

SECTION 26-24. BOARD OF ADJUSTMENT

Sec. 26-24-1. Creation.

A board of adjustment, hereinafter referred to as the board, is hereby created.

(Ord. No. 1986-01, § 2, 2-4-86)

Sec. 26-24-2. Organization.

The board shall have five (5) members. Appointment to the board of adjustment shall be by the city council for a term of three (3) years. The board may recruit and recommend nominees to city council for appointment. Vacancies on the board shall be filled for the unexpired term in the same manner as the initial appointment. The board shall elect from its membership a chairman and such other officers as it may deem necessary during its first meeting of each calendar year, and adopt such rules as may be necessary for conduct of its business. Council may, upon recommendation of the board, appoint up to two (2) alternate members, which member(s) shall be called upon to serve and vote in the absence of a regular member(s). The alternate members shall be designated upon appointment as "alternate number one" and "alternate number two". Any vacancy which occurs in the membership of the board shall be filled by the council within sixty (60) days after such vacancy occurs. The board may recommend any alternate member for appointment by council to a vacant position. Compensation of the members of the board shall be as fixed by the council. Members of the board shall be residents of the city and may be removed by council only for cause after written charges and a public hearing.

(Ord. No. 1986-01, § 2, 2-4-86; Ord. No. 2011-04, § 2, 2-1-11)

Sec. 26-24-3. Powers and duties.

The board shall have the power, duty and jurisdiction as assigned to it by this chapter and the ordinances of the city which shall include:

(a) To hear and decide appeals where it is alleged by the appellant that there is error in any order, requirement, decision or refusal made by an administrative official or agency based on or made in the enforcement of this chapter.

(b) To hear and decide appeals wherein there is question on the interpretation of the zone district map or similar questions as they may arise in the administration of this chapter.

(c) To hear and decide appeals for special exceptions to the provisions of this chapter, such exceptions to be known as variances.

(Ord. No. 1986-01, § 2, 2-4-86)