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**APPEAL OF THE DECISION OF
CITY STAFF OR BOARD OF
ADJUSTMENT AND APPEALS**

**Application Information
Land Use Administration**

**City of Shakopee
129 Holmes Street South
Shakopee, MN 55379
(952) 233-9300**

**APPEAL OF THE DECISION OF
CITY STAFF OR BOARD OF
ADJUSTMENT AND APPEALS**
Informational Handout
Land Use Administration
City of Shakopee

Anyone can appeal the decision of City Staff or the Board of Adjustment and Appeals. An appeal must be filed within seven (7) days of the decision of City Staff or ten (10) days of the decision of the Board of Adjustment and Appeals. There is a related fee. The process is described in detail in the City Code, as follows.

Section 11.90, Appeals, of the Shakopee City Code regulates the process for Appeals of the Decision of City Staff or Board of Adjustment and Appeals:

Appeals from City Staff Decisions. Any person aggrieved by a decision of the Zoning Administrator or other person regarding the enforcement of this Chapter, may appeal to the Board of Adjustment and Appeals. The appeal shall specify what error allegedly was made in an order, requirement, decision, or determination made by the Zoning Administrator or other person. The appeal shall be filed in writing with the Zoning Administrator within seven days of the date of the decisions. Upon request of an appeal, the Zoning Administrator shall schedule the matter for consideration by the Board. The Board shall have authority to affirm, modify, or reverse the decision of the Zoning Administrator or other person. This provision shall not apply in the case of a criminal prosecution for violation of the Zoning Chapter of the City Code.

Appeals from Decision of the Board of Adjustment and Appeals. Any person aggrieved by a decision of the Board of Adjustment and Appeals may appeal the decision to the City Council. The appeals must be submitted in writing to the Zoning Administrator within ten days of the date of the decision, and shall include a statement of the alleged errors or omissions of the Board. Upon appeal, the City Council shall consider the request within 90 days unless an extended period is agreed upon by the parties.

Construction During Appeal Period. Any applicant who obtains a building permit and starts construction after the decision of the Board of Adjustment and Appeals, but prior to the termination of the appeal period, assumes the risk that the decision may be reversed upon appeal. When an appeal is received by the City, the applicant will be notified of the appeal and informed of the date of the City Council meeting at which it will be heard.

For more information about the appeal process, please contact the Shakopee Community Development Department at (952) 233-3800.

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**APPEAL APPLICATION
SUBMITTAL CHECKLIST**

Your submittal must include the following information in order to be considered a complete application for an Appeal of the Decision of City Staff or Board of Adjustment and Appeals. Check all boxes under the “Applicant Submitted” column indicating completion of the corresponding requirement. If the listed requirement is not applicable, please note reason(s) in the left hand margin.

Applicant
Submitted

City
Received

1. Completed Appeal Application and paid fee.
 - A. Application: Application for approval of the Appeal.
 - B. Paid Fee.

2. Cover letter. Describe the reasons for the request for an appeal, and what kind of appeal is requested:
 - A) City Staff (appeal to BOAA), or B) Board of Adjustment and Appeals (appeal to City Council).

3. Other information as required by Planning Staff.