

ORDINANCE NO. 2115-14

**AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE BOROUGH OF
HAWTHORNE SO AS TO INCLUDE IN THE B-3 ZONE ADDITIONAL LANDS**

WHEREAS, the Municipal Council of the Borough of Hawthorne has adopted new land use regulations, creating two new zoning districts known as the B-3 and B-3A Zoning Districts, pursuant to Ordinance 2112-14, adopted on May 7, 2014; and

WHEREAS, as part of that zoning amendment, certain lands located on Lafayette Avenue, north of Goffle Road, previously zoned as part of the B-1 Zoning District, were rezoned so as to be included in the R-2 Zoning District; and

WHEREAS, it was determined that one lot previously included in the B-1 Zoning District was included within the lots rezoned to the R-2 Zoning District when in fact it should have been included among the lots rezoned as part of the new B-3 Zoning District; and

WHEREAS, the lot in question, identified on the Tax Map of the Borough of Hawthorne as Block 281.02, Lot 6, adjoins on its northerly and easterly sides property fronting on Goffle Road, at its intersection with Lafayette Avenue, occupied by Paul's Motors, a Volvo Dealership; and

WHEREAS, automobile dealerships are expressly permitted in the B-3 Zoning District, making inclusion of the aforesaid lot within the B-3 Zone appropriate given its location; and

WHEREAS, the lots north of Block 281.02, Lot 6, are residential in character and despite inclusion in the B-1 Zone, are more properly classified as R-2 in nature, as set forth in the Ordinance; and

WHEREAS, the failure to include Block 281.02, Lot 6 among the lots rezoned to the B-3 Zoning District was the result of oversight and inadvertence and the appropriate zoning boundary between the B-3 Zoning District and the R-2 Zoning District is at the westerly side of said lot and not its easterly side;

NOW THEREFORE BE IT ORDAINED, by the Municipal Council of the Borough of Hawthorne as follows:

Section 1. Ordinance 2112-14, adopted on May 7, 2014, is hereby amended so as to add to Schedule A thereof an additional location, Block 281.02, Lot 6, said lot to now be included among the lots rezoned to the B-3 Zoning District and not the R-2 Zoning District.

Section 2. The remaining portion of Ordinance 2112-14 and Chapter 540, Zoning, shall remain in full force and effect except as modified hereunder.

Section 3. This Ordinance shall take effect upon final adoption and publication as provided by law.

Frank E. Matthews
Council President

Attest:
Lori DiBella, RMC
Borough Clerk

NOTICE OF PENDING ORDINANCE

The Ordinance published herewith was introduced and passed upon first reading at a meeting of the Municipal Council of the Borough of Hawthorne, in the County of Passaic, New Jersey, held on May 7, 2014. It will be further considered for final passage after public hearing thereon at a meeting of said Municipal Council to be held in the Municipal Building, 445 Lafayette Avenue, in said Borough on June 4, 2014, at 7:00 p.m., at which time and place all interested members of the public who desire will be given an opportunity to be heard in connection with said Ordinance, and during the week prior to and up to and including the date of such meeting, copies of said Ordinance will be posted on the borough website and made available at the Clerk's Office in said Municipal Building to the members of the general public who shall request the same.

Lori DiBella, RMC, Borough Clerk

THIS IS TO CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF ORDINANCE NO. 2115-14 ADOPTED BY THE MUNICIPAL COUNCIL OF THE BOROUGH OF HAWTHORNE AT A REGULAR MEETING ON JUNE 4, 2014.

ATTEST:

Lori DiBella, RMC
Borough Clerk

Frank E. Matthews
Council President

APPROVED:

Richard S. Goldberg
Mayor