

# NOTICE OF APPEAL

FOR CITY CLERK'S  
USE ONLY:

DATE FILED:

INITIALS:

Action Being Appealed:

Date of Action:

Decision Maker:

**Appellant/Appellant Representative (if more than one appellant):**

Name:

Phone #:

Address:

Email:

## INSTRUCTIONS

For each allegation marked below, **attach a separate summary of the facts contained in the record which support the allegation** of no more than two pages, Times New Roman 12-point font. Please restate allegation at top of first page of each summary.

## GROUND FOR APPEAL

The Decision Maker committed one (1) or more of the following errors (check all that apply):

Failure to properly interpret and apply relevant provisions of the City Code, the Land Use Code, and Charter. **List relevant Code and/or Charter provision(s) here, by specific Section and subsection/subparagraph:**

Failure to conduct a fair hearing in that:

- (a) The Board, Commission, or other Decision Maker exceeded its authority or jurisdiction as contained in the Code or Charter. [*New evidence not allowed*]
- (b) The Board, Commission or other Decision Maker substantially ignored its previously established rules of procedure. [*New evidence not allowed*]
- (c) The Board, Commission or other Decision Maker considered evidence relevant to its findings which was substantially false or grossly misleading. [*New evidence allowed*]
- (d) The Board, Commission or other Decision Maker improperly failed to receive all relevant evidence offered by the appellant. [*New evidence allowed*]
- (e) The Board, Commission or other Decision Maker was biased against the appellant by reason of a conflict of interest or other close business, personal or social relationship that interfered with the Decision Maker's independence of judgment. [*New evidence allowed*]

## NEW EVIDENCE

**All new evidence the appellant wishes Council to consider at the hearing on the appeal must be submitted to the City Clerk within seven (7) calendar days after the deadline for filing a Notice of Appeal and must be clearly marked as new evidence.** No new evidence will be received at the hearing in support of these allegations unless it is submitted to the City Clerk by the deadline (7 days after the deadline to file appeal) or offered in response to questions posed by Councilmembers at the hearing.

## APPELLANTS

*Parties-in-interest* have the right to file an appeal.

A party-in-interest is a person who, or organization which, has standing to appeal the final decision of a board, commission or other decision maker. Such standing to appeal is limited to the following:

- The applicant.
- Anyone who owns or occupies the property which was the subject of the decision made by the board, commission or other decision maker.
- Anyone who received the mailed notice of, or spoke at, the hearing of the board, commission or other decision maker.
- Anyone who provided written comments to the appropriate City staff for delivery to the board, commission or other decision maker prior to or at the hearing on the matter that is being appealed.
- A City Councilmember.

<b>Signature:</b>	<b>Date:</b>
<b>Name:</b>	<b>Email:</b>
<b>Address:</b>	<b>Phone #:</b>
<b>Describe how you qualify as a party-in-interest:</b>	

<b>Signature:</b>	<b>Date:</b>
<b>Name:</b>	<b>Email:</b>
<b>Address:</b>	<b>Phone #:</b>
<b>Describe how you qualify as a party-in-interest:</b>	

<b>Signature:</b>	<b>Date:</b>
<b>Name:</b>	<b>Email:</b>
<b>Address:</b>	<b>Phone #:</b>
<b>Describe how you qualify as a party-in-interest:</b>	

**ATTACH ADDITIONAL SIGNATURE SHEETS AS NECESSARY**