## Application Information for Appeal of an Administrative or Hearing Officer Decision

#### When you have to apply by

| 3:0  | <b>00 p.m.</b> on the  |  |  |  |
|--|--|--|--|--|
|  | fifth business day after the Hearing Officer decision date.  |  |  |  |
|  | tenth calendar day after the administrative decision date. (If the tenth calendar day is not a business day, apply by 3:00 p.m. on the next business day.) |  |  |  |
| What you need when you come back (an incomplete application will be refused) |  |  |  |  |
|  | 1) Application fee (nonrefundable), \$   |  |  |  |
|  | 2) Application page, signed.   |  |  |  |
|  | 3) Questionnaire—only if it's an appeal of an administrative decision.   |  |  |  |
|  | 4) Optional supporting documents.  |  |  |  |
|  | 5) An hour of time.  |  |  |  |
|  |  |  |  |  |

#### What happens after you apply

- We make a report to the Board of Zoning Appeals.
- We set a hearing time.
- We send notices that show the hearing date and time to you, anyone on the original application page, and (if it's an appeal of a Hearing Officer decision) owners of nearby property. The notice comes a week before the hearing, and the report comes with it.

## What happens during the hearing

If it's an appeal of an administrative decision,

- At the hearing time, the staff says the report.
- You say in your own words why you're appealing.
- The Board of Zoning Appeals might ask questions.
- The original applicant gets to respond.
- The Board of Zoning Appeals might ask for additional public comments, for or against.
- The Board of Zoning Appeals closes the public hearing and discusses your appeal.
- The Board of Zoning Appeals makes a decision. It can be to reverse the original decision, affirm it, affirm it with conditions, or postpone to another date.

If it's an appeal of a Hearing Officer decision,

- At the hearing time, the staff says the report.
- The original applicant repeats in their own words what they want to do.
- The Board of Zoning Appeals might ask the original applicant questions.
- Anyone for or against speaks.
- If there's anyone against, the original applicant gets to respond.
- The Board of Zoning Appeals closes the public hearing and discusses the original application.
- The Board of Zoning Appeals makes a decision. It can be to reverse the original decision, affirm it, affirm it with conditions, or postpone to another date.

# Elkhart County Planning and Development

(574) 971-4678 DPS@ElkhartCounty.com

|                                     | Application                              |
|-------------------------------------|--|
| Site address:                       |  |
|                                     |  |
| Appellant                           |  |
| Name:                               |  |
|                                     |  |
| Phone:                              |  |
| Appellant's agent                   |  |
| Name:                               |  |
|                                     |  |
| Phone:                              |  |
|                                     | Staff Use Only                           |
| Description:                        | ,<br>                                    |
|                                     |  |
| Date the appealed decision was made | de:                                      |
| Who made the appealed decision?     | ☐ Zoning Administrator ☐ Hearing Officer |

# ${\bf Appeal\ of\ an\ Administrative\ Decision-Question naire}$

| Na | me:   |
|----|---|
| 1) | Tell us why you're appealing. Include facts that support your appeal. |
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| 2) | Tell us anything else you want us to know.                            |
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