

Board of Zoning Appeals

Guidelines for Zoning Appeal Application

Filing Procedures: This process takes place over a 30-90 day period. If any notice or publication is missed due to any reason, the process must be restarted. The applicant shall complete the application in addition to supplying the following:

1. Description of admin action being appealed.
2. Justification or basis for appeal.
3. The City Ordinance has set a fee of \$100.00 payable to the City Clerk when we receive application in the office.
4. Board of Zoning Appeals meets on the 3rd Thursday of each month at 6:00pm.

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. 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.

CITY OF ULYSSES/GRANT COUNTY
BOARD OF ZONING APPEALS
ZONING APPEAL APPLICATION

Applicant/Owner Name & Address:

Phone: _____

Property Address: (If any) _____

Legal Description: Lot _____ Block _____ Addition _____

Applicant's interest in property: (Owner, Agent, Other) _____

Agent Name & Address: (if any)

Phone: _____

Present Zoning of property: _____ Present Use of property: _____

Description of administrative action being appealed: _____

Explanation or basis for an appeal: _____

Landowner: _____

Signature

Date

Applicant/Agent: _____

Signature

Date

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/she 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.

Board of Zoning Appeals

The appeal of administrative action is:

Approved_____ with the following stipulations: OR Denied_____ based on the following reason(s):

Chairman of BZA Signature

Date

Witness

Date