



Board of Adjustment Rules

The Clyde Hill Board of Adjustment (BOA) has the authority to adopt administrative rules it deems appropriate to facilitate its duties and responsibilities. Therefore, the BOA hereby adopts the following rules to guide the City staff and applicants in making an application.

APPLICANT-RELATED ISSUES:

1. The applicant shall be the title holder of the property to which the variance request applies.
2. Applicants shall clearly state their name, address, telephone number(s), and relationship to the property for which they are submitting an application to the BOA.
3. Applicants have the responsibility to review all applicable City codes and regulations relating to their proposal. The City Staff shall be available to assist, upon request, with identifying the applicable code regulations and shall provide any requested copies. The Applicant shall sign the application to denote a commitment to comply with the City's and the BOA's requirements.
4. Applicants shall have a pre-application meeting with the City Staff at least one week prior to the BOA meeting submittal deadline. Staff will determine when a complete application has been assembled.
5. Applicants shall provide nine copies of the staff-approved complete application packet and the \$500 non-refundable application fee on or before the submittal deadline. (For plans and surveys: submit two full-sized copies (24" x 36") and seven 11" x 17" copies.)
6. Applicants and/or applicant's representatives (legal, etc.) shall attend the scheduled BOA meeting(s) in order to present information and answer any questions.

STAFF-RELATED ISSUES:

1. It will be the responsibility of the City Staff to devise the appropriate forms and procedures for all Applicants wanting to place a matter on a BOA agenda.
2. Prior to submitting an application to the BOA, City Staff shall have a pre-application meeting with the potential applicant. This meeting will be held at least one week prior to the submittal deadline.
3. The City Staff shall be responsible for reviewing all information submitted, summarizing content and outlining any concerns or issues it wishes to bring to the BOA's attention. A summary staff report shall be made part of the BOA's packet of information about the matters on the agenda. A packet of information shall be delivered to BOA members no later than the Friday evening prior to any scheduled meeting.

BOARD-RELATED ISSUES:

1. The BOA Chairman, or a majority of the appointed BOA members, shall have the authority to suspend any of these rules if it is deemed in the best interest of the BOA and the City of Clyde Hill.

2. No more than three (3) new matters shall be placed on the BOA agenda in a given meeting. If the City staff projects that more than three new matters, or that a meeting's agenda will be full based on the nature of the matters on the agenda, the City Administrator and the BOA Chairman shall discuss the potential problems and schedule additional meetings as deemed necessary and appropriate.
3. The Board of Adjustment shall select from among its members a Vice Chair to represent the Board in the absence of the Chairman. If neither the Chair nor Vice Chair shall be in attendance, the member of the board with the most seniority shall be acting Chair for that meeting.
4. For any continued meeting, it shall be the responsibility of a BOA member who was not present at a previous meeting to arrange with the staff to hear the recording of any relevant meeting(s) and review all documentation and materials prior to attending any subsequent BOA meeting.
5. The BOA acknowledges Chapter 17.72 of the Clyde Hill Municipal Code and affirms the provisions set forth in Chapter 2.21 which outline the appointment and removal process, meeting schedule, definition of a quorum, and the necessity for a completed application as additional rules for the BOA to follow.

Chapter 2.21
BOARD OF ADJUSTMENT

2.21.010 Established.

- A. A board of adjustment, consisting of five members, is established to hear and determine requests for variances and special exceptions from the provisions of CHMC Title 17 and to consider appeals from certain administrative actions. However, the board of adjustment shall not have authority to hear requests for variances and special exceptions from Chapter 17.77 CHMC, as such is solely within the purview of the city council.
- B. The board and its chairperson shall be appointed and serve at the pleasure of the mayor and shall be subject to confirmation by the city council.
- C. Board members may be removed by the mayor at any time; provided, any member removed may appeal such removal to the city council by filing a letter appealing the removal with the city council at or before the council's next regular meeting after the removal. If an appeal is filed, the council will review the removal and render a final decision. If no appeal is filed, the mayor's decision shall be final.
- D. Unless removed as provided above, appointments shall be for three-year staggered terms.
- E. The board shall meet monthly on the third Thursday at 7:00 p.m. in the City Hall when there is business scheduled; provided, that in accord with the State Open Meetings Act, the board may adjourn any meeting and reconvene it at a time convenient to all parties.
- F. The board shall promulgate rules for the conduct of its meetings including providing for the selection of a chairperson.
- G. The presence of three members shall be necessary to constitute a quorum.
- H. No matter shall be scheduled for the board of adjustment's consideration prior to the receipt of the completed application and all required accompanied materials, as approved by the city administrator. The completed application and all materials must be received by the city no later than 35 days prior to the board of adjustment meeting date at which the matter is to be considered.