

Role of the Zoning Board

Key Points

Act like judges

Follow open meetings law and avoid ex parte communication

Members must be unbiased: If biased or would appear biased, recuse from decision

Apply the current laws—statutes, case law, and ordinances—as written

Base variance and conditional use decisions on whether legal standards are met

Variance standards: unnecessary hardship due to unique property limitations and no harm to the public interests

Conditional use standards: listed in local ordinance

Zoning board decisions can be appealed to the courts

If the zoning board follows state laws and their local zoning ordinance, their decisions will generally be upheld

A solid legal record minimizes zoning board decisions being overturned or sent back for reconsideration

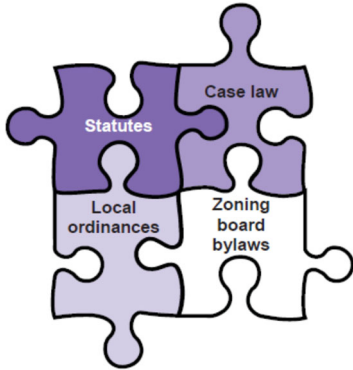
Zoning board decisions determine whether ordinance purposes are accomplished

General zoning: health, safety, welfare, plus more

Shoreland zoning: protect fish and spawning grounds, prevent water pollution, reserve shoreline trees, and more

Floodplain zoning: protect life, health and property, and more

Wellhead protection: maintain safe drinking water for community



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