



## 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.

---



---



---



---



---



---

Printed Name: \_\_\_\_\_ Signature: \_\_\_\_\_

***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 are 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 & Zoning 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 of Adjustment 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.