



Planning & Development
11701 Community Center Drive
Northglenn, CO 80233
P: 303-450-8739
F: 303-450-8708
northglenn.org

APPEAL Application Guide

OVERVIEW

Any person may appeal any decision of any administrative officer or agency made in the administration or enforcement of the Unified Development Ordinance (UDO). The purpose of the appeal provisions is to establish an administrative remedy whereby persons claiming to have been aggrieved by a decision of the Director or other administrative official in administering this UDO may appeal that decision. Appeals shall be made to the appropriate body as indicated in Section 11-6-7(d) of the UDO.

SUBMITTAL REQUIREMENTS

The following application package must be submitted to the Planning and Development Department to commence review. Submittals should be electronic, or one (1) paper copy will also be accepted. Any missing information may cause the application to be incomplete and, therefore, rejected.

- Completed **Application Form**.
- Application Fee** of \$250.
- Burden of Proof Description/Justification Letter**; the appellant has the burden of proving the necessary facts to warrant approval of an appeal by the appropriate decision-making body, and shall provide narrative with the application that justifies the appeal.
- Additional Information**, as may be required by the Planning staff.

PROCESS

- Appeals shall be made in writing and filed with the Director within seven (7) days of the action or decision being appealed.
- Upon receipt of an application, the Planning staff will review the application package for completeness. If the application is deemed complete, the appeal request will be scheduled for the appropriate body at the next available meeting date.
- Applications can be submitted electronically to development@northglenn.org or with Planning and Development Department staff at City Hall (11701 Community Center Drive).
- The Director shall review the application and prepare a staff report in accordance with Section 11-6-3(d), with the following modifications:
 - Review shall only confirm that the application is complete and that the appeal is heard by the appropriate authority.
 - The staff report shall not make a formal recommendation. The report shall include necessary facts to warrant an appeal, which shall be provided by the appellant/applicant.
- An appeal shall be scheduled for public hearings before the Board of Adjustment (BOA), Planning Commission, or City Council, and noticed in accordance with Subsection 11-6-3(e).
- The appeal decision-making authority may reverse a previous decision in whole or in part, or may modify the order, requirement, decision, or determination appealed from.



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- The appeal decision-making authority may attach conditions of approval on any appeal to ensure the health, safety, and welfare of the City.
- Post-decision actions and limitations in Subsection 11-6-3(h) shall apply. Any further appeals from the appropriate appeal decision-making authority shall be made to the courts, as provided by law; provided that such appeal is made within 60 days of that decision-making authority's decision.

CODE REQUIREMENTS

The following outlines the review criteria that the BOA, Planning Commission, or City Council will review in determining whether to affirm, reverse, or amend a decision or interpretation made by another decision-making body:

Section 11-6-7(3)(E) Appeal Review and Decision

- (i) The appropriate decision making body shall consider the following in determining whether to affirm, reverse, or amend a decision or interpretation made by another decision-making body:
 - a. The facts stated in the application, as presented by the appellant and/or the Director.
 - b. The requirements and intent of the applicable standards from this UDO compared to the written decision that is being appealed.
 - c. Evidence related to how the applicable standards from this UDO have been administered or interpreted in the past.
 - d. Consistency with the Comprehensive Plan.



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PROJECT INFORMATION

Address for where appeal of decision is being requested: _____

Description of request: _____

Zoning District: _____ Lot area: _____

Attach a complete listing of the reason(s) why such appeal should be considered.

PROPERTY OWNER(S) INFORMATION

Name: _____

Company (if applicable): _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Email: _____

AUTHORIZED AGENT (If other than owner)

Name: _____

Company (if applicable): _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Email: _____

OWNER(S) & AGENT CERTIFICATION

I hereby depose and state under the penalties of perjury that all statements, proposals and/or plans submitted with/or contained in this application are true and correct and the application is complete to the best of my knowledge and belief.

Agent's Signature: _____ Date: _____

Owner(s)' Signature(s): _____ Date: _____

STAFF USE ONLY:

Case Number:

Date Application Received:



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REASON(S) FOR APPEAL

1. _____

2. _____

3. _____

4. _____

5. _____

ATTACH ADDITIONAL INFORMATION AS NECESSARY