

Parks & Shade Tree Commission

229 Rehoboth Avenue
P.O. Box 1163
Rehoboth Beach, Delaware 19971



City of Rehoboth Beach

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**THE PARKS & SHADE TREE COMMISSION
OF THE CITY OF REHOBOTH BEACH
Notice of Appeal and Application for Administrative Appeal Hearing**

The undersigned hereby gives notice of a request for an Administrative Appeal Hearing:

The following is an application made to Parks & Shade Tree Commission of the City of Rehoboth Beach on the _____ day of _____, 20_____.

Location of affected property: _____

Applicant's Name: _____

Mailing Address: _____

Telephone Numbers: _____(Home)_____ (Office)_____ (Cell)

Representative's Name: _____

Mailing Address: _____

Telephone Numbers: _____(Home)_____ (Office)_____ (Cell)

Provide detailed information describing the affected property and tree(s):

Please check at least one of the following:

- In the case of an application for a building or demolition permit or for approval of a subdivision, the tree is located within the net buildable area of a given lot as identified on the tree survey/protection/planting plan, provided that alternatives under §253-35(F) have been considered;
- The tree is located within an existing or proposed public or utility company right-of-way, and relocation of such right-of-way or the use thereof is not reasonably practicable;
- The tree is located within an existing or proposed public easement, stormwater management tract or facility, provided that only the minimum area reasonably necessary for the public service or use shall be considered for purposes of determining whether there is necessity for tree removal;
- The tree is located where it creates or will create a material safety or health hazard or nuisance with respect to existing or proposed structures or vehicles or pedestrian routes and such hazard or nuisance is not innate to or commonly associated with the existence of trees in general (for example, lightning, wet leaves on the ground during rainstorms);

- The tree is located where it interferes with the installation, delivery or maintenance of proposed or existing utility services to the lot and relocation of such services is not reasonably practicable, except that a higher degree of necessity must be demonstrated by the applicant in the case of a historic tree;
- The tree is determined by the City to be dead, significantly diseased, severely injured or in danger of falling;
- The tree prevents reasonable development of a lot that is otherwise permissible under City ordinances. However, a tree-removal permit shall not be granted where the applicant has failed to design and locate the proposed improvements, demolition or subdivision so as to minimize the removal of trees consistent with the permitted use of the lot and shall be granted only after full consideration of alternatives under §253-35.

Provide additional information describing the grounds for appeal:

- Check here to confirm you have included a diagram identifying the tree proposed for removal and the trees to remain on the lot.

Date: _____

_____ Appellant

Fee Paid: _____

INSTRUCTIONS

- (1) The Notice of Appeal and Application for Administrative Appeal Hearing must be filed with the City Manager within thirty (30) days of the date of the decision involving the grant or denial of an application for a tree-removal permit or land-clearing permit, whichever is the subject of the appeal.
- (2) The Notice of Appeal and Application for Administrative Appeal Hearing, a \$250.00 fee and all supportive documentation shall be prepared and delivered to the Office of City Secretary at 306 Rehoboth Avenue, Rehoboth Beach, DE on or before thirty (30) days prior to the date of the appeal hearing.
- (3) The following are provided as guidelines when filing the Notice of Appeal and Application for Administrative Appeal Hearing:
 - (a) State the grounds upon which the appeal is being made.
 - (b) Identify the error upon which the appeal is based and the grounds for reversal of the Building Inspector's decision.
 - (c) Provide a clear and accurate description of the proposed work or use.
 - (d) Deliver ten (10) copies of supporting documents for distribution.