



## **Board of Adjustment (BOA) Charter**

*Adopted by City Council on February 18, 2020*

The Board of Adjustment is responsible for granting variances to the terms of the zoning regulations of the City, and deciding appeals from decisions of administrative officials related to those zoning regulations. The Board has all the rights, powers, privileges and authority authorized and granted by the City Council and from the State of Texas in Chapter 211 of the Texas Local Government Code.

### **Responsibilities**

- To grant variances to the terms of the zoning regulations of the City; and
- Deciding appeals from decisions of administrative officials related to the zoning regulations of the City.

### **Qualifications of Applicants**

- Registered voter of the City of Horseshoe Bay;
- Must have resided in the City for at least 12 months prior to appointment;
- Must not be in arrears in the payment of any taxes or other liability due to the City;
- Must have an active application on file with the City Secretary;
- Must meet any certain requirements as set out in city ordinance or state statute; and
- May not hold any other public office, except that of a Notary Public or as a member of the Armed Services or National Guard.

### **Required Member Skills**

Board members should possess the following skills, knowledge, experience and other attributes:

- The ability and willingness to work in a team environment.
- Good understanding and support of the City of Horseshoe Bay's Mission Statement, Vision Statement, Leadership Philosophy, and Values.
- General communication and team facilitation skills.
- Must be open-minded and able to work collaboratively with others.
- Exhibit a positive and constructive attitude.
- While technical knowledge is not required for an applicant to be appointed, familiarity or a willingness to become familiar with the City's Code of Ordinances, Regulations, and expectations of the Horseshoe Bay community is expected.

Ultimately, City Council will be mindful of the professional background of each current and potential member when making the final appointments.

### **Membership**

- Board members will be appointed by the City Council.
- There will be a maximum of five (5) Regular Board Members, including the Chair. Five (5) Alternate Members may be appointed due to the quorum requirements of no less than four members for the purpose of voting.
- City Council will appoint the Chair. The members shall appoint a Vice Chair and may appoint a Secretary.
- To the greatest extent possible, members will be past graduates of a Citizens' Academy.

- Members will serve two-year terms. Three of the five members shall have terms expiring December 31<sup>st</sup> of odd-numbered years and the other two members shall have terms expiring December 31<sup>st</sup> of even-numbered years. There shall be a limit of two consecutive terms (four years total) that a member may serve. A partial term to which a member is appointed shall not be counted as a full two-year term for the purpose of this limit.
- Any vacancy shall be filled for the unexpired term via appointment by a simple majority vote of the City Council for the remainder of the term.
- Members may be removed from office at any time by a simple majority vote of the City Council.

### **Meeting Schedule and Attendance**

The Board shall meet when there are applications to be heard. If there have been no applications filed for review, the Development Services Director shall notify the Chair and no meeting shall be required for that month.

A member's position is automatically considered vacant if the member is absent for:

- 1) Three consecutive, regular meetings; or
- 2) Four meetings (cumulative) during the preceding twelve-month period.

Exceptions may be granted if the member has first obtained a written leave of absence from the Chair and absences are due to unusual circumstances beyond the member's control.

### **Conduct of the Members**

Members will act in a professional and confidential manner as representatives of the City. Each member will actively participate in deliberations, reviews and approvals. Members will respect the process, this Charter, and one another by considering all ideas expressed, being thoroughly prepared for each meeting, maintaining the confidentiality agreed upon and sharing equally in the responsibility to reach consensus successfully. Members will treat citizens who attend the meetings with respect and fairness. Meetings shall be conducted in accordance with the Texas Open Meetings Act.

A member shall not vote or participate in any deliberations regarding a matter if the member has any personal financial interest in or any property within five hundred feet of the property in question, whether such interest is direct, indirect, financial or otherwise. A member may disqualify themselves, and in any case where the question of a member's interest is raised, the Chair shall rule on whether the member shall be disqualified.