

ORDINANCE NO. 34-2011

**AN ORDINANCE OF THE TOWNSHIP WALL, COUNTY OF MONMOUTH,
STATE OF NEW JERSEY, REZONING THE REMAINDER SITE FOR THE
ATLANTIC AVENUE MULTI-FAMILY TOWNSHIP PROJECT**

BE IT ORDAINED by the Committeemen of Wall Township in the County of Monmouth and State of New Jersey that the following amendments be made to Chapter 140, Part 6, Article XLIII of Wall Township's municipal code:

Section 1. Purpose.

The purpose of this Ordinance is to supplement and amend Chapter 140, Part 6, Article XLIII Mount Laurel Zones.

Section 140-316. Mount Laurel Compliance 14 (MLC-14) Zone

- A. Permitted principal uses. In the MLC-14 Zone, no premises shall be used and no structure shall be erected, altered or occupied for any purposes except multi-family residential structures containing flats or apartment units of no more than 40 units per building.
- B. Permitted Accessory uses and structures.
 - (1) Off-street parking areas.
 - (2) Private recreational facilities, ancillary structures, and open space as permitted by the approving authority.
 - (3) Such other customary accessory uses and structures as may be permitted by the approving authority.
 - (4) Basement and attic areas of principal buildings shall be used for storage, utility and similar purposes only.
- C. Bulk regulations. Development in the MLC-14 Zone shall comply with the following regulations:
 - (1) The gross density shall not exceed 14.5 dwelling units per acre. No more than 158 units may be constructed on-site.
 - (2) The minimum tract area shall be 10 acres.
 - (3) The minimum lot frontage, lot width and lot depth shall be 500 feet each
 - (4) The maximum impervious coverage shall not exceed 45%.

- (5) The maximum building coverage shall not exceed 15%.
- (6) The maximum building height shall not exceed 2½ stories and 35 feet.
- (7) Building setback requirements:
 - (a) The front yard setback shall not be less than 49 feet.
 - (b) The side yard setback shall not be less than 30 feet.
 - (c) The rear yard setback shall not be less than 60 feet.
 - (d) Separation between principal buildings shall not be less than 30 feet
 - (e) All buildings shall be setback a minimum of 5 feet from internal parking areas and access roads.

D. Design Standards

- 1. All applicable sections of Chapter 140, The Township of Wall Land Use and Development Regulations, with regard to site plans, subdivisions, site design, building design, utility design, design standards and property maintenance shall apply unless otherwise superseded by this section.
 - 2. Refuse and recycling facilities shall be provided and maintained by the property owner pursuant to Chapter 140, Sections 164, 250, and 251.
- E. Block 810, a portion of Lot 6, as shown as the North Easterly corner of the proposed subdivision plat, last revised on November 4, 2009, prepared by Gregory Blase Fusco of Key Engineers, Inc., consisting of 11.3 acres, is hereby rezoned ML-14 on the official Zoning Map of the Township of Wall as described herein.
- F. This ordinance shall become effective upon Court approval of an agreement between Wall Township and Atlantic Manor Associates being entered contemporaneously with the adoption of this ordinance.

Section 2. Severability.

If any section, subsection, paragraph, sentence or other part of this Ordinance is adjudged unconstitutional or invalid, such judgment shall not affect or invalidate the remainder of this Ordinance, but shall be confined in its effect to the section, subsection, paragraph, sentence or other part of this Ordinance directly involved in the controversy in which said judgment shall have been rendered and all other provisions of this Ordinance shall remain in full force and effect.

Section 3. Inconsistent Ordinances Repealed.

All Ordinances or parts of Ordinances which are inconsistent with the provisions of this Ordinance are hereby repealed, but only to the extent of such inconsistencies.

Section 4. Effective Date.

BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon final passage and publication as provided by law.

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

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

NOTICE AND SUMMARY OF ORDINANCE NO. 34-2011

AN ORDINANCE OF THE TOWNSHIP WALL, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, REZONING THE REMAINDER SITE FOR THE ATLANTIC AVENUE MULTI-FAMILY TOWNSHIP PROJECT

Adoption of Ordinance 34-2011 rezones the site for the Atlantic Avenue Multi-family Township project pertaining to Permitted principal uses, Permitted Accessory uses and structures, Bulk regulations and Design Standards and rezones Block 810 portion of Lot 6 to ML-14.

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 November 22, 2011 and further be considered for final passage and adoption at the Wall Township Municipal Building, 2700 Allaire Road, Wall, New Jersey on December 14, 2011, 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

