go to www.butlerborough.com

§ 143-140. SWIMMING POOLS, HOT TUBS AND SPAS.

- A. No private residential swimming pool, shall be constructed or installed on any lot unless the lot contains a residence building. Pools shall be located in rear yard areas only and shall in no case be located closer than ten (10) feet to any lot line.
- B. A swimming pool shall occupy no more than fifty percent (50%) of the available rear yard area in which it is located.
- C. A private residential swimming pool area must be surrounded by a suitable fence with a self-latching, self-closing, opening-out gate at least four (4) feet, but no more than six (6) feet, in height, and said fence shall not require a minimum setback from any lot line.
- D. No private residential hot tub or spa, either fixed or portable, shall be constructed or installed on any lot unless the lot contains a residential dwelling. Exterior hot tubs shall be permitted within the rear yard only and shall not be located closer than ten (10) feet to the property line.

§ 143-141. FENCES AND WALLS.

On any lot in any district, no wall or fence shall be erected or altered so that said wall or fence shall be over four (4) feet in height in front yard areas except where otherwise restricted in a sight triangle easement pursuant to § 143-73R, and six (6) feet in height in side and rear yard areas, except that:

- A. Dog runs shall be located in rear yard areas only and shall be set back from any lot line at least ten (10) feet.
- B. A private residential swimming pool area must be surrounded by a fence at least four (4) feet, but no more than six (6) feet, in height. Swimming pool areas shall be located in rear yard areas only and said fence shall not require a minimum setback from any lot line.
- C. A tennis court area, located in rear yard areas only, may be surrounded by a fence a minimum of fifteen (15) feet in height, said fence to be set back from any lot line the distances required for accessory buildings in the individual zoning districts.
- D. Where fences are located within ten feet of a driveway or street intersection they shall not exceed three (3) feet for a distance of fifteen (15) feet beginning from the street property line.
- E. Any fence shall have the front, or "finished" side of the fence facing the adjoining property line and/or street right-of-way. All structural supporting mechanisms of the fence structure shall face the interior of the subject lot.
- F. In any residential or mixed-use district, fences within a required front yard shall consist of no more than fifty percent (50%) solid material and shall be equally distributed throughout the entire length of the fence.
- G. All solid and semi-solid fences shall be of a substantial wood, composite, vinyl, iron or aluminum construction and be structurally sound and able to withstand wind and weather. Solid and semi-solid fences shall be of stock, basket weave, picket or shadow board design. No fence shall be erected or contain barbed-wire, topped with spikes, or constructed of any material or in any manner which may create dangers to public health and safety.
- H. Chain-link fences (minimum 11 gauge) are permitted within the side and rear yards only.
- I. No fence shall be constructed of materials, or combination of materials which are likely to collapse under a person or animal of 100 pounds or less.
- J. All fences, including supporting posts or structures, must be located on the inside of the property line.
- K. Hedge rows, or similar vegetation planted for purposes of creating a full or partial barrier shall not exceed four (4) feet in height where located within fifteen (15) feet of the street right-of-way, nor three (3) feet in height where such plantings are located within a designated sight easement/triangle or within 25' of a street intersection.
- L. For purpose of applying height limits, multiple, staggered or tiered walls, and/or wall/fence combinations shall be considered single units unless the minimum horizontal distance between the top of any section or tier shall be 10'.

M. The following fences and fencing materials are specifically prohibited:

- Barbed wire; Short, pointed fences less than 48 inches in height; Canvas; Cloth; Electrically charged; Poultry fences; Turkey wire; Temporary fences, such as snow fences, unless on construction sites; Expandable or collapsible fences, except during construction of a building.
- N No fence shall be multi-colored.
- O. All entrances or gates shall open onto the property.

§143-135.1 DECKS AND PATIOS

Within all one and two family residential zones, decks and platforms, whether freestanding or attached to a building, when located in a rear or side yard, shall meet the following yard setback requirements as follows:

- A. The setbacks for decks and platforms may be reduced by 25% from the requirements in Schedule "D".
- B. Within all multi-family residential and non-residential zones, decks and platforms, whether freestanding or attached to a building, shall meet the side and rear yard setback requirements for the particular zone.
- C. Decks and platforms, whether freestanding or attached to a building are prohibited within the front and side yards.
- D. Porches, as defined herein are permitted within the front yard but must meet the front yard setback requirements for principal buildings in that zone provided however, they are attached to principal building by a common wall.

§ 143-148.1. TEMPORARY EXTERIOR STORAGE UNITS

- A. Temporary Exterior Storage Units shall be permitted in all residential zones.
- B. It shall be unlawful for any person to park, place or suffer placement of a temporary exterior storage unit which:
 1. Exceeds 130 square feet in size, and exceeds 8 feet in height;
 2. A maximum of one unit per property at any one time;
 3. Is not secured or which is accessible to others not using the unit;
 4. Lacks vermin proof floors or otherwise permits rat and vermin harborage;
 5. Is not in a state of good repair and alignment and free from nuisance.
 6. Is placed on an undeveloped lot.
- C. It shall be unlawful for any person to park, place or suffer placement of a temporary exterior storage unit:
 1. In or upon any street, highway, roadway, designated fire lane or sidewalk in the Borough;
 2. On any lot or property in the Borough other than on concrete, asphalt or other improved surface;
 3. On any lot or property in the Borough used for commercial purposes or containing three or more dwelling units in such a way as to block or interfere with access to a garage or off-street parking areas;
 4. In a manner that interferes with sight lines for motorists on adjoining streets or the driveways of adjacent properties;
 5. In a manner that obstructs safe means of access to or from any dwelling;
 6. In a manner that creates fire or safety hazards;
 7. That display advertising, other than the identification of the manufacturer or operator of the unit;
- D. No temporary exterior storage unit shall be used to store solid waste, construction debris, demolition debris, recyclable materials, business inventory, commercial goods, goods for property other than at the residential property where the temporary exterior storage unit is located, or any other illegal or hazardous material.
- E. Permits; fees. No person shall park, place or suffer placement of a temporary exterior storage unit for more than 5 days without first obtaining a permit from the Zoning Officer. The permit shall specify the time period, not exceeding 60 days, during which time the unit may be kept on the property.
 1. No more than 2 permits, including 1 extension, may be issued for any lot or parcel of property in any 12 month period. An extension may be denied at the discretion of the Zoning Officer;
 2. The application fee for the permit shall be 10 dollars for each 60 day period.