

**GENERAL ASSEMBLY OF NORTH CAROLINA**

**SESSION 1997**

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**HOUSE BILL 881**

Short Title: Durham Board of Adjustment.

(Local)

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Sponsors: Representatives Miller; Capps and Mosley.

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Referred to: Ways and Means.

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April 7, 1997

**A BILL TO BE ENTITLED**

**AN ACT TO AMEND THE DURHAM CITY CHARTER TO PERMIT THE  
APPOINTMENT OF A BOARD OF ADJUSTMENT WITH MORE THAN FIVE  
MEMBERS.**

The General Assembly of North Carolina enacts:

Section 1. Section 93 of the Charter of the City of Durham, being Chapter 671 of the 1975 Session Laws, is rewritten to read:

"Sec. 93. Board of adjustment.

(1) The city council is authorized to provide for the appointment and compensation of a board of adjustment consisting of five or more members (exclusive of additional members appointed to represent residents of the extraterritorial area pursuant to G.S. 160A-362) each to be appointed for three years.

(2) The concurring vote of three-fifths of the members of the board shall be necessary to reverse any order, requirement, decision, or determination of any administrative official charged with the enforcement of the city zoning ordinance, or to decide in favor of the applicant any matter upon which it is required to pass under the city zoning ordinance, or to grant a variance from the provisions of the city zoning ordinance."

Section 2. This act is effective when it becomes law.