

ORDINANCE NO. 2008 - 16

AN ORDINANCE BRINGING CLOVERDALE TOWN CODE BOARD OF ZONING APPEALS PROVISIONS UP TO DATE

WHEREAS, it is necessary to bring the Cloverdale Town Code up to date:

Be it enacted that the following Section will be added to the Town Administration section of the Cloverdale Town Code:

Division 2.1 Board of Zoning Appeals

Section 2-37.1	Board of Zoning Appeals established
Section 2-37.2	Qualifications of Board Members
Section 2-37.3	Terms of Office
Section 2-37.4	Vacancies
Section 2-37.5	Conflicts of interest
Section 2-37.6	Quorum
Section 2-37.8	Official action
Section 2-37.9	Powers and duties

§ 2-37.1 BOARD OF ZONING APPEALS ESTABLISHED

There is established a Board of Zoning Appeals to consist of five members.

§ 2-37.2 QUALIFICATIONS OF BOARD MEMBERS.

- (A) Three citizen members shall be appointed by the executive of the municipality or county, of whom one must be a member of the Plan Commission and two must not be members of the Plan Commission.
- (B) One citizen member shall be appointed by the fiscal body of the municipality or county, and must not be a member of the Plan Commission.
- (C) One member shall be appointed by the Plan Commission from the Commission's membership, who must be a county agricultural agent or a citizen member of the Plan Commission other than the member appointed under subsection (A).

§ 2-37.3 TERMS OF OFFICE

- (A) Members of the Board were initially appointed for the following terms of office:
 - (1) One for a term of one year;

- (2) One for a term of two years;
 - (3) One for a term of three years; and
 - (4) Two for a term of four years.
- (B) When an initial term of office expired, each new appointment shall be for a term of four years. Each term expires on the first Monday of January of the first, second, third or fourth year, respectively, after the year of the members appointment.

§ 2-37.4 VACANCIES.

If a vacancy occurs among the members of the Board authority that appointed member shall appoint a member for the unexpired term of the vacating member.

§ 2-37.5 CONFLICTS OF INTEREST.

A member of the Board of Zoning Appeals may not participate in a hearing or decision of the Board concerning a zoning matter in which he or she has a direct or indirect financial interest.

§ 2-37.6 QUORUM.

A quorum consists of a majority of the entire membership of the Board of Zoning Appeals.

§ 2-37.8 OFFICIAL ACTION.

Action of the Board of Zoning Appeals is not official, unless authorized by a majority of the entire membership of the Board.

§ 2-37.9 POWERS AND DUTIES.

The Board of Zoning Appeals shall be subject to the requirements of and perform all of the duties and responsibilities set out in the advisory planning law of the state.

§ 2-37.10 RESERVED.

This ordinance is hereby passed and adopted at the meeting of the Town Council of the Town of Cloverdale, Indiana this 14th day of October, 2008.

By: , President

ATTEST:

Patricia Ross
Clerk-Treasurer

Art Clark
Vice-President

Tim Poff
Member

Alvin Vickroy
Member

Donna & Sledge
Member