

APPEAL APPLICATION

This application shall be used for appealing a decision by the Tahoe Regional Planning Agency (TRPA) or a final decision made by a lead agency regarding an activity or project within a conforming Area Plan pursuant to a Memorandum of Understanding (MOU).

I. BACKGROUND

Appeal of a TRPA Decision

Executive Director decisions or actions on projects or other matters may be appealed to the TRPA Governing Board. This includes approval of a project, denial of a project, conditions of approval for a permit and decisions by staff or Hearing Officer. Final action by the Executive Director may be appealed to the Governing Board by filing this application with TRPA, including the required appeal fee, no later than 21 days after the final action (date of correspondence). Unless TRPA and the appellant agree in writing to a different deadline, the written statement of appeal must be received by the Agency within 30 days after the filing of the notice of appeal. Appeals will be processed pursuant to Article 11 and 14 of the Rules of Procedure.

Appeal of a Lead Agency Decision

An appeal of a final decision made by a lead agency regarding an activity or project within a conforming Area Plan pursuant to a MOU may only be filed by an “aggrieved person” as defined in Article V(j)(3) of the TRPA Compact. The basis for an appeal shall be limited to whether the decision by a lead agency is in accordance with an approved Area Plan and its implementing ordinances consistent with the Regional Plan and Compact. Appellants who are subject to the exhaustion provision in Compact Article VI(j)(3) shall exhaust all administrative remedies provided by the lead agency prior to appealing a decision to TRPA. An appellant shall file an appeal application to TRPA within 15 calendar days of the final lead agency decision. Decisions by the lead agency under independent local, state, or federal law are not subject to this appeal process. Appeals will be processed in accordance with TRPA Code, Section, 13.9: *Appeals*.

II. APPLICATION CHECKLIST

- Completed and signed application form
- Application filing fee (For an appeal of a lead agency decision, an application fee of \$1,000 is required pursuant to TRPA Code, Section 13.9)
- Written statement to support the appeal claim
- Documentation to support the appeal claim*

*Additional documentation may be provided by the lead agency to augment the record.



APPEAL APPLICATION

Appellant _____

Mailing Address _____ City _____ State _____

Zip Code _____ Email _____ Phone _____

Representative or Agent _____

Mailing Address _____ City _____ State _____

Zip Code _____ Email _____ Phone _____

Owner _____ Same as Appellant

Mailing Address _____ City _____ State _____

Zip Code _____ Email _____ Phone _____

Project Location/Assessor's Parcel Number (APN) _____

Street Address _____

County _____ Previous APN (if any) _____

Local Jurisdiction Contact/Title _____ **Phone** _____

File Number _____

Property Restrictions/Easements *(List any deed restrictions, easements or other restrictions below in the space provided.)*

None

I hereby declare under penalty of perjury that all property restrictions and easements have been fully disclosed. **Initial here:** _____

APPLICATION SIGNATURES

DECLARATION (BY PROPERTY OWNER):

I hereby declare under penalty of perjury that this application and all information submitted as part of this application is true and accurate to the best of my knowledge. I am the owner of the subject property, or have been authorized in writing by the owner(s) of the subject property to represent this application, and I have obtained authorization to submit this application from any other necessary parties holding an interest in the subject property. I understand it is my obligation to obtain such authorization, and I further understand that TRPA accepts no responsibility for informing these parties or obtaining their authorization. I understand that should any information or representation submitted in connection with this application be inaccurate, erroneous, or incomplete, TRPA may rescind any approval or take other appropriate action. I hereby authorize TRPA to access the property for the purpose of site visits. I understand that additional information may be required by TRPA to review this project.

Signature:

_____ At _____ Date: _____
Owner or Person Preparing Application County

DECLARATION (OTHER THAN PROPERTY OWNER):

I hereby declare under penalty of perjury that this application and all information submitted as part of this application is true and accurate to the best of my knowledge. I understand that should any information or representation submitted in connection with this application be inaccurate, erroneous, or incomplete, TRPA may take appropriate action. I understand that additional information may be required by TRPA to process this application.

Signature:

_____ At _____ Date: _____
Person Preparing Application County

AUTHORIZATION FOR REPRESENTATION (Complete this section only if an agent or consultant is submitting this application on behalf of the property owner and/or appellant)

The following person(s) own the subject property (**Assessor's Parcel Number(s)** _____) or have sufficient interest therein (such as a power of attorney) to make application to TRPA:

Print Owner(s) or Appellant(s) Name(s): _____

I/We authorize _____ to act as my/our representative in connection with this application to TRPA for the subject property and agree to be bound by said representative. I understand that additional information may be required by TRPA beyond that submitted by my representative, to review this project. Any cancellation of this authorization shall not be effective until receipt of written notification of same by TRPA. I also understand that should any information or representation submitted in connection with this application be incorrect or untrue, TRPA may rescind any approval or take other appropriate action. I further accept that if this project is approved, I, as the permittee, will be held responsible for any and all permit conditions.

Owner(s) Signature(s):

_____ Date: _____

FOR OFFICE USE ONLY

Date Received: _____ File Number: _____
Received By: _____
Filing Fee: \$ _____ Receipt: _____