

CITY OF GRAND JUNCTION, COLORADO
RESOLUTION NO. 57-17

A RESOLUTION ADOPTING BYLAWS FOR THE ZONING BOARD OF APPEALS

RECITALS.

The Zoning Board of Appeals (ZBOA) has the power and duty to decide requests to vary the bulk, performance, accessory use, use-specific standards or sign regulations, relief from the nonconforming provisions, and variances to any provision of the Code not otherwise assigned to another review body. The ZBOA consists of 3 members, comprised of the Chairman of the Planning Commission and the two designated Planning Commission alternates.

NOW, THEREFORE, BE IT RESOLVED THAT the City Council of the City of Grand Junction does hereby adopt the attached Zoning Board of Appeals Bylaws.

Adopted and approved this 4th day of October 4th, 2017.



J. Merrick Taggart
President of the Council

ATTEST:



Wanda Winkelmann
City Clerk



ZONING BOARD OF APPEALS
BYLAWS

Article 1. Purpose. Committee. Place of Business.

- (a) The purpose of the Zoning Board of Appeals (ZBOA or Board) is to decide requests to vary the bulk, performance, accessory use, use-specific standards or sign regulations, relief from the nonconforming provisions, and variances to any provision of the Code not otherwise assigned to another review body.
- (b) The business and affairs of the Board shall be managed by its members consistent with the bylaws adopted by said City Council for such Board.
- (c) The place of business of the Grand Junction Zoning Board of Appeals shall be in Grand Junction, Colorado with the address of 250 N. 5th Street, Grand Junction, CO 81501

Article 2. Ethical Conduct.

- (a) Board members shall comply with City of Grand Junction Resolution No. 79-06, as amended by Resolution No. 46-13, which establishes ethical standards for members of the City's boards, commissions and similar groups and any amendments thereto.
- (b) The Board shall not enter into any contract with any member. The rules and requirements of the City Charter and state law that apply to members of the City Council regarding conflicts of interest, disclosure, gifts and appearances of impropriety shall likewise apply to each member of the Board.

Article 6. Removal

- (a) The Board may petition to the City Council to remove any member who is failing to fulfill the duties and responsibilities of office, provided the individual is notified of such action and is given the opportunity to address the Board prior to tendering of such petition for removal to the Council for consideration.

Article 7. Officers

- (a) The Chair of the Board shall be the Chair of the Planning Commission.

- (b) The Chair shall preside at meetings of the Board. In the absence of the Chair, the Board members shall appoint a Chair from the members present for purposes of presiding over the meeting.

Article 8. Meetings. Notice. Open Meetings.

- (a) The ZBOA shall meet at least once a month, provided there is business to be brought before the Board.
- (b) The Board shall conduct all meetings in accordance with generally accepted parliamentary procedures.
- (c) Notice of any meeting of the Board, including the purpose thereof, shall be given to each member by mail, e-mail or in an equivalent manner at least 72 hours before the scheduled meeting. Any lawful business of the Board may be transacted at any meeting for which proper notice has been given.
- (d) Meetings and affairs of the Board shall be subject to the Open Meetings Act and the Open Records Acts, as amended, as though the Board is a local government under those acts.
- (e) Minutes of each meeting shall be recorded and retained in accordance with the City's record retention policy.
- (f) Notice of meetings shall be posted at City Hall at least 24 hours in advance of the meeting.

Article 12. Support.

The City Manager's designee(s) shall provide support services for the Board as needed including keeping a full and accurate account and record of all meetings of the Board, correspondence, files and records.

Article 13. Amendment of Bylaws.

The Board may recommend amendments to these Bylaws. Proposed amendments approved by the Board must be considered and approved by the City Council.

Adopted by the City Council this 4th day of October, 2017 by Resolution No. 57-17.



President of the City Council

Attest:



City Clerk

Note: The City's insurance provides coverage for its volunteers and will defend members of the Board against losses, costs and expenses, including legal counsel fees, reasonably incurred by reason of his/her being or having been a member of the Board, so long as the member does not act or has not acted maliciously, criminally, with deliberate intent to violate a law or regulation or with intent to injure. A Board member must immediately contact the City Attorney in the event a claim is made, and may contact the City Attorney if he or she has any questions or concerns about liability.