



Legislation Text

File #: 021037, **Version:** 0

BOARD OF ADJUSTMENT POWERS, DUTIES AND JURISDICTION (B)

ORDINANCE NO. 0-03-54; PETITION 38TCH-03PB

An ordinance of the City of Gainesville, Florida, amending section 30-354 of the Land Development Code, relating to the powers, duties, and the jurisdiction of the Board of Adjustment in handling administrative appeals; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

The City Commission adopt the proposed ordinance.

This petition addresses changes to the Powers and Duties of the Board of Adjustment as it relates to appeals of citations issued by a code enforcement officer or law enforcement officer. Under the current ordinance, it is clear that the Board of Adjustment reviews administrative appeals but it is unclear whether an appeal of a citation from a code enforcement officer or law enforcement officer can be appealed to the Board of Adjustment. This ordinance amendment seeks to clarify that the Board of Adjustment is not the appropriate body to review appeals of certain citations issued by a code enforcement officer or law enforcement officer, unless otherwise provided in the Code.

Staff has determined that the proposed changes will streamline the process and provide for more efficient and speedy review, which shall benefit the public.

The Plan Board heard the petition and recommended that this petition be approved.

Public notice was published in the Gainesville Sun on April 1, 2003. The Plan Board held a public hearing April 17, 2003. Planning Division staff recommended that the Plan Board approve the petition. The Plan Board recommended that the City Commission approve Petition 38TCH-03 PB. Plan Board vote 4-0.

CITY ATTORNEY MEMORANDUM

This ordinance requires two public hearings. If the Commission adopts the ordinance on first reading, the second and final reading will be held on Monday, July 14, 2003.