
Sec. 112-67. Decision of the board.

- (a) At the conclusion of all of the evidence in all cases heard at that hearing session, the board shall discuss the cases and render decisions on that date or defer decisions for no longer than 31 days thereafter. The board shall have the authority to table, approve or deny a variance or appeal.
- (b) The developer may withdraw his appeal one time. The appeal shall be heard at the next regularly scheduled board meeting. If applicant withdraws an appeal a second time, the developer must wait 180 days before requesting that the appeal be heard by the board.
- (c) Any action taken by the board shall be by motion which shall state the reason or reasons for the action taken with particularity. All the decisions of the board shall be in writing and must indicate the vote of the board upon the decision.
- (d) A quorum of the board must be present to render any decisions. Five board members are considered a quorum and there must be five votes to take any affirmative action.
- (e) The vote of an alternate member of the board shall be counted in the tabulation of the result only if he is substituting for a regular member. If the alternate member is not substituting for a regular member, the vote shall be recorded but not counted in the decision of the board.
- (f) The decision of the board on each appeal shall be promptly entered on the minutes of the meeting of the board by the secretary and filed in the city clerk's office.
- (g) Any time the Stormwater Management Board issues a variance, it must provide the applicant with a formal written warning of an increased risk of flood damage due to removal of restrictions designed to lessen such risks. The notice must also warn of a corresponding increase in the cost of flood insurance, since the cost of such insurance will be commensurate with the increased risk.

(Ord. No. 08:099, § 2(7.4), 12-18-2008)