

**BOARD OF ADJUSTMENT
MINUTES – TRAINING SESSION
Thursday, March 25, 2004**

The Blowing Rock Board of Adjustment met on Thursday, March 25, 2004 at 6:00 p.m. for a special scheduled training meeting. Members present were Cullie Tarleton, Jim Steele, Mark Klein, Ron Mace, Jim Thirtle, and Chairman Lisle Snyder. New members present were Ron Oberle, Bob McCants, and Jerry Starnes. Staff present were Kevin Rothrock, Planning Director, and Sherrie Pitts, Administrative Assistant.

APPROVE MINUTES:

*Mr. Klein made a motion to approve the minutes with a stipulation to check the context in the last paragraph of page four. Mr. Thirtle seconded motion. **All were in favor of the motion.***

INSTALLMENT OF NEW MEMBERS:

Ron Oberle, Jerry Starnes, and Bob McCants were sworn in.

Election of officers was postponed until the next meeting.

Training Session:

Mr. Rothrock gave a Power Point presentation showing several different topics that pertained to the Board of Adjustments meetings and responsibilities. The purpose of the training session was to go over procedures and guidelines of the Board of Adjustments.

Mr. Rothrock pointed out the importance of attendance at all board meetings. He stated that a member might be dismissed for failure to attend three consecutive meetings or four meetings within any twelve-month period.

Mr. Rothrock explained that the Board must have five (5) members present to review a case and that could include an alternate. The only time this would include a member from the Extraterritorial Jurisdiction would be if the case were in that area. He also pointed out that if a member withdraws or is excused, then a four (4) member Board could still vote.

A quorum for the Board shall consist of four members, including alternates, for matters involving properties inside the town. Mr. Rothrock pointed out that any member who withdraws from the meeting without being excused should be considered as present for determining whether a quorum is present. The Board discussed the alternates' role in a quorum and whether or not the alternates should participate in discussion if there is a full

board. Mr. Rothrock stated that if there is a quorum without the alternate, that member should not sit with the Board.

Mr. Rothrock pointed out that a concurring vote of four (4) members, including alternates, shall be required to reverse any order, requirement, decision, or determination by the administrator or to decide in favor of the applicant for a variance request. Once a member is present, failure to vote shall be recorded as an affirmative vote unless a member has been excused or allowed to withdraw. The Board then discussed variances and the Findings of Fact. The Board discussed the difficulty of an applicant getting approval on the first fact (If the applicant complies strictly with the provisions of the ordinance, he can make no reasonable use of his property). An applicant must meet all facts before the Board can grant a variance.

Mr. Rothrock briefly discussed setbacks and buildable area. Other topics discussed were Interpretations, Burden of Proof, Rules of Procedure, Hearing Procedures for Appeals, Applications, and Evidence.

Mr. Rothrock reviewed with the Board a Quasi-judicial Hearing. He went over the guidelines the Board would commonly use to be fair to all parties involved.

Adjourn

With no further discussion or questions, the Board adjourned at 7:44 p.m.

Lisle Snyder, Chairman

Sherrie Pitts, Administrative Assistant