

**Chapter 7
APPEALS**

SECTION:

XX-7-1: Board Designation

XX-7-2: Applicability

XX-7-3: Filing

XX-7-4: Stay of Proceedings

XX-7-5: Procedure

XX-7-1: BOARD DESIGNATION: The town board shall serve as the board of adjustments and appeals. (Ord. 900, 18 Apr 22)

XX-7-2: APPLICABILITY: An appeal shall only be applicable to an administrative order, requirement, or interpretation of intent of provisions of this ordinance; opinions and evaluations as they pertain to the impact or result of a request are not subject to the appeal procedure. (Ord. 900, 18 Apr 22)

XX-7-3: FILING: An appeal from the action of an administrative officer of the town shall be filed by the property owner or their agent with the zoning administrator within 10 days after the making of the order, requirement, or interpretation being appealed. (Ord. 900, 18 Apr 22)

XX-7-4: STAY OF PROCEEDINGS: An appeal stays all proceedings and the furtherance of the action being appealed unless it is certified to the board, after the notice of appeal is filed, that by reason of facts stated in the certificate a stay would cause imminent peril to life and property. (Ord. 900, 18 Apr 22)

XX-7-5: PROCEDURE:

- A. Request for an appeal shall be filed with the town on an official application form and processed in accordance with this chapter and Minnesota Statutes section 15.99. The procedure for making an appeal shall be as follows:
1. An application shall be accompanied by a fee as provided by the town fee schedule ordinance.
 2. Such application shall also be accompanied by detailed written and graphic materials to demonstrate the specific grounds upon which the appeal is made.
 3. The request shall be considered as being officially submitted when the zoning administrator determines that there is compliance with all the information requirements.

- B. The zoning administrator shall instruct the appropriate staff persons to prepare technical reports when appropriate and shall provide general assistance in preparing a recommendation on the action to the board of adjustment and appeals.
- C. Pursuant to Minnesota statutes 15.99, the board of adjustment and appeals shall make its decision by resolution within 60 days from the date on which a completed application is filed.
- D. The zoning administrator shall serve a copy of the final order of the board upon the applicant and property owner by mail.
- E. All decisions made by the board regarding an appeal shall be final, except that any aggrieved person shall have the right to appeal within 30 days after delivery of the decision to the appellant, to the district court in Sherburne county. Any person seeking judicial review under this chapter shall serve the town and all necessary parties, including any landowners, within 30 day period defined above. (Ord. 900, 18 Apr 22)