

ARTICLE 2. BOARD OF ZONING APPEALS

12-201. BOARD OF ZONING APPEALS; MEMBERS. The Board of Zoning Appeals is hereby created. The board shall consist of five members, all of whom shall be residents of that portion of the county within the jurisdiction of the resolution and one member may be a member of the Planning Commission. Members are to be appointed by the Board of County Commissioners and shall serve without compensation. Of the members first appointed, one shall serve for one year, two for two years, and two for three years. Thereafter, members shall be appointed for terms of three years each. Vacancies shall be filled by appointment for the unexpired term. The board shall adopt rules for the conduct of its business, such rules to be made available to the public. An affirmative vote of a majority of the Board shall be required to overrule any decision, ruling or determination of the official charged with enforcement of this resolution, or to approve any special exception or variance. (Res. 92-2, Sec. 10)

12-202. SAME; MEETINGS. The Board of Zoning Appeals shall annually elect one of its members as chairperson. The Board shall appoint a secretary who may be an officer or an employee of the governing authority, and shall adopt rules in accordance with the provisions of any ordinance or resolution adopted pursuant to this act. Meetings of the Board shall be held at the call of the chairperson, and at such other times as the Board may determine. The chairperson, or in his or her absence the acting chairperson, may administer oaths. The Board shall keep minutes of its proceedings, showing evidence presented, the findings of fact by the Board, the decision of the board, and the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the Board, and shall be a public record. The Board of County Commissioners may establish a scale of reasonable fees to be paid in advance by the party appealing.

The Board of Zoning Appeals shall administer the details of appeals from or other matters referred to it regarding the application of the zoning resolution as hereinafter provided. The board shall fix a reasonable time for the hearing of an appeal or any other matter referred to it. Notice of the time, place and subject of such hearing shall be published once in the official county newspaper at least 20 days prior to the date fixed for hearing. A copy of the notice shall be mailed to each party to the appeal and to the appropriate planning commission. Upon the hearing any party may appear in person or by agent or by attorney. (Res. 92-2, Sec. 13; Code 1990)

12-203. SAME; POWERS. The Board of Zoning Appeals shall have such powers as are established and set forth in the county Zoning Regulations. (Res. 85-46, Sec. 23-2; Code 1990)