



CITY OF OGDENSBURG ZONING BOARD OF APPEALS BOARD MEMBER JOB DESCRIPTION

POSITION: Member of the Zoning Board of Appeals
Alternate Member of the Zoning Board of Appeals

LENGTH OF TERM: 3 years

RESPONSIBLE TO: Advisory board to City Council, also a quasi-judicial body

TIME COMMITMENT: Approximately 5 hours per month

ZONING BOARD OF APPEALS MEMBERSHIP

The Zoning Board of Appeals consists of seven (7) citizens appointed by the Mayor to serve a three (3) year term. The Mayor appoints a chair and the Board annually elects a vice-chair and officers from their membership. The ZBA has final agency authority on numerous land use applications as well as acting in an advisory capacity to City Council on various other land use matters.

ALTERNATE MEMBERSHIP

Two alternate members may be appointed by the Mayor to substitute for a regular member of the ZBA in the event that a regular member is unable to participate in matters before the ZBA because of a conflict of interest, illness or other absence.

EXPECTED ATTENDANCE:

<u>FUNTION</u>	<u>DATE</u>	<u>TIME</u>	<u>APPROXIMATE MONTHLY HOURS</u>
Regular Board Meeting	Monthly, 4 th Tuesday	4:30 PM	1-3 hours
Special Board Meetings	Variable	N/A	1 hour
Work Sessions, Field Trips Special Presentations, Training, etc.	Variable	N/A	1 hour

RESPONSIBILITIES OF THE ZBA:

The general purpose of the Zoning Board of Appeals is to hear and decide any appeal or decision, order or interpretation by the officer whose duty it is to enforce the zoning ordinance, and it shall have the power to reverse any decision of such officer on a concurring vote of the board as provided by statute. The Zoning Board of Appeals shall also conduct hearings on requests for variances.

In particular, the powers of the ZBA are:

1. Interpretation: To decide any question involving the interpretation of any provision of this chapter, including determination of the exact location of any zoning district boundary or any other determination made in the application and administration of this chapter. Such interpretation shall be considered and rendered by the Board only upon application or appeal following a determination made by the Director of Planning and Development or the Code Enforcement Officer, unless requested by an officer of the City or the Planning Board.
2. Variances.
 - a. Variances may be granted to modify or vary the strict application of any of the requirements of this chapter so that the spirit of this chapter shall be observed, public safety and welfare secured and substantial justice done where strict application would result in a practical difficulty or unnecessary hardship that would deprive the owner of the reasonable use of the land or building involved. The unnecessary hardship or practical difficulty must relate to the land, not the applicant, as all variances run with the land. A hardship or difficulty which is merely personal to the current owner of real property will not justify the granting of a variance which runs with the land. Variances granted are subject to site plan review according to Article XV.
 - b. Definitions. As used in this section, the following terms shall have the meanings indicated:

USE VARIANCE -- The authorization by the Zoning Board of Appeals for the use of land for a purpose which is otherwise not allowed or is prohibited by the applicable zoning regulations.

AREA VARIANCE -- The authorization by the Zoning Board of Appeals for the use of land in manner which is not allowed by the dimensional or physical requirements of the applicable zoning regulations, such as minimum lot size, minimum lot width, minimum setbacks, off-street parking requirements or sign limitations.

SPECIFIC DUTIES OF ZBA MEMBERS:

- Recognize and avoid or make public any conflict of interest your position may place you in; don't pursue special privileges; maintain confidentiality; and let your behavior contribute to the smooth operation of your board. Much acrimony can be avoided this way.
- Become familiar with the law that covers public open meetings and hearings and review the materials you were given when you were sworn in.
- Complete a minimum of five hours of relevant training within one year from the date of initial appointment to the Zoning Board of Appeals and four hours of relevant training in each subsequent year of membership.
- Attend monthly ZBA meetings to review and discuss up-coming agenda items, development issues, work program activities, and to review and make decisions on land use development applications, changes to the City's land use regulations, City wide, neighborhood and sub-area plans.
- Attend occasional special work sessions with the City Council, various interest groups and other planning related presentations and field trips.
- Be available on a periodic basis to represent to Commission on the Comprehensive Plan Task Force or other Advisory Board or Committee.
- Have a willingness and dedication to commit both time and personal energy to the Zoning Board of Appeals.
- Have an interest in comprehensive community planning, zoning and subdivision of land, and the protection of the environment.
- Have a desire to assist in implementing the City of Ogdensburg's Vision Statement and land use policies, including the Comprehensive Plan, Subdivision Ordinances, Zoning Ordinances and environmental policy, for the purpose of protecting the health, safety and welfare of the residents.
- Have a willingness to encourage and accept input from citizens, organizations and those directly affected by land use related actions made by the Board of Appeals.

The following is a message from Mayor William D. Nelson:

Thank you for considering joining the ZBA! As a Citizen Planner you are looking forward to a rich and challenging experience. Remember that being an effective ZBA Member requires you to get involved in the community, become informed, and use common sense, fairness, and objectivity towards all that comes before you. It is your responsibility to balance the public good with private rights and interests.

Your involvement and service is a critical component in shaping our community's future. Never forget that you are serving the common good of all the residents of the community.

*Thanks again,
Bill*
