

**RULES OF PROCEDURE:
TOWN OF MCCORDSVILLE BOARD OF ZONING APPEALS**

ARTICLE I: AUTHORITY AND DUTIES

Section 1 – Authority

The McCordsville Board of Zoning Appeals (hereinafter called “BZA” or “Board”) exists under the authority of Indiana Code section 36-7-4-901 and the Zoning and Development Ordinance (“Zoning Ordinance”) of the Town of McCordsville, Indiana, and any amendments thereto. These rules are adopted in accordance with the requirements of Indiana Code section.

Section 2 - Duties

The duties of the Commission shall be those set forth in Indiana Code section 36-7-4-900 *et. seq.*, and such other responsibilities as may be required by state statute or the McCordsville Zoning and Municipal Codes and as follows:

- 1) The Board shall be governed by the provisions of the Town of McCordsville Zoning Ordinance, as adopted and amended by the Town Council, and the Rules of Procedures set forth herein, as adopted and amended by the Board;
- 2) Any member who has a conflict of interest in a matter before the Board shall remove him/herself from hearing the matter and not vote thereon, as further described in Article IV, Section 3, Item 6;
- 3) The McCordsville BZA Attorney shall be consulted in all cases where the powers of the Board are not clearly defined; and,
- 4) The office of the Board shall be located in the offices of the Town Hall, Building and Zoning Department, 6280 W. 800 N., McCordsville, Indiana, 46069.

ARTICLE II: JURISDICTION & RESPONSIBILITIES

Section 1 – Jurisdiction

The jurisdiction of the Board shall be the whole of the corporate limits of the Town of McCordsville, Indiana.

Section 2 – Responsibilities

- 1) The board shall hear and determine appeals from and review:
 - a. any order, requirement, decision, or determination made by an administrative official, hearing officer, or staff member under the zoning ordinance;

- b. any order, requirement, decision, or determination made by an administrative board or other body except a plan commission in relation to the enforcement of the zoning ordinance; or
 - c. any order, requirement, decision, or determination made by an administrative board or other body except a plan commission in relation to the enforcement of an ordinance adopted under I.C. 36-7-4-900 *et. seq.* requiring the procurement of an improvement location or occupancy permit.
- 2) The board shall approve or deny all:
- a. special exceptions;
 - b. special uses;
 - c. contingent uses; and
 - d. conditional uses;
- from the terms of the zoning ordinance, but only in the classes of cases or in the particular situations specified in the zoning ordinance. The board may impose reasonable conditions as a part of its approval.

ARTICLE III: MEMBERSHIP & OFFICERS

Section 1 – Board Membership

- 1) **Members:** The Board shall be made up of five (5) members as follows:
- a. Three (3) citizen members appointed by the Town Executive.
 - b. One (1) citizen member who must be appointed by the Town Council.
 - c. One (1) member appointed by the Plan Commission from the Plan Commission's membership (other than the member appointed pursuant to subsection a(1), above.
- 2) **Restrictions:** None of the members of a board of zoning appeals may hold:
- a. an elected office; or
 - b. any other appointed office, except as permitted by section 902 of this chapter, in municipal, county, or state government.
- 3) **Requirements:** A member must meet one of the following requirements:
- a. The member must be a resident of the jurisdictional area of the board.
 - b. The member must be a resident of the county and also an owner of real property located in whole or in part in the jurisdictional area of the board.

However, at least a majority of the total number of citizen members appointed to the board of zoning appeals must be residents of the jurisdictional area of the board of zoning appeals. The board shall determine whether a member meets all applicable residency requirements for appointment in accordance with uniform rules prescribed by the board.

- 4) Term: Each new appointment is for a term of four years. Each term expires on the first Monday of January.
- 5) Reappointment: A member serves until the member's successor is appointed and qualified. A member is eligible for reappointment.
- 6) Removal for cause: The appointing authority may remove a member pursuant to I.C. 36-7-4-906.
- 7) Vacancy:
 - a. If a vacancy occurs among the members, the appointing authority shall appoint a member for the unexpired term of the vacating member. In addition, the appointing authority may appoint an alternate member to participate with the board in any hearing or decision if the regular member it has appointed has a disqualification under I.C. 36-7-4-909, or is otherwise unavailable to participate in the hearing or decision. An alternate member shall have all of the powers and duties of a regular member while participating in the hearing or decision.
 - b. The Chair, through the Director, shall inform the appropriate appointing authority as promptly as possible, when a member has three (3) unexcused absences for the purpose of considering the replacement of said member so that the appointing authority may appoint a replacement to fulfill the unexpired term. Other vacancies occurring in the Commission shall also be reported to the appropriate appointing authority for similar action.
- 8) Communications: All members are encouraged to discuss any concerns they may have with a particular petition or application with the Department Director or legal counsel.

Section 2 - Officers

At their first regularly scheduled meeting of each calendar year, the Board shall select from its membership a Chair and Vice Chair. The Chair shall preside at all meetings, and, in his or her absence or disability, the Vice Chair shall preside. The Board shall elect a Chair Pro Tempore from among its members if both the Chair and Vice Chair are absent or disabled. If any office becomes vacant, the Board shall elect a successor at its next regular meeting to complete the remainder of the unexpired term.

Section 3 - Training

- 1) Training
 - a) Within the first ninety (90) days of serving on the Board, each new member shall be given an opportunity to attend an introductory training session conducted by the Department and/or legal counsel.

- b) If a member fails to attend the initial training, then that member and appointing authority shall be duly notified of failure to fulfill requirement.

ARTICLE IV: MEETINGS

Section 1: Monthly Meetings

- 1) Schedule of Meetings: The Board shall adopt an annual Schedule of Meetings and Filing Dates of the regularly scheduled Board meetings each year and deadlines for filing applications for placement on a meeting agenda (the "Schedule of Meeting and Filing Dates"). The Schedule of Meetings and Filing Dates shall be maintained by the Department and shall be approved by the Board no later than their December meeting of each year.
- 2) Board Meeting Time, Date & Location: The meetings of the Board shall be on the first Wednesday of each month at 6:00 p.m. at the McCordsville Town Hall, 6280 W. 800 N., McCordsville, Indiana 46055. If the date of the meeting falls on a legal holiday, or if it is impossible to conduct the meeting at that time or place, then the Director may administratively set an alternate date, time, or place for the meeting, or the meeting may be postponed with a majority consent of the members of the Board, provided that the notice requirements of I.C. 5-14-1.5 are satisfied.
- 3) Special Meetings: Special meetings of the Board may be called by the Chair or by two (2) members of the Board upon written request to the Director. The Director shall send to all members, at least five (5) calendar days before the special meeting, a written notice fixing the time and place of the meeting. Written notice of a special meeting is not required if:
 - a) The date, time, and place of a Special Meeting are already fixed on the Schedule of Meeting and Filing Dates;
 - b) All members of the Board are present at a meeting on the Schedule of Meetings and Filing Dates where the Special Meeting was called; and,
 - c) The Secretary complies with the notice requirements of I.C. 5-14-1.5.

Section 2: Order of Business (Agenda):

- 1) The order of business at Board Meetings shall be as follows:
 - Call to Order
 - Roll Call
 - Rules of Procedure Announced
 - Agenda Consideration
 - Approval of Minutes
 - Old Business
 - New Business
 - Announcements
 - Adjournment

Section 3: Quorum and Decisions

- 1) A majority of the entire membership of the Board constitutes a quorum. Action of the Board is not official unless it is authorized by a majority of the entire membership of the Board. All voting shall be by roll call or recorded vote, except in the case of unanimous vote.
- 2) Voting:
 - a) Decisions of the Board may be conducted by voice vote, unless a roll call vote is requested by a member of the Board, or any member who is attending virtually. If there is a split vote, a roll call vote shall be requested.
 - b) Approval of minutes and adjournment may be conducted by voice vote, unless a roll call vote is requested by a member of the Board, or any member who is attending virtually.
- 3) Conflict:
 - a) No member of the Board shall participate in a hearing or in any decision on any zoning or planning matter in which the member has a direct or indirect financial interest in the matter that is being presented to the Board for consideration.
 - b) A member of the Board is disqualified and may not participate in a hearing if the member is biased or prejudiced or otherwise unable to be impartial. Any concerns regarding impartiality should be discussed with legal counsel.
 - c) In the event of a conflict, the member shall describe the conflict immediately after the matter is introduced by the presiding officer and take no part in the discussion and/or decision-making process described herein.
 - d) The presiding officer shall note the existence and description of the conflict and it shall be entered into the record.
- 4) Contacting Board Members Prohibited:

No person shall contact any member of the Board in advance of a public hearing on any pending Petition with intent to influence the Board member's action on such Petition. A written request for continuance as provided for by these rules shall not be construed to be prohibited contact of Board member.

Section 4: Minutes

- 1) The Board shall keep minutes of its proceedings showing the vote of each member on each question presented or indicating that the member is absent or not voting.
- 2) The Secretary shall keep a record of all proceedings (minutes) of the Board which shall be presented to the Board at the next regular succeeding meeting for review and acceptance into the record. Upon acceptance, the record shall be signed by the Chair and attested by the Secretary.

Section 5: Decisions

All members present shall vote on every question unless prevented by conflict or excused by the presiding officer.

Section 6: Continuances

- 1) Requests for continuances by Petitioners or remonstrators shall be considered at the beginning of each public hearing agenda prior to calling the first Petition for public hearing listed on the agenda.
- 2) The Board may, at any time in its discretion, continue the hearing of any Petition. On its own motion, the Board may determine if re-notification of interested property owners shall be required for any continued hearing. Continuances granted for periods of time in excess of two months shall require re-notification of interested property owners.

Section 7: Adjournment

The Board may adjourn so long as all business has been conducted in accordance with these Rules of Procedure. The Board may, by a majority vote, continue any case(s) that have not been called onto the floor within 3.5 hours of the meeting's start time to allow for adjournment. Such cases shall be continued to a previously scheduled meeting or a Special Meeting.

ARTICLE V: DOCKET

Each petition that is to be publicly heard before the Board shall be filed in proper form with the required data, shall be numbered serially and placed on the docket of the Board. The docket numbers shall include the year and begin anew on January 1st. As soon as the petition receives a docket number and staff believes the petition is ready to be heard, it shall be placed on the docket of the Board and, if a public hearing is required, the date of the hearing shall be set in accordance with the Schedule of Meeting and Filing Dates. Petition items shall come before the Board in the regular order of their consecutive docket numbers unless otherwise ordered by the Department or changed by the Board at the beginning of a meeting. Should a petition need continued, Department staff shall have the authority to continue the petition to a future date without Board approval.

ARTICLE VI: PETITIONS

Section 1: Who May File

Petitions for an Administrative Appeal, Use Variances, Development Standards Variances, and Special Exceptions may be initiated by a Petition signed by the owners of the land involved in the Petition. An Owner may be represented by an Authorized

Agent. An Authorized Agent shall file a written statement with the Department, signed by the Owners on a form acceptable to the Department, at the time of filing the Petition.

Section 2: Filing Procedure

Petitions for public hearing before the Board shall be filed with the Department of Building and Zoning and the prescribed filing fees (if any) paid at the time of filing. The deadline for filing all petitions shall be in accordance with all deadlines established annually by the Department.

Section 3: Form of Filing

All Petitions to the Board shall be on forms provided by the Department of Building and Zoning. In addition, site plans, surveys, legal descriptions, building elevations, sign details, proposed commitments and any other relevant supporting documentation shall be of usable scale and quality.

Section 4: Findings of Fact

The Board shall, in all cases heard by the Board, make written Findings of Fact in support of the Board's decision. The Petitioner shall, at the time of filing the Petition, file proposed detailed written Findings of Fact.

Section 5: Specifying the Request

All Petitions shall specify the appeals, variances or exceptions requested. Any items, even if indicated on the proposed plans, shall not be considered a part of the request presented to the Board for its consideration unless such items are specified in the Petition.

ARTICLE VII: NOTICES

In the event that a public hearing is required, the following requirements for notice must be met:

Section 1: General Requirements

- 1) All public hearings shall be noticed using each of the following means of communication:
 - a) Letter mailed via Certified Mail w/ Return Receipt or Certificate of Mailing to Interested Parties;
 - b) Yard Sign(s) posted on the subject property; AND
 - c) Newspaper Publication, per IC 5-3-1.
- 2) All forms of notice shall be postmarked/posted/published at least ten (10) calendar days before the scheduled public hearing.

- 3) For all Board meetings other than public hearings, a 48-hour notice shall be made by posting the meeting time and location at the entrance of the building where the meeting will occur. No other notice shall be required.
- 4) The Director or their designee may cause notice to be posted on the official Town of McCordsville website.
- 5) Appearance at any hearing on an application or proposal, in person or by representative, shall waive any defect in notice unless the alleged defect is raised at the beginning of the hearing.
- 6) In the event that a petition which has met all public notice requirements, as set forth herein, is postponed or continued for any reason prior to a public hearing being held, no further public notice shall be necessary, so long as at the meeting for which the public hearing was noticed and scheduled, the Chair has announced the date, time and place of the new public hearing.

Section 2: Public Notice by Certified Mail w/ Return Receipt or Certificate of Mailing

- 1) Interested Parties: Public notice in accordance with this article and with I.C. 5-3-1-2 and I.C. 5-3-1-4 and due notice to interested parties. Interested parties shall be:
 - a) The owners of real property adjacent to the property subject of the petition to a depth of two (2) ownerships ~~of no direct or indirect financial or other interest to the petitioner or property owner unless otherwise reduced by the Director or six hundred and sixty (660) feet, whichever is less.~~
 - b) Additional parties deemed advisable by the Director.

A list of the interested parties' last known address shall be obtained from the Hancock County Auditor. The list of interested parties should be obtained and dated no earlier than ninety (90) days prior to the postmarked date of the mailed public notice. A good faith effort shall be made to investigate and resolve any discrepancies or omissions in or among such records in order to determine the name and address of the current owner of record.
- 2) The applicant shall provide notice to all Interested Parties and his/her Homeowner's Association ("HOA"). Such notice shall state:
 - a) The general location by address or other identifiable geographic description of the subject property or area.
 - b) A summary of the subject matter contained in the proposal and/or a description of the proposed change in the zone maps, where the proposal involves a change to the zone maps.
 - c) Docket number of the petition or appeal.
 - d) The name of the applicant(s).
 - e) The time, date and place that the petition has been set for hearing.
 - f) That the application and file may be examined in the office of the Department.

- g) That written objections to the proposal may be filed in the office of the Department before the hearing will be considered.
 - h) That oral comments concerning the proposal will be heard at the public hearing.
 - i) That the hearing may be continued from time to time as may be found necessary.
- 3) The manner in which notice must be sent to Interested Parties/HOAs shall be as follows:
- a) Town staff shall provide a list of interested parties/HOAs to the petitioner.
 - a)b) Required notices ~~to Interested Parties~~ shall be sent by First Class U.S. Mail (or an equivalent alternative accepted by the Director) Certified Mail w/ Return Receipt or Certificate of Mailing (or an equivalent alternative accepted by the Director) and postmarked at least ten (10) calendar days before the public hearing. The Department will advise the Commission at the public hearing of any deficiencies in providing notice.
 - b)c) Proof that notice has been mailed shall consist of a verified affidavit by the applicant or the Petition Representative indicating compliance with the notice requirements (or an equivalent alternative accepted by the Director or their designee) and shall be sufficient proof of notice under these rules regardless of actual receipt by the intended recipient. Said affidavit and a copy of the mailing list from the County Mapping and Transfers Office, must be filed in the office of the Department ~~ten-five (105)~~ calendar days prior to the public hearing.
- 4) The applicant shall bear the cost of and responsibility for all mailed notice to Interested Parties.

Section 3: Public Notice by Yard Sign(s)

- 1) ~~The applicant~~ Town staff shall post a sign or signs on the subject property in a location clearly visible to passing traffic.
- 2) The sign(s) shall not obstruct vehicular line of site, in compliance with the Town of McCordsville's Construction Standards and Specifications.
- 3) The Department shall determine sign locations with not less than one (1) sign placed on the property per street frontage, per block.
- 4) Signs shall be available in the office of Department.
- 5) The Department shall bear the cost of the initial sign(s). The cost for any subsequent replacement signage shall be borne by the applicant. The responsibility of sign placement shall be borne by the applicant.

Section 4: Public Notice by Newspaper Publication

- 1) The Petitioner shall cause a legal notice to be published in a newspaper(s) qualified to publish legal notices as established by Council, in accordance with I.C. 5-3-1. Such notice shall state:

- a) The general location by address or other identifiable geographic description of the subject property or area.
 - b) A summary of the subject matter contained in the proposal and/or a description of the proposed change in the zone maps, where the proposal involves a change to the zone maps.
 - c) Docket number of the petition or appeal.
 - d) The name of the applicant(s).
 - e) The time and place that the petition has been set for hearing.
 - f) That the application and file may be examined in the office of the Department.
 - g) That written objections to the proposal may be filed in the office of the Department before the hearing will be considered.
 - h) That oral comments concerning the proposal will be heard at the public hearing.
- That the hearing may be continued from time to time as may be found necessary.
- 2) The applicant shall bear the costs of and responsibility for all newspaper notices.

ARTICLE VIII: HEARINGS & CONDUCT OF HEARINGS

Section 1: Hearings

Public hearings shall be held on all administrative appeals and all petitions for a special exception, use variance, and development standards variance.

Section 2: Conduct of Hearings

- 1) **Public Hearings:** Public hearings shall be conducted according to the following procedure. Please note the time limitations for each hearing segment.
 - a) The Chair of the Board will introduce the agenda item, followed by a report from the Department.
 - b) After being recognized by the Chair, the Petition Representative will step up to the podium, and state their name and address.
 - c) The Petition Representative shall present the facts and arguments in support of the case (15 minutes maximum, without interruption).
 - d) Board members and Department staff may request clarification on items discussed in the presentation prior to the public hearing.
 - e) The official public hearing shall then be opened. The public hearing portion of the meeting shall last no more than 10 minutes, unless a motion is made by a Board member to extend the public hearing by increments of 10 minutes.
 - i) Comments from organized groups and committees shall be 5 minutes maximum/1 member per group, and individuals, other than the petitioner shall be given 2 minutes maximum per speaker. Speakers should present new points and not repeat comments from previous speakers. The public hearing shall then be closed.

- ii) Any person giving testimony to the Board regarding any pending Petition shall first state his/her name and address for the record prior to beginning testimony.
- iii) All persons appearing at a public hearing shall act in an orderly and courteous manner. Discourteous, disorderly or contemptuous conduct shall be regarded as breach of the privileges extended by the Board and shall be dealt with by the presiding officer as is deemed fair and proper.
- f) The Petition Representative shall then respond to comments (10 minutes maximum, without interruption). Additional discussion may occur between Board members and the Petition Representative.
- g) To maintain orderly procedure, parties should proceed without interruption by other interested parties.
- h) After the discussion of the petition has concluded, the Board may consider taking action on the petition or continuing the hearing until the next meeting.
- 2) **Presentations:** In the presentation of a petition:
 - a) The burden shall be upon the Petition Representative to supply all information, including charts, diagrams, and other exhibits necessary for a clear understanding of the petition.
 - b) Statements and/or discussions to the Board made by the Petition Representative at the meeting regarding anticipated methods of operation, site design/layout, or other details relevant to the decision may be incorporated into a binding agreement between the applicant and Board, or they may be included as conditions to any Board motion to approve. Such commitments or conditions shall be reflected in the minutes of that meeting.
- 3) **Conduct:** Every person appearing before the Board shall abide by the orders and directions of the Chair. Discourteous, disorderly, or contemptuous conduct shall be regarded as a breach of the privileges of the Board and shall be dealt with as the Chair directs.

Section 3: Failure to Appear

An applicant's failure to appear during a public hearing shall be dealt with as follows:

- 1) The Chair may entertain a motion from the Board to dismiss the case for failure to appear. In the absence of a motion by the Board, the petition shall be continued to the subsequent meeting.
- 2) If a petition is dismissed for failure to appear, then the applicant will be furnished with a written notice by the Department.
- 3) The applicant shall have thirty (30) days from the date of the notice of dismissal to apply for reinstatement of the petition by submitting a written request with the Department for reinstatement. Reinstatement shall be at the discretion of the

Director for good cause shown, and upon payment of the appropriate fees by the applicant.

- 4) In all reinstated petitions, the petition will be treated as a new petition and shall be re-filed in proper form with the required data, numbered serially and placed on the docket of the Board by the Department. The applicant shall be responsible for paying all associated fees with the new petition. Advertisement and public notifications as required herein shall be required as if the petition were a new application.

ARTICLE IX: FINAL DISPOSITION OF CASES

Section 1: Findings of Fact

- 1) After Board consideration of any reports, testimony (written or verbal) and the recommendations of the Department, the final disposition of any petition shall be memorialized and adopted by the BZA in the form of Findings of Facts, which may include conditions or commitments required by the BZA.

Section 12: Dismissal of Petitions

- 1) The Board may dismiss a Petition for lack of prosecution when the Petitioner fails to appear. The Board may also dismiss a Petition for lack of jurisdiction.
- 2) Any Petition which has been dismissed by the Board for lack of prosecution shall not again be filed for consideration within a period of three (3) months from the date of the dismissal, except upon motion to permit re-filing adopted by a majority vote of all members of the Board at a regular or special meeting, for good cause shown.

Section 23: Withdrawal of Petitions

- 1) The Department may request a continuance of a petition to a subsequent meeting at any time prior to vote, which the BZA must approve. A Petition which has been properly continued by the BZA must be heard at the next BZA meeting, unless the Petition Representative requests an additional continuance from the Department.
- 2) A Petition Representative may withdraw or request a continuance of a petition to a subsequent meeting at any time prior to vote, which the Department may approve. A Petition which has been properly withdrawn or continued by the Petitioner may be heard at the next regular meeting of the Board upon re-publication of the legal notice and re-notification of interested property owners.
- 3) Any Petition which has been withdrawn by the Petitioner, and which has not been set for hearing at the next regular meeting as described above, shall not be re-filed for consideration within a period of three (3) months from the date of

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said withdrawal, except upon motion to permit re-filing adopted by a majority vote of all members of the Board at a regular or special meeting, for good cause shown.

- 4) ~~No Petition may be withdrawn by the Petitioner after a vote has been ordered by the presiding officer. A Petition which has been properly withdrawn by the Petitioner may be heard at the next regular meeting of the Board upon republication of the legal notice and re-notification of interested property owners. Any Petition which has been withdrawn by the Petitioner, and which has not been set for hearing at the next regular meeting as described above, shall not be re-filed for consideration within a period of three (3) months from the date of said withdrawal, except upon motion to permit re-filing adopted by a majority vote of all members of the Board at a regular or special meeting, for good cause shown.~~

4)

Section 34: Re-Filing Following Adverse Decision

- 1) No parcel that has been the subject of an adverse decision on a Petition for Use Variance, Development Standards Variance, or Special Exception by the Board shall again be included in a Petition within six (6) months from the date of the adverse decision, unless the Board by an official vote at a public hearing, decides for good cause shown, to allow the re-filing.
- 2) No Petitions for Use Variance or Development Standards Variance that has been the subject of a prior denial by the Board shall be granted except upon adoption of an additional finding that substantial change in the particular circumstances which induced the prior denial has occurred. It shall be the responsibility of the Petitioner to prepare and submit, at the time of filing, detailed written findings of fact reflecting the substantial change in circumstances. Any such Petition filed without the additional finding shall be deemed incomplete and shall not be docketed for public hearing.

Commented [CBA1]: We said 12 months for APC petitions.

ARTICLE X: ADMINISTRATIVE DISMISSAL

- 1) Petitions that require a Public Hearing:
 - a) Petitions which have not received a public hearing will be administratively dismissed six (6) months after the date of filing unless the Commission approves an extension. Requests for an extension shall be made in person by the Petition Representative at a Commission meeting prior to the dismissal date.
 - b) Petitions which have received a public hearing will be administratively dismissed six (6) months after the public hearing unless the Commission approves an extension. Requests for an extension shall be made in person by the Petition Representative at a Commission meeting prior to the dismissal date.

- 2) Petitions that do not require a Public Hearing: Petitions for which no action has been taken will be administratively dismissed one (1) year after the date of filing unless the Director approves an extension. Secondary Plats are exempt from this rule.
- 3) All Petitions: Any Petition may also be dismissed by the Commission for lack of jurisdiction or for lack of representation by the Petition Representative at a meeting where the item appears on the agenda (as a non-continued item).

ARTICLE XI: VIRTUAL MEETING POLICY

BZA Resolution XXXX (the "Virtual Meeting Policy") is hereby incorporated into these rules. If a provision of the Virtual Meeting Policy conflicts with these rules, then the Virtual Meeting Policy shall supersede.

ARTICLE XII. WAIVER OF RULES

The Board shall have the right to waive any portion of these Rules of Procedure upon their own motion, or upon request of any interested party, for good cause shown, provided, however, the Board may not waive any portion of these Rules setting forth the requirements established by Indiana statute.

ARTICLE XIII: AMENDMENTS

Amendments to these Rules of Procedure may be made by the Board at any meeting of the Board with and upon the affirmative vote of a majority of the members of the Board.

A suspension of any rule herein may be so ordered by the Board at any meeting by a majority vote of the members present.

ARTICLE XIV: ADOPTION

These Rules of Procedure are for the "McCordsville Board of Zoning Appeals," McCordsville, Indiana and have been approved by the affirmative vote of the membership of said Board at a meeting of the Board held on the ____ day of _____, _____. This approval repeals any prior Rules of Procedure.

Chair

Date

Vice-Chair

Date

Member

Date

Member

Date

Member

Date

Attested by:

Director/Secretary

Date