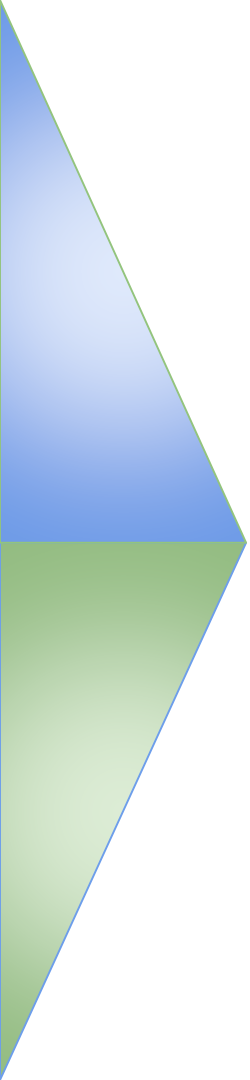


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So you are on the Zoning Board  
of Adjustments....

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Everything you need to know  
about the role and responsibility of  
the ZBA member (almost).

# Municipal Planning Authority

- Overall Authority to protect the Health, Safety, and Welfare
- Zoning Authority (legislative) Chapter 211 LGC
- Subdivision Authority (ministerial) Chapter 212 LGC
- Land Use Authority (planning) Chapter 213 LGC

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Zoning Board of Adjustment is allowed by  
**Sec 211.008** of the State of Texas Local  
Government Code

Created in Wylie by Ordinance in 1962 and  
included in 1985 Charter

# Generally responsible for deciding:

- Appeals to administrative decisions
- Variance requests from Zoning Ordinance
- Special Exceptions to the Zoning Ordinance
- Make recommendations to Zoning Ordinance based of variances

# Appeals to administrative decisions

- Hear and decide an appeal that alleges error in an order, requirement, decision, or determination made by an administrative official
- The board may reverse or affirm, in whole or in part, or modify the administrative official's order
- The concurring vote of 75 percent of the members of the board is necessary

# Variance Requests

- a literal enforcement of the Zoning Ordinance would result in unnecessary hardship (not financial)
- spirit of the ordinance is observed
- not contrary to the public interest
- **MUST NOT BE SELF-IMPOSED**
- The concurring vote of 75 percent of the members of the board is necessary

# Special Exceptions

- Only when required by the Zoning Ordinance
- Wylie doesn't currently use this provision

# Ordinance Amendments

- Generally initiated by City Council or Zoning Board of Adjustments
- Covers only Zoning Ordinance
- Board gives direction to staff, usually as a result of favorable vote for applicant.
- P&Z makes recommendation to City Council

# ZBA operates by an adopted Rules and Procedures.

- Written by Board Members
- Approved by City Council
- Updated March 2020

# General meeting format

- Chairman calls meeting
- Citizen comments on non-agenda items
- Executive or Work session, as needed
- Consent Items (minutes)
- Public Hearings
- General business
- Adjournment

# General item format

- Chairman introduction
- Staff report
- Applicant remarks
- Public hearing
  - Citizen Comment
  - Applicant rebuttal
- Board discussion
- Motion (approve, approve with conditions, disapprove)

# Other considerations

- Packet delivery
- Attendance
- Quorums / Open meetings
- Pre-meeting questions
- Open records
- Conflict of Interest

# Planning Staff

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