

5.8 Zoning Permit

No structure shall hereafter be erected, or structurally altered until a zoning permit shall have been issued indicating that the existing or proposed structure and the use of the land comply with this Ordinance. All applications for zoning permits pertaining to the erection or major alterations which will affect the outside dimensions of a structure, shall be accompanied by three (3) copies of a site plan. If the site consists of land not a part of a subdivision or land composed of partial lots, the site plan shall be attached to a survey or a registered land surveyor showing the actual dimensions of the lot, lots or parcel to be built upon. The site plan shall also show dimensions of existing and/or proposed structures to be erected or structurally altered, their location on the site in relation to the outside boundary, the required off-street parking plan and such other information as may be necessary to provide for the enforcement of these regulations. Site plans submitted for all uses except one and two family dwellings shall contain lighting and landscape plans. Construction on all structures or alterations for which a zoning permit has been issued must be commenced within one year of the date of the zoning permit and must be completed within two years of the date of the zoning permit.

Appeals

All decisions of the Board of Adjustment, whether variances, conditional use permits, home occupation permits, or other, shall be final, subject to the appeal to the City Council, and the right of later judicial review. Any person aggrieved by a decision of the Board of Adjustment may appeal such decision to the City Council as follows: Any such aggrieved party, to appeal, must file with the City Clerk, a written notice of appeal within five days (excluding Saturdays, Sundays, and legal holidays) following the Board of Adjustment's written decision. The City Council shall act upon such appeal within thirty (30) days from receipt of same, and the City Council may limit the appeal to a review of the records and proceedings held before the Board of Adjustment, or may by majority vote schedule a public hearing on such appeal, to allow testimony, and providing reasonable notice. The decision of the City Council shall be by majority vote, and such decision shall be made within thirty (30) days from the City Council hearing. Any party aggrieved by a decision or order of the Board of Adjustment or City Council may seek judicial review of such decision, reviewed by an appropriate remedy in the District Court, only if such party has appealed such decision to the City Council as provided in this Section. The written decisions of the Board of Adjustment and the City Council shall be mailed to the applicant and to such other interested parties who have requested written notice of such decision.