



## Zoning Appeal Application

**Filing Procedure:** The applicant shall complete the application in addition to supplying the following:

1. Two (2) plot plans drawn to scale containing:
  - a. The exact dimensions of the property with all existing or proposed structures and signs on the property.
  - b. All required parking designed in accordance with Ulysses-Grant County regulations.
  - c. All existing easements.
  - d. Street names, north arrow, and scale.
  - e. Provide Names and Address of all land owners within 200' (in city ) or 1000' (in county). This may be obtained from County Appraiser's Office (Located in County Court House)
2. The City Ordinance has set the fee of \$100.00 payable to the City Clerk when we receive application in the office.
3. The Board of Zoning Appeals meets on the Third Thursday of each month at 6:00 p.m.

**NOTE:** This application must be filled out completely and submitted with all the required exhibits to the Zoning Administrator before the application will be considered. Newspaper advertisement dates may dictate schedule for submission to the Board of Zoning Appeals. Copy of notice shall be published once in the newspaper at least 20 days prior to the date fixed for hearing

**IMPORTANT:** The applicant or an authorized representative must be present at the public hearing.

# Zoning Appeal Request

1. Applicant: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Phone: \_\_\_\_\_

2. Name of Agent (if any) \_\_\_\_\_

3. Applicant's interest in property (owner, tenant, other):

\_\_\_\_\_

4. Present use of property: \_\_\_\_\_ Zoned: \_\_\_\_\_

5. Proposed use or change to property:

\_\_\_\_\_

6. Section of zoning regulations requiring appeal:

\_\_\_\_\_

\_\_\_\_\_

7. Explanation of justification for an appeal:

\_\_\_\_\_

\_\_\_\_\_

Applicant: \_\_\_\_\_ Dated \_\_\_\_\_

Signature

**Appeals.** The board shall have the power to hear and decide appeals where it is alleged there is an error in any order, requirement, decision or determination made by the Zoning Administrator in the enforcement of these regulations.

- a. Appeals to the Board may be taken by the person aggrieved, or by any officer, department, or Bureau of the government affected by any decision of the Zoning Administrator. Such appeals shall be filed with the Zoning Administrator within sixty (60) days after a ruling has been made by the Zoning Administrator. The Zoning Administrator shall forthwith transmit to the Secretary of the Board all papers constituting the record upon which the action appealed from is taken.
- b. An appeal stays all proceedings in furtherance of the action appealed from, unless the Zoning Administrator certifies to the Board, after the Notice of Appeal shall have been filed with him, that by reason of facts stated in the certificate, a stay would, in his opinion, cause imminent peril to life or property. In such case, proceedings shall not be stayed otherwise than by a restraining order, which may be granted by the Board, or by a court of record on application or notice to the Zoning Administrator on good cause, shown.
- c. An appeal shall be sustained only if the Board finds that the administrative official's action was based on an erroneous finding of a material fact, or that he acted in an arbitrary or capricious manner or manifestly abused his discretion.

**Appeals:**

- (1) An application for an appeal shall be filed within sixty (60) days after a ruling has been made by the Zoning Administrator.
- (2) A copy of the order, requirement, decision or determination of the Zoning Administrator, which the applicant believes to be in error, shall be submitted.
- (3) A clear and accurate, written description of the proposed use, work or action in which the appeal is involved and a statement justifying the appellant's position shall be submitted with the application.
- (3) Where necessary, a plot plan, drawn to scale, in duplicate showing existing and proposed plans for the area in question shall be submitted.