

Division 3-I-17 Appeals

3-188 Board Of Zoning Appeals Established; Membership

3-189 Rules And Regulations; Meetings; Minutes; Quorum

3-190 Powers And Duties Of Board

3-191 Appeal To Board Of Zoning Appeals

3-188 Board Of Zoning Appeals Established; Membership

1. This Board consisting of five or seven members shall be appointed by the Circuit Court of Caroline County. Members of the Board may receive such compensation as may be authorized by the Town Council. Members shall be removable for cause upon written charges and after a public hearing. Appointments for vacancies occurring otherwise than by expiration of term shall be in all cases for the unexpired term.
2. The term of office shall be for five years, except that the original appointments shall be made for such terms that the term of at least one member shall expire each year.
3. Members may be removed for cause by the Circuit Court upon written charges and after a public hearing.
4. Any member of the Board shall be disqualified to act upon a matter before the Board with respect to property in which the member has an interest.
5. The Board shall choose annually its own Chairman and, in his absence, an Acting Chairman.

3-189 Rules And Regulations; Meetings; Minutes; Quorum

1. The Board of Zoning Appeals shall adopt such rules and regulations as it may consider necessary.
2. The meetings of the Board shall be held at the call of its Chairman and at such times as the Board may determine.
3. The Chairman or, in his absence, the Acting Chairman, may administer oaths and compel the attendance of witnesses.
4. All meetings of the Board shall be open to the public.
5. The Board shall keep minutes of its proceedings, showing the vote of each question or, if absent or failing to vote, indicating such fact. It 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.
6. A quorum shall be a majority of the members.
7. A favorable vote of the majority of the members of the Board shall be necessary to reverse any order, requirement, decision or determination of any administrative official or to decide in favor of the applicant on any matter upon which the Board is required to pass.

3-190 Powers And Duties Of Board

The powers and duties of the Board of Zoning Appeals shall be as provided in § 15.2-2309 of the Annotated Code.

3-191 Appeal To Board Of Zoning Appeals

1. Appeals to the Board of Zoning Appeals shall be provided in § 15.2-2311 of the Annotated Code.
2. Appeals shall be mailed to the Board of Zoning Appeals in care of the Zoning Administrator and a copy of the appeal mailed to the Secretary of the Planning Commission. A third copy should be mailed to the individual official, department or agency concerned, if any.
3. Appeals shall be accompanied by payment of the appropriate fee, as set forth in Section 3-196 of this article.
4. The Board shall fix a reasonable time for the hearing of an application or appeals, give public notice thereof as prescribed by § 15.2-2204 of the Code of Virginia 1950, as amended, as well as due notice to the parties in interest and decide the same within 90 days. In exercising its powers, the Board may reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination of an administrative officer or may decide in favor of the applicant on any matter upon which it is required to pass under the article or may affect any variance from the article. The Board shall keep minutes of its proceedings and other official actions, which shall be filed in the office of the Board and shall keep minutes of its proceedings and other official actions, which shall be filed in the office of the Board and shall be public records. The Chairman of the Board or, in his absence, the Acting Chairman may administer oaths and compel the attendance of witnesses.