

### **MOTIONS FOR REHEARING**

Any petitioner who may be aggrieved by a decision of the Zoning Board of Appeals may, within ten days from the date of the decision was orally pronounced, but not thereafter, apply to the Zoning Board of Appeals for a rehearing at the next regularly scheduled meeting of the Board or unless heard earlier by a special meeting.

The petitioner requesting a rehearing shall establish all of the following:

- 1) That there is new evidence which could not have been discovered before the hearing by the exercise of due diligence;
- 2) That the evidence is material and not merely cumulative and
- 3) There is a strong likelihood that the new evidence will affect the results if a new hearing is granted.

The Zoning Board of Appeals shall render its decision, after hearing arguments based on the foregoing criteria. The concurring vote of five members of the Board shall be necessary to grant a rehearing. The Public Hearing for any rehearing that is granted shall not be considered during the same meeting that the rehearing request is scheduled to be heard. For motions for rehearing that are approved the rehearing will be heard at the next available Zoning Board of Appeals meeting.