



Certificate of Appropriateness Appeals Form

Town of Buena Vista
Historic Preservation Commission
210 E. Main St.
Buena Vista, CO 81211

Please reference section 19.16 of the Town of Buena Vista Ordinance No. 14 (series of 2016) regarding the Historic Preservation appeals process:

- a. To whom. Any person aggrieved by an administrative decision of a matter set forth in Section 7-10 may appeal the decision to the Historic Preservation Commission by following the procedures set forth in this Section. Any person aggrieved by a Historic Preservation Commission decision may appeal the decision to the Board of Trustees by following the procedures set forth in this Section.
- b. Notice of Appeal. A formal notice of appeal shall be filed with the Town Clerk no later than fifteen working days from the date of decision in conformance with the requirements of this section. Within seven working days of the receipt of the appeal, the Town Clerk shall transmit a copy to the staff liaison for review of completeness. Within ten working days of transmittal by the Town Clerk, the staff liaison shall examine the appeal and advise the Town Clerk if it is complete or not. If the appeal is found to be incomplete, the Town Clerk shall return it to the appellant for revision. Appellant shall have five working days to file an amended appeal. Failure to file an amended appeal within said five days will result in the appeal being deemed withdrawn.
- c. Scheduling of Appeal. The Town Clerk shall schedule a complete appeal for the next regularly scheduled meeting of the Historic Preservation Commission or Board of Trustees, as applicable, that allows for publication and posting required per Section 7 (c), and at which adequate time is available to hear the appeal.
- d. Criteria for Review of an Appeal. Appeals shall be reviewed on the basis of the record of the administrative action or the Historic Preservation meeting to determine the following:
 - i. If the Design Guidelines were adhered to; and
 - ii. If the Code was interpreted or applied erroneously.
- e. Stays of Decisions. A perfected appeal shall operate as a stay of the decision unless determined otherwise by the Historic Preservation Commission or Board of Trustees, as applicable.
- f. Once scheduled, an appeal may only be postponed by the aggrieved party upon a showing of good cause.
- g. Powers upon Appeal. The Historic Preservation Commission or the Board of Trustees, as applicable, shall have the power to affirm, reverse, modify or remand for additional review the action under appeal. The hearing shall be limited to matters raised on appeal. No new evidence shall be admitted at a public hearing.
- h. Failure to Appeal. The failure to appeal within the fifteen-day period shall be deemed to be a waiver of the applicant's or a party in interest's right to appeal for failure to exhaust administrative remedies.

(3) A description of the specific error(s) you believe the Commission committed. Please provide this description in the space below. If you need additional space, please attach a separate sheet.

(4) If applicable, the names and addresses of the persons, certified by the Commission's staff, who testified before the Commission about the application for the Certificate, or who provided a written statement to the Commission about the application. If more than two, please attach on additional pages, as needed.

Name: _____	Name: _____
Address: _____	Address: _____
_____	_____

III. Contact Information

Name of Appellant: _____

Mailing Address: _____

Daytime Phone: _____ Email: _____

IV. Certification

Please read, sign and date the following statement:

I have read and understand the information contained in this Notice of Appeal. I hereby certify that I have provided all the information required under section 19.16 of the Town of Buena Vista Historic Preservation Ordinance No. 14 (series of 2016). I understand that if this Notice of Appeal is incomplete, my appeal will not processed until it is complete, and that it may be rejected for incompleteness. I further certify that all my statements in this Notice of Appeal are true and correct to the best of my knowledge.

Signature: _____ Date: _____