ORDINANCE 2025-15

Borough of Metuchen
County of Middlesex
State of New Jersey

ORDINANCE AMENDING CHAPTER 110 (LAND DEVELOPMENT) CONCERNING NON-CONFORMING SIDE YARD SETBACK EXCEPTIONS FOR SINGLE-FAMILY DWELLINGS WITHIN THE BOROUGH OF METUCHEN

BE IT ORDAINED by the Borough Council of the Borough of Metuchen as follows:

SECTION 1. Section 110-108 (Nonconforming yard setbacks) in Article 23 (Supplementary Regulations) in Part III (Zoning) in Chapter 110 (Land Development) of the Code of the Borough of Metuchen is hereby amended to read as follows:

§ 110-108 Nonconforming yard setbacks.

The requirements of Article 16 of this chapter pertaining to setbacks for yards shall apply to any building located on a lot with an existing nonconforming setback, except that if such building is used as a permitted single-family dwelling, such may be altered or enlarged, provided that either of the following conditions are complied with:

A. The alteration or enlargement shall not affect, extend or increase the existing nonconforming setback and meets all other applicable requirements of this article.

B. The alteration or enlargement involves the extension of an existing exterior side building wall with a nonconforming side yard setback equaling a minimum of 50% of the individual side yard and a minimum of 75% of the combined side yard setback requirements for the district in which it is located. In addition, such alteration or enlargement shall only involve an extension at the first- or second-story level of the existing building. In no instance shall this provision permit a decrease in the existing nonconforming side yard setback resulting in a greater nonconformity after such alteration or enlargement is constructed. This provision for exception shall not be applicable to two-level additions or third-story additions.

SECTION 2. Repealer. Any section, paragraph, subsection, clause, or provision of the Borough Code or prior Ordinances inconsistent with the provisions of this Ordinance is hereby repealed to the extent of such inconsistency.

SECTION 3. Severability. If any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective.

SECTION 4. Effective Date. This Ordinance shall take effect upon its passage and publication and filing with the County of Middlesex County Planning Board, and as provided for by law.

Introduction: August 25, 2025
Date of Publication: August 29, 2025

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB
BRANCH	X				HYMAN	X			
DELIA	X				JETHWANI	X			
GIAMBOI	X				KANDEL	X			
MOTION	**DELIA**				SECOND	**GIAMBOI**			
X – INDICATES VOTE			AB- ABSENT			NV- NOT VOTING			

I hereby certify the foregoing to be a true copy of an ordinance introduced by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on August 25, 2025.

Deborah Zupan, RMC
Borough Clerk

THE BOROUGH OF METUCHEN INCORPORATED 1900 NEW JERSEY

Adopted: September 8, 2025
Date of Publication: September 12, 2025

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB
BRANCH	X				HYMAN	X			
DELIA	X				JETHWANI	X			
GIAMBOI	X				KANDEL	X			
MOTION	**DELIA**				SECOND	**GIAMBOI**			
X – INDICATES VOTE			AB- ABSENT			NV- NOT VOTING			

I hereby certify the foregoing to be a true copy of an ordinance adopted by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held On September 8, 2025.

Deborah Zupan, RMC
Borough Clerk

THE BOROUGH OF METUCHEN INCORPORATED 1900 NEW JERSEY

ATTEST:

Deborah Zupan, RMC
Borough Clerk

BOROUGH OF METUCHEN

By:
Jonathan M. Busch
Mayor