

# APPEAL ADMINISTRATIVE RELIEF

to the Board of Adjustment  
for the City of Urbandale, Iowa

<b>Appellant</b>	Name:	<b>Property owner</b>	Name (Enter "SAME" if appellant owns the property):
	Address:		Address:
	City, State Zip Code:		City, State Zip Code:
	Phone Number:		Phone Number:
	Email Address:		Email Address:
Property Address for Appeal:		Zoning District for Property:	
Case Numbers & Dates for Prior Appeals if any:			
Legal Description:			
<i>City Use Only: Date of Zoning Administrator's decision and Date Appeal was received:</i>			

This is an appeal from the Zoning Administrator's decision/interpretation of (check box and fill in blanks):

- Zoning Ordinance (Title VII, Chapter 2) Section \_\_\_\_\_
- Sign Ordinance Section (Title VI, Chapter 7) \_\_\_\_\_

**I hereby depose and state that all information provided for this appeal on this and the following pages, and including all maps, drawings, and other documents submitted with and as part of this appeal, are accurate and factual to the best of my knowledge.**

\_\_\_\_\_  
(Appellant's signature)

Date: \_\_\_\_\_

## **Appeal for Administrative Relief**

**This appeal for administrative relief is based on the following administrative decision or order, and such decision or order is felt to be incorrect or inequitable because:**

*(Describe the administrative decision or order and list reasons why the decision or order is considered incorrect or inequitable. Reasons may include but are not limited to case law, other administrative decisions by City staff for same or substantially similar circumstances, vagueness of the statute, improperly applied definitions, precedence, or other errors or omissions)*

*Attach a site plan, elevations, floor plan, perspective, photographs, or other documents that are legible and neatly drawn to clearly illustrate the nature of the appeal. Show the size and all dimensions of the property, proposed and required setbacks, height, etc. of all existing and proposed structures, and all other information relevant to the appeal. Also submit case law citations and/or briefs setting out purported reasons why the administrative decision or order should be found to be incorrect and/or invalid, and overruled by the Board of Adjustment*

## **DIRECTIONS AND INFORMATION**

Appeals for administrative relief must be filed within ten (10) calendar days after the date of the Zoning Administrator's decision or order.

You or a representative **MUST** personally appear before the Board of Adjustment to present the appeal. The Board of Adjustment usually meets at 6:00 p.m. on the first Wednesday of each month in the City Council Chambers in the Administrative Offices Building, 3600 86<sup>th</sup> Street. A schedule of the Board's meeting dates and submittal deadlines is available from the Department of Community Development, 3600 86<sup>th</sup> Street, and is also available on the City's web site ([www.urbandale.org](http://www.urbandale.org) )

**Appellants are NOT allowed to contact or discuss appeals with Board of Adjustment members outside of the scheduled meeting, since the Board is a quasi-judicial body.** The Board's decision is final once the Board's minutes have been received by the City Council, the Board has issued a written finding, and the statutory time for appeal has passed. The Board's decision can be appealed to District Court by the appellant or anyone aggrieved by the Board's decision.

The Board has five appointed members who are citizens of Urbandale. The Code of Iowa requires 3 affirmative votes to approve an appeal, regardless of how many Board members are in attendance.

Appellants may be represented by their legal counsel if the appellant desires, but legal representation is NOT required.

### **Filing requirements are as follows:**

- 1. All appeals must be filed with the office Department of Community Development, 3600 86<sup>th</sup> Street, Urbandale, Iowa, and all appeals must use this form.** Appellants or their representative must complete this form and provide all necessary and relevant information by typing or printing legibly, and include a site plan, elevations, floor plan, perspective, photographs, and other documents that are legible and neatly drawn to clearly illustrate the nature of the appeal and variance. Show the size and all dimensions of the property, proposed and required setbacks, height, etc. of all existing and proposed structures, and all other information relevant to the appeal. All materials that are submitted, whether as part of the appeal or at the Board's meeting, become part of the Board's record and will NOT be returned.

Attachments and other supporting information should be clearly referenced and annotated to the relevant section of this form.

**Submit an original copy of the appeal and one copy, including all attachments and other supporting information.**

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2. If the appellant is NOT the record title holder of the property, the appellant must obtain the property owners' written consent and attach same to this appeal.
3. A submittal fee must be paid at the time the appeal is filed with the Department of Community Development. The fee is not refundable after City staff has begun preparation of any notice or report.
4. The appellant must provide the names and mailing addresses for all surrounding properties, for both title holders and contract buyers if any, for notification purposes. The appellant shall be completely and solely responsible for the completeness and accuracy of such information. City staff is responsible for providing notice in accordance with adopted Board procedures, using such information in addition to required legal publication of notice. Appellants do NOT need to obtain any of these surrounding property owners' permission to file an appeal.

*(Usually there will be at least eight surrounding property owners, which include any across streets and diagonally from property corners in addition to those adjoining. If the property adjoins Urbandale's Corporate Limits, such property owners in the adjoining city or county must be included.)*