

Section 719.157 – Zoning Board of Appeals Membership

- A. The Zoning Board of Appeals (ZBA) shall perform its duties and exercise its powers as provided in Article 6 of Act 110, P.A. 2006, as amended, and in such a way that the objectives of this Chapter shall be observed, public safety secured, and justice is done. The Board shall consist of three (3) members, appointed by the Township Board, as recommended by the Township Supervisor.
- B. The first member shall be a member of the Township Planning Commission for the term of their office.
- C. The remaining members must be selected from the electors of Lenox Township and shall be representative of the population distribution and the various interests in the Township. One (1) member may be a member of the Township Board.
- D. An elected officer of the Township shall not serve as chair. An employee or contractor of the Township Board may not serve as a member of the Board of Appeals.
- E. The Township Board may appoint not more than two (2) alternate members for the same term as regular members to the Zoning Board of Appeals. An alternate member may be called to sit as a regular member of the Zoning Board of Appeals in the absence of a regular member if a regular member is absent from or unable to attend one or more meetings. An alternate member may also be called upon to serve in place of a regular member to decide a case in which the regular member has abstained due to a conflict of interest. The alternate member appointed shall serve in the case until a final decision has been made. The alternate member shall have the same voting rights as a regular Zoning Board of Appeals member.
- F. The terms of office for members of the Zoning Board of Appeals shall be for three (3) years, except for members serving because of their membership on the Planning Commission or the Township Board, whose terms shall be limited to the time they are members of those bodies. When members are first appointed, the appointments may be for less than three (3) years to provide for staggered terms. A successor shall be appointed not more than one (1) month after the term of the preceding member has expired. Vacancies for unexpired terms shall be filled for the remainder of the term.

G. The Township Board may remove a Zoning Board of Appeals member for misfeasance, malfeasance, or nonfeasance in office upon written charges and after a public hearing. A member shall disqualify himself or herself from a vote in which the member has a conflict of interest. Failure of a member to disqualify himself or herself from a vote in which the member has a conflict of interest constitutes malfeasance in office.