

Amendment #6

ZBA Relief Time Limitations

Amendment 6 – To amend Article IX by adding a new Section, Section 9.500 to place reasonable time limitations on relief granted by the Zoning Board of Adjustment, and to provide a provision allowing applicants to seek extension of approvals which would otherwise lapse.

Time Limitation for Zoning Board Decisions

To see if the Town will vote to amend Article IX of the Raymond Zoning Ordinance by adding a new section 9.500 to read:

Limits of Approvals of Special Exceptions and Variances:

01. Purpose: The purpose of this provision is to provide a reasonable time limitation on an approval by the Zoning Board of Adjustment (ZBA) of any relief granted pursuant to an application before it for a Variance or Special Exception. Recognizing that changes in the ordinances, and/or conditions in the neighborhood may conflict with a prior approval that has not been implemented within a reasonable time thereafter, it is in the public interest to require improvements for which said Variance or Special Exception shall have been granted, be substantially completed within the time period set forth in subparagraph 02 below. Failure to do so within this designated time period will result in the approval becoming null and void without further action of the Zoning Board of Adjustment. Thereafter, any site development or use of the property will be subject to all state and town land use regulations then in effect.
02. All approvals for Variances or Special Exceptions shall only be valid for a period of 4 (four) years from the date such approval was granted; provided, however, that upon substantial completion of any improvements, modifications, alterations or other changes in the property for which said approval was granted, the rights of the owner or any successor in interest shall vest.
03. An applicant whose approval will otherwise lapse may apply to the Zoning Board of Adjustment for an extension of time to substantially

complete the improvement for which relief was granted. The Zoning Board may grant a reasonable extension of time to the applicant following a duly noticed public hearing and upon a showing of good cause.

04. “Good Cause” shall mean any reasonable explanation for delay in completion of the improvements for which the relief from the ordinance or approval of special exception was granted. The Zoning Board shall make a specific finding of the basis for its decision to grant the extension.