



CITY OF **UPPER
ARLINGTON**

COMMUNITY DEVELOPMENT DEPARTMENT
3600 Tremont Road • Upper Arlington, Ohio 43221-1595
Phone: 614-583-5070 • Fax: 614-583-5065 • www.uaoh.net

Application No.: _____
Date Filed: _____
Filing Fees: Administrative Decision: \$69.00 BZAP Decision: \$425.25 + mailing costs
Received by: _____

APPEAL (UDO § 4.10)

ADMINISTRATIVE DECISION

BOARD OF ZONING & PLANNING (BZAP) DECISION

Contact Information

Applicant Name: _____

Address: _____ City: _____ Zip: _____

Phone: _____ Email: _____

Owner Name: _____

Address: _____ City: _____ Zip: _____

Phone: _____ Email: _____

Subject Site Information

Project Name: _____

Street Address: _____

Nature of Appeal

Date of Decision Reached: _____

Case Number being Appealed (if applicable): _____

Type and Nature of Request being Appealed: _____

Decision being Appealed: _____

Describe how the decision impacts you: _____

Date Appeal will be Heard (to be determined by Staff): _____

Required Signature

Applicant's Signature: _____ Date: _____

Applicant's Mailing Address: _____

APPEALS – GENERAL INFORMATION

Appeal of an Administrative decision (Filing Fee: \$69.00)

Any person aggrieved by any decision made by the Director of Community Development Department, or a designated representative, in the administration or enforcement of this Ordinance may appeal to the Board of Zoning and Planning (BZAP). Such appeal shall be made within ten (10) days from the date of the decision, by filing a notice of appeal with the Director of Community Development Department. The Director shall transmit to BZAP all the papers constituting the record upon which the action appealed from was taken. No action of the Director of Community Development Department shall take effect until after the expiration of ten (10) days from the date of the decision.

The BZAP shall hear the application or appeal at its first meeting occurring after required publication and notice. It shall decide the case within thirty days from the date of such hearing. At the hearing, any party may appear in person or be represented by an agent or attorney.

Appeal of a Board of Zoning and Planning (BZAP) decision (Filing Fee: \$425.25 & certified mail costs)

Any person aggrieved by a decision made by BZAP may file an appeal to City Council within twenty-one (21) days after the final action of the BZAP by filing a written notice of such appeal with the City Clerk and paying the filing fee and the cost of mailing the notices required. Payment shall be due at the time of filing the notice of appeal and shall be considered jurisdictional. Failure to pay these costs prior to the hearing shall result in dismissal of the appeal.

Within five working days of determining that a written notice of appeal filing with the City Clerk contains all the necessary and required information, the City Clerk shall place the written notice on the Council agenda and schedule a public hearing on the proposed appeal within 60 days of the date of the filing of such appeal. Notice of the hearing shall be provided at least once in one or more newspapers of general circulation in the City.

Written notice of the public hearing shall be provided to all owners of property within 100 feet of the subject site, based on the information available from the Franklin County Auditor's website. Such notice shall be sent by the City Clerk by certified mail at least ten days before the date of the hearing.

The appellant may request a change in the date of the public hearing by filing a written request with the City Clerk setting forth the reason for the change in date. If the request is granted, the applicant shall be responsible for the City Clerk's costs to mail a new notice of hearing and to publish a new notice of hearing. Failure to pay these costs prior to the hearing shall result in dismissal of the appeal. Any change in the date of the public hearing requires the approval of the President of Council. The decision of the President of Council shall be final.

If no appeal is filed, a proper permit may be issued for construction before the expiration of the 21-day waiting period provided all of the following conditions exist:

- Required notices have been given and not dispensed with by the BZAP.
- There are no written objections filed by any person aggrieved by the decision.
- There are no objections stated at the hearing of the BZAP by any person aggrieved by the decision.
- No appeal to Council has been filed with the City Clerk by any person aggrieved by the decision of the BZAP prior to the issuance of the permit.
- The applicant has filed a hold harmless application for the waiver of the 21 day waiting period specifically acknowledging the rights of anyone appealing the decision of the BZAP and that the applicant understands he proceeds at his peril.

Appeal of a City Council decision:

Any person aggrieved by any order, requirement, decision, or determination made by the City Council may appeal to the Court of Common Pleas of Franklin County.