



APPEAL
SUBMITTAL CHECKLIST

The purpose of appeals is to provide an opportunity for affected parties to seek review of a final decision of the Director of Development Services, Planning Commission, or the Zoning Hearing Officer.

Indicate the decision body that made the final decision to which the appeal applies:

Director of Development Services Planning Commission Zoning Hearing Officer

- 1. Application Fee. \$600 - Appeal of the Director of Development Services \$360 - Appeal of the Planning Commission or Zoning Hearing Officer
2. Application Checklist. Complete this checklist verifying the submittal of the required information.
3. Qualifications. Appeals may be brought only by parties as indicated below. Please check the box to indicate your qualifications as an affected party:
The applicant
An adjoining property owner
A property owner who received mailed notice of an application for which a neighborhood meeting was required AND attended the neighborhood meeting or provided written comments to the Director before the Director's decision
A property owner who received mailed notice of the public hearing and either participated in the public hearing or provided written comments at the public hearing or to the Director before the public hearing.
4. Petition of Appeal. The appeal shall include all of the following information:
a. The name, address, email address, and telephone number of the appellant.
b. The planning project number of the application that is the subject of the appeal.
c. The date of the decision that is the subject of the appeal.
d. The reasons why the petitioner should be granted party status pursuant to Section 18.14.503, Party Status Required (see #3 above).
e. A short statement regarding how the decision did not conform to the applicable requirements of Title 18 of the Municipal Code. The statement shall:

- i. Refer to the specific section numbers upon which the appellant relies; and
- ii. Describe how the decision did not conform to the referenced Title 18 sections.

**The petition must be filed with the Director within 10 business days after the date of the decision that is the subject of the appeal.**

Please note that the scope of the appellate review is limited to the issues raised in the petition. Issues that are not clearly described in the petition will not be considered on appeal. No new evidence can be introduced on appeal.

### **The following item must be provided prior to the public hearing:**

5. **Affidavit of Notice.** If the Director finds that the petitioner has party status and the petition includes the required level of specificity, the petitioner must provide mailed notice of the public hearing to the list of property owners that fall within the radius specified in the *Public Notice Requirements* on the City's DC website. The names and addresses must be as listed on the latest records of the Larimer County Assessor. An affidavit shall be submitted prior to the public hearing certifying the mailing of the notice.

A draft of the letter must be provided and reviewed to the Planning Division prior to mailing. The notice must be mailed at least 15 days prior to the hearing. *Affidavit Templates* are available on the City's DC website.