

## **Sec. 8-3165. Appeals.**

(a) *Who may appeal.* Appeals from an administrative action as set forth in section 8-3163(a) to the board of appeals may be taken by any person aggrieved or by an officer, department, board or bureau of the governing authority affected by any such administrative action. Such appeals shall be filed no later than 30 days after the date of notification of the decision appealed from, by filing with the zoning administrator and with the board of appeals a notice of appeal specifying the grounds thereof. The zoning administrator shall forthwith transmit to the board of appeals all the papers constituting the record upon which the action appealed from was taken.

(b) *Legal proceeding stayed.* An appeal stays all legal proceedings in furtherance of the action appealed from unless the zoning administrator certifies to the board of appeals after the notice of appeal shall have been filed with him that by reason of facts stated in the certificate a stay would, in his opinion, cause imminent peril to life and property. In such case, proceedings shall not be stayed otherwise than by a restraining order which may be granted by the board of appeals or by a court of record on application, on notice to the zoning administrator and on due cause shown.

(c) *Presentation of evidence.* The appellant and any public agency or private individual shall be entitled to present evidence on matters before the board of appeals, and the board may request technical service, advice, data or factual evidence from the planning commission and the governing authorities for assistance in reaching decisions.

(d) *Extent of board of appeals' power.* The board of appeals may, in conformity with the provisions of this chapter, reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination of the zoning administrator, and to that end shall have all the powers of the zoning administrator. The board of appeals may direct the issuance of a permit. It shall be the duty of the zoning administrator to carry out the decision of the board of appeals.

(e) *Board of appeals' decisions invalid after 12 months.* No decision of the board of appeals permitting the use of a building or land shall be valid for a period longer than 12 months; provided, that wherever such use is dependent upon the erection or operation of a building, the board may extend the time for good cause thereon.