

Franklin County Board of Zoning Adjustment By-Laws

Article I – Objectives

The objectives and purposes of the Board of Zoning Adjustment of Franklin County, Missouri are those set for in § 64.870 RSMo and those powers and duties delegated to the Board of Zoning Adjustment by Franklin County.

Article II – Members

The Board Membership shall consist of five regular members and two alternate members. All members are appointed by the County Commission and shall be residents of the County, but no more than two shall be residents of the incorporated area of the County. All regular members are expected to attend each meeting and to exercise their duties and responsibilities. Any regular member unable to attend a meeting shall notify the planning staff as soon as possible.

Alternates

Up to two alternates may be appointed by the County Commission. These alternate members should attend as many meetings as practicable to familiarize themselves with the Board and to stand ready to serve when a member of the Board is unable to fulfill his or her responsibilities or if a regular position is vacant. In the event that any regular member is unable to fulfill his or her responsibilities, an alternate member may be seated as a regular member for the duration of that application or meeting. In no event shall more than five members vote on any application or other official action taken by the Board.

Article III – Meetings

Annual Meeting

The annual organization meeting for the nomination and subsequent election of officers shall be held on the fourth Tuesday of May each year. The Board shall, by majority vote of its regular membership, elect one of its own members to serve as Chair and one regular member to serve as Vice-Chair. The persons so designated shall serve in these capacities for terms of one year. Vacancies in offices may be filled for the unexpired terms by majority vote of the regular board membership. Alternates may be seated as regular members and vote in elections, as needed.

Regular Meeting

Regular meetings of the Board of Zoning Adjustment shall be held on the 4th Tuesday of each month at 7 p.m. at the County Government Center of Franklin County in Union, MO. At such meetings, the Board shall consider all matters on the agenda brought before the Board without the necessity of prior notice thereof given to any members. A regular meeting may be canceled or rescheduled due to lack of an agenda.

Quorum

Pursuant to Section 31 (a) of the Unified Land Use Regulations of Franklin County, a quorum for the Board of Zoning Adjustment shall consist of four members. A quorum is necessary for the Board to take official action.

Proceedings

At any regular meeting of the Board of Zoning Adjustment, the following shall be the regular order of business:

1. Roll Call
2. Approval of Minutes of Previous Meeting
3. Presentation of Hearing Procedures and Exhibits
4. Old Business
5. New Business
6. Adjournment

The Board Chair reserves the right to amend the order of the proceedings.

Rule of Procedure

If, in the case of variance and appeal applications, any applicant (or their designated representative) shall fail to appear to present his or her application before the Board of Zoning Adjustment, the Board may evaluate the application as submitted.

Article IV – Officers

The officers of the Board of Zoning Adjustment shall consist of a Chair and Vice-Chair. They shall be elected by the Board, at the annual meeting, for a term of one year.

Duties of Officers

The duties and powers of the officers of the Board of Zoning Adjustment shall be as follows:

Chair

- To preside at all meetings of the Board
- To sign documents on behalf of the Board
- To see that all actions of the Board are properly taken

Vice-Chair

- During the absence of the Chair, the Vice-Chair shall exercise or perform all the duties and be subject to all the responsibilities of the Chair

Article V – Hearings

Special Hearings

In addition to those required by law, the Board may, at its discretion, hold public hearings when it decides that such hearings will be in the public interest.

Notice

Notice of such hearings shall be given as required by law.

Summary of Case

A designated member of the Board shall present a case before the Board in summary, and parties of interest shall have privileges of the floor.

Records

An audio and written record shall be kept of those speaking before the Board.

Article VI – Vacancies and Absenteeism

Vacancies

Should any vacancy occur among the members of the Board of Zoning Adjustment, immediate notice thereof shall be given to the County Commission. The Board of Zoning Adjustment may recommend a candidate to fill a vacancy to the County Commission. An alternate may be chosen to temporarily or permanently fill the position of a regular member in the event of a vacancy.

Absenteeism

Upon the absence by a regular Board member at three regular meetings of the Board of Zoning Adjustment in any given calendar year, the Board may recommend immediate replacement of such member to the County Commission.

Article VII – Amending By-Laws

These By-Laws may be amended at any meeting of the Board of Zoning Adjustment provided that notice of said proposed amendment is given to each member in writing at least five days prior to said meeting. These By-Laws may be amended by a vote of four regular members of the Board of Zoning Adjustment.