

**APPEAL
APPLICATION
&
PROCESS GUIDE**



**TOWN OF GILBERT
PLANNING & DEVELOPMENT
SERVICES DIVISION**

www.gilbertaz.gov

APPEAL APPLICATION PROCEDURES

The following information is provided to assist in the preparation and submittal of an application for an Appeal of a decision made by the Zoning Hearing Officer, Design Review Board and Planning Commission:

- A. Appeals may be filed by:
 - a. The owner of property that is the subject of a final decision by the Zoning Administrator, Zoning Hearing Officer, Planning Commission, Design Review Board, Board of Adjustment, or Redevelopment Commission;
 - b. Any other person aggrieved by a final decision of a decision-making body and who has standing to appeal pursuant to State law;
 - c. A member of the Town Council;
 - d. The Town Manager; or
 - e. The Planning & Development Services Manager
- B. Filing of Appeal. An appeal shall be filed with the Development Services division. The appeal shall set forth the decision or decisions being appealed and the grounds upon which the appeal is based. The appeal shall be accompanied by any applicable fees.
- C. Time Limits for Appeal. All appeals shall be filed within 10 calendar days of the decision, except for appeals from decisions of the Zoning Hearing Officer and Board of Adjustment. Appeals from decisions of the Zoning Hearing Officer and Board of Adjustment shall be filed within 30 calendar days of the decision.
- D. Proceedings Stayed by Appeal. The timely filing of an appeal, except for the appeals of a decision of the Board of Adjustment to Superior Court, shall stay all proceedings in the matter appealed.
- E. Public Notice. Prior to consideration of any appeal for which State law or the Zoning Code requires a public hearing, the Town shall provide public notification in compliance with Section 5.205: Notice of Public Hearings or as required by State law, whichever requires the most notice.
- F. Transmission of Record. The Manager shall forward the appeal, the Notice of Decision, and all other documents that constitute the record to the decision-making body.
- G. Standards. When reviewing any decision on appeal, the decision-making body shall use the same standards for decision-making required for the original decision.
- H. Hearing Body Action. Public hearings shall be conducted in accordance with procedures set forth in Section 5.206: Public Hearing Procedures. In addition, the decision-making body may remand the matter to the original decision-making body for reconsideration, for additional information or to cure a deficiency in the record or proceeding. The decision-making body shall render its decision within 30 days of the date the hearing is closed unless State law requires a shorter deadline.



APPEAL APPLICATION

Received By:

Project Name: _____

Address or Location: _____

Grounds upon which the appeal is based (may attach separate sheet): _____

Applicant/Contact: (Please print - all info must be provided)

Company: _____

Contact Name: _____ E-mail: _____

Address: _____

City, Zip: _____

Phone: _____ Fax: _____

Signature: _____ Date: _____

FOR STAFF USE ONLY		
Submittal Date	_____	Case Number _____
Fee Paid	_____	EDEN Permit Number _____
Receipt Number	_____	EDEN Permit Type PADRP PADRAPP PZAAPP