

**TOWNSHIP OF WALL****ORDINANCE NO. 35 - 1998****AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL PROVIDING FOR THE REZONING OF CERTAIN PROPERTIES.**

**WHEREAS**, the Planning Board has recently adopted amendments to the Land Use Plan Element of the Wall Township Master Plan pertaining to the area of the Township along the Highway 34 corridor south of the Garden State Parkway; and

**WHEREAS**, comprehensive revisions to the Township's zoning regulations pertaining to the aforesaid area of the Township are being prepared for introduction and public hearing in January, 1999; and

**WHEREAS**, properties known as Lots 92, 93 and 94 in Block 805 on the Tax Assessment Map are presently zoned for highway business uses, which zoning is inconsistent with the recent amendments to the Master Plan; and

**WHEREAS**, the Township Committee has been made aware of a proposal to develop the aforesaid properties for retail uses which would be inconsistent with the Master Plan amendments and not in the best interests of sound planning and zoning in the Township of Wall;

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Wall in the County of Monmouth and State of New Jersey as follows:

Section 1: Chapter XIV, "Land Use and Development", of "The Revised General Ordinances of the Township of Wall, 1977", as amended and supplemented, Article IV, "Zoning", Section 14-404, "Zoning Map and Districts", Subsection 14-404.4, "Maintenance of the Official Zoning Map" be and the same is hereby further amended and supplemented by the addition thereto of the following subparagraph:

“hh. (400D.7.hh.) To delete the following properties from the Highway Business Zone and to include the same within the OP-10 Zone: Block 805, Lots 93, 94 and that portion of Lot 92 lying to the west of a 20’ right-of-way, of approximately 418 feet in length, as shown on page 49.01 of the Tax Assessment Map.”

(The aforesaid properties are located at the southeast corner of the intersection of State Highway 34 and Allaire Road.)

Section 2. Chapter XIV, “Land Use and Development”, of “The Revised General Ordinances of the Township of Wall, 1977”, as amended and supplemented, Article IV, “Zoning”, Section 14-404, “Zoning Map and Districts”, Subsection 14-404.4, “Maintenance of the Official Zoning Map” be and the same is hereby further amended and supplemented by the addition thereto of the following subparagraph:

“ii. (400D.7.ii.) To delete the following property from the Highway Business Zone and to include the same within the RR-Zone: That portion of Lot 92 in Block 805 lying to the east of a 20’ right-of-way of approximately 418 feet in length, as shown on page 49.01 of the Tax Assessment Map.”

(The aforesaid property is located on the south side of Allaire Road near its intersection with State Highway 34.)

Section 3. 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 4. 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. This Ordinance shall take effect upon its passage and publication

and filing with the Monmouth County Planning Board, according to law.

### **NOTICE**

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 December 9, 1998 and will be further considered for final passage and adoption at the Wall Township Municipal Building, 2700 Allaire Road, Wall, New Jersey, on December 21, 1998 at 5:00 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 the members of the general public who shall request the same.

BEATRICE M. GASSNER, C.M.C.  
Township Clerk