

SECTION 1. BOARD OF ZONING AND BUILDING APPEALS.

(a) Organization. There shall be established a Board of Zoning and Building Appeals, which shall consist of five (5) members, one of whom shall be and serve as a member of the Sheffield Lake Planning Commission. Said members shall hold no other municipal office or employment except as provided herein and shall be residents of the Municipality. All members shall be appointed by the Mayor, with the concurrence of a majority of the legislative authority and shall serve for a term of four (4) years. The members of the first board shall be appointed as follows: one for a term of one (1) year; one for a term of two (2) years; one for a term of three (3) years; two for term of four (4) years. Any vacancy existing during the term of any member shall be filled for the unexpired term in the same manner as the original appointment. All members shall serve without compensation and may be removed by two-thirds (2/3) of the membership of the legislative authority. The Building Inspector and the Director of Public Service shall be non-voting, ex- officio members of the Board of Zoning and Building Appeals, and shall not count toward the number of votes necessary to establish a quorum of the Board, nor the number of votes necessary for the Board to take any official action. The Building Inspector and Director of Public Service and shall furnish necessary technical advice as required by the Board.

(Amended 11-6-73; 11-7-78; 5-4-21.)

(b) Powers and Duties. The Board of Zoning and Building Appeals shall have the following duties and powers:

(1) To hear and decide appeals made for exceptions to, and variations in, the application of resolutions, ordinances, rules and regulations, measures or orders of administrative officials or agencies governing zoning and building in the Municipality, as may be required to avoid injustice and avoid unreasonable hardship, subject to such procedures as shall be established by Council, and subject further to such reasonable standards as shall be prescribed by Council, including, but not limited to, the existence of practical difficulties or unnecessary hardships in the strict interpretation of the aforesaid ordinances, resolutions, rules and regulations, measures and orders; provided that the granting of such exceptions or variances will be in harmony with the general purpose and intent thereof.

(2) To keep minutes of all its proceedings, showing the vote of each member upon every question, or if absent or failing to vote, indicating such fact and also keep records of all its examinations or other official actions. Every determination, decision, order or requirement of the

Board shall immediately be filed in the office of the Board and made a matter of public record. The Board shall make no determination, decision or order except in an open and public meeting, and shall grant no variance to the zoning requirements without the majority approval of all members appointed to the Board.

(3) To establish rules and regulations for its own procedure not inconsistent with this section.

(4) To formulate and submit to Municipal Council changes in and amendments to the Building Code which the Board determines as desirable.

(5) To do and perform such other duties and functions as may be imposed upon it by this Charter, existing ordinances and resolutions of Council.

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