

**MONTGOMERY COUNTY
BOARD OF ZONING APPEALS**

RULES, POLICIES AND PROCEDURES

1. The Board shall meet the second Thursday of every month unless no application for review has been received by the Building Official by the specified deadline preceding each meeting.
2. Any member who fails to attend three (3) consecutive meetings without reason acceptable to the Board may be recommended to the Montgomery County Commission for removal, in which instance the Board may make a recommendation for replacement.
3. A Chairperson and Co-Chairperson of the Board shall be elected by majority vote of the members present during the first meeting of each calendar year.
4. All meetings of the Board shall be conducted according to Roberts Rules of Order, Revised.
5. Each member present at each meeting shall sign an "Action Taken" form following a vote taken on any issue. One copy of the form shall be mailed to the applicant and/or his agent; one copy shall be retained in the office of the Building Official.
6. A majority of the Board shall constitute a quorum.
7. The Board shall take action on all applications within ninety (90) days of receipt of application.
8. No request of review of any matter previously considered by the Board shall be in order unless more than twelve (12) months have elapsed since the prior review by the Board without first making application to request that the Board reconsider such application and said application for reconsideration is, in fact, approved by the Board.
9. The Building Official and/or his agent shall attend all meetings of the Board.
10. The Building Official or his agent shall act as Secretary of the Board and shall make an audio tape and minutes of each meeting.

11. The Secretary of the Board shall maintain records of each meeting including, but not limited to, the audio tape, minutes, the "Action Taken" form relative to each vote, a copy of the report relative to each case, and record of member attendance.
12. The Secretary of the board shall notify members of each meeting no less than seven (7) days prior to the scheduled date and shall attach to such notice an agenda for said meeting and minutes of the previous meeting.
13. The Secretary of the Board shall notify each applicant and/or his agent that presence at the specified meeting is mandatory.
14. The Building Official or his agent shall present a detailed evaluation of each application to the members of the Board simultaneously during the specified meeting. The report shall include, but shall not be limited to, a copy of the tax map showing the general location of the property in question, total acreage being reviewed, setback lines and lot coverage if applicable.
15. Any variance or use permitted on review shall be executed within twelve (12) months of the date of approval or the variance or use permitted on review granted shall become void.
16. No request by an owner/applicant to postpone Board of Zoning Appeals action on an application shall be honored unless such request is made no later than the close of business on the Friday prior to the Board of Zoning Appeals meeting date.

Any request for deferral of a Board of Zoning Appeals case must be made in writing to the office of the Building Commissioner. Requests meeting the above deadline will be granted a one (1) automatic one-month deferral of the scheduled public hearing and scheduled Board of Zoning Appeals vote.

If a request for deferral is not received prior to the above deadline, the scheduled public hearing will be held and appropriate action will be taken by the board of Zoning Appeals.

17. It shall be the policy of this Board that no members shall discuss the merits of any pending case with any person having an interest in the case prior to the public hearing. Further any interested party wishing to provide written information to the Board prior to the public hearing (including electronic communications) MUST place such information in the public record through the staff of the Montgomery County Building and Codes Department prior to that person providing such information to Board Members.

Adopted February 10, 2000
Amended May 11, 2000
Amended September 11, 2008