

POLK COUNTY ZONING BOARD OF ADJUSTMENT
GENERAL RULES

These general rules apply to all meetings and proceedings of the Polk County Zoning Board of Adjustment that are not governed by the Polk County Zoning Board of Adjustment Rules of Procedures for Quasi-Judicial Proceedings.

Officers

1. The Chairman, Vice Chairman, Clerk and Secretary will have the responsibilities prescribed by these General Rules and the Polk County Zoning Board of Adjustment Rules of Procedures for Quasi-Judicial Proceedings.
2. The Chairman and Vice Chairman must be regular members of the Board. Each will be elected by the Board annually for a term beginning on July 1 and running for one year or until his or her successor is elected and qualified.
3. The Clerk and Secretary may, but need not, be regular or alternate members of the Board. Each will be appointed by the incoming Chairman annually for a term beginning on July 1 and running for one year, or until his or her successor is appointed and qualified.
4. The Chairman (or in his or her absence or at his or her request, the Vice Chairman) will preside at all proceedings governed by these general rules.
5. The Secretary/Clerk will transcribe the minutes of all proceedings governed by these general rules and shall be responsible for custody of those minutes and other records pertaining to the proceedings governed by these general rules.

Meetings

6. The regular meeting of the Board will be held in the Womack Building, in Columbus, North Carolina, at 4:00 PM (local time) on the first Tuesday of each month. No notice of the regular meeting is required. However, at those times when there is no business meeting requiring the attention of the Board, the Chairman may cancel the regular meeting. To the extent practicable and consistent with notice requirements under the Polk County Zoning Board of Adjustment Rule of Procedures for Quasi-Judicial Proceedings, quasi-judicial proceedings shall also be scheduled for the date of the regular meeting.
7. The Chairman may call special meetings of the Board as he or she determines to be necessary. Special meetings will be held in the Womack Building, in Columbus, North Carolina, or at such other place as the Chairman may designate, at the dates and times determined by the Chairman, with due consideration for the convenience of the regular and alternate members of the Board and the Polk County Planning Director.

8. Notices with respect to meetings shall comply with the requirements of the Open Meetings Law, N.C. Gen. Stat. §143.318.12, but, so long as thus compliant, may be given by the Chairman or the Secretary/Clerk by any convenient means, including telephone, e-mail and regular mail.

9. Regular and alternate members of the Board will have equal rights to participate in and vote at any regular or special meeting of the Board (other than a quasi-judicial proceeding).

10. A quorum of the Board, necessary to take official action (other than a quasi-judicial proceeding), shall consist of three members. The concurring vote of four-fifths of the sitting members shall be necessary in order to (1) approve an application for a variance, (2) reverse or modify any order, requirement, decision, or determination made by an administrative official, or (3) decide in favor of the applicant in any other matter on which the Board is required to act by this Ordinance. The concurring vote of a majority of those members present shall be necessary to conduct other business of the Board.

11. All regular and special meetings of the Board shall be conducted in conformity with the Open Meetings Law, N.C. Gen. Stat. §143.318.9 *et seq.* In general, but subject to the Chairman's discretion, the order of business will be the roll call, approval of minutes of prior meetings, reports, unfinished business and new business.

12. Any member of the Board who misses more than three consecutive regular meetings or more than half the regular meetings in a calendar year shall lose his or her status as a member of the Board and shall be replaced or reappointed by the Board of Commissioners, as appropriate. Absence due to sickness, death, or other emergencies of like nature shall be recognized as excused absences, and shall not affect the member's status on the Board, except that in the event of a long illness or other such cause for prolonged absence, the member shall be replaced.

Powers

The Zoning Board of Adjustment shall have the following powers:

1. To hear and decide appeals from and review any order, requirement, decision or determination made by any administrative official charged with the enforcement of the Zoning Ordinance.

2. To hear and decide requests for variances from the dimensional requirements of the Zoning Ordinance.

3. To make interpretations of the Zoning Map and to pass upon disputed questions of lot lines or district boundary lines and similar questions as arise in the administration of the Zoning Ordinance.

4. To enter, at reasonable times, upon private lands and make examinations or surveys

as necessary for the performance of its official duties.

5. To request the Board of Commissioners to consider matters within the purview of the Board.

6. To hear and decide any other matter as required by the provisions of the Zoning Ordinance.

7. To adopt rules not inconsistent with the Zoning Ordinance or the North Carolina General Statutes governing the organization of the Board and proceedings before the Board.