**Faribault County Board of Adjustment (BOA) POLICY**

* **As of May 7th, 2019, and per the County Ordinance, all members shall continue to be appointed by the County Board of Commissioners. Members will increase from three to five, one from each of the five commissioner districts**

**Creation and Membership -** A Board of Adjustment is established by Minnesota Statutes, Chapter 394.21 through 394.37. See Section 27 of the Faribault County Ordinance for details including member terms. The term of each Board of Adjustment member shall follow the term of their Planning Commission appointment.

**Procedure and Qualifications -** The Board of Adjustment shall consist of six (6) members (5 regular and 1 Alternate). One member shall be appointed from each of the five commissioner districts and may be members of the Planning Commission. The alternate may also be the alternate for the Planning Commission. The Board of Adjustment may follow the Planning Commission meeting and will have its own elected chairman from among its members.

**Officers -** The BOA shall elect a chairman and a vice-chairman from among its members. It shall adopt rules for the transaction of its business and shall keep a public record of the proceedings, findings and determinations. The Zoning Office Staff shall act as secretary of the Board.

The members of the BOA may be paid compensation in an amount determined by the County Board and may be paid their necessary expenses in attending meetings of the BOA and in the conduct of business of the Board.

**Meetings –** Held on the 2nd Tuesday after the Planning Commission meeting which starts at 7:00 p.m.or may be held at the call of its Chairman and/or Zoning Administrator

**Duties and Responsibilities:**

1. Administrative Appeals. The BOA shall have the exclusive authority to hear and decide administrative appeals from and review any order, requirement, decision, or determination made by the Zoning Administrator.
2. Variances. The BOA shall have the exclusive power to order the issuance or denial of Variances from the terms of any official control including restrictions placed upon nonconformities.