

APPEAL OF ZONING ADMINISTRATOR'S DECISION

APPLICATION FORM AND NOTICE OF REQUIREMENTS

APPEAL

As authorized under Article IX. Board of Adjustment, Section 9.02 Appeal, appeals to the Boone County Board of Adjustment may be taken by any person aggrieved or by any officer, department, board or bureau of Boone County affected by any decision of the Zoning Administrator. Such appeal shall be taken within twenty (20) days of the decision of filing with the Zoning Administrator and with the Board of Adjustment a notice of appeal specifying the grounds thereof. The Zoning Administrator shall forthwith transmit to the Board of Adjustment all papers constituting the record upon which the action appealed is taken from.

PROCESS

At the time of the application you will be asked to:

- 1.) Submit a completed application form and a \$200 non-refundable fee.
- 2.) Provide detailed reasons for the appeal.
- 3.) You will be required to attend the public hearing, if you cannot please contact the Zoning Administrator.

After receiving your application materials, the Boone County Planning and Development Department will publish notice of your request for an appeal in the local newspapers noting the time and location of the public hearing. In addition, a public notice will be sent to neighboring property owners of the subject property. The burden of proof will be on you to provide verifiable facts upon which the Board may base its decision. At the hearing, any party may appear in person or be represented by agent or attorney to speak on your appeal request.

DECISION OF THE BOARD OF ADJUSTMENT

The final decision of an appeal to the Board of Adjustment shall be in the form of a written resolution or order signed by the Chairman and Secretary of the Board. Such a resolution shall state the specific facts, which are basis for the Board's determination and shall either affirm, reverse, vary or modify the order, requirements, decision or determination appealed, in whole or in part, or dismiss the appeal for lack of jurisdiction.

JUDICIAL REVIEW

If your Appeal request is denied, you may appeal the decision to a court of record a petition, duly verified, setting forth that such decision is illegal, in whole or in part, specifying the grounds of the illegality. Such petitions shall be presented to the court within thirty (30) days after the filing of the decision in the office of the Board of Adjustment.

PETITION FOR APPEAL

BOONE COUNTY BOARD OF ADJUSTMENT

Date Filed: _____ \$200.00 fee (non-refundable)

Applicant Name: _____

Address: _____

Phone: _____

Legal Description: _____ ¼, _____ ¼, Section _____, T _____ N, R _____ W.

Township: _____ **Tax Parcel Number:** _____

Zoning District: _____ **Lot Area (Acres):** _____

Current use and Improvements:

Decision which is subject of Appeal:

Justification for reversal of decision:

You may answer questions on separate document and attach to this application.

Signed: _____ Date: _____

Applicant/Agent/Owner

Remit to: Boone County Planning and Development, 201 State Street, Boone, IA
50036 (515) 433-0550

EXAMPLE SITE PLAN (GIS MAP)

Detailed construction plans or land division proposal are also required.