

**Proposed Amendment to ZBA Ordinance
El Paso City Code, Title 2, Administration and Personnel
Chapter 2.16, Zoning Board of Adjustment
Section 2.16.060 E., Administration**

2.16.060 Administration. 

- A. All applications to the board will be in writing on forms provided by the planning official and with documents as required and shall be accompanied by the fee as set by city council to help defray the cost of publication, the giving of notice, and general expense in connection with the application, except that no fee shall be required for a variance application that is related to a proposed SmartCode development. Before acceptance, all applications submitted shall be complete in all details.
- B. The owners of property within three hundred feet of the subject property shall be provided written notice of the appeal or application for a special exception or variance ten days prior to the hearing of the board.
- C. The board authorization is for twelve months unless otherwise directed by the board at the time the authorization is approved.
- D. Extension of the time to apply for a building permit may be requested from the board during the one-year period. Extension of time may not be requested when demolition of non-permitted structure(s) is required. The request for an extension shall be acted upon by the board at the regular meeting, but no notice and hearing shall be required. If a board authorization expires, a new application accompanied by a new fee is required, except that no fee shall be required for a variance application that is related to a proposed SmartCode development.
- E. Applications for special exceptions may be granted, denied or granted with conditions by the board. **The board may grant postponement of a case and after hearing the case may condition a postponement with specific requirements.**
- F. Reapplication. The board will not consider an appeal or application that is the same or very similar to one that has been denied, for a period of twelve months unless the board finds that a substantial change in conditions has occurred.
- G. Revocation. The board of adjustment shall have authority to revoke a variance or special exception if it finds development and/or operation is not in accordance with the conditions under which a variance or special exception was permitted.
- H. Appeals of board decisions. Appeals from the zoning board of adjustment lie directly to the district court.