

CHAPTER 32

APPEALS

- Section 32.010. Administrative Decisions; Zoning Administrator.
- Section 32.020. Development Review Committee Decisions.
- Section 32.030. Board of Adjustment Decisions.
- Section 32.040. Planning Commission Decisions.
- Section 32.050. City Council Decisions.
- Section 32.060. Judicial Review.

Section 32.010. Administrative Decisions; Zoning Administrator.

A. Decisions of the Zoning Administrator in applying the provisions of this Code may be appealed to the Board of Adjustment by filing an application and all necessary materials within thirty (30) days of the date of the Zoning Administrator's decision.

B. Following receipt by the Board of Adjustment of an appeal of a decision by the Zoning Administrator the Board of Adjustment shall give notice and schedule a public hearing. Following the hearing and the submission of all necessary and relevant information the Board of Adjustment shall render a decision on the appeal.

C. The Board of Adjustment shall provide a copy of the Board's decisions to be provided by mail to all parties to the appeal within fourteen (14) days of the Board of Adjustment's decision.

Section 32.020. Development Review Committee Decisions

Any person aggrieved by a decision of the Development Review Committee (DRC) may, within 30 days after the decision is made appeal the DRC decision to the Planning Commission. The procedures for the Planning Commission in considering an appeal of a DRC decision shall be the same as those for the Board of Adjustment in considering an appeal of a decision of the Zoning Administrator as identified in Section 32.010.

Section 32.030. Board of Adjustment Decisions.

Any person aggrieved by a decision of the Board of Adjustment may, within thirty (30) days after the decision is made present to the District Court a petition specifying the nature of the appeal and the grounds on which they are adversely affected.

Section 32.040. Planning Commission Decisions. *(Amended 04/09/02)*

Any person aggrieved by a decision of the Planning Commission may file an appeal with the appellate body within thirty (30) days of the date of the decision specifying the nature of the appeal. All decisions of the Planning Commission shall be appealed to the Board of Adjustment, including appeals of Conditional Use requests, excepting the following, which are to be appealed to the City Council, the City Council designating another appellate body to hear these appeals:

A. Conditional Use applications for electrical substations, electrical transmission lines, oil and gas transmission lines, public utility buildings and facilities, and utility lines and structures.

B. Conditional use applications for commercial and private low power radio communications towers, personal communication systems, paging systems, cellular and mobile phone towers and other antennas and cellular facilities.

C. Planning Commission decisions for Home Occupation Permits pursuant to Section 20-060.

D. Planning Commission decisions relating to municipal projects, structures, utilities and facilities.

Section 32.050. City Council Decisions.

Any person aggrieved by a decision of the City Council may file an appeal to District Court, within thirty (30) days of the date of the decision, pursuant to the provisions of the Municipal Land Management and Development Act, Utah Code.

Section 32.060. Judicial Review.

No petition for judicial review may be filed unless and until the applicant has exhausted all manner of relief and processes available with Lehi City and as are provided by this Code.