



LAND USE: APPEAL APPLICATION PACKET

Thank you for your interest in submitting an application for appeal. The following packet will provide general information regarding the appeals process.

For questions regarding any of the information listed in this packet please contact us at cvtown@gmail.com or give us a call at **(435) 893-9178**.

PURPOSE AND INTENT OF PROCESS		References: 17.16A / 17.16B
1. In order to provide for just and fair treatment in the administration of local land use ordinances, and to insure that substantial justice is done each municipality adopting a land use ordinance shall, by ordinance, establish one or more appeal authorities to hear and decide requests for variances from the terms of the current land use ordinances. 2. The Mayor with the advice and consent of the Town Council shall appoint an individual to act in the capacity of an appeal authority pursuant to §10-20-1101 of Utah State Code (as amended). 3. The appeal authority shall hear and decide appeals from final land use decisions of Title 16 - Subdivisions, and Title 17 - Land Use of the Town's Code. 4. All appeals shall be made within thirty (30) days of the action or decision being appealed by filing an application with the Town Clerk.		
REQUIREMENTS		References: 17.16A / 17.16B
(1) 8 ½ X 11 Paper Copy and (1) Electronic PDF shall be submitted which includes:		
☐	The application which shall specify all ground for the appeal and circumstances related thereto. The application shall set forth in detail the action and grounds upon which the applicant/s or other interested parties deem themselves aggrieved. Any application failing to specify ground for appeal may be summarily dismissed by the appeal authority.	
☐	All documents and exhibits constituting the record upon which the action appealed was made shall be presented to the Town Clerk along with the appeal application.	

REVIEW PROCESS		References: 17.16A / 17.16B
 APPLICATION RECEIVED Application is submitted and pre-screened by Town to ensure submittal requirements are met and fees are paid.	 DETERMINATION OF COMPLETENESS Application reviewed/deemed complete by Appeal Authority. The Appeal Authority shall set the date for the hearing to be held within 30 days from the appeal filing date. Note: <i>If incomplete, a list of missing information to submit will be provided. The date and time of the hearing shall be mailed to the applicant/s at least 10 days prior to the hearing date.</i>	 APPEAL AUTHORITY REVIEW/FINDINGS Appeal Authority reviews submitted information and testimony, and after hearing appeal may reverse or affirm, wholly or partially, or may modify the requirement, decision or determination appealed, and may make such decision or determination as ought to be made. Note: <i>Written summary of the Appeal Authority's determination will be provided to the applicant(s).</i>
IMPORTANT NOTES		References: 17.16A
1. The appeal authority shall limit its review on appeal to the record upon which the original action was based, including, but not limited to the original application, written recommendations from the town staff, minutes, letters, petitions, reports or other technical data submitted by the applicant/s in furtherance of the application. The appeal authority's scope of review shall be limited to a determination as to whether the decision being appealed has a reasonable, factual basis apparent in the record. 2. The appeal authority shall allow the appealing party or designated representative the opportunity to present appropriate oral argument with regard to the issue being appealed. Such oral argument may be limited as appropriate by the appeal authority. 3. The appeal authority shall not receive or consider any new evidence in the form of exhibits, affidavits or testimony other than the oral argument provided under this section.		
APPEAL OF DECISIONS		
Any person or persons aggrieved by any decision by the appeal authority may file an action for relief there from in any court of competent jurisdiction within thirty (30) days after the filing of the decision of the appeal authority. A copy of said action for relief must be filed with the Town Clerk.		
CONSULTATION		
If you have questions regarding the Town's application process or its regulations, please contact the Town at cvtown@gmail.com or give us a call at (435) 893-9178.		



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IMPORTANT INFORMATION



CONSULTATION

Available prior to submission.
For questions, e-mail us at:
cvtown@gmail.com



SUBMISSION

Submit complete application to
the Town at:
**50 W Center St, Central Valley,
UT 84754**



REQUIRED FEES

Note: *Free / Actual Costs
Incurred*

APPLICANT INFORMATION

Project/Plat Name:

Address Of Subject Property:

Name Of Applicant(s):

Phone:

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Mailing Address:

E-Mail Address:

Applicant's Interest In Subject Property:

*(Note: * Requires Owner's Consent)*

If Other, Please Describe:

☐ Owner ☐ Engineer* ☐ Contractor* ☐ Other*

Brief Description Of Appeal Sought:

Appeal Of Decision Made By:

☐ Planning Commission ☐ Town Council ☐ Other: _____

OFFICE USE

Received By:

Date Received:

Findings / Determinations Date:

Findings / Determinations (If Any):

DISCLAIMER: PLEASE NOTE THAT ADDITIONAL INFORMATION MAY BE REQUIRED BY Town STAFF TO ENSURE ADEQUATE INFORMATION FOR STAFF ANALYSIS. ALL INFORMATION REQUIRED FOR STAFF ANALYSIS WILL BE COPIED AND MADE PUBLIC, INCLUDING PROFESSIONAL ARCHITECTURAL OR ENGINEERED DRAWINGS FOR THE PURPOSE OF PUBLIC REVIEW BY ANY INTERESTED PARTIES.

ACKNOWLEDGEMENT OF APPLICANT'S RESPONSIBILITY

1. This is to certify that I am making an application for the described action by the Town and that I am responsible for complying with all Town requirements with regard to this request. This application will be processed under the name provided below.
2. By signing this application, I am acknowledging that I have read and understood the instructions provided for processing this application. The documents and/or information I have submitted are true and correct to the best of my knowledge. I understand that the documents provided to the Town are considered public records and may be made available to the public.
3. I understand that my application will not be processed until the application is deemed complete by the Zoning Administrator. I acknowledge that a complete application includes all of the required submittal requirements and that the provided documents must comply with all applicable requirements for the specific action being requested.
4. I understand that a staff report will be made available for my review prior to any public hearings or public meetings. This report will be on file and available at the Town's Offices and will be e-mailed to me once it has been finalized.

Name Of Applicant:**E-Mail Address:****Signature:****Date:****LEGAL PROPERTY OWNER'S CONSENT**

Note: If the applicant is not the legal owner of the subject property, written consent from the property owner must be provided. Properties with a single fee title owner may show consent by filling out the information below or by providing an affidavit.

Affirmation Of Sufficient Interest: I hereby affirm that I am the fee title owner of the below described property or that I have written authorization from the owner to pursue the described action.

Name Of Legal Property Owner:**Legal Description/Parcel Number:****Mailing Address:****E-Mail Address:****Signature:****Date:**

1. If a corporation is a fee titleholder, attach a copy of the resolution of the Board of Directors authorizing the action.
2. If a joint venture or partnership is the fee titleholder, attach a copy of the agreement authorizing action on behalf of the joint venture or partnership.
3. If a Home Owner's Association is the applicant, then the representative/president must attach a notarized letter stating they have notified the owners of the proposed application. A vote should be taken prior to submittal and a statement of the outcome provided to the Town along with the statement that the vote meets the requirements set forth in the CC&Rs.

DISCLAIMER: BE ADVISED THAT KNOWINGLY MAKING A FALSE, WRITTEN STATEMENT TO A GOVERNMENT ENTITY IS A CRIME UNDER UTAH STATE CODE CHAPTER 76-8, PART 5 (AS AMENDED). THE TOWN WILL REFER FOR PROSECUTION ANY KNOWINGLY FALSE REPRESENTATIONS MADE PERTAINING TO THE APPLICANT'S INTEREST IN THE PROPERTY THAT IS THE SUBJECT OF THIS APPLICATION.