


If any person with party status chooses to appeal, the process is as follows:

- Per section 18.14.04.04.C of the Unified Development Code, the application enters into a ten (10) day appeal period once the Zoning Board of Adjustment Hearing Officer has made a final determination. **A written petition to appeal along with a one hundred and eighty dollar (\$180) fee must be submitted to City of Loveland Current Planning Division within the ten (10) day appeal period**
- Per Section 18.04.05.03 of the Unified Development Code, the right to appeal a decision by the Zoning Board of Adjustment Hearing Officer is limited to the applicant, adjoining property owner, or a property owner who received mailed notice of public hearing and either spoke at the public hearing or provided a written comment to the Director at or before the public hearing.
- An appeal of a Decision is initiated by filing a petition, along with the required fee, to the Current Planning Offices. The petition for appeal shall include all of the following information:
 - The name, address, email address; and telephone number of the petitioner
 - The planning project number of the application that is the subject of the appeal
 - The date of the decision that is the subject of the appeal
 - The reasons why the petitioner should be granted party status pursuant to Section 18.14.05.03
 - Describe how the decision did not conform to the referenced Unified Development Code sections with references to the specific sections
- City Staff shall promptly confer with the City Attorney on all petitions for appeal in order to determine:
 - Whether the petitioner has party status pursuant to Section 18.14.05.03; and
 - Whether the petitioner has provided sufficient detail in the petition to put the City on notice as to the legal basis of the appeal
- If the City finds that the petitioner does not meet the findings for appeal, City Staff shall notify the petitioner of the findings made as the basis for denial of the request
- If City Staff finds that the petitioner meets the findings for appeal then City Staff shall notify the petitioner and the applicant that the appeal has been accepted for review
- **If the appeal is accepted the petitioner must provide mailed and posted notice of the hearing date for the appeal, failure to provide such notice shall be grounds for denial of the appeal. All costs for providing mailed and posted notice shall be the direct responsibility of the applicant.**
- **Issues that are not described or obviously implied by the petition will not be considered on appeal.**
- **New evidence shall not be introduced on appeal.**
- Upon review of the record evidence together with the arguments described in the appeal petition, the Zoning Board of Adjustment shall determine whether the Decision



was correct based on the evidence presented to the original decision-maker and the applicable Code provisions.

- If the Decision was incorrect, or partially correct, the Zoning Board of Adjustment shall reverse and correct the Decision Below, and approve the original application, approve the original application with conditions, or deny the original application.
- If the Decision was correct, the Zoning Board of Adjustment shall affirm it.