

Board of Adjustment; Guidelines for Postponements

In an effort to minimize multiple, on-going postponements, the Board of Adjustment (BOA) shall set forth the following guidelines in considering the merits of requests for postponement.

1. FIRST POSTPONEMENT REQUEST (applicant or opposition):

- a. An applicant (or their agent) for a variance or special exception may request one (1) postponement without cause for any new case on the BOA agenda.
- b. The opposition (only one entity per case) to a variance or special exception may request one (1) postponement without cause for any new case on the BOA agenda.

2. SUBSEQUENT POSTPONEMENT REQUESTS:

- a. After the first requested postponement (by either the applicant or the opposition), consideration of any subsequent postponements shall be handled as follows:
 - i. Applicant shall submit (in writing to the BOA Staff Liaison) a concise, clear statement outlining why an additional postponement is warranted. The applicant (or their agent) should attend the BOA hearing to answer any questions from the BOA, and be ready to proceed with the case should the request for postponement be denied.
 - ii. Absence from the BOA hearing may result in denial of the variance or special exception request (at the Board's sole discretion).
 - iii. BOA may accept or reject the request for postponement based on the merits of the request. Any postponed cases shall be added to the next scheduled BOA meeting agenda.
- b. The BOA will consider the following in determining if a case should be postponed:
 - i. Merits (e.g. new evidence) of the postponement request as submitted by the applicant.
 - ii. Need for applicant to provide additional information requested by the BOA.
 - iii. Need for applicant to consult with opposition, neighbors and neighborhood groups/planning teams, adjacent

property owners, City Staff, design professionals, or other such entities.

iv. Need for applicant to investigate and report to the BOA regarding alternative solutions, etc.

v. Personal emergency.

c. The BOA Staff Liaison will add to BOA's agenda (or to the case's back-up documents) a tally of the past postponements including (but not limited to) date and requestor of previous postponements for consideration by the Board in determining if additional postponements are warranted.

3. POSTPONEMENT REQUESTS -- Miscellaneous (based on BOA Member attendance or Staff request):

a. Should the number of BOA members (including alternates) present at a hearing (by number, abstentions or recusal) be less than (eleven) 11 members for cases requiring nine (9) votes to "pass", an applicant may request a postponement without cause.

b. Should City Staff request a postponement (due to posting error or other such matters), a postponement may be granted by the BOA without prejudice to the applicant or opposition.