

ORDINANCE #2007-12

AN ORDINANCE AMENDING AND MODIFYING THE LAND USE PROCEDURES ORDINANCE.

BE IT ORDAINED by the Board of Commissioners of the Borough of Allenhurst in the County of Monmouth, New Jersey as follows: (not less than two-thirds of all the members thereof affirmatively concurring)

Section 1. Ordinance #10/11/77 §19; Ordinance #11/10/86 §14 be and are hereby amended as follows:

Expiration of Variance and Certificate of Appropriateness. Any variance from the terms of this chapter hereafter granted by the Planning Board permitting the erection or alteration of any structure or structures or permitting a specified use of any premises shall expire by limitation and become null and void unless such construction or alterations shall have been actually commenced on each and every structure permitted by the variance or unless such permitted use has actually been commenced, within one (1) year from the date of publication of the notice of judgment or determination of the Planning Board; except however, that the running of the period of limitation herein provided, shall be tolled from the date of filing and appeal from the decision of the Planning Board to the Governing Body, or to a Court of competent jurisdiction, until determination in any manner of such appeal or of proceedings. Variances previously granted by the Zoning Board of Adjustment prior hereto, shall expire in the fashion herein provided. In the granting of a Certificate of Appropriateness, a time limit of one (1) year from the date of the Certificate of Appropriateness approval shall be set within which the owner shall secure a building permit; otherwise the Certificate of Appropriateness granted shall be null and void. The Planning Board may for good cause shown at a hearing before the Planning Board, extend the period for securing a building permit for an additional period not exceeding six (6) months.

Section 2. This Ordinance shall take effect twenty (20) days after the first publication thereof after final passage as provided by law.

APPROVED: November 13, 2007

ADOPTED: December 27, 2007