

A. *Zoning board of appeals.*

1. There is hereby established a zoning board of appeals which shall consist of seven (7) members, each of whom shall be a resident of the county. Each member of the board of commissioners shall make one (1) appointment from their district.
2. Each member of the zoning board of appeals shall serve at the pleasure of the commissioner making the appointment, or until their successor is appointed and qualified, unless such term ends sooner in the manner set forth herein. If the member of the zoning board of appeals is still serving at the time the appointing commissioner vacates his/her office, the zoning board of appeals member shall continue to serve until a successor is appointed and qualified by the incoming commissioner. Any vacancy in the membership of the zoning board of appeals shall be filled for the unexpired term in the same manner as the initial appointment. Members of the zoning board of appeals shall hold no other county office or compensated position. If a zoning board of appeals member moves outside the district of the appointing commissioner, that action shall constitute a resignation from the zoning board of appeals, effective immediately. Members may be reappointed to successive terms without limitation.
3. No person shall serve or continue to serve as a member of the zoning board of appeals until they have been certified by the director as having completed a training session sponsored by the county.
4. *Meetings of the zoning board of appeals.* The zoning board of appeals shall meet each month at a standard day and time to be determined by the board. The chairperson may, when necessary, call for special meetings of the board. A meeting may be canceled by the chairperson if there are no matters to be acted upon by the board.
5. *Rules of procedure.* The zoning board of appeals shall conduct its meetings in accordance with the procedures contained in this chapter. The board shall further adopt rules of procedure governing the conduct of its meetings, which rules shall be supplemental to and not conflict with this chapter. In any case where the rules do not address a procedural issue which arises before the board, the most recent edition of Robert's Rules of Order shall prevail. The board may from time to time amend its rules by majority vote. A copy of the adopted rules of procedure and any subsequent amendment thereto shall be filed by the secretary of the zoning board of appeals with the clerk of the board of commissioners, and copies of the rules shall be made available to the public by the secretary of the zoning board of appeals and the clerk of the board of commissioners.
6. *Hearings open to public.* All meetings of the zoning board of appeals shall be open to the public, and the agenda for each board meeting shall be made available to the public at least fifteen (15) days prior to any meeting of the board. Notice of all meetings of the county zoning board of appeals shall be given in accordance with section 7.2.4.
7. *Quorum, voting, and actions by board.* A quorum of the zoning board of appeals shall consist of at least four (4) members of the board. A quorum is necessary for the board to take official action. All actions of the board shall be taken by majority vote of those members present and voting. A roll call vote shall be taken upon the request of any member. If there is not a quorum present, all items shall be rescheduled and re-advertised for the next regular meeting.
8. *Annual organizational meeting.* At its first regular meeting of each January, the zoning board of appeals shall, by majority vote of its membership, excluding vacant seats, elect one (1) of its members to serve as chairperson to preside over the board's meetings and

one (1) member to serve as vice chairperson. The persons so elected shall serve in these capacities for terms of one (1) year or until a replacement is elected. Vacancies may be filled for the unexpired terms only by majority vote of the board membership, excluding vacant seats. The chairperson and vice chairperson may take part in all deliberations and vote on all issues. The chairperson and the vice-chairperson may each be elected to successive terms without limitation.

9. *Staff support.* The director of planning or his/her designee shall serve as secretary to the zoning board of appeals. The planning department staff shall make audio or video recordings and keep minutes of the proceedings of the board, showing the vote of each member upon each item, or if absent or failing to vote, indicating such fact, and shall keep records of its official actions and evidence submitted, all of which shall be filed in the office of the planning department and shall be a public record.
10. *Staff analysis, findings of fact, and recommendation on each application for a variance.* The staff of the planning department shall conduct a site inspection of and shall prepare an analysis of each application for a variance applying the applicable criteria and standards set forth in this chapter to each such application. Staff shall present its findings and recommendations in written form to the zoning board of appeals at least seven (7) days prior to the public hearing thereon. Notwithstanding staff's obligations to present its findings and a recommendation, the failure to timely do so shall not nullify the board's action on the item, constitute a ground for denial, nor constitute grounds for appeal of a decision by the zoning board of appeals.