APPEAL OF LAND USE DECISION APPLICATION

Date: ___________________  Appeal Fee: $150-Due when filing appeal

Appellant’s Information

Name: ________________________________________________________________

Mailing Address: ______________________________________________________

Site Address (if different than mailing address) ____________________________

Phone Number: (__________) - _________  Email Address: __________________________

Subject of Appeal (check all boxes that apply)
I wish to appeal:
   ○ Planning and Zoning Staff Determination
   ○ Denied Permit Application
   ○ Land Use Fee Charges
   ○ Violation Decision
   ○ Other: __________________________________________________________

Reason(s) for Appeal (attach additional sheets if necessary)
Note: The burden of proof to reverse a Planning and Zoning decision is on the applicant.

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

SEE BACKSIDE FOR APPEAL PROCESS INFORMATION
APPEAL OF LAND USE DECISION PROCESS

1. Complete and Submit “Appeal of Land Use Decision Application” with $150.00 fee by the meeting deadline established by staff.

2. Prepare your case which will be presented to the Board of Adjustment at a regularly or specially scheduled meeting. Regularly scheduled Board of Adjustment Meetings are public hearings held at 6 PM on the fourth Thursday of each month. Specially scheduled Board of Adjustment Meetings can be held at the call of the chairman and at such other times as the Board in its rules of procedure may specify. There is a deadline to submit materials to the meeting. Agenda items are made public and the public can comment at the meeting.

3. Turn in case materials to Todd County Planning and Zoning Department a minimum of 2 days prior to the hearing date in order for the Department to create copies, deem electronic files secure, etc.

4. Present your case to the Board of Adjustment at the scheduled meeting in person or send a representative acting on your behalf.

5. The Planning Staff will present their findings at the hearing.

6. Public comment will be taken in writing or verbally if there are people at the meeting wishing to speak.

7. The Board will generally make a decision at the meeting unless more information is needed. If that is the case then the case will be put on hold until the applicant or staff generates the needed information.

8. After a decision is reached by the board an official proceedings will be prepared and recorded on your property whether or not the appeal was successful. Appeals from the Board of the Adjustment must be made at the District Court level.

9. Staff will abide by and follow the decision reached.

Board of Adjustment
In addition to granting or denying variances to land use ordinances, the Board of Adjustment can hear and decide appeals as outlined in Section 5.02 (k) of the Todd County Land Use Ordinance.

The Board of Adjustment shall have the authority to order the issuance of variances, hear and decide appeals from and review any order, requirement, decision, or determination made by any administrative official charged with enforcing any ordinance adopted pursuant to the provision of MN Statutes 394.21 to 394.37, order the issuance of permits for buildings in areas designated for future public use on an official map and perform such other duties as required by the official controls. Such appeal may be taken by any person aggrieved or by any officer, department, board or bureau of a township, municipality, county, or state. In exercising its powers under this subdivision, the Board of Adjustment shall take into consideration the township board’s recommendation when the Board of Adjustment's decision directly affects land within the township.