

APPEAL APPLICATION
DANVILLE-BOYLE COUNTY BOARD OF ADJUSTMENTS
P.O. Box 670 Danville, KY 40423-0670 (859)238-1235 (859)238-7000 (fax)

Appellant: _____

Address: _____

Owner of Property (if different than appellant): _____

Address of Owner: _____

Address of Property Involved: _____

Zone of Property Involved: _____

Name of Subdivision/Development: _____

Date Appellant Received Notice from Zoning Administrator: _____

(Appeal must be filed within 30 days of receipt of notice from the Planning & Zoning office)

FILING REQUIREMENTS: (See Section 3.10 of Zoning Ordinance)

1. Attach description of how Zoning Administrator is in error and how the appellant is injuriously affected or aggrieved. Refer to pertinent sections of the Zoning Ordinance, as applicable.
2. **FEE: \$221.00** (For the required public notice, postage and other applicable costs of the public hearing.)

_____ Date _____ Phone _____
Appellant Signature

Date of BOA hearing _____ Thursday, 10:00 a.m.

Date application received and fee paid _____

Date notice sent to appellant/owner _____

Date notice sent to newspaper _____
(No less than 7 days nor more than 21 days)

INSTRUCTIONS FOR FILING APPEAL TO BOARD OF ADJUSTMENTS

1. Kentucky State Law, KRS 100.257 states “The Board of Adjustments shall have the power to hear and decide cases where it is alleged by an appellant that there is an error in any order, requirement, decision, grant or refusal made by an Administrative Official in the enforcement of the Zoning Ordinance”.
2. Appeals to the Board may be made by any person or entity claiming to be injuriously affected or aggrieved by an official order, requirement, interpretation, grant, refusal or decision of the Administrative Official.
3. By state law, the appeal must be made **within 30 days** of the alleged error by the Administrative Official. “Appeal must be made” shall be interpreted to mean that the Planning office must receive a completed application and fee before 4:00 p.m. on a regular workday.
4. The appellant shall be notified in writing at least seven days in advance of the date set for the Board of Adjustments hearing.
5. The appellant must clearly state in writing how the Administrative Official was in error.
6. At the hearing, the appellant will explain, provide proof, and answer questions. The Administrative Official will follow the same procedure. All interested parties will be heard.
7. The Board of Adjustments will weigh the evidence. The decision must be made within 60 days. The following options, based on evidence presented, are available to the Board:
 - a. Approve the Administrative Official’s decision.
 - b. Find that the decision is improper in its entirety and reverse the decision or in part (certain portions only should be reversed).
 - c. Establish conditions to the Administrative Official’s decision.
8. Any person or entity claiming to be injured or aggrieved by any final action of the Board of Adjustments shall appeal to the Circuit Court in Boyle County. Such appeal shall be taken within 30 days after the final action of the Board. Final actions, which have not been appealed within 30 days, shall not be subject to review.