

**CONDITIONAL USE PERMIT (CUP) APPEAL FORM
INFORMATION AND INSTRUCTIONS**

1. The 30 day appeal period starts after the decision of the Planning Board.
2. The Notice of Appeal form (see attached) must be filed with the County Clerk within this 30 day period.
3. There is no fee to file the form. Please contact the County Clerk for current filing procedures.

Washington County Clerk
280 N College Ave, Ste 300
Fayetteville, AR 72701
Phone: (479) 444-1711

4. Appeal forms filed after the 30 day period will not be considered.



WASHINGTON COUNTY PLANNING OFFICE

2615 S Brink Drive, Suite 102
Fayetteville, AR 72701
Office: (479) 444-1724
Fax: (479) 444-1786

Email: planning@washingtoncountyar.gov

PLANNING BOARD CONDITIONAL USE PERMIT (CUP) DECISION APPEAL FORM

I, _____
(Name)

(Address)

(Phone/Email)

I am hereby filing an appeal of a recent CUP decision of the Washington County Planning Board. My appeal is being filed within thirty (30) days of the decision as required by Ordinance 2009-33, 43, 67, and 2010-02 amending Section 11-206; "Appeals from Board" in "Chapter 11- Planning and Development, Article VI-Zoning" in Washington County, Arkansas.

During the _____, 20____ meeting of the Washington County Planning Board, a Conditional Use Permit (CUP) was presented for approval. The CUP was for a: (circle one) Commercial Use / Industrial Use / Residential Use / Other Use, located in Section____, Township____, Range__, Parcel(s) #: _____ in Washington County.

My understanding of the decision of the Washington County Planning Board is as follows:

I am appealing this decision to the Quorum Court for the following reasons:

I understand that the Quorum Court will follow the same procedures as the Washington County Planning Board to reach a decision. The decision of the Quorum Court may be appealed to Circuit Court within thirty (30) days from said decision. I certify the above statements are correct to the best of my knowledge.

(If extra room is needed please attach additional sheets.)

Signature

Date

Sec. 11-206. - Appeals from board.

- (a) Decisions of the Board shall be appealed first to the Quorum Court, sitting in its legislative capacity, said appeal shall be perfected by filing a Notice of Appeal on a form to be provided by the Planning Administrator and filed with the County Clerk no later than thirty (30) days after the decision of the Board. The appeal process set forth herein shall also be available for actions of the Quorum Court pursuant to section 11-201.
- (b) Before said thirty-day period has expired, upon concurrence of the Planning Director and the Planning Board Chairman, any decision made by the Board shall be reconsidered by the Board, in which event the thirty-day period to appeal shall be tolled and will begin anew once the Board has reconsidered its decision.
- (c) After the expiration of said thirty-day period, if no appeal has been filed, upon concurrence of the Planning Director and Planning Board Chairman, the Board shall reconsider any conditions it has imposed due to unforeseen circumstances or consequences; such shall be heard by the Board in the same manner as the original Conditional Use Permit application; however, no submittal fees shall be charged. Any such change shall be submitted to the Quorum Court for ratification.
- (d) No hearing before the Quorum Court shall be set until the full thirty-day appeal period has run.
- (e) Individual notice to surrounding property owners shall be given by regular mail to those who were notified of the Board meeting no less than twenty (20) days prior to said hearing by the Planning Office.
- (f) Any written documents that are to be submitted to the Quorum Court shall be submitted to the County Judge's Office no later than ten (10) days prior to the hearing; by majority vote of the Quorum Court, any submission later than ten (10) days prior to the meeting may be received.
- (g) The Quorum Court will follow the same procedures as the Board, unless it decides otherwise by majority vote. The Quorum Court shall memorialize its decision by ordinance.
- (h) After the decision by the Quorum Court, an appeal may be taken to Circuit Court within thirty (30) days from said decision.

(Ord. No. 2006-66, Art. 16, 11-9-06; Ord. No. 2009-33, Art. 1, 5-14-09; Ord. No. 2009-67, Art. 1, 12-10-09; Ord. No. 2010-02, Art. 1, 1-14-10)