

LAND USE AND DEVELOPMENT REGULATIONS

30 Attachment 3

Borough of Fair Haven

SCHEDULE OF AREA, YARD AND BUILDING REQUIREMENTS

[Ord. No. 2009-18; amended by Ord. No. 2014-19; Ord. No. 2017-09; amended 10-13-2020 by Ord. No. 2020-04; 9-28-2020 by Ord. No. 2020-08; 5-24-2021 by Ord. No. 2021-06; 9-6-2022 by Ord. No. 2022-11; 4-17-2023 by Ord. No. 2023-02]

Zone	Minimum Lot Requirements						Minimum Yard Requirements						Maximum Allotments						
	Interior Lot			Corner Lot			Principal Building and Structures (3)				Accessory Buildings and Structures		% Maximum Lot Coverage (7)	Maximum Floor Area Ratio (4)	Maximum Floor Area (square feet) (5) (8)	% Maximum Building Coverage (6)	Maximum Principal Building or Structure Height (feet)	Maximum Stories	Maximum Accessory Building or Structure Height (feet)
	Area (square feet)	Frontage and Width (feet)	Depth (feet)	Area (square feet)	Frontage and Width (feet)	Depth (feet)	Front (feet)(3)	Rear (feet)	One Side (feet)	Total Side Yards (9)(10)	Rear (feet)	Side (feet)							
R-40	40,000	150	150	40,000	150	150	50	30	25	50	10	25	30%	0.15	6,900	20	35	2.5	15
R-30	30,000	125	200	33,500	140	200	50	30	20	40	10	10	30%	0.15	5,180	20	35	2.5	15
R-20	20,000	100	150	25,000	125	150	50	30	14	35	10	10	35%	0.18	4,140	25	35	2.5	15
R-15	15,000	100	120	18,000	120	120	35	30	12	30	10	10	35%	0.2	3,450	30	32	2.5	15
R-10A	10,000	100	100	11,500	115	100	30	30	10	25	10	10	40%	0.28	3,220	35	32	2.5	15
R-10B	10,000	100	100	11,500	115	100	25	30	10	25	10	10	45%	0.28	3,220	35	32	2.5	15
R-10	10,000	75	100	11,500	95	100	30	30	10	24	10	8	45%	0.28	3,220	35	32	2.5	15
R-7.5	7,500	60	100	10,000	80	100	30	30	7	16	10	8	45%	0.35	3,020	35	30	2.5	15
R-5	5,000	50	100	7,000	70	100	25	30	7	16	10	5	50%	0.4	2,200	35	30	2.5	15
B-1	5,000	50	100	7,000	70	100	35	10	5(1)	10(1)	3	3	80%	0.4	2,200	50	35	2.5	15
B-2	7,500	60	100	10,000	80	100	35	30	15(2)	30(2)	10	10	70%	0.4	3,020	30	35	2.5	15
AH (16)	N/A	N/A	N/A	28,000 (16)	175 feet along River Road; 125 feet along Cedar Avenue (16)	175 (16)	15 feet from River Road; 13 feet from Cedar Avenue (13)	18	50	N/A	3	3	85%	0.95 (15)	N/A	45%	38 (14)	3 (12)	10
AHO-1	20,000	150	100	22,500	150	150	15(21)	20(18)	10	20% of lot width	3	3	80%	0.70	N/A	30%	residential - 30(19) mixed-use - 38	residential - 2 mixed-use - 3(20)	10
AHO-2	20,000	150	100	22,500	150	150	15(17)	20(18)	10	20% of lot width	3	3	70% - residential 80% - mixed-use	0.50 - residential 0.70 - mixed-use	N/A	30%	residential - 30(19) mixed-use - 38	residential - 2 mixed-use - 3(20)	10
AHO-3	20,000	150	100	22,500	150	150	25	20(18)	10	20% of lot width	3	3	70%	0.50	N/A	25%	residential - 30(19) mixed-use - 38	residential - 2 mixed-use - 3(20)	10
AHO-4	20,000	150	100	22,500	150	150	15(21)	20(18)	10	20% of	3	3	80%	0.70	N/A	30%	residential -	residential -	10

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	Interior Lot			Corner Lot			Principal Building and Structures (3)				Accessory Buildings and Structures		% Maximum Lot Coverage (7)	Maximum Floor Area Ratio (4)	Maximum Floor Area (square feet) (5) (8)	% Maximum Building Coverage (6)	Maximum Principal Building or Structure Height (feet)	Maximum Stories	Maximum Accessory Building or Structure Height (feet)	
	Area (square feet)	Frontage and Width (feet)	Depth (feet)	Area (square feet)	Frontage and Width (feet)	Depth (feet)	Front (feet)(3)	Rear (feet)	One Side (feet)	Total Side Yards (9)(10)	Rear (feet)	Side (feet)								
AHO-5	130,000	N/A	150	N/A	N/A	N/A	See § 30-5.7(c)				25	25	40%	0.50	N/A	20%	30(19) mixed-use - 38	2 mixed-use - 3(20)	3	10

- (1) Within any B-1 Zone, a building used only for residence purposes shall comply with the requirements of the R-5 Zone. For any other building, a side yard of not less than five feet wide is required along a boundary line of any other residential zone. In a B-1 Zone, any building constructed on a corner lot, the side street line of the building shall be at least 30 feet from the center of the side street.
- (2) Within any B-2 Zone, a building used only for residence purposes shall comply with the requirements of the R-7.5 Zone.
- (3) Corner lots shall provide the minimum front yard for the respective zone for both intersecting streets. In residential zones, the "Prevailing Front Yard Setback" may be applicable as per Borough Code Sections 30-2.4 and 30-7.7(f).
- (4) See the definition of "floor area ratio."
- (5) See the definition of "floor area."
- (6) See the definition of "building coverage."
- (7) See the definition of "lot coverage."
- (8) This limitation applies to single-family dwellings. The permitted floor area for any single-family dwelling shall be the lesser of the maximum floor area or the maximum floor area as calculated by applying the maximum floor area ratio to the lot area. For other uses, the permitted floor area is determined by the maximum floor area ratio.
- (9) Add 1.5 feet to the total side yard requirement for each full five feet that the lot width exceeds the minimum lot width for the zone.
- (10) In the residential Zones R-20, R-15, R-10A, R-10B and R-10, the distance between the principal structures on adjacent lots must be equal to the minimum required combined side yard for the zone in question. Where such compliance cannot be made due to the location of an existing nonconforming structure on an adjacent lot, the larger side yard will be placed abutting the least conforming adjacent structure.
- (11) If an existing residential lot contains lot area, lot width and lot depth compliant with a zone above the zone in which the lot is located on the above table, a dwelling may be constructed on said lot under the zoning standards of the zone immediately above it on the table, provided that the front yard setback conforms to the zone standard in which the lot is located. Further provided that a lot in the R-10, R-10A and R-10B Zones which would otherwise be fully compliant with the bulk requirements of the R-15 Zone, shall be permitted to be developed under the R-15 standards provided that the frontyard setback conforms to the zone standard in which the lot is located.
- (12) The third story of a mixed-use building shall be setback a minimum of 10 feet from the first and second story building face along any street frontage or at 25 feet in height, whichever is less.
- (13) The minimum setback along Cedar Avenue is 13 feet, increasing to 16 feet at a depth of 55 feet measured perpendicular to River Road, as shown on the concept plan.
- (14) The measurement of building height shall be measured from the existing curb to the highest point of the building from the average height of each corner of the lot.
- (15) The FAR shall not include parking spaces located beneath the building.
- (16) An eight-foot-wide ROW dedication/easement shall be required along Cedar Avenue. For the purposes of lot dimensions, minimum yard requirements, maximum allotments, and calculations, the ROW dedication/easement shall not be included.
- (17) Where the prevailing average setback of properties within 200 feet on the same block face is greater than 20 feet, the minimum setback shall match the prevailing setback.
- (18) A minimum rear yard setback shall be the greater of 20 feet or 20% of lot depth.
- (19) A minimum roof pitch of six on 12 is required.
- (20) The second and third stories of a mixed-use building shall be setback a minimum of 12 feet from the first story building face along any street frontage.
- (21) Any lot with a depth in excess of 230 feet shall have a minimum front yard setback of 15 feet plus one additional foot for every five feet over 230 feet of lot depth.
- (22) Wherever within the Borough Code there is a reference to "Habitable floor area", said term is defined the same as "Floor Area."