

## Zoning Board of Appeals Procedure

### **Application Process**

- 1) Applicant review plans with Zoning Administrator to see if there needs to be a ZBA hearing.
- 2) Applicant files of zoning board of appeals hearing.
  - Applicant needs to also submit \$250 non-refundable check.
- 3) Zoning Administrator reviews application for completeness.
- 4) Zoning Administrator reviews applicant's history (previous developments, CUPS, current status of developments, etc.)
- 5) Zoning Administrator to schedule hearing of ZBA
  - Notice to ZBA and City Attorney
  - Notice to abutting land owners and affected addresses
  - Notice to Petitioner
  - Public notice in newspaper
    - Class of notification depends on issue (rezoning -2 wks, CUP – 1 wk, etc.)
    - Need to get to TC times before the Friday previous posting week.
  - Public notice at City Hall, Arcadia TV & Appliance, and State Bank of Arcadia
- 6) Zoning administrator prepares agenda for posting and to send to ZBA and City Attorney.
- 7) Zoning administrator prepares a list of items for consideration, should include reference to ordinance or Comprehensive Plan Section

### **Hearing held**

- 1) Zoning administrator provides a summary to the ZBA.
- 2) Testimony is taken from the petitioner and public.
- 3) Board will discuss
  - Pros and Cons
  - Possible considerations and restrictions
- 4) A motion is made to issue/deny a variance or conditional use permit.
- 5) The ZBA takes a recorded vote to issue/ deny the variance or conditional use permit.
- 6) If approved, the applicant is advised that construction or use should not take place until after 30 days after the date of the written decision.

### **Confirmation of Decision**

- 1) Zoning Administrator will provide copy of minutes and draft of final decision to City Attorney and ZBA for review of accuracy.
- 2) The Applicant receives a copy of the written decision approximately 10-14 days following the hearing.
  - Will need to be notarized and gone through with the Zoning Administrator.
- 3) Final agreement will be filed with the City.
- 4) Zoning Administrator shall inform applicant of the next steps
  - Building permits, Utilities, Council Presentation, etc.