ARTICLE 8

APPEAL OF ADMINISTRATIVE DECISION

APPEAL PROCEDURE

Where it is alleged that there is error in any order, requirement, decision or determination made by an administrative official in the enforcement of the Zoning Regulation, or of any ordinance adopted pursuant thereto, that interpretation may be appealed to the Board of Zoning Adjustment. In its deliberations, the Board of Zoning Adjustment must only consider whether or not the interpretation in question conformed to what was actually written in the regulations. The Board of Zoning Adjustment may not declare the zoning regulations unfair or attempt to act contrary to their purpose. The Board of Zoning Adjustment can clarify ambiguities or resolve conflict between opposing sections. Since the Board of Zoning Adjustment's decisions will affect future applications of the regulation in question, the specific hardships of the applicant should not be considered when reaching a determination.

The applicant shall first meet with the Planning/Community Development Manager to receive a full explanation of the zoning requirement in question as currently interpreted. If an appeal is to be made, an application shall be obtained.

The applicant shall file a completed application with the Planning/Community Development Manager and pay the appropriate fee. The application shall include an explanation of the decision being appealed and a statement of the reasons for the appeal. Drawings of the property in question and a list of all surrounding property owners may be required. An application shall not be processed unless it has been fully completed, the fee paid, and all required information submitted.

When an application has been fully completed, the fee paid and all required information submitted, the Planning/Community Development Manager shall then schedule a regular meeting of the Board of Zoning Adjustment and send copies of the application to members of the Board of Zoning Adjustment. Fifteen days prior to the Board of Zoning Adjustment meeting, an official notice to the public shall be published in a newspaper of general circulation in the City explaining the appeal and the time and place of the scheduled hearing. A copy of the notice shall be mailed to each party of interest and to the Planning and Zoning Commission.

At its scheduled meeting, the Board shall hear all facts and testimony from all parties wishing to be heard concerning the appeal. The appeal must be heard by the Board within a reasonable period of time from the completed application and fee submittal and a written decision must be rendered without unreasonable delay.

The Board of Zoning Adjustment may either affirm, reverse or modify the order, requirement or interpretation at issue. The determination, in written form, shall be sent to all affected parties including the Planning and Zoning Commission. A recorder shall keep minutes of the public meeting including evidence presented during the proceedings and the findings of the Board.

ZONING APPEAL OF ADMINISTRATIVE DECISION

Return Form to:
Planner
Joplin City Hall
602 S. Main Street
Joplin, Missouri 64801
417-624-0820 Ext. 1511
FAX 417-625-4738

For Office Use Only

Case No.: _____
Filing Fee: $550.00
Date Advertised: _____
Date Notices Sent: _____
Public Hearing Date: _____

APPLICANT: _____ PHONE: _____
ADDRESS: _____ EMAIL: _____

OWNER: _____ PHONE: _____
ADDRESS: _____ EMAIL: _____

LOCATION OF PROPERTY: _____
LEGAL DESCRIPTION: _____

Section of Zoning Regulation Being Appealed: _____
Explanation of Decision Being Appealed: _____
_____
Present Use of Property: _____
Proposed Use of Property: _____

Does the application include the following attachments and/or additional information?	Yes	No
A. One copy of a legal description of the property from a deed or certified survey. Must be legible.	_____	_____

SIGNATURE: _____ DATE: _____

BY: _____

TITLE: _____