

ORDINANCE 2007-34

AN ORDINANCE AMENDING CHAPTER 188 (DEVELOPMENT REGULATIONS), SECTION 6 (ZONING BOARD OF ADJUSTMENT) OF THE CODE OF THE TOWNSHIP OF HILLSBOROUGH, COUNTY OF SOMERSET, STATE OF NEW JERSEY TO PERMIT EXTENDED TIME LIMITATIONS FOR HARDSHIP AND USE VARIANCES APPROVED BY THE BOARD OF ADJUSTMENT.

BE IT ORDAINED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, as follows:

1. Amend Section 188-6 E as follows:

E. In granting of hardship and use variances (NJSA 40:55D-70 c and d) by the Board of Adjustment, a time limit of five (5) years from the date of approval of the resolution granting said variance shall be set within which time the developer shall secure a building permit and commence construction or the variance approval shall be null and void. The five (5) year expiration time period may be extended by the Board of Adjustment. The Board of Adjustment may set a reasonable time limit for the completion of construction in conjunction with an approved hardship or use variance. A restoration bond shall be submitted to the Township where a site plan is submitted in conjunction with a hardship or use variance, as noted above. The restoration bond may be utilized in the event that a developer fails to complete the development project according to the approved site plan within a reasonable time frame after determination has been made that the developer is unable to proceed any further.

2. Severability. If any provisions of this ordinance shall be adjudged invalid, such adjudication shall not affect the validity of the remaining provisions, which shall be deemed severable therefrom.

3. This ordinance shall take effect immediately upon passage and publication according to law.

ATTEST:

**HILLSBOROUGH
TOWNSHIP COMMITTEE**

By: _____
Kevin P. Davis, Clerk

By: _____
Anthony Ferrera, Mayor

Introduced: July 24, 2007
Published: August 2, 2007
Public Hearing: August 14, 2007
Adoption: August 14, 2007
Published: August 23, 2007