

ORDINANCE No. 2018- 08

CREATION OF A BOARD OF ADJUSTMENTS

WHEREAS, The Town Council of Triana, Alabama finds that it is in the Town's best interest to appoint a Board of Adjustment as provided in Section 11-52-80 of the Code of Alabama 1975, and hereby gives the Mayor authority to appoint members to the Board of Adjustment:

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF TRIANA, ALABAMA AS FOLLOWS:

Section 1-Title

This Ordinance shall be known as the "Board of Adjustments Ordinance" for the Town of Triana.

Section 2 - Purpose

The Purpose of this Board of Adjustments Ordinance shall be to establish policies, procedures, and regulations with regard to appeals, exceptions and variances and to further serve and protect the integrity and beauty of the Town of Triana.

Section 3 - Composition

The Board of Adjustment shall consist of five (5) members plus two supernumerary members, who serve by appointment of the Mayor and majority approval of the Town Council. The five (5) members shall serve staggered three-year terms except that in the first instance, one member shall be appointed for a term of three (3) years, two (2) members for a term of two (2) years and two (2) members for a term of one (1) year.

Section 4 - Powers


The Board of Adjustment shall have the following powers:

1. To hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination made by an administrative official in the enforcement of the zoning ordinance.
2. To hear and decide special exceptions to the terms of the ordinance upon which such board is required to pass under such ordinance; and
3. To authorize upon appeal in specific cases such variance from the terms of the ordinance as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of the ordinance will result in unnecessary hardship and so that the spirit of the ordinance shall be observed and substantial justice done.

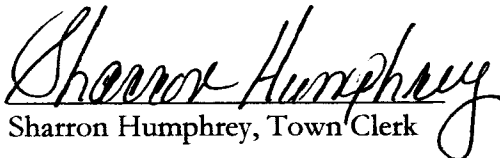
Section 5 - Actions

In exercising the powers mentioned in the above section, such board may, in conformity with the provisions of state law, reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from and may make such order, requirement decision or determination as ought to be made and, to the end shall have all the powers of the officer from whom the appeal is taken. The concurring vote of four members of the board shall be necessary to reverse any order, requirement, decision or determination of any such administrative official or to decide in favor of the applicant on any matter upon which it is required to pass under any such ordinance or to effect any variation in such ordinance.

APPROVED and ADOPTED this 13 day of August, 2018

  
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Mary Caudle, Mayor

ATTEST:

  
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Sharron Humphrey, Town Clerk