



TOWN OF PINE RIDGE ZONING BOARD OF APPEALS JOB DESCRIPTION

LENGTH OF TERM: Three years, renewable at the discretion of Town Council

RESPONSIBLE TO: The Zoning Board of Appeals (ZBA) is empowered to make final administrative decisions for the Town of Pine Ridge concerning the zoning ordinance as well as to rule on appeals from the Zoning Administrator, variance and special exception requests.

TIME COMMITMENT: Since the ZBA meetings are held as need, approximately one to two hours is will be needed when a meeting is held. Additionally, six hours of training within the first year and three hours of training every year thereafter.

ZONING BOARD OF APPEALS MEMBERSHIP: The ZBA is a quasi-judicial board composed of seven (7) citizens appointed by Town Council to serve a three (3) year term, which can be renewed at the pleasure of Town Council. The ZBA has final authority on numerous land use applications. The ZBA’s authority is limited to the corporate limits of the municipality. No member of the ZBA may hold an elected public office in the municipality or county from which appointed. Members shall serve until their successors are appointed. A vacancy must be filled for the unexpired term in the same manner as the original appointment. Pine Ridge Town Council may remove any member of the commission for cause. Appointments by Town Council shall be based on professional expertise, knowledge of the Town, and a concern for the future welfare of the Town and its citizens.

EXPECTED ATTENDANCE:

<u>FUNCTION</u>	<u>DATE</u>	<u>TIME</u>	<u>APPROXIMATE HOURS</u>
As Needed Meeting	Variable	6:30 PM	1-2 hours
Special Meeting (Rare Occasions)	Variable	6:30 PM	1-2 hours
*Orientation for New Members	Variable	N/A	6 hours broken into 2 sessions
*Continuing Education (Annual)	Variable	N/A	3 hours in 1 session

* A 2003 amendment to the South Carolina Local Government Planning Enabling Act established mandatory training requirements for all appointees and staff involved with local planning and zoning. These individuals must complete an initial six-hour orientation followed by three hours of continuing education training each year thereafter to comply with state law. The consequence for not meeting the training requirement can be grounds for a legal challenge of official actions taken by a board or commission.



RESPONSIBILITIES OF THE ZONING BOARD OF APPEALS:

The general purpose of the Zoning Board of Appeals (ZBA) is to hear and decide any appeal or decision, order or interpretation by the Zoning Administrator whose duty is to enforce the zoning ordinance, and it shall have the power to reverse any decision of the Zoning Administrator on a majority vote of the ZBA. The ZBA shall also make decisions on variances and special exceptions.

In particular, the powers (SC CODE 6-29-800) of the ZBA are:

- 1) To hear and decide appeals where it is alleged there is error in an order, requirement, decision, or termination made by the Zoning Administrator;
- 2) To hear and decide appeals for variance from the requirements of the zoning ordinance when strict application of the provisions of the ordinance would result in unnecessary hardship. A variance may be granted in an individual case of unnecessary hardship if the board makes and explains in writing the following findings:
 - a) There are extraordinary and exceptional conditions pertaining to the particular piece of property;
 - b) These conditions do not generally apply to other property in the vicinity;
 - c) Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; and
 - d) The authorization of a variance will not be of substantial detriment to adjacent property or to the public good, and character of the district will not be harmed by the granting of the variance.
 - i. The board may not grant a variance, the effect of which would be to allow the establishment of a use not otherwise permitted in a zoning district, to extend physically a nonconforming use of land or to change the zoning district boundaries shown on the official zoning map. The fact that property may be utilized more profitably, if a variance is granted, may not be considered grounds for a variance. Other requirements may be prescribed by the zoning ordinance.
 - ii. In granting a variance, the ZBA may attach to it such conditions regarding the location, character, or other features of the proposed building, structure or use as the board may consider advisable to protect or establish property values in the surrounding areas or to promote the public health, safety, or general welfare;



- 3) To permit uses by special exception subject to the terms and conditions for the uses set forth for such uses in the zoning ordinance; and
- 4) To remand a matter to the Zoning Administrator, upon motion by a party or the ZBA's own motion, if the board determines the record is insufficient for the review. A party's motion for remand may be denied if the board determines that the record is sufficient for review. The board must set a rehearing on the remanded matter without further public notice for a time certain within sixty days unless otherwise agreed to by the parties. The ZBA must maintain a list of people who expresses an interest in being informed when the remanded matter is set for rehearing, and notice of the rehearing must be mailed to these persons prior to the rehearing.

SPECIFIC DUTIES OF THE ZONING BOARD OF APPEALS:

- 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 antagonism can be avoided this way.
- Become familiar with the law that covers public open meetings and hearings and review the materials you were given.
- Complete a minimum of six hours of approved training within one year from the date of initial appointment to the ZBA and three hours of approved training in each subsequent year of membership.
- Attend as needed scheduled monthly ZBA meetings to review and discuss agenda items and to review and make decisions on land use applications and appeals from Zoning Administrator.
- Attend occasional special work sessions, various interest groups and other zoning related presentations and field trips.
- Be available on a periodic basis to represent to Town Council on actions taken by the ZBA.
- Have a willingness and dedication to commit both time and personal energy to the ZBA.
- 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 Town of Pine Ridge's land use regulations for the purpose of protecting the health, safety and welfare of the residents.
- Have a willingness to encourage and accept input from citizens affected by land use related actions made by the ZBA.



The following is a message from the Mayor:

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 the private rights and interests.

Your involvement and service are 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.