

**TOWNSHIP OF WALL
ORDINANCE NO. 1-2015**

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL CORRECTING A ZONING DESIGNATION FOR REAL PROPERTY IDENTIFIED AS BLOCK 301, LOT 9 ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF WALL

WHEREAS, the Township received a Zoning Change Request dated December 1, 2014 ("the Letter") from the owners of the real property located at Block 301, Lot 9 on the Official Tax Map of the Township of Wall ("the Property"), commonly known as 2300 Highway 35, Manasquan, New Jersey; and

WHEREAS, the Letter advised the Township that the Property had been zoned for business uses but that the Property is presently identified as being zoned R-7.5, residential; and

WHEREAS, the Letter requests that the Township rezone the Property for business uses; and

WHEREAS, the Township Planner, John Hoffmann, PP/AICP, has reviewed the Letter; and

WHEREAS, the Township Planner could find no record or reason for the Property having been rezoned "other than perhaps a mapping error[];" and

WHEREAS, the Township Planner has determined that the Property, based upon its location and highway access, is inappropriately zoned as R-7.5, residential; and

WHEREAS, the Township Planner recommends that the Property be rezoned as HB-20, Highway Business Zone.

WHEREAS, the Township Committee has determined that it would be appropriate, proper and in the best interests of the residents of the Township of Wall to rezone Block 301, Lot 9 from R-7.5, residential, to HB-20, Highway Business, in order to correct a zoning designation.

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

Section 1. Block 301, Lot 9, commonly known as 2300 Highway 35, Manasquan, NJ 08736, shall be rezoned as HB-20, Highway Business Zone.

Section 2. All Ordinances, or parts thereof, inconsistent with the provisions of this Ordinance, be and the same are hereby repealed to the extent of such inconsistency.

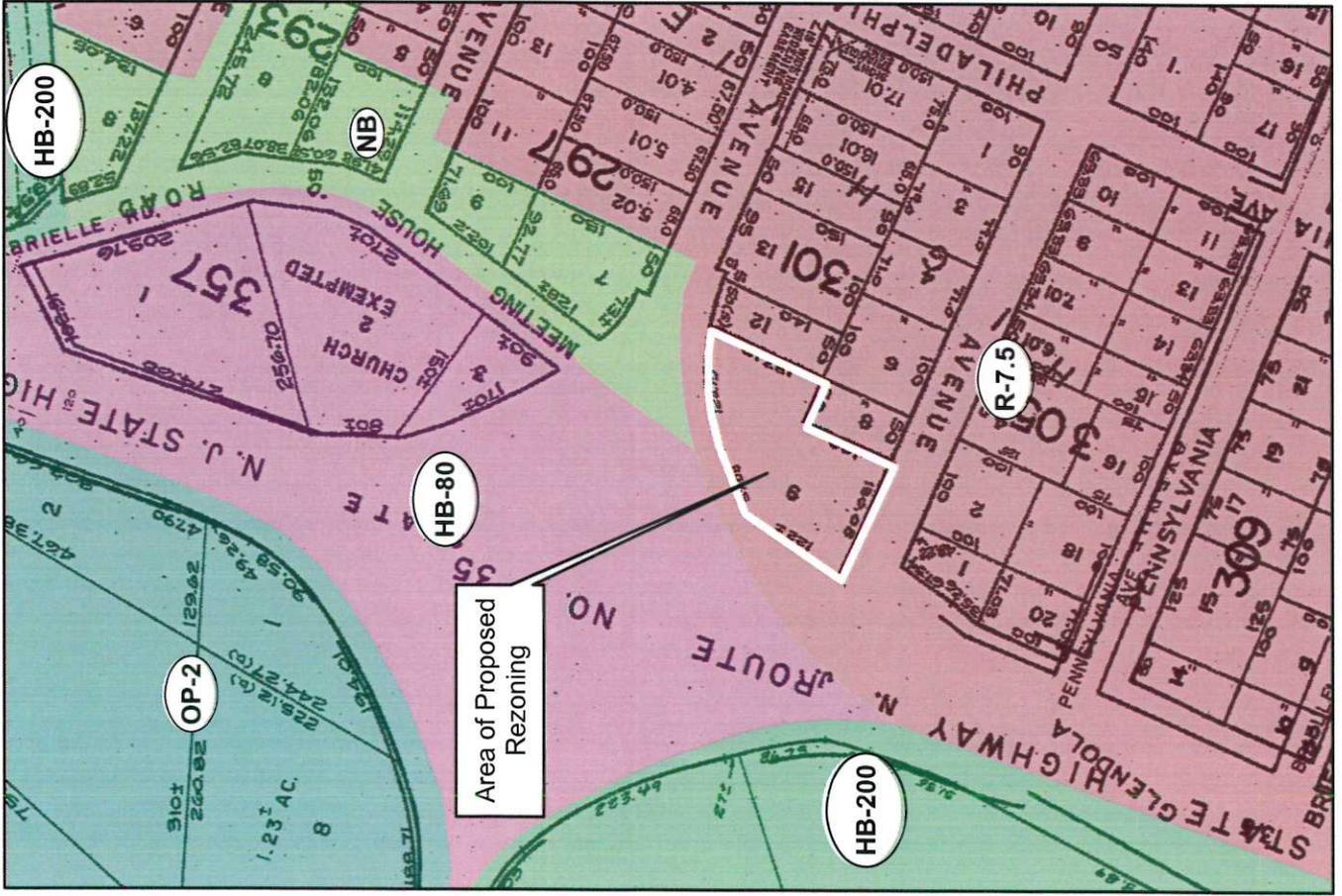
Section 3. The Mayor, Clerk, and such other Township officials, engineers and planners are hereby authorized to take such ministerial actions as are necessary to effectuate the purposes of this Ordinance. The Township Planner and Engineer are hereby authorized to amend the Official Tax Map of the Township of Wall in accordance with the provisions of this Ordinance.

Section 3. Should any section, paragraph, clause or any other portion of this Ordinance be adjudged by a Court of competent jurisdiction to be invalid, such judgment shall not affect or impair the remainder of this Ordinance.

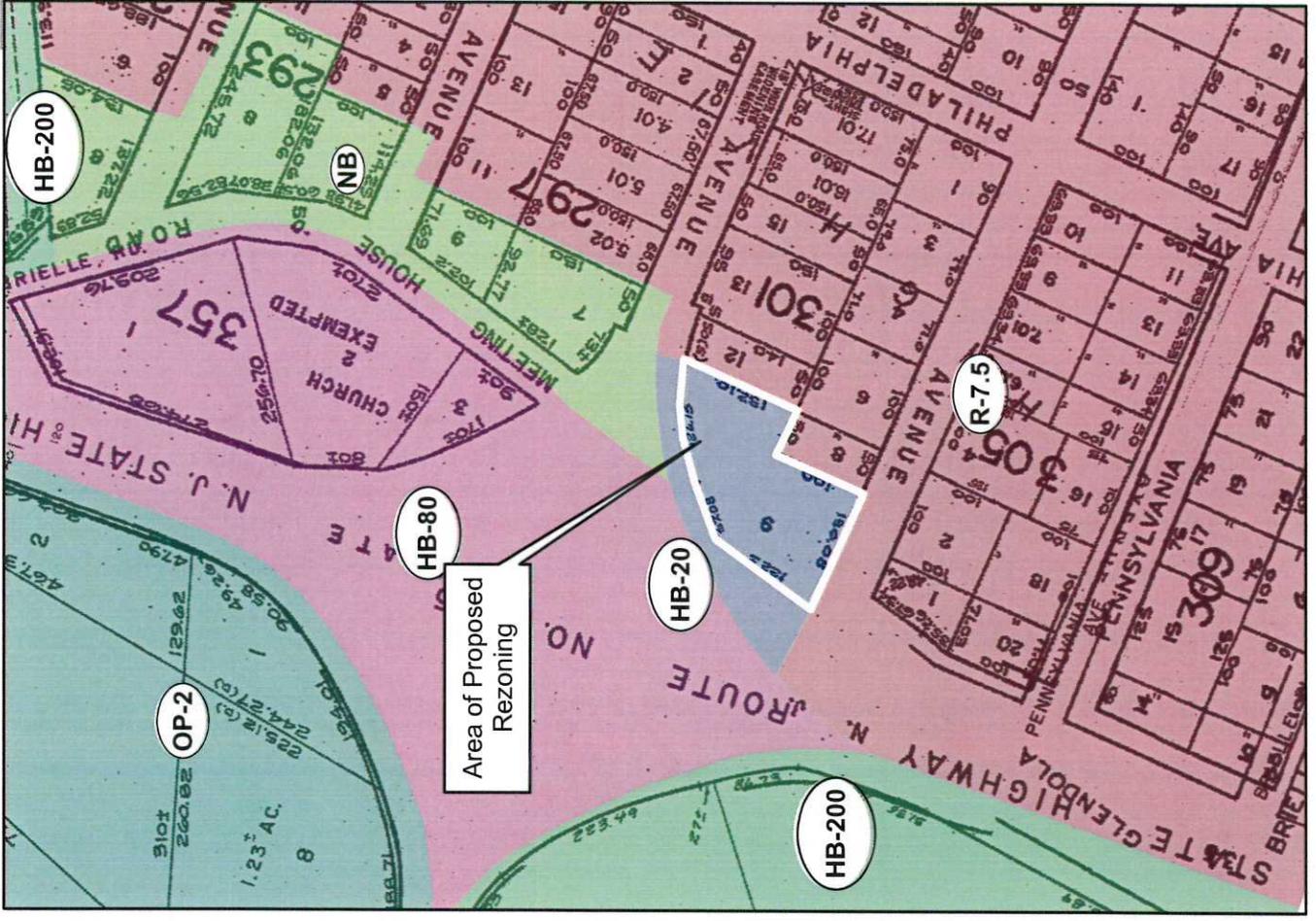
Section 5. Pursuant to the Municipal Land Use Law, the Clerk is directed to give notice at least ten (10) days prior to the hearing on the adoption of this Ordinance to the County Planning Board pursuant to the provisions of N.J.S.A. 40:55D-15. Upon adoption of this Ordinance after public hearing thereon, 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 6. 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.

Block 301 Lot 9



Existing Zoning



Proposed Zoning