

1005.385 Appeal Procedures.

1. Upon the denial of an application for a variance by the Director, petitioner may file a formal appeal upon payment of an additional variance fee to the Commission, requesting a formal determination from the Commission. The Commission may affirm, reverse, or modify, in whole or in part, any determination by the Department.
2. Right-of-way Requirements:
 - a) The developer may appeal to the County Council the right-of-way required by the Department of Planning on request by the Department of Highways and Traffic under Section 1005.180 1.j) when the requirement for right-of-way is in excess of twenty (20) feet on either side of a street.
 - b) The Department of Highways and Traffic may appeal to the County Council when the preliminary plat has been approved by the Department of Planning which does not reflect a request by Highways and Traffic for dedication under Section 1005.180 1.j), along an existing street for right-of-way in excess of twenty (20) feet on either side of a street.
 - c) Appeals filed under this provision shall be filed with the County Council within fifteen days after date of action on the determination of right-of-way requirements by the Department of Planning. (O. No. 12035 - Adopted 4/25/85)