

**TOWNSHIP OF WALL
COUNTY OF MONMOUTH
ORDINANCE NO. 20-2010**

**ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL
AMENDING THE ZONING MAP WITHIN CHAPTER 140 OF THE CODE OF THE
TOWNSHIP OF WALL ENTITLED LAND USE AND DEVELOPMENT
REGULATIONS TO REZONE CERTAIN PROPERTIES FROM HB-20 to R-7.5**

WHEREAS, the Township of Wall is desirous of amending its land use and development regulations to redesignate certain public properties on the Zoning Map from their present zoning classification of HB-20 to R-7.5 zone classification, and

WHEREAS, the Township Planner has recommended to the Township Council that this rezoning take place, given that the block in question already consists of seven residential homes; that historically, the area had been predominately zoned for residential use, and although not fully consistent with the Land Use Plan Element of the Master Plan, residential use for this particular lot would assist in the creation of a cohesive residential neighborhood atmosphere, and the conversion of the lot in question to a commercial use would have a negative impact on the immediately adjacent residential lots and the character of the neighborhood as a whole, and

WHEREAS, the Township Planner has further recommended this change as being consistent with the goals and objectives of the Master Plan to promote the establishment of appropriate population densities and concentrations that will contribute to the well being of neighborhoods and provide sufficient space and appropriate locations of residential uses to meet the needs of the community, and

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Wall as follows:

SECTION ONE

1. The Zoning Map which is part of Chapter 140 of the Code of the Township of Wall is hereby amended as follows:

- a) **Block 77, Lot 4**, commonly known as **1610 Morris Landing Road**; which is currently zoned as HB-20, is rezoned to R-7.5.
2. The Zoning Map is hereby considered and shall be amended to reflect the depiction of the above zoning changes. The official map of the municipality shall not take effect until filed with the county recording officer per N.J.S.A. 40:55D-16.

SECTION TWO

Pursuant to the Municipal Land use Law, the Clerk is directed to give notice at least ten (10) days prior to the hearing on the adoption of this ordinance to the County Planning Board pursuant to the provisions of N.J.S.A. 40:55D-15. Upon the adoption of this ordinance after public hearing thereon, the Municipal Clerk is further directed to publish notice of the passage thereof and to file a copy of this ordinance with the County Planning Board as required by N.J.S.A. 40:55D-16.

SECTION THREE

Pursuant to N.J.S.A. 40:55D- 62.1, notice of scheduled the hearing date and this ordinance shall be given at least ten (10) days prior to the hearing by the Municipal Clerk by either personal service or certified mail and regular mail to the owners of all real property as shown on the current tax duplicates, located, in the case of a classification change, within the district and within the State within two hundred feet (200') in all directions of the boundaries of the district, and located in the case of a boundary change, in the State within two hundred feet (200') in all directions of the proposed new boundaries of the district.

SECTION FOUR

This Ordinance shall take effect upon final passage and publication as provided by law, however, subsequent to first reading, this ordinance must be referred to the municipal Planning Board for review, which shall be based on whether the proposal is substantially consistent with the Master Plan. The Planning Board has a period of thirty-five (35) days after referral to report on the proposed ordinance.

SECTION FIVE

If any part of this Ordinance shall be deemed invalid by an administrative agency or court of competent jurisdiction, such decision shall not affect the legality and enforceability of any other provision hereof.

SECTION SIX

All ordinances, policies and or procedures or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only however, to the extent of such conflict or inconsistency.

Motion made by Committee person _____, seconded by Committee person _____ and adopted on roll call by the following vote:

MEMBER	YES	NO	ABSTAIN	ABSENT
Mayor George K. Newberry				
Deputy Mayor Ann Marie Conte				
Committeeman Jeffrey W. Foster				
Committeeman Clinton C. Hoffman				
Committeeman Todd W. Luttman				

TOWNSHIP OF WALL
COUNTY OF MONMOUTH
NOTICE AND SUMMARY OF ORDINANCE 20-2010

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This Ordinance amends Chapter 140 of the Code of the Township of Wall to amend the zoning map to rezone certain properties from their present zone classification of HB-20 to the R-7.5 zone classification.

Notice is hereby given that the foregoing Ordinance was introduced and passed on first reading by the Township Committee of the Township of Wall on October 13, 2010, and further be considered for final passage and adoption at the Wall Township Municipal Building, 2700 Allaire Road, Wall, New Jersey on November 23, 2010, at 7:30 o'clock p.m., or as soon thereafter as the matter can be reached on the agenda, at which time and place all persons interested therein shall

be given an opportunity to be heard, and during the week prior to and up to and including the date of such meeting, copies of said Ordinance will be made available at the Clerk's Office in the Township of Wall, Town Hall, to members of the general public who shall request the same or may be viewed in full on the Township's website www.wallnj.com.

LORRAINE KUBACZ, RMC
Township Clerk