

2.56 - Zoning Board of Appeals

Chapter 2.56 - ZONING BOARD OF APPEALS

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2.56.010 Created. There is created the city zoning board of appeals. (Ord. 655-86)

2.56.020 Membership--Appointment and qualifications. The Zoning Board of Appeals shall consist of five members, who shall be qualified electors appointed by the city council, none of whom shall hold any other position with the city. (Ord. 809-91: 655-86)

2.56.030 Term of office. The term of office shall be five years, except that of the members first appointed they shall be appointed one for one year, one for two years, one for three years, one for four years, and one for five years. Any member of the board may be removed by the city council for cause, and if a hearing is requested by such member within five (5) days of notification of removal, after public hearing. (Ord 809-91: 655-86)

2.56.040 Vacancy filling.

A. Vacancies shall be filled by appointment of the city council for the unexpired term of the vacancy.

B. A vacancy exists when a member dies, resigns, is removed by action of the city council, or if a member moves outside the city limits and thus is no longer a qualified elector in the city. (Ord. 655-86)

2.56.050 Meetings--Rules for operation. All meetings of the board shall be held at the call of the chairman and at such other times as such board may determine. All meetings and records of the board shall be open to the public. The Board shall keep minutes of its proceedings, showing the vote of each member upon every question, or if absent or failing to vote, indicating such fact, and shall also keep records of its official actions. Every order, requirement, decision, or determination of the board shall immediately be filed in the office of the city clerk and shall be a public record. Three members of the board shall constitute a quorum for the transaction of business. The board is empowered to make rules and regulations for its conduct and operations not inconsistent with state and municipal law. (Ord 809-91: 655-86)

2.56.060 Organization and officers. The board shall elect one of its members as chairperson. The chairperson's duties shall be those customarily performed by such officer and as specified by the rules of the board. The chairperson shall hold office for one year or until a successor is elected. The city manager shall provide a staff person to record minutes of each meeting and conduct correspondence for the board. (Ord. 655-86)

2.56.070 Powers and duties. The board shall have the power to hear and determine appeals from refusals of building permits and to permit exceptions to or variations from the zoning regulations in accordance with the principles, conditions, and procedures specified in the ordinance. The board shall exercise other powers and duties as may be required by state law. The findings and determinations of the zoning board of appeals may be reviewed, modified, affirmed, or reversed by five votes of the council upon its own motion, or upon the application therefor by any interested person within thirty days after such findings or determination has been made and entered upon its record. (Ord. 655-86)

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