TWIN FALLS COUNTY PLANNING AND ZONING DEPARTMENT

630 Addison Avenue West, Suite 1100 | Twin Falls, Idaho 83301
208-734-9490 | www.twinfallscounty.org

NOTICE OF APPEAL / APPPLICATION

OFFICE USE ONLY Date received: _____ Receipt #: _____ Appeal case #: _____

1. APPELLANT INFORMATION

Appellant name / organization:

_____

Mailing address, city, state and ZIP:

_____

Phone: _____ Email: _____

Relationship to the matter / basis for affected-person status:

_____

_____

2. DECISION BEING APPEALED

Decision issued by: ☐ Planning and Zoning Director (formerly known as Community Development Services Director)

☐ Planning and Zoning Commission

Date of final written decision: _____ Case / permit number: _____

Applicant / property owner and matter or project being appealed:

_____

_____

Property address / parcel number (if applicable): _____

3. GROUNDS AND REQUESTED RELIEF

Identify the specific decision, alleged error(s), and applicable code provisions. Attach additional pages if needed.

_____

_____

_____

_____

State the action requested of the Board of County Commissioners:

_____

_____

4. CERTIFICATION

I certify that the information provided is accurate to the best of my knowledge. I understand that filing and service deadlines, required fees, and other procedures are governed by Idaho Code and by Twin Falls County Code Title 8, Chapter 20.

Appellant signature: _____ Date: _____

Authorized representative (if any): _____

APPEAL GUIDELINES & FILING INSTRUCTIONS

These instructions were prepared for the convenience of appellants, but they are not a substitute for Twin Falls County Code Title 8, Chapter 20 and other applicable Idaho law. These instructions do not extend or replace any statutory or ordinance deadline. If there is a conflict between these instructions and the law, the law prevails.

1. Who may appeal

An applicant or an affected person with standing under Idaho Code § 67-6521 and County Code § 8-20-3 may appeal an eligible decision of the Planning and Zoning Director (formerly known as Community Development Services Director) or Planning and Zoning Commission.

2. Filing the Notice

File the completed Notice of Appeal with the Planning and Zoning Department (formerly known as Community Development Services) and pay the required appeal fee and, for appeals of Planning and Zoning Commission decisions, the required transcript deposit. The Notice of Appeal must be filed within fourteen calendar days after the final written decision.

3. Proof of service

Within fourteen days after filing the Notice of Appeal, the Appellant must file proof of service of the Notice of Appeal on the applicant (if the Appellant is not the applicant) and, for appeals of Planning and Zoning Commission decisions, the following: applicable political subdivisions, all property owners who received mailed notice of the Commission hearing at which the decision was made, and all affected persons who personally appeared or filed a written comment at the Commission hearing at which the decision was made. The proof of service must be filed with the Planning and Zoning Department (formerly known as Community Development Services).

4. Written statement

Within fourteen days after filing the Notice of Appeal, the Appellant must file a written statement with the Planning and Zoning Department (formerly known as Community Development Services). The written statement should explain the basis for the appeal and the reasons for the Board of County Commissioners to reverse the decision of the Director or Planning and Zoning Commission. The statement must be in writing and it may be in the form of a letter or a brief.

5. Commission hearing transcript

A transcript is required for appeals from Planning and Zoning Commission decisions. The Appellant pays the required deposit at the time of filing the statement of reasons for the appeal. The transcript will be billed at the current market rate. If the cost for preparation of the transcript exceeds the deposit, the Appellant shall pay the difference before the appeal is scheduled for hearing before the Board. If the cost of preparing the transcript is not paid within thirty calendar days from the completion of the transcript, the appeal shall be deemed dismissed. If the actual transcript cost is less than the deposit, the County will reimburse the Appellant the difference.

6. Transcript-related extension

A request for an extension of time to file a written statement because of transcript preparation delay must be in writing. When a written request for an extension of time has been made, the Planning and Zoning Department (formerly known as Community Development Services) may choose whether or not to grant the extension. Extensions will not be granted beyond fourteen days past transcript completion.

7. Scope of review

The Board may consider the ordinance, permit, decision, or determination of the Commission or Director, and any attached conditions thereto. The Board may also consider the record on appeal and any additional evidence that may be offered by affected persons, the applicant, Director, and/or Commission. The Board may affirm, reverse, or modify, in whole or in part, the order, requirement, permit, decision, or determinations appealed or make any additional conditions which in its deliberations it may find warranted, or may remand the decision to the Commission or Director for further consideration.

SUBMISSION CHECKLIST

☐ Completed and signed Notice of Appeal/Application

☐ Written explanation of grounds for appeal and requested relief

☐ Required appeal filing fee

☐ Transcript deposit, if appealing a Commission decision

☐ Proof of service on required parties (file within fourteen days after Notice of Appeal)

☐ Written Appellant statement (file within fourteen days after Notice of Appeal)