

CHAPTER 4

BOARD OF ADJUSTMENT; APPEALS

SECTION:

- 10-4-1: Powers And Duties
10-4-2: Appeals

10-4-1: **POWERS AND DUTIES:** The Board of Adjustment shall act upon all questions as they may arise in the administration of any ordinance or official control, including the interpretation of zoning maps, and it shall hear and decide appeals for the review any order, requirement, decision, or determination made by an administrative official charged with enforcing this Title. Such appeal may be taken by any person aggrieved or by any officer, department, board or commission of the City. (Ord. 18, 5-1-1978)

10-4-2: **APPEALS:**

- A. Notice Of Appeal: Appeals shall be taken in such time as shall be prescribed by the Board of Adjustment by general rule, by filing with the Board of Adjustment a notice of appeal specifying the grounds thereon.
- B. Hearing; Notice: The Board of Adjustment shall fix a reasonable time for the hearing of the appeal and give due notice thereof to the appellant and the officer from whom the appeal is taken and decide the same within a reasonable time.
- C. Decision Of Board: The Board of Adjustment may reverse or affirm wholly or partly, or may modify the order, requirement, decision, or determination as in its opinion ought to be made in the premises and to that end shall have all the powers of the officer from whom the appeal was taken and may issue or direct the issuance of a permit. The reason for the Board's decision shall be stated. (Ord. 18, 5-1-1978)

- D. District Court: The decision of such Board shall not be final and any person having an interest affected by such decision shall have the right to appeal to the District Court for Freeborn County. (Ord. 18, 5-1-1978; 1997 Code)