

Board of Adjustment Rules of Procedure

- 1) The meeting will be open to the public and the Chairman will call the first case to be considered.
- 2) The applicant seeking Board approval of a variance application shall first be heard. The applicant or its legal counsel may present evidence and witnesses in favor of its application. (No Corporation or limited liability company shall be heard unless represented by attorney.)
- 3) The Board may then question the applicant and witnesses.
- 4) Cross-examination of any of the applicant's witnesses may also be made by any attorney, acting as counsel for opponents or by an individual property owner opposing the application.
- 5) All persons within two hundred (200) feet in favor of the application shall next be heard.
- 6) All persons within two hundred (200) feet who are opposed to the application shall next be heard.
- 7) All persons outside the two hundred (200) feet area who are favorable to the application shall next be heard.
- 8) All persons outside the two hundred (200) feet area who are opposed to the application shall next be heard.
- 9) Relevant exhibits presented by the applicant or by the opposition shall be marked in evidence.
- 10) All testimony and evidence shall be material to the questions to be decided by the Board of Adjustment at the hearing and time-wasting repetition is to be avoided.

- 11) Any citizen or interested party may be heard. However, all statements shall be as brief as possible until all those present who wish to speak have an opportunity to be heard. At such time, the Chairman may at his discretion permit further brief comment from those persons who have previously spoken.
- 12) The Board reserves the right to visit the site of the application and/or consult with any experts it desires to consult. The Board reserves the right to adjourn and carry the hearing to permit further consideration.
- 13) The Chairman shall rule any person out of order who fails to comply with these 'Rules of Procedure.' Appropriate action will be taken by the Board against anyone who willfully or flagrantly disregards these 'Rules' or the ruling of the Chairman.
- 14) No scheduled case shall be commenced after 10:00 p.m., nor extended beyond 11:00 p.m. In the event a case is scheduled, but not heard due to the late hour, it shall be rescheduled for the next regular meeting, or if the tolling period does not permit, the matter may be carried by consent or scheduled for a special meeting to be designated by the Board.