

ORDINANCE NO. 1992-16

ORDINANCE CREATING A BOARD OF ADJUSTMENT

An ordinance creating a board of adjustment for the City of Ingleside On The Bay, San Patricio County, Texas; providing procedures for appointing members of the board; and defining the board's power and duties.

SECTION 1. ESTABLISHED

There is hereby created and established a board of adjustment.

SECTION 2. COMPOSITION: REMOVAL OF MEMBERS, FILLING OF VACANCIES.

The board of adjustment shall be composed of as many members and alternate members as is provided by state law. Members of the board may be removed by the city council upon written charges and after public hearing. Vacancies shall be filled for the unexpired term of any member whose term becomes vacant from any cause.

SECTION 3. OFFICERS; MEETINGS; RULES AND REGULATIONS; COMPENSATION OF MEMBERS.

- (a) The board of adjustment shall meet and organize as soon as practical and shall elect one of its members as chairperson, and shall have a secretary. The members of the board and the secretary shall receive such compensation as may be determined and fixed by the city council.
- (b) The board of adjustment shall adopt such procedural rules as are necessary to execute its duties. Meetings of the board shall be held at the call of the chairperson, and at such other times as the board may determine. Such chairperson, or in his/her absence the acting chairperson, shall be open to the public. The board shall keep minutes of its proceedings showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its other official actions, all of which shall be filed in the office of the board and shall be a public record.


SECTION 4. POWERS AND DUTIES GENERALLY.

The board of adjustment shall have the following powers;

- (a) To hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination made by the building official in the enforcement of the zoning ordinance rules and regulations of the city;

- b) To hear and decide special exceptions to the terms of the city's zoning ordinance, but in harmony with the general purpose and intent of such ordinance and in accordance with the following general or specific rules;
- (1) Where a use district boundary line divides a lot of record in a single ownership on the _____ board of adjustment may permit a use authorized on either portion of such lot to extend to the entire lot, but not more than twenty-five (25) feet beyond the boundary line of the district in which such use is authorized.
 - (2) A temporary and conditional permit may be allowed for a maximum period of two years for exceptions to or variances from the use district requirements of the city's zoning ordinance, where fully justified by the conditions and circumstances affecting the permit, to prevent unnecessary hardship and unjust discrimination and to promote the general welfare of the community; and such permit or any renewal thereof may be extended from the date of expiration for an additional period not to exceed two (2) years on the same grounds on which the original permit was granted. The granting of temporary and conditional permit shall be confined by the board, insofar as practicable, to undeveloped sections of the city.

PASSED and APPROVED the 16th day of June; 1992.



Alfred Robbins

Alfred Robbins, Mayor

ATTEST:

Adelia Martinez

Adelia Martinez, City Secretary