

# **-PROPOSED TEXT AMENDMENT-**

## **Board of Adjustment**

### **Section 125-34. - Appeals from rulings of administrative officer.**

(d) Appeals procedure.

(1) Before the board of adjustment may act on an appeal from a ruling of the planning director pursuant to this section, it will hold a public hearing in accordance with the provisions of section 125-37.

(2) Within ~~35~~ 62 days of the public hearing, except the board of adjustment with good cause demonstrated may allow an extension of time, the board of adjustment will make its decision on the appeal.

(3) The board of adjustment decision will be sent by mail to the applicant within ~~five~~ seven (7) working days of its decision.

### **Section 125-103. – Variance and special exception request procedure.**

(a) Before a variance or special exception request may be submitted, a pre-application meeting shall be held for the request.

(b) After the pre-application meeting is held, a variance or special exception request may be submitted to the planning department consistent with the findings of the pre-application meeting. Once staff has deemed the application complete, then the request may move forward for assessment by the technical review committee.

(bc) After all technical review committee comments have been addressed, the planning department will prepare a staff report which presents any inconsistencies found between the requested variance and zoning ordinance requirements and will submit it to the board of adjustment for their review.

(ed) Before the board of adjustment may act on an application for a variance, or a special exception, or an appeal from the decision of the planning director, it will hold a public hearing within ~~30~~ days of the filing of the application and in accordance with the provisions of section 125-38. The board of adjustment will review the request and staff report at the public hearing.

(de) Within ~~35~~ 62 days of the public hearing, except the board of adjustment with good cause demonstrated may allow an extension of time, the board of adjustment will determine whether the evidence supports a finding that the requirements of the zoning ordinance and other city laws have been met. It will approve, approve with conditions, or disapprove the application accordingly.

(ef) The board of adjustment's decision will be sent by mail to the applicant within ~~five~~ seven (7) working days of the action.