



General Information About Planning & Zoning Boards

The Planning Commission and Board of Adjustment members are recommended by the Mayor and appointed by majority vote by the City Council.

About the Board of Adjustment

The City of Stanton Board of Adjustment is made up of five members. At least three must reside within the city limits if Stanton. All members must be residents of Powell County. (City Ordinance 11-0310)

Per the City of Stanton Zoning Ordinance (1992):

“The Board of Adjustment shall be established before the City Zoning Ordinance shall be legally enforced. The Board established shall consist of three (3), five (5), or seven (7) citizen members, two of whom may be citizen members of the Planning Commission or Board of Adjustment who is not also an elected or appointed official or employee of the City Council. The term of office for members of the Board shall be four years, but the term of office of members first appointed shall be staggered so that a proportional number serve one, two, three, and four years respectively. Vacancies on the Board shall be filled within sixty days by the respective legislative body. If the Mayor fails to act within that time, the Planning Commission shall fill the vacancy. When a vacancy occurs other than through expiration of the term of office, it shall be filled for the remainder of that term.

All members of the Board shall, before entering upon their duties, qualifying by taking the oath of office prescribed by Section 228 of the Constitution of the Commonwealth of Kentucky before a judge, county judge-executive, notary public, clerk of a court, or justice of the peace of Powell County.

Reimbursement for expenses or compensation or both may be authorized for members of the Board.

Any member of the Board may be removed by the appointing authority for the inefficiency, neglect of duty, malfeasance, or conflict of interest. The appointing authority who exercises the power to remove a Board member shall submit a written statement to the Planning Commission setting forth the reasons for removal and the statement shall be read at the next meeting of the Board of Adjustment. The member so removed shall have the right of appeal to the Circuit Court of Powell County.

The Board shall annually elect a chairman, vice-chairman, and a secretary and any other officer it deems necessary. Any officer shall be eligible for the re-election at the expiration of the term.

About the Planning Commission

The City of Stanton Planning Commission is made up of five members. At least three must reside within the city limits of Stanton. All members must be residents of Powell County. (City Ordinance 11-0310)

Per Kentucky Revised Statute 100 (enabling legislation):

KRS 100.141:

Appointing authority.

Except in counties containing a consolidated local government, the mayor of each city entitled to one (1) or more members and the county judge/executive of each county shall appoint the members of the planning commission with the approval of their respective legislative bodies.

KRS 100.143:

Term of office.

The term of office of all elected public officials appointed to a planning commission shall be the same as their official tenure in office. The term of office for other members of the planning commission shall be four (4) years, but the term of office of members first appointed shall be staggered so that a proportionate number serve one (1), two (2), three (3), and four (4) years respectively, and later appointments or reappointments shall continue the staggered pattern. The pattern for staggering the terms of the members first appointed shall be stated in a regulation or in the agreement under which the unit operates, as applicable.

KRS 100.147:

Vacancies.

Vacancies on the planning commission, shall be filled within sixty (60) days by the appropriate appointing authority. If the authority fails to act within that time, the planning commission shall fill the vacancy. When a vacancy occurs other than through expiration of the term of office, it shall be filled for the remainder of that term.

KRS 100.151

Oath of office.

All members of a planning commission shall, before entering upon their duties, qualify by taking the oath of office prescribed by Section 228 of the Constitution of the Commonwealth of Kentucky before any judge, county judge/executive, notary public, clerk of a court, or justice of the peace within the district or county in which he resides.

KRS 100.153

Reimbursement or compensation.

In the agreement under which the planning unit operates, reimbursement for expenses or compensation, or both, may be authorized for citizen members of a planning commission. Reimbursement for expenses may be authorized for public officials and employees of participating cities and counties who are members of the planning commission, but such members shall receive no compensation.

KRS 100.157

Removal -- Effect of compact -- Membership upon establishment of consolidated local government.

(1) Any member of a planning commission may be removed by the appropriate appointing authority for inefficiency, neglect of duty, malfeasance, or conflict of interest. Any appointing authority who exercises the power to remove a member of the planning commission shall submit a written statement to the commission setting forth the reasons for removal, and the statement shall be read at the next meeting of the planning commission, which shall be open to the general public. The member so removed shall have the right of appeal in the Circuit Court.

KRS 100.161

Officers.

Each planning commission annually shall elect a chairman, and any other officers which it deems necessary. All officers shall be citizen members, and shall be eligible for reelection at the expiration of his term.

KRS 100.163

Meetings.

The planning commission shall conduct regular meetings as it deems necessary for the transaction of its business; but there shall be at least six (6) regular meetings annually. The schedule for regular meetings shall be expressed in the rules and regulations of the commission. Special meetings shall be held at the call of the chairman who shall give written or oral notice to all members at least seven (7) days prior to the meeting, which notice shall contain the date, time and place, and the subject or subjects which shall be discussed.

Planning Staff

Also per KRS 100.173:

Employing planners or other persons.

The planning commission may employ a staff or contract with planners or other persons as it deems necessary to accomplish its assigned duties under this chapter.

Per the City of Stanton Zoning Ordinance (1992):

Article III

300 Administrative/Enforcement Officer

Provisions of this Ordinance shall be enforced by an Administrative/Enforcement Officer who may be designated as provided in Article II, Section 2 of this Ordinance to the administer said Ordinance. The Administrative/Enforcement Officer may request and shall receive, so far as may be necessary in the discharge of his duties, the assistance and cooperation of the Chief of Police and/or County Sheriff's Office in enforcing orders, of the City and/or County Attorney in prosecuting violations, and other officials.

The Administrative/Enforcement Officer shall be authorized to issue building/zoning permits and/or certificates of occupancy in accordance with the literal terms of this Ordinance, but may not have the power to permit any construction, or to permit any use or any change of use which does not conform to the literal terms of this Ordinance.

The Administrative/Enforcement Officer shall keep accurate records in a permanent file for the issuance of building permits, certificates of occupancy, inspections, violations, stop orders, and condemnations. If the Administrative/Enforcement Officer finds any provisions of this Ordinance being violated, the person or persons responsible for such violation shall be notified by the Administrative/Enforcement

Officer through registered mail. Said notification shall order the discontinuation of any illegal use of land, buildings, and/or structures.

Any permit or certificate of occupancy issued in conflict with the provisions of this Ordinance shall be null and void.

The Administrative/Enforcement Officer shall be required to inform and/or report their actions to the Planning Commission. Said report shall be in writing and issued to the Planning Commission on or before each monthly meeting.

Article II

2. Administrative/Enforcement Officer

The Administrative/Enforcement Officer is an individual who shall be appointed by the Mayor of Stanton upon recommendation of the Planning Commission, and approved by the Stanton City Council, to administer this Ordinance. This officer may also be known as the Building Inspector, Enforcement Officer, Zoning Administrator or various other titles descriptive of the work performed. The duties and titles may be split between one (1) or more persons as required.