

Auburn Zoning Board of Appeals Meeting Procedure

The appeal should open with the Chairperson (Chair) stating,

“Ladies and Gentleman, welcome to the (Date) _____ meeting of the Auburn Zoning Board of Appeals. This meeting is being tape-recorded so all parties wishing to speak need to step up to the microphone and state their full name and address prior to addressing the Board”.

- 1) The Chair should then ask Members of the Board to introduce themselves.
(The Chairperson may introduce the members if he/she prefers)
- 2) The Chair should then introduce Staff present. Eric Cousens, Director of Planning and Permitting; Doug Greene, City Planner; Rhonda Russell, Administrative Assistant.
- 3) State for the record that a Quorum of four members **is / is not** present.
- 4) The Chair should then ask Members of the Board if they wish to accept the minutes of the previous meeting as provided by staff or make any corrections or amendments.

After any amendments of discussion, the ZBA Chair should ask:

“Do I have a motion from the Board to accept and approve the minutes and place them on file (with or without amendments)”?

A member of the Board should state

“I motion to approve the minutes (as amended)”

The Chairman should ask,

“Do I have a second”?

A different member of the Board should state,

“I second the motion”.

The Chair should then call for a vote and if the motion passes should announce.

“The minutes are hereby approved”.

- 4) The following will be the format for conducting an Appeal:

A. Chair will summarize the nature of the Appeal.

“The City of Auburn has received a request(Staff report subject)

B. The Chair shall identify all material submitted to the Board.

“The materials submitted for this case include: (application, staff report, pictures)

C. Chair shall the determine that the appellant’s standing.

“(Petitioner’s name), is the owner of (property address), the property in question, and is the applicant requesting the appeal, therefore Mr. (property owner) has legal standing as the property owner”.

D. Chair shall determine the parties to the Appeal.

“The parties to the appeal are the Appellant, _____, the owner of _____ (the subject property), and the City of Auburn Municipal Officers”.

E. The Chair should then explain the order of presentation as,

- a) the appellant may present or has the option of allowing the staff report first
- b) Board questions for the appellant
- c) the staff report
- d) Board questions for staff
- e) the public in favor of the appeal
- f) the public against the appeal

The Chair should then state:

“As the owner of the subject property, would _____, like to step up to the microphone and briefly explain the nature of the appeal. The applicant may also have his witnesses address the Board at this time or choose to have staff present their report on the appeal”.

The Planning Staff Report may then be presented at the request of the Chair,

“City Staff has provided a report on the request, would Staff provide an overview of the case before the Board?”

- *c) After the applicant and Staff have made their presentations and the Board has answers to any questions, the ZBA Chair should ask:

“ Do I have a motion from the Board to open the hearing to the public”?

A member of the Board should state

“I motion to open the hearing to the public”

The Chair should ask,

“Do I have a second”?

A different member of the Board should state,

“I second the motion”.

The Chair should then state,

“The appeal is now open to the public. All parties wishing to speak regarding this case need to step up to the microphone and state their full name and address prior to addressing the Board”.

- 5) Chair shall close the hearing when all parties have been heard or continue it to a later date if additional time is required. After all members of the public have spoken, the Chair should ask the Board,

“Do I have a motion to close the public hearing”?

A member of the Board should state, **“Mr. Chair, I motion to close the public hearing”.**

The Chair should ask, **“Do I have a second”?**

A different member of the Board should state, **“I second the motion”.**

The Chair should then call for a vote and if the motion passes should announce.
“The public hearing is hereby closed”.

7. Final discussion and questions by members of the Board.

8. A Motion on the Appeal either in the positive or negative must be made.

“Mr. Chair, I make a motion to approve the request based on the findings of fact outlined in the Staff report” (or findings determined by the Board at the public hearing)

OR

“Mr. Chair, I make a motion to deny the request for _____based on ... X, Y, Z”.

The Chairman should ask, **“Do I have a second”?**

A different member of the Board should state, **“I second the motion”.**

9. The Chair should then call for a vote. A vote by the Board will be taken with 4 votes of the voting members needed for Approval of the Appeal.