

Application Package for
Appeal of an
Administrative Decision
City of Aiken

Contents

- 1. The Process at a Glance**
- 2. Administrative Appeal**

1.

The Process at a Glance

- *The completed, signed application, supporting materials, and fee are submitted to the Planning Department located in the Municipal Building at 214 Park Avenue SW, Room 202.
- *A letter with review comments from City staff is sent to the applicant within one week.
- * If necessary, the applicant submits 2 complete sets and 1 reduced copy (8 ½” x 11”) of revised plans and/or additional information to the Planning Department. If there is an item that cannot be photocopied, then 12 sets of this item should be submitted.
- *The application is considered by the Board of Zoning Appeals which normally makes a decision in one meeting.

**PLEASE READ THE REST OF THIS APPLICATION PACKAGE CAREFULLY
SO THAT YOU FULLY UNDERSTAND THE SUBMISSION REQUIREMENTS
AND PROCESS**

2.

Administrative Appeal Procedures

Summary

The Board of Zoning Appeals (ZBA) considers an appeal of an administrative decision regarding interpretations of the Zoning Ordinance.

Standing to Appeal

A person aggrieved by an administrative decision or interpretation of the Zoning Ordinance may appeal to the Board of Zoning Appeals by filing an application with the Planning Director. The person must own property within 300 feet of the property for which a decision has been rendered, but may include persons owning property beyond 300 feet if the Board of Zoning Appeals (based upon information provided by the appellant) determines the person may be affected by a decision or interpretation.

Timing of the Appeal

An application for appeal must be received by the Planning Director or postmarked no later than 15 days after the administrative decision being appealed.

Review Process

Within 60 days of receipt of a complete application, and at the conclusion of the proceeding on the variance request or the appeal, the Board of Zoning Appeals shall take one of the follow actions, consistent with the provisions of this Article:

- a) affirm the action of the official that made the decision; or,
- b) modify the action of the official and to that end, have all the powers of the official from which the appeal is taken, and issue a permit or direct that a permit be issued; or
- c) reverse the action of the official and to that end, have all the powers of the officer from which the appeal is taken, and issue a permit or direct that a permit be issued.

Submission Requirements

The following must be submitted to the Planning Department located in the Municipal Building at 214 Park Avenue SW, Room 202, at least 35 business days prior to the Zoning Board meeting.

Application. The complete application (attached)

Letter. A letter describing the request in sufficient detail with a clear explanation of why the applicant disagrees with the administrative interpretation of the Zoning Ordinance.

Site Plan.

If necessary, five copies and one reduced copy (8 1/2" x 11") depicting

- current tax parcel number (as determined by Aiken County Tax Assessor)
- boundaries, dimensions, and size of the property
- the size of the property
- name and address of the property owner
- zoning of the property and contiguous property
- scaled drawing of all existing and proposed structures and enclosures

Fee. \$100.00 (payable to the "City of Aiken")

If an application is withdrawn, the application fee may be returned upon request unless public notice has been sent to the Aiken Standard.

Approval Process

Within 60 days of receipt of a complete application, the BZA shall take one of the following actions:

- a. affirm the action of the official; or
- b. modify the action of the official; or
- c. reverse the action of the official.

Public Notice

The City is responsible for notifying the public about the date of the hearing and the nature of the request by:

- posting and maintaining a sign in a conspicuous place on the subject property at least 20 days prior to the hearing date;
- publishing a legal notice in the Aiken Standard 20 days prior to the hearing; and
- mailing of a notice of the hearing to the property owners and to all owners of property contiguous to the subject property including those across the street.

Site Visits

Please be aware that consideration of an application may require site visits by the staff and members of the appropriate boards or commissions. These visits will be made during daylight hours. If the application is approved, the Zoning Official or other staff member may check the site for compliance with the terms of the approval.

Dept. Will Assign Application #

Current Tax Parcel #
(Do not submit a "portion-of", or PO)

**APPLICATION TO THE
BOARD OF ZONING APPEALS**

_____ Variance _____ Special Exception _____ Administrative Appeal

Applicant/Agent
Name/Company _____ Phone # _____

Mailing Address _____ Zip Code _____

Fax # _____ E-mail _____ Mobile # _____ Pager # _____

Property Owner
Name/Company _____ Phone# _____

Mailing Address _____ Zip Code _____

Fax # _____ E-mail _____ Mobile # _____ Pager # _____

Location of Subject Property:

_____ Zone _____ Size in Acres _____

Please Summarize Your Request on Lines Below and Attach a Letter Giving Full Description of Your Request. Please Attach a Written Response to Each Criteria Question.

I understand it is the applicant's responsibility to justify the need for this application. All required information is attached. A letter fully describing this request and answering in detail all the decision criteria is included. I understand that I or my agent will attend the public hearing or the hearing may be postponed or the application denied.

Signature: _____ Date: _____