

Article 3 Amendment 8

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Ballot Text:

Are you in favor of the adoption of Amendment 8, as follows.

Amendment 8

Re: Article VII Board of Adjustment

As part of the Town's comprehensive update of its Zoning Ordinance, amend the provisions of Article VII of the Zoning Ordinance, related to the Board of Adjustment, in the manner reflected in the Zoning Ordinance amendments posted at the Rye Town Hall and the Rye Town Website. Such changes include, but are not limited to:

- Identify that the ZBA may consider appeals related to the interpretation, application, or construction of the Zoning Ordinance;
- Eliminate the recitation of the variance criteria and replace that recitation by referencing the statute setting forth the criteria for a variance;
- Amend the criteria for the grant of a special exception to clarify that such criteria may be subject to other special exception criteria in other portions of the Zoning Ordinance;
- Eliminate the reference to the Zoning Board of Adjustment having authority to consider matters other than variances, special exceptions, equitable waivers, or administrative appeals.
- Amend the ZBA's procedural requirements in accordance with HB 1661 by altering the deadlines by which the ZBA must act on an application for appeal, the effect of the of an applicant's failure to provide the name of abutting property owners, and the ZBA's process when the ZBA does not have sufficient information to make a decision; and
- Make such other changes as are reflected in the amendments on file.

Are you in favor of the adoption of Amendment 9, as follows: