

ADMINISTRATIVE APPEAL
FEE: \$300.00

The following is a review of the overall procedure involved in applying for an Administrative Appeal. This review is not meant to be all-inclusive for all cases, but will provide an idea of what processes and materials are needed to complete your Administrative Appeal request. If you have questions involving your individual request, please contact the Planning & Zoning Department Office between 8:00 a.m. and 4:30 p.m.

Contained in this packet should be the following items:.....- An Administrative Appeal Application form

The Administrative Appeal application must be completed and submitted to the Planning & Zoning Office before a public hearing date can be scheduled. Public hearings are scheduled on a first come, first served basis and are held at the Adams County Courthouse as the Board of Adjustment may determine. The Planning & Zoning Department staff will answer questions about the application, but the staff cannot be responsible for any defects that may arise in your application nor provide you with legal advice.

APPLICANT REQUIREMENTS & PUBLIC HEARING INFORMATION

On the ADMINISTRATIVE APPEAL APPLICATION form under **Property Location**, the complete legal description of the property must be listed. This legal description can be obtained from the following: (1) Property tax bill (2) Plat of Survey (3) Title policy.

The application must be signed by all property owners of record. If an agent is to sign the application, written proof of authority is required to accompany the application. If the property is in a Trust, the Trustee must sign the application, provide proof of authority and the names and addresses of all those with a beneficial interest in the Trust. If needed, obtain a **TRUST INFORMATION form** the Planning & Zoning Department. The application must be complete including an address and phone number where someone can be reached for questions or information.

Public hearing before the Board of Adjustment:

At the public hearing, the petitioner will be required to make a presentation pursuant to the items listed below. The Board of Adjustment does not require that the petitioner have an attorney; however, they may be represented by one if they wish. This presentation can be of any length and can involve any additional materials that are relevant to the petition. The Board of Adjustment does request that all presentations be kept as short as possible and also wishes to inform the petitioner that any materials presented as evidence to the Board of Adjustment will be kept permanently with the petition.

Public Hearing Presentation: Items to be addressed at the public hearing are listed below:

- Petitioner, person's attorney or agent must attend the public hearing and present testimony.

- All petitioner's exhibits will be marked and retained by the Board of Adjustment.

- The order of presentation will be: (1) - Planning & Zoning staff findings
(2) - Petitioner

- Grounds for the Appeal must be given in narrative form by the petitioner. Provide information relating to the Administrative decision being Appealed including the Ordinance and the particular circumstances.

All questions arising from the public shall be directed to the Board of Adjustment Chairperson.

Decisions: Assuming no problems, after the Public Hearing the Board of Adjustment will announce their decision. The Board of Adjustment may recess to closed session and reconvene in open session to announce the decision.



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ADMINISTRATIVE APPEAL APPLICATION
FEE: \$300.00

Office use:
File # _____ Date received _____
Fee \$ _____ Total acres _____
Comp. # _____ Parcel # _____

Applicant:

Name of Owner _____
Mailing Address _____
Phone _____

Property Location:

_____ 1/4 _____ 1/4 Sec. _____ T _____ N R _____ E
Lot _____ Block _____ Addition _____
Subdivision or CSM _____
Address _____
Town of _____

Appeal of the administrative decision based on the following Adams County Ordinance(s):

- Comprehensive Zoning: ...Section: _____
- Shoreland Protection: ...Section: _____
- Floodplain Zoning: ...Section: _____
- Sanitary: ...Section: _____
- Land Division: ...Section: _____
- Street Naming: ...Section: _____
- Building Construction: ...Section: _____

Administrative action appealed:

I hereby appeal the following administrative action: _____

Relief requested:

In contrast to the administrative decision, the following alternative is proposed: _____

Justification for relief requested:

I believe the I am entitled to be granted my request because: _____

IMPORTANT: Attach plot plan or location sketch {7 copies} showing the location, boundaries, uses and sizes of the following applicable items: subject site, existing and proposed structures, all structure setbacks {current & proposed}, sanitary system, utilities, parking areas, property drainage, proposed excavation and / or filling, street rights-of-way, easements, driveways, trees 6 inches or greater in diameter at waist height, and all other pertinent features.

The undersigned hereby applies for the ordinance change requested above and states that the information on this application and the attached plot plan are accurate.

Office Notes: _____

Landowner signature _____ Date _____