



Date: February 21, 2022

To: Wanda S. Page, City Manager
Through: Keith Chadwell, Deputy City Manager
From: Sara M. Young, AICP, Planning Director
Subject: 2021 Board of Adjustment Annual Report

Executive Summary

Attached is the 2021 Annual Report for the Durham Board of Adjustment. This report highlights cases heard and acted upon by the Board from January 1, 2021, through December 31, 2021.

Recommendation

Staff recommends that the Durham City Council receive the report. No action is required.

Background

The Interlocal Agreement between the City of Durham and Durham County for planning requires that the Board of Adjustment submit an annual report to both governing bodies. The attached report was prepared by the Chair of the Board in consultation with Planning staff. The Board heard and disposed of 50 cases in 2021, an 11.1% increase from 2020.

Attendance

Section 2.1 of the Rules of Procedure states that Board members must attend at least 75% of the yearly meetings/hearings of the Board. In accordance with Section 2.1.a of the rules of procedure, when a Board member has missed three of the hearings/meetings held within any twelve-month period, the governing body shall be notified. In addition, under County policy, County-appointed members are obligated to resign if they are absent from more than 50% (typically, six) of the meetings of a year, calculated year to year from the date of first appointment. Staff will provide such notification, when appropriate.

However, in calendar year 2020, the City Clerk's office provided guidance for meetings during COVID-19, which suspended regular attendance and meeting requirements for boards and commissions with no federal or state requirements, which includes the BOA. This guidance stayed in place for the duration of 2021. All absences for 2021 were counted as "Excused" and the 75% meeting requirement continues to be suspended for City-appointed members.

A copy of the attendance report has been included in this package. All members met the attendance requirements.

Staff Contact

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Attachments

- Attachment 1:** 2021Annual Report
- Attachment 2:** 2021 Cases Heard by the Durham Board of Adjustment
- Attachment 3:** 2021 Attendance Report