

ZONING

185 Attachment 1

Schedule II Use and Occupancy Requirements

- A. Minimum standards for residential uses. The following minimum standards shall govern all residential uses.
- (1) Minimum space. No person shall occupy or let another occupy any dwelling or dwelling unit, for the purposes of living therein, which does not comply with the following minimum requirements: every dwelling unit shall contain at least 300 square feet of floor area for the first occupant thereof and at least 200 additional square feet of floor area for every additional occupant thereof; except that each dwelling unit or dwelling shall contain a minimum of 500 square feet of floor area.
 - (2) Minimum space of sleeping rooms. Every room occupied for sleeping purposes by one occupant shall contain at least 100 square feet of floor area and shall have a minimum dimension of eight feet; and every room occupied for sleeping purposes by more than one occupant shall contain at least 70 square feet of floor area for each additional occupant thereof.
 - (3) Restriction on sleeping rooms. The following restrictions shall apply to every room occupied for sleeping purposes:
 - (a) No room in a dwelling or in a dwelling unit may be used for sleeping if the floor level of the room is lower than 3 1/2 feet below the average grade of the ground adjacent to it and within 15 feet of the exterior walls of the room.
 - (b) A room located below the level of the ground, but with a floor level less than 3 1/2 feet below the average grade of the ground adjacent to and within 15 feet of the exterior walls of the room, may be used for sleeping, provided that the walls and floors thereof, in contact with the earth, have been damped proofed in accordance with a method approved by the Hardyston Township Board of Health, and provided that the windows thereof are at least 15 feet from the nearest building or wall.
 - (4) Light and ventilation. Every habitable room shall have at least one window facing directly on the outdoors. The minimum total glazed wall area of any habitable room shall be 10% of the floor area of such room or 10 square feet, whichever is greater. Whenever walls or or other

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portions of structures face a window of any such room and such light-obstructing structures are less than three feet from the window and extend to a level above that of the ceiling of the room, such window shall not be deemed to face directly to the outdoors and shall not be included as contributing to the required minimum total window area. Every habitable room shall have at least one window which can easily be opened or such other devices as will adequately ventilate the room. The total openable window area in every habitable room shall be equal to at least 50% of minimum window area, as hereinabove provided, except where there is supplied some other device approved by the Construction Official, as affording adequate ventilation. For the purpose of this subsection, "habitable room" means a room or enclosed floor space within a dwelling or dwelling unit used or designed to be used for living, sleeping, cooking or eating purposes, excluding bathrooms, water closet compartments, laundries, pantries, foyers or communicating corridors, closets and storage spaces.

- (5) Water. Every lot, parcel or tract of land upon which the dwelling unit is to be erected shall have a source of potable water on the lot, parcel or tract of land sufficient to supply the water needs of the contemplated dwelling unit. In order for the supply to be considered sufficient, the water source must supply a minimum of 150 gallons per day for each contemplated occupant per dwelling. (This space reserved for use and occupancy and requirements for other residential uses).

B. Minimum standards for nonresidential uses. Except where it can be demonstrated by the applicant that said requirements are satisfied by alternate means, the following minimum standards shall govern all nonresidential uses:

- (1) Minimum space. No person shall occupy or let another occupy any space, unit or area, designed to be utilized for nonresidential purposes, which does not comply with the following minimum requirements: every such unit shall contain at least 200 square feet of floor area and shall be at least 10 feet in width, shall have two means of ingress and egress and both of which shall not be in the same wall.
- (2) Light and ventilation. Every such unit shall have at least two windows facing directly on the outdoors. The minimum total glazed wall area of every such unit shall be at least 20 square feet. Every such unit shall have at least one window which can easily be opened or such other device that will adequately ventilate the area; and the openable window area of every such unit shall be equal to at least 50% of the window area, except where there is supplied some other device approved by the Construction Official as affording adequate ventilation of the total unit.

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- (3) Water and sanitary facilities. Each such unit shall contain a source of potable water and shall contain adequate sanitary facilities for employees occupying such unit or prove to the satisfaction of the Construction Official that such employees have access to such facilities at an adjacent location