

NCPCA Variance Committee Procedures

The North College Park Citizens Association (NCPCA) Variance Committee (VC) has authority to review and take positions of ‘Opposed’, ‘Not Opposed’, or ‘No Position’ regarding variance requests on behalf of NCPCA. This document describes the composition, procedures and authority of the VC and how it interacts with the City of College Park Planning Department, the Advisory Planning Commission (APC), and NCPCA.

The VC will be constituted at the discretion of the NCPCA President. When constituted, the following will apply:

1. The VC shall consist of 3 to 5 NCPCA Members appointed by the NCPCA President and approved by the Membership once per year normally in December or as vacancies occur; the Chair of the VC shall also be selected at that time.
2. The VC Chair shall receive documents from the City of College Park Planning Department via e-mail regarding variance requests and upcoming variance hearings. These documents are typically brief notices that contain the case identification, property address, applicant name, and the variance(s) requested, of which there may be several. The Chair shall promptly distribute these documents to VC members via e-mail.
3. The members of the VC, including the Chair, shall consider the merits of each variance request in light of the criteria for variances and communicate to the Chair via e-mail their judgement of ‘Opposed’ or ‘Not Opposed’ regarding each such request. Since there may be multiple variance requests per case, VC members may make different decisions on each request. VC members are encouraged to state the reasoning for their position on each request. This reasoning, as well as any comments, shall also be sent to the Chair at that time and all shall become part of the Report of the VC.
4. The Chair shall send the Report of the VC via e-mail to the designated officer of NCPCA, usually President.
5. If at least three VC members agree on a position of ‘Opposed’ or ‘Not Opposed’ to a given variance request, the Report shall state that position as the VC’s position for that request, and the Chair shall send a separate report via e-mail to the Planning Department that communicates the following information:
 - a. The identification number and/or name of the case.
 - b. The position of the VC – but not the vote – regarding each variance request in the case, with a statement that the VC has been authorized by NCPCA to give notice of their ‘Opposed’ or ‘Not Opposed’ when the City makes its decision regarding the request. When possible include the reasoning behind the position.
 - c. A request that the NCPCA be formally named as a party of record in the case.
 - d. A request to be informed via e-mail sent to the Chair and to the Officers of NCPCA of the decision(s) of the APC or the Mayor and Council, and to receive notice and any other information regarding the case, future hearings, etc. The Chair will provide the e-mail addresses for this use.
6. If less than three VC members agree on a position for a given variance request, the Chair shall proceed as above for that request except that step ‘b’ shall give notice that the VC has considered the matter, has taken ‘No Position’ regarding the request, and that the NCPCA reserves the right to take a position regarding the request at some future date.

7. At the next NCPCA meeting, the Chair of the VC or an alternate shall report the actions of the VC since the last NCPCA meeting, including any requests upon which the VC took 'No Position'.
8. If any NCPCA member wishes to move a position regarding a variance request upon which the VC did not take a position, the membership may wish to entertain a motion at that time.
9. The NCPCA may also move to adopt a different position from that taken by the VC if it chooses; communication of that motion to the City shall not be the responsibility of the VC. Note, however, that if the case has been closed and is not reopened, NCPCA may not be permitted to change its position.
10. In the event a Member of the VC suffers a prolonged absence, or an inability or unwillingness to participate in the deliberations of the VC, or resigns from the VC, the Chair shall inform the NCPCA President of the need to replace the Member. The President shall place the matter on the agenda of the next NCPCA meeting, and any NCPCA member may nominate a replacement. The replacement shall be affirmed by majority of the NCPCA members present. Should the Chair resign or be unable or unwilling to serve, the President may appoint a current VC member as Chair.

Adopted February 14, 2008

Revised December 10, 2009

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