

ORDINANCE NO. 2039

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ORDERLY CONSOLIDATION, ZONING AND BOARD OF ADJUSTMENT PROCEDURES FOR THE HOUGHTON COMMUNITY, AMENDING ORDINANCE NO. 132 OF THE FORMER CITY OF HOUGHTON SECTION 62-0 MEMBERSHIP OF BOARD OF ADJUSTMENT, 62-30 REVIEW BY TOWN COUNCIL, 62-31 APPEALS AND SECTIONS 66-33 AND 66-12 RELATING TO FEES.

BE IT ORDAINED by the City Council of the City of Kirkland as follows:

Section 1. Section 62-02, 62-30 and 62-31 relating to the Board of Adjustment of Ordinance No. 132, the zoning Ordinance of the town of the former City of Houghton, be, and they each hereby are, amended to read as follows:

"Section 62-02. The Houghton Community Council shall sit as the Houghton Board of Adjustment. When so sitting, the Houghton Community Council shall have all the powers and all of the duties and responsibilities imposed upon the Houghton Board of Adjustment, as created in Chapter 2, Article 6 of Ordinance No. 132 of the former City of Houghton."

"Section 62-30. The Board of Adjustment shall notify the Planning and Building Departments of all of its actions on appeals and interpretations and variances. The City Council shall hear appeals from such action. If the City Council upholds the Board of Adjustment ruling, that ruling shall be final. If the City Council does not uphold the Board of Adjustment ruling, the City Council shall return the matter to the Board of Adjustment for reconsideration. If the City Council returns the matter to the Board of Adjustment for reconsideration, it may do so with written recommendations. The Board of Adjustment shall, within 20 days of the action of the City Council, reconsider the matter, including the recommendations of the City Council, and reach a decision. The decision of the Board of Adjustment, upon such reconsideration, shall be final. No appeal, interpretation or variance shall be effective until 15 days after the Building or Planning Department has been officially notified of the action of the Board of Adjustment.

"Section 62-31. Appeals Actions of the Board of Adjustment may be appealed to the Kirkland City Council by notifying the City Clerk by letter within 15 days from the time the Board of Adjustment acts in a formal meeting accepting or denying the petition. The City Council shall, within 15 days of the filing of such notice of appeal, set a date for hearing the appeal."

Section 2. Sections 66-13 and 66-121 of Chapter 6, Article 6 of Ordinance 132 of the former City of Houghton are each amended to read as hereinafter set forth:

"Section 66-13. Application to amend the zoning map of Ordinance 132. Application to amend the zoning map of this ordinance shall be accompanied by a \$75 fee."


"Section 66-121. Fee Conditional Use Permit." \$50. permit fee shall be charged on application for conditional use permits to grant the continuation of a non-conforming use or for excavation and fill. All applications for conditional use permits to grant the continuation of a non-conforming use shall be considered, not later than 3 years from the effective date of this Ordinance. Applications for a conditional use permit for erection and 6 month maximum use of temporary building shall be accompanied by a \$50 fee and shall be renewable only once."

Section 3. The subject matter of this Ordinance lies within the disapproval jurisdiction of the Houghton Community Council. Pursuant to Ordinance 2001, this amendatory Ordinance shall become effective either upon approval by the Houghton Community Council or upon failure of said Community Council to disapprove by resolution adopted within 60 days of the date of enactment of this amendatory Ordinance.


In all other respects, this Ordinance shall be in force and take effect 5 days from and after its passage by the Council and publication as required by law.

PASSED by the City Council at regular meeting on the 2nd day of February, 1968.

SIGNED in authentication thereof on the 3rd day of February, 1968.

  
MAYOR

Attest:

  
Director of Administration and Finance  
(ex officio City Clerk)

Approved as to form:

\_\_\_\_\_  
City Attorney

Ordinance No. 2033