

SUBJECT: Proposed text amendment for §1445-11(b)(2) Application Procedures for Variances, Special Exceptions and Conditional Uses of the Zoning Code.

PURPOSE:

To obtain approval from the City Planning Commission (CPC) on a text amendment to §1445-11(b)(2) Application Procedures for Variances, Special Exceptions and Conditional Uses. Amending this section of the Code would make it consistent with §1443-05, which was revised 7/22/05 by Ordinance #256-2005.

PROPOSED TEXT AMENDMENT:

1445-11.Procedures for Application for Variances, Special Exceptions and Conditional Uses.

The procedures for the application and application review for variances, special exceptions and conditional uses are as follows:

- (a) ***Application Form and Materials.*** An application for a variance, special exception or conditional use must be filed with the Director of Buildings and Inspections, in accordance with the provisions of Chapter 1441, Application Procedures, Permits and Certificates.
- (b) ***Application Procedures.*** The following procedures apply to the review of applications for a variance, special exception or conditional use:
 - (1) The director has the duty to prepare a staff report on the application and transmit the staff report to the Zoning Hearing Examiner prior to the public hearing.
 - (2) The examiner has the duty to schedule and hold a public hearing on the completed application in accord with the procedures for conduct of the public hearing set forth in [§1443-05](#) and § 1443-07.

JUSTIFICATION:

Adding §1443-05 to this section of the code makes it clear that all property owners within a 100 foot radius of the subject property are to be given notice of public hearings for variances, special exceptions and conditional uses.

RECOMMENDATION:

The Department of Community Development and Planning staff recommends that the City Planning Commission approve the requested text amendment.

APPROVED:

Margaret A. Wuerstle, AICP, Chief Planner
Department of Community Development & Planning

2/22/07
Amendment Committee