

<p>ARTICLE 9. BOARD OF ZONING APPEALS</p> <p>Section 1. Composition.</p> <p>There shall be a board of zoning appeals (hereinafter called the board) which shall consist of five members, each to be a resident of the town and each to be appointed by the Purcellville Town Council for terms of five years except that original appointments shall be made for such terms that the term of one member shall expire each year. When approved by the council, one member shall be a member of the town planning commission. Vacancies shall be filled by the council for the unexpired portion of the term. A member may be removed by the council for cause, upon written charges and after a public hearing. Each member shall receive such compensation as the town council may authorize for attendance at each regular or called meeting of the board.</p> <p>Section 2. Organization.</p> <p>The board shall elect one of its members as chairman. The chairman shall preside at all meetings of the board and in his absence a member designated as acting chairman shall preside. The town manager shall appoint a secretary whose duty it shall be to keep the minutes and other records of the actions and deliberations of the board and perform such other ministerial duties as the board shall direct. The secretary may be a salaried town employee and shall perform the duties of secretary of the board in addition to his or her other regular duties.</p> <p>Section 3. Procedure.</p> <p>The board shall adopt such rules of procedure as it may deem necessary in order to carry into effect the provisions of this ordinance, said rules to be in writing and copies available to the public at the office of the administrator and the secretary of the board. Meetings of the board shall be held at the call of the chairman and at such other times as the board may determine. Such chairman, or in his absence the acting chairman, may administer oaths and compel the</p>	<p>CHAPTER 54 ARTICLE II. ARCHITECTURAL REVIEW</p> <p>DIVISION 1. GENERALLY</p> <p>Sec. 54-21. Purpose of article.</p> <p>(a) The town council hereby finds that design sometimes incompatible and inconsistent with the established historic character of the town and the otherwise inappropriate exterior design and appearance of buildings, structures and improvements erected in commercial and industrial areas does adversely affect the desirability of immediately adjacent and neighboring properties; impairs the benefits of occupancy as to existing properties in such areas; jeopardizes the economic stability and taxable value of businesses, land and buildings in such areas, and in the town as a whole; prevents the optimum use of real estate in the town; induces physical degeneration of property with attendant deterioration of conditions bearing directly on the public health, safety, morals and general welfare of the citizens; deprives the town of tax revenue and destroys a proper balance between the taxable value of real property and the cost of municipal services.</p> <p>(b) Therefore, in order to encourage the construction of attractive buildings, to protect and promote the general welfare and to prevent deterioration of the appearance of the town which would tend to create hazards to public health, safety and morals, destroy opportunity for the development of business and industry, and thereby deteriorate taxable land values and commerce below levels necessary to finance acceptable levels of municipal services, it is the purpose of this article to provide for the designation of architectural control districts within land areas zoned for commercial, industrial and public building use, to establish a board of architectural review to regulate the exterior appearance of buildings, structures and improvements proposed for alteration or erection in such areas and to set standards and procedures to be followed by such board and, on appeal from its decision, by the town council.</p>
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attendance of witnesses. All meetings of the board shall be open to the public. The board shall keep minutes of its proceedings, showing the vote of each member upon each question, or, if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the board and shall be a public record. The board shall submit a report of its activities to the town council at least once each year.

Section 4. Powers.

The board of zoning appeals shall have the following powers and duties:

1. To hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination made by an administrative official in the administration or enforcement of this ordinance. The decision on such appeal shall be based on the board's judgment of whether the administrative officer was correct. The board shall consider the purpose and intent of any applicable ordinances, laws and regulations in making its decision.
2. To hear and decide on applications for special exceptions upon which the board is specifically authorized to pass under this ordinance as hereinafter provided.
3. To authorize upon appeal in specific cases such variance from the terms of this ordinance as will not be contrary to the public interest, when, owing to special conditions, a literal enforcement of the provisions of this ordinance will result in unnecessary hardship; provided that the spirit of the ordinance shall be observed, public safety and welfare secured, and substantial justice done as hereinafter provided.
4. To hear and decide applications for interpretation of the zoning district map where there is any uncertainty as to the location of a district boundary. The board shall not have the power to change substantially the locations of district boundaries as established by ordinance.

DIVISION 2. BOARD OF ARCHITECTURAL REVIEW

Sec. 54-41. Established; composition; qualification, appointment and terms of office of members; jurisdiction generally.

(a) There is hereby established a board of architectural review (hereinafter the "board" appointed pursuant to charter section 6-20 of the [town charter].

(b) The council shall appoint five members, at least four of whom shall be residents of the town, and who shall be representative of one of the following professions or interests:

- Architecture.
- Landscape architecture.
- Urban or town planning.
- Historic preservation.
- Citizen lay representative.

The terms of office shall be four years with terms being staggered initially such that one member shall be appointed for a term of one year, a second member appointed for a term of two years, a third member appointed for a term of three years and the remaining two members appointed for terms of four years.

A member shall continue to serve until reappointed or replaced. Appointments for vacancies occurring otherwise than by expiration of a term in all cases shall be for the unexpired terms.

(c) Members may be removed for just cause by the town council upon written charges.

(d) Any member of the board shall be disqualified to act upon a matter before the board with respect to property in which the member has an interest.

(e) The board shall elect a chair to preside at meetings, a vice-chair to act in his absence and a secretary who shall be responsible for keeping a written record of all board proceedings and all notices, petitions, records, pleadings and appeals pertinent thereto.

The board shall have exclusive original jurisdiction to hear and decide all cases arising under this article, but shall have no power to modify or waive any requirement imposed by any other provision of this Code.

	<p>Sec. 54-42. Compensation of members. All members of the board of architectural review shall receive as compensation such amounts as may be or have been determined by resolution of the town council and shall be reimbursed for actual expenses incurred.</p> <p>Sec. 54-43. Meetings schedule; special meetings. (a) The board shall hold a regular meeting at least once each month at a time which it shall fix by resolution or as necessary for the conduct of its business. Special meetings may be held at other times; provided, however, that all members of the board are notified at least 24 hours in advance of the time and place of the meeting. (b) No application pending before the board shall be voted upon at any special meeting unless notice of intention to do so shall appear in a newspaper of general circulation, published in the county, at least seven days prior to such special meeting.</p> <p>Sec. 54-44. Hearings to be recorded; exception. All public hearings of the board shall be recorded verbatim by shorthand or by mechanical or electrical recording equipment. All work sessions shall be summarized and are not required to be recorded verbatim.</p> <p>Sec. 54-45. Quorum. A quorum shall consist of three members of the board. If a quorum is not obtained at any regular meeting, a special meeting shall thereupon be scheduled within ten days thereafter.</p> <p>Sec. 54-46. Rules of procedure. (a) All meetings of the board shall be conducted by the chair, or in his absence, by the vice-chair. (b) All members of the board shall be entitled to vote, and the decisions of the board shall be by majority vote of the membership of the board. (c) All meetings of the board shall be open to the public, and all decisions shall be by record vote of the ayes and nays spread upon the proceedings. (d) In matters covering procedures for the board not specified in this chapter, Robert's Rules of Order, Newly Revised, shall govern.</p>
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