

1.1 ZONING AND ADJUSTMENT BOARD

1.1.1 Appointment and Composition

There is hereby created for Ocean Springs a Zoning and Adjustment Board (“ZAB”) with the powers and duties as hereinafter set forth. The Ocean Springs ZAB shall consist of five (5) members appointed by the Board of Aldermen. The appointed members shall be named for three (3) year terms, in such manner that memberships shall expire on succeeding years. The Zoning and Adjustment Board shall elect a chairperson, vice- chairperson and secretary. Responsibilities of the secretary include keeping of minutes, providing correspondence and arranging meetings as required.

1.1.2 Responsibilities

- A. The ZAB is a recommending committee of the City of Ocean Springs. All recommendations of this committee will be forwarded to the mayor and board of aldermen for ratification and approval;
- B. Power to hear and recommend on administrative appeals from any decision of the Planning Director, Public Works Official or Building Official;
- C. If it is a matter of interpretation of the terms of this UDC or the municipal code, the ZAB shall render a recommendation through its minutes to the Board of Aldermen for ratification and final approval;
- D. Powers relative to Variances: Where, by reason of exceptional narrowness, shallowness or shape of a specific piece of property at the time of the original adoption of the regulations, or by reason of exceptional topographical conditions or other extraordinary or exceptional situation or condition of a specific piece of property, which condition is not generally prevalent in the area, the strict application of these regulations would result in peculiar and exceptional practical difficulties to or exceptional and undue hardship upon the owner of such property, the ZAB shall have the right by a majority vote to decrease any minimum requirement and to increase any maximum requirement, except for the required minimum lot area in residential zoning districts, by not more than twenty-five percent (25%), and shall be allowed only for good and substantial reasons which shall be made part of the record;
- E. Powers relative to Exceptions: Upon appeal, the ZAB is hereby empowered to permit the extension of a district not to exceed one hundred (100) feet where the boundary lines of a district divides a lot in single ownership as shown on record. To interpret the provisions of these regulations where the street layout actually on the ground varies from the street layout as shown on the map fixing the several districts which map is attached to and made a part of these regulations; and
- F. In exercising the abovementioned powers, the ZAB may, in conformance with the provisions of these regulations, reverse or affirm, wholly or partly, or may

modify the order, requirement, decision, or determination appealed from, and to that end shall have all the powers of the officer from whom the appeal is taken.