

GOSHEN BOARD OF ADJUSTMENT APPEALS

(1) Application. Appeals to the board of zoning adjustment may be taken by any person aggrieved, or by any officer, department, or board of the city affected by, any decision of the administrative official. All appeals and applications made to the board shall be made in writing within ten (10) days after the decision has been rendered by the administrative official. Every appeal or application shall refer to the specific provision of the code involved and shall exactly set forth:

- (a) The interpretation that is claimed;
- (b) The use for which the permit is sought; or
- (c) The details of the variance that is applied for, and the grounds on which it is claimed that the variance should be granted, as the case may be.

The appeal or application shall be filed with the officer from whom appeal is taken and with the board. The officer from whom appeal is taken shall forthwith transmit to the board, all papers constituting the record upon which the action appealed from was taken.

(2) Public Hearing and Notice. The board shall fix a reasonable time for the public hearing of an application or appeal, give public notice of the time and place thereof, as well as due notice to the parties in interest, and decide same within a reasonable time. Said public notice shall be published at least once not less than seven (7) days preceding the date of such hearing, in a newspaper of general circulation in the city. The public notice shall give the particular location of the property on which the application or appeal is requested, as well as a brief statement of what the application or appeal consists. Evidence of notification of all adjoining property owners shall accompany all applications for variances. Such notification shall include the above described public notice information, as well as the time and place where the public hearing will be conducted. Public hearings may be adjourned from time to time, and, if the time and place of the adjourned meeting is publicly announced when the adjournment is made, no further notice of such adjourned meeting need be published. At a public hearing any party may appear in person, by agent, or by attorney.

(3) Effect of Appeal. An appeal shall stay all proceedings of the action appealed from, unless the person affected by such appeal certifies to the board, that, by reason of facts stated in the certificate a stay would, in his opinion, cause imminent peril to life or property. In such case, proceedings shall not be stayed otherwise than by a restraining order which may be granted by the board or a court of record on application, and notice to the person from whom the appeal was taken.

(4) Time Limit on Permits. No order permitting the use of a building or premises,

or the alteration or erection of a building, shall be valid for a period longer than sixty (60) days, unless such use is established or the erection or alteration is started within such period, and proceeds to completion in accordance with the terms of a building permit.

(5) Appeals from Board of Zoning Adjustment. Any person or persons, or any board, taxpayer, department, board or bureau of the city aggrieved by any decision of the board of zoning adjustment may seek review by a court of record of such decision, in the manner provided by Arkansas law.

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