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CH14 8 .1 - Boards of Zoning Appeals: Membership and Jurisdiction

The Board. There is hereby reestablished the Advisory Board of Zoning Appeals to be known as the ADVISORY BOARD OF ZONING APPEALS OF THE TOWN OF LAPEL,

INDIANA. The Advisory Board of Zoning Appeals shall be a continuation of the present Board of zoning Appeals of the Town of Lapel heretofore established under the advisory plan law, being Indiana Code [36-7-5-900](#), as added by Acts 1981, PL. 309 '23.

A. Membership. The Advisory Board of Zoning Appeals shall consist of and continue as a five member board appointed as follows:

Four (4) citizen members appointed by the Town Council of the Town of Lapel, of whom one (1) must be a member of the Advisory Plan Commission and three (3) must not be members of the Advisory Plan Commission.

One (1) citizen member appointed by the Advisory Plan Commission who must be a member of the Advisory Plan Commission other than the member appointed by the Town Council of the Town of Lapel.

B. Terms of Office. Following adoption of this Ordinance, each of the above members shall be reappointed for the balance of the term being served on the present Advisory Board of Zoning Appeals of the Town of Lapel. Thereafter each member, except those appointed from the Advisory Plan Commission shall be for a term of four (4) years. The members appointed from the Advisory Plan Commission shall be for a term of one year. Each term shall expire on the first Monday of the year of termination.

C. Territorial Jurisdiction. The Advisory Board of Zoning Appeals shall have jurisdiction over all the land subject to the zoning ordinance.

D. Subject Matter Jurisdiction. The Advisory Board of Zoning Appeals shall have exclusive jurisdiction for (1) variances under the statute and this ordinance except it shall have no jurisdiction to grant a variance from a use

district or classification; (2) special uses; (3) appeals as provided by statute, including requirements for procurement of improvement location or occupancy permits or any ordinance adopted under Indiana Code [36-7-4](#) or any prior zoning statute, and any other appeals authorized by statute.

E. Staff. The Staff of the Advisory Board of Zoning Appeals shall consist of the Administrator as defined in this ordinance and such other persons employed by the Town of Lapel as he may direct from time to time to assist him or the Advisory Board of Zoning Appeals.