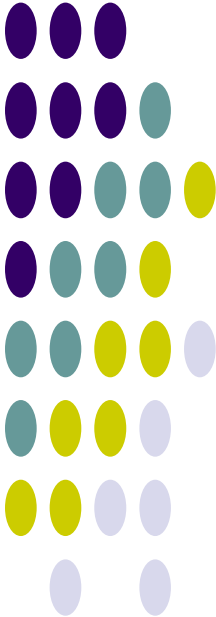
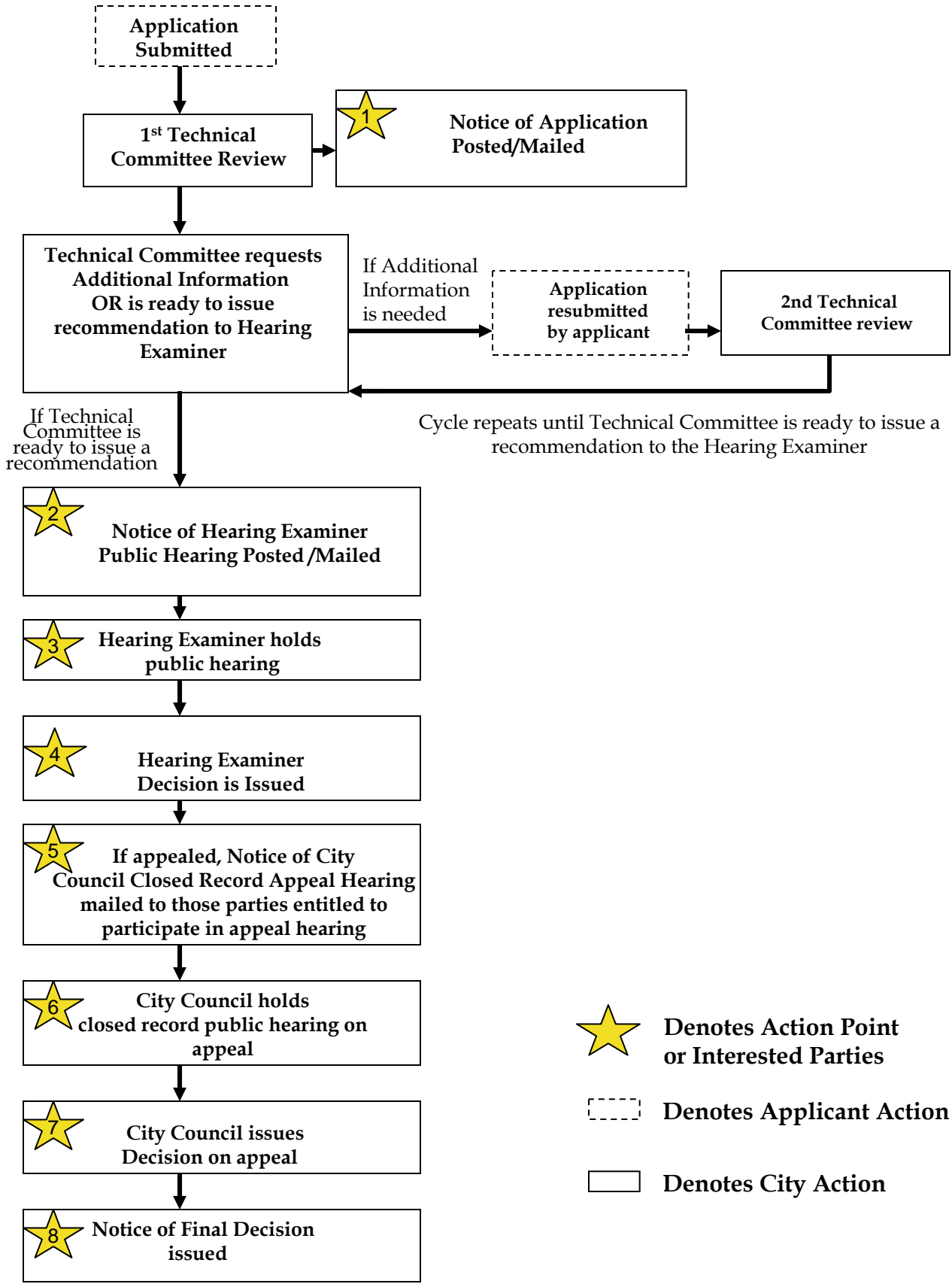


Process Flow Chart for: Variance Applications

Variance applications follow the Type III process which requires a public hearing before the Hearing Examiner. The Hearing Examiner is the final decision maker.





Cycle repeats until Technical Committee is ready to issue a recommendation to the Hearing Examiner



Notes on Participation Points 1-8

#1- Notice of Application (completed within 14 days of application):

Sent to: Applicant, property owners and residents within 500 feet

Posted: On site, City Hall, Library, Internet.

Who May Participate? Any interested party may submit comments prior to or at hearing to establish themselves as Party of Record. You must become a Party of Record to reserve right to request reconsideration or appeal the Hearing Examiner's Decision Although comments are accepted up until close of public hearing, submittal of comments during the 21 day comment period is encouraged to allow staff and/or the applicant to incorporate changes as early in the design process as possible.

#2-Notice of Public Hearing (sent 21 days in advance of hearing):

Sent to: Applicant, property owners/residents within 500 feet and any Parties of Record

Posted: On site (large white sign), City Hall, Library, Internet, published in paper.

Who May Participate? Any person may participate. Any person who has already submitted comments up until this point are established as a Party of Record and are considered participants of the hearing. Others who have not submitted comments, must submit comments prior to or at hearing in order to establish themselves as a Party of Record. Only Parties of Record have the right to request reconsideration or appeal the Hearing Examiner's decision

#3-Public Hearing:

Who May Participate? Any person may participate and establish themselves as a Party of Record by submitting written comments prior to hearing, submitting written comments at hearing or making oral comments at hearing. Interested parties must have submitted comments prior to or at hearing in order to establish themselves as a Party of Record and reserve their right to request reconsideration or appeal the Hearing Examiner's decision.

#4-Hearing Examiner Decision is issued:

When: The Decision is issued within 14 days after hearing

Who receives the decision? Applicant and Parties of Record.

Who can request reconsideration or appeal? Parties of record may request reconsideration or appeal within 10 business days

What if a Party of Record requests reconsideration? The Hearing Examiner, shall, within 14 days either deny the request, issue a revised decision, or call for an additional public hearing. A final decision will be sent to all Parties of Record. This final decision may be appealed to the City Council.

#5-Notice of City Council Closed Record Appeal Hearing:

Sent to: Applicant and Appellant or their representatives

When Mailed: A minimum of 14 days prior to hearing

#6-City Council Closed Record Appeal Hearing:

Who May Participate? The applicant, the appellant, the applicable department director, or representatives of these parties.

#7-City Council Makes Decision on Appeal:

When? The Council typically takes action on the appeal the same night as the closed record appeal hearing.

Can the Council Decision be appealed? Yes, the decision of the City Council may be appealed to Superior Court after the Notice of Decision has been issued

#8-Notice of Final Decision (typically sent within 14 days of City Council action):

Sent to: Applicant and those who participated in the closed record appeal hearing

Appeal Provision: The final decision is appealable to King County Superior Court within 21 days from issuance of Notice. To have standing to appeal, one must meet the criteria under the Land Use Petition Act (L.U.P.A.).