



An appeal of an administrative decision is intended to provide an opportunity to be heard and grant relief when a final decision by an administrative official made in interpreting and applying the zoning provisions in these regulations was an error.

An application for an appeal of an administrative decision may be initiated by any person aggrieved by a final administrative decision made by an administrative official interpreting and applying the zoning provisions of Articles 5 and 6. The appeal shall be:

1. Made in writing and submitted to the Director stating the specifics of the appeal, the grounds for the requested relief, and include all pertinent records of the decision.
2. Made within 14 days of the final decision.
3. Demonstrate that the decision is final and that all other administrative remedies have been exhausted.

Review Criteria. In reviewing and deciding on an appeal of an administrative decision the Board shall use the following criteria:

1. Whether the decision of the administrative official was a clear error, as opposed to fairly debatable, according the provisions of these regulations.
2. The interpretation instructions of these regulations.
3. The purposes, intent, and design objectives of any standards that are subject to the appeal.
4. The record on the application, including the official plans and policies of the City used to evaluate the application or make the decision.
5. Whether the final decision and the grounds for relief requested in the appeal are within the authority granted by these regulations.
6. Whether there are other more appropriate and applicable procedures to achieve the applicant's proposed objective, such as a plan amendment, text amendment, planned zoning districts, a zoning map amendment, or a variance.

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