

*Board of Adjustment
Bylaws 2023*



ARTICLE I:

OBJECTIVES

The Board's purpose shall be to hear requests for dimensional variances, conditional use permits, make determinations on non-conforming uses, and all administrative appeals regarding any alleged errors by the Zoning Administrator.

These Bylaws are enacted in accordance with Chapter 100 of the Kentucky Revised Statutes (KRS) and the 1992 Zoning Ordinance signed and adopted by The City of Stanton that created this Board.

ARTICLE II:

MEMBERSHIP

The Board shall consist of at least five (5) but no more than twenty (20) members, appointed by the Mayor and confirmed by the Stanton City Council. Members shall be selected based on their qualifications and their willingness to serve. All members shall be appointed to four year terms. All members of the Board shall be over the age of eighteen. There shall be no limit on the number of terms an individually may serve consecutively on the Board. Up to two members may live outside the city limits of Stanton. All members must reside within Powell County. At least two-thirds (2/3) of the members shall be citizen members.

ARTICLE III:

OFFICERS AND THEIR DUTIES

Section 1.

The offices of the Board shall consist of a Chairman, Vice-Chairman, and a Secretary.

Section 2.

The Chairman shall preside at all meetings and hearings of the Board and shall have the duties normally conferred by parliamentary usage on such officers.

The Chairman shall, in general, supervise and direct all the business and affairs of the board. The Chairman, when present, shall preside at all meetings of the Board and shall perform all duties as may be prescribed by the members from time to time. The Chairman shall have the privilege of discussing all matters before the Board and to vote thereon.



Section 3.

The Vice-Chairman shall act for the Chairman in his or her absence. In the absence of the Chairman, the Vice-Chairman shall perform all duties of the Chairman and when so acting shall have all the powers and be subject to all the restrictions of the Chairman.

Section 4.

The Secretary shall keep the minutes and records of the Board, prepare the agenda of regular and special meetings with the Chairman, provide notice of meetings to Board members or ensure that proper notice is prepared and provided to the necessary parties, arrange proper and legal notice of hearings, attend to correspondence of the Board and such other duties as are normally carried out by a Secretary.

ARTICLE IV:

ELECTION OF OFFICERS

Section 1.

Annual organization meetings shall be held on the third Thursday in November.

Nomination of officers shall be made from the floor at the annual organization meeting, elections shall be held annually, beginning in November of 2009. If election of officers does not take place at the November meeting, it shall occur as soon thereafter as practical.

Section 2.

A candidate receiving a majority vote of the members present of the Planning Board shall be declared elected and shall serve for a period of one year or until his successor shall take office.

Section 3.

Vacancies in unexpired terms of office shall be filled immediately by regular election procedure.

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**ARTICLE V:
MEETINGS**

Section 1.

Meetings will be held on the third Thursday of each month at 6:00 p.m. at Stanton City Hall located at 98 Court Street, in Stanton, Kentucky.

Section 2.

Three members of the Board shall constitute a quorum. The number of votes necessary to transact business shall be three. Voting shall be by roll call. A record of the roll call vote shall be kept as a part of the minutes.

Section 3.

Special meetings may be called by the Chairman or by a majority of the members of the Board. Written notice, containing the date, time, place, and agenda of the special meeting must be delivered personally, transmitted through facsimile machine, or mailed to each member of the Board at least 24 hours in advance of the special meeting.

In addition, the same notice must be given to all media organizations that have filed a request to receive notification of special meetings at least 24 hours prior to the special meeting. In lieu of sending the notice by mail, fax or personal delivery, the Board may send the notice by electronic mail (e-mail), or text message to those members and media organizations that have submitted a written request to receive notification by e-mail or text message.

Written notice containing the date, time, place and agenda of the special meeting shall be posted in a conspicuous place in the building where the special meeting is to be held and in the building where the Board usually meets. This posting must occur at least 24 hours prior to the time of the special meeting.

Each agenda item contained in the notice of special meeting must be sufficiently definite to permit the public to fairly understand the purpose or purposes for which the special meeting is to be held. Only items set forth in the notice of special meeting may be discussed or may action be taken upon.



**ARTICLE VI:
ORDER OF BUSINESS**

1. Roll Call
2. Reading of Minutes of Previous Meeting
3. Communication and Bills
4. Report of Officers and Committees
5. Old Business
6. New Business
7. Adjournment

**ARTICLE VII:
EMPLOYEES**

Section 1.

The Board may employ a Clerk to assist the Secretary in the performance of his/her duties and perform such other duties as may be assigned to him by the Chairman of the Planning Board.

Section 2.

The Board may employ staff and planning assistance to aid in the work of the Board. Such employment shall be approved by a majority vote of the entire Board membership.

**ARTICLE VIII:
HEARINGS**

Section 1.

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

Section 2.

Notice of any public hearing by the Board other than those required to be conducted pursuant to Kentucky Revised Statutes shall be published in the newspaper with the largest circulation in the municipality at least fourteen (14) days before the time of public hearings. This publication shall not be confused with the scheduling of a special meeting as set forth in Article V above.

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Section 3.

The matter before the Board shall be presented in summary by the Secretary or a designated member of the Board and parties in interest shall have the privilege of the floor. No record of statement shall be recorded or sworn to as evidence for any Court of Law without notice to the parties.

Section 4.

A record shall be kept of those speaking before the Board at any hearing and shall be attached to the minutes of said meeting.

**ARTICLE IX:
AMENDMENTS**

Section 1.

These bylaws may be amended by a two-thirds vote of the entire membership of the Board.

These Articles of Rule are adopted by the Stanton Board of Adjustment.

Chairman _____ Date _____

Vice-Chairman _____ Date _____

Secretary _____ Date _____

Member-at-Large _____ Date _____

Member-at-Large _____ Date _____

Approved 8/17/23 by a vote of 5-0-0