

## **RULES FOR THE AURORA BOARD OF ADJUSTMENT**

1. The Board shall hear and decide matters solely on the record before it.
2. The Board shall hear two (2) types of cases relating to the administration and enforcement of zoning regulations as they relate to:
  - A. Appeals from the interpretation of administrative officials in the enforcement of zoning regulations; and
  - B. Applications for variances from the strict application of zoning regulations.
3. The Board shall hold a public hearing on each appeal.
4. The Board shall record all hearings dealing with specific appeals and the Chairman shall direct minutes to be taken of the proceedings.
5. All hearings shall require no less than a 15-day notice.
6. The Board may continue a hearing to a specific date without re-publishing notice or continue a hearing generally but with a re-notice of not less than 15 days.
7. Board members shall recuse themselves from any appeal if they have a personal, pecuniary, or other interest in the outcome of that appeal.
8. The Board automatically takes notice of all zoning ordinances of the City of Aurora.
9. All deliberations of the Board shall occur on the record.
10. All final decisions of the Board shall be reduced to written findings of fact and conclusions of law to be drafted by the City Attorney and adopted by the Board.
11. All testimony by any witness shall be under oath administered by the Chairman of the Board.
12. All exhibits shall be marked for proper identification.
13. It is the responsibility of the person requesting the variance to provide the Board at least six (6) copies of each exhibit they intend to introduce into evidence.
14. The burden is on the person requesting a variance to demonstrate to the Board that the variance request should be granted.

15. The Board is not bound to grant a variance that it believes would benefit the applicant for the sake of convenience but would also lead to the detriment of the surrounding existing community by controverting the spirit of the local zoning regulations.
16. All hearings shall generally follow the following format:
  - A. Call to order by the Chairman of the Board.
  - B. Roll call of members present.
  - C. Opening statement by City as to the nature of the appeal then opening statement by the applicant giving a summary of the applicant's request.
  - D. Evidence of the applicant including documents and witnesses.
  - E. Evidence of the City including documents and witnesses.
  - F. Statements by other parties limited to three (3) minutes each. If statements by other parties are redundant, then the Board may ask for a show of hands of people supporting the witness rather than hear each party in support.
  - G. Final statement by the applicant.
  - H. Final statement by the City.
  - I. Deliberation by the Board of Adjustment.
  - J. Direction by the Board to the City Attorney as to proposed finding of fact and conclusion of law.
17. All proceedings are recorded and there can be no interruption of the proceeding by members in the meeting room. Only one (1) person can speak at a time and must identify themselves and their present address.