

**TOWNSHIP OF WALL  
ORDINANCE NO. 20 - 1998**

**AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AMENDING AND SUPPLEMENTING "THE LAND USE AND DEVELOPMENT REGULATIONS OF THE TOWNSHIP OF WALL".**

**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 14-300, "Procedures", be and the same is hereby further amended and supplemented by the deletion therefrom of section 14-304.9, "Technical Subdivisions", and the substitution therefor of the following:

"14-304.9 - Technical Subdivisions.

a. While subdivisions are not usually required for non-residential development, it is recognized that a commercial project to be developed pursuant to this chapter may be of such a size or type so as to make sectionalization by subdivision and the use of different forms of ownership a practical necessity. The Township recognizes that a technical subdivision for such a project may be required for marketing or financing purposes.

b. An application for technical subdivision approval may be submitted with an application for approval of a non-residential site plan, or subsequent to the issuance of such an approval.

c. An application for technical subdivision approval may be submitted with an application for approval of a site plan for a residential development providing for low and/or moderate income housing units as part of the township's affordable housing plan, or subsequent to the issuance of such an approval.

d. Such an application shall be considered as a

technical subdivision and treated as a minor subdivision application without the necessity to obtain bulk variances that would technically be required, subject to the following conditions:

1. The purpose of the application is to create a new lot for the purpose of financing or transfer of ownership within a development which is, or has been, the subject of site plan approval.
2. A technical subdivision may not substantially modify or otherwise adversely impact on the integrity of a previously approved development plan.
3. A technical subdivision must not reduce, limit or modify parking or access to parking.
4. If a technical subdivision includes the division of parking or other common areas or facilities, the subdivision shall be conditioned upon appropriate easements for parking, access, drainage and/or utilities where necessary.”

Section 2. Chapter XIV, “Land Use Development Regulations”, of “The Revised General Ordinances of the Township of Wall, 1977”, as amended and supplemented, Article I, “General”, Section 100I, “Definitions”, be and the same is hereby further amended and supplemented by the deletion therefrom of the definition “Dwelling, Single-Family” and the substitution therefor of the following:

““Dwelling, Single-Family” shall mean a residential dwelling with a single driveway and garage; a single main entrance at the front of the dwelling facing the street; common utilities and one distinct set of living facilities, which is occupied by a “family” as defined herein.””

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

### **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 July 8, 1998 and will be further considered for final passage and adoption at the all Township Municipal Building, 2700 Allaire Road, Wall, New Jersey, on August 12, 1998 at 8:00 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