

Potential appeals process for Board of Adjustment decisions

Appeal to the Town Council for Board of Adjustment decisions.

- (a) Filing. Every appeal to the Town Council shall be filed with the Town Clerk within ten (10) days after the date notice of the decision on the matter being appealed was posted.
 - (b) Contents. The appeal shall contain a concise statement identifying:
 - (1) The decision has been appealed.
 - (2) The name and address of the appellant and their interest in the matter.
 - (3) The specific reasons why the appellant believes the decision to be wrong.
The appellant shall bear the burden of proving the decision was wrong.
 - (4) The desired outcome or changes to the decision.
 - (c) If public notice is required by the underlying permit, public notice shall be posted for the same required amount of time for the appeal
 - (d) The appeal fee (should we set a fee?)
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Below is City of Anacortes's Rules for Recusal taken from their Commission Rules of Procedure. They have an entire code of ethics, but I took just the recusal language. This would be a very simple path to at least having a method of recusal on books.

CONFLICT OF INTEREST AND APPEARANCE OF FAIRNESS

All members of the Planning Commission must act in accordance with the Appearance of Fairness Doctrine at Chapter 42.36 of the Revised Code of Washington. If any Commissioner has a personal interest in any matter before the Planning Commission that would prejudice their actions, they must publicly disclose the conflict of interest and recuse himself or herself from participating in the proceedings and voting on the matter.

- a) To preserve the integrity of the Planning Commission, if a Commission member reasonably believes that he/she has a conflict of interest in regard to a matter before the Planning Commission, the Commissioner should recuse himself/herself from discussion or vote on the matter and must leave the Council Chambers while the matter is under consideration. A Commission member may seek advice from the City Attorney in making this determination