

## **LUDC Sec. L-II 5.12 Appeals**

### **N. Refund of Appeal Fees.**

1. Upon the conclusion of any appeal, where the Board of Supervisors upholds the appeal and overturns the decision of the Planning Agency, the Board may also authorize the return of all appeal fees filed by the appellant. The Board shall not authorize the return of the appeal fees if it finds that the Board's decision was, in whole or in part, based upon new evidence submitted by the appellant at the appeal hearing and which evidence was not provided to the lower hearing body.
2. Upon the conclusion of any appeal, where the Board denies the appeal but finds that appellants raised issues of substantial merit causing some affirmative change in the decision of the Planning Agency, the Board may also authorize the return of any portion of the appeal fees it deems just. (Ord. 2370 § 1, 2013)