

ARTICLE IX

MATTERS ENTRUSTED TO THE BOARD OF APPEALS

DIVISION I - BOARD OF APPEALS ESTABLISHED

40-9-1 **BOARD ESTABLISHED.** The Zoning Board of Appeals of this municipality is hereby established in accordance with Illinois law. **(See 65 ILCS Sec. 5/11-13-3)**

40-9-2 **MEMBERSHIP, APPOINTMENT, COMPENSATION.** The Board of Appeals shall consist of **seven (7) members**. **Five (5)** of the members shall reside within the City limits of Staunton. **Two (2)** of the members shall reside within the **one and one-half (1.5) mile** unincorporated area of Macoupin County zoned by the City of Staunton. In the event the City of Staunton relinquishes zoning control over this unincorporated area to Macoupin County, then all members of the Board of Appeals will be required to reside within the City limits. One of the members so appointed shall be named as chairman at the time of his appointment. Each Board member shall receive for his services such compensation, if any, as is determined from time to time by the City Council.

40-9-3 **TERM OF OFFICE, VACANCIES.** Each Board member shall hold office for **five (5) years** from the date of his appointment, and until his successor has been selected and qualified; provided, however, that the initial appointees to the Board shall serve respectively for the following terms: one for **one (1) year**, one for **two (2) years**, one for **three (3) years**, one for **four (4) years**, one for **five (5) years**, one for **six (6) years**, and one for **seven (7) years**. With the advice and consent of the City Council, the Mayor may remove any member of the Board of Appeals for cause, after a public hearing. Vacancies on the Board shall be filled for the unexpired term of the member whose place has become vacant in the same manner as provided for the appointment of new members.

40-9-4 **MEETINGS.** All meetings of the Board of Appeals shall be held at the call of the Chairman and at such time as the Board may determine. All Board meetings shall be open to the public. The Board may adopt their own rules of meeting procedures, so long as these rules do not conflict with this Code or with the applicable Illinois statutes. The Board may select such officers as they deem necessary. The Chairman, or in his absence the Acting Chairman, may administer oaths and compel the attendance of witnesses. **Four (4) members** of the Board shall constitute a quorum, and the affirmative vote of at least **four (4) members** shall be necessary to authorize any Board action.

40-9-5 **RECORDS.** The Board shall keep minutes of its proceedings and examinations. These minutes shall indicate the absence of any member, the vote or abstention of each member on each question, and any official action taken. A copy of every rule, variance, order, or decision of the Board shall be filed immediately in the Board's office, and shall be a public record.

40-9-6 **DUTIES.** The Board of Appeals is hereby authorized and directed to perform the following duties:

- (A) To hear appeals from any zoning-related decision or order made by the Administrator;
- (B) To hear upon requests for lot-size/bulk variances in accordance with the standards established in this Code; and
- (C) To perform such other duties as the City Council may prescribe.

40-9-7 - 40-9-9 **RESERVED.**