



TREE CONSERVATION COMMISSION APPEAL FORM AND PROCEDURE

To appeal a decision of an administrative official of the City of Atlanta regarding trees, please submit the packet, including the following to the Tree Conservation Commission (TCC):

- A. Tree Conservation Commission Appeal Form (pgs. 1-4); six (6) copies.
- B. Any available photos or supplementary documents; six (6) copies.
- B. Authorization of Property Owner *only if* appellant is not the owner (pg. 5).
- C. Authorization of Attorney *only if* appellant is an attorney for property owner (pg. 6).
- D. Check for \$75 or signed affidavit stating economic hardship (question 6 on pg. 3).

The cost of filing an appeal is a non-refundable \$75 administrative fee. Make checks payable to City of Atlanta and remit to:

Kathryn Evans, Administrative Analyst, Sr.
Atlanta City Hall
Arborist Division, Tree Conservation Commission
55 Trinity Ave, SW, Suite 3800
Atlanta, GA 30303-0309

Phone: 404.330.6235; Fax: 404.658.6977
Email: kaevans@atlantaga.gov

Please mail completed appeal form to Kathryn Evans at the above address. When appealing a posted plan to destroy or remove tree(s), you may fax or email the appeal form as long as it is received by close of business on the posted deadline and the check is postmarked on that date. Upon receipt of documents, the case scheduled for the next available TCC Public Hearing date and advertised, and a notice of the Hearing will be placed on the property. TCC Public Hearings are held the **3rd Wednesday** of each month and occasionally on the 4th Wednesday (if volume requires) at 6:30 pm at City Hall, Committee Room 2. Completed packets must be received at least two weeks prior to hearing date to be included on the agenda.

Note: The signature page must be notarized.

A **valid appeal** must identify the section of the tree ordinance the appellant believes a city administrative official misinterpreted or misapplied and/or any facts material to the decision of the administrative official that the appellant believes were misinterpreted or misunderstood.

TREE CONSERVATION COMMISSION PUBLIC APPEAL HEARINGS

A quorum of the Tree Conservation Commission (3 members minimum) will preside over the Public Hearing. Each case will be heard in accordance with the procedures below.

Procedures

- All testimony shall be taken under oath.
- All persons appearing before the Commission shall state their name, relationship to the case, facts of the appeal, and relevant argument.
- Each party shall be allowed 5 minutes to speak, *unless a request for additional time is made at the beginning of the hearing and granted by the Commission.* Multiple speakers presenting for the same side may pool their time for up to 5 minutes.
- The Administrative Analyst or designated Tree Commissioner will maintain a count of the time.
- All speakers must fill out a “Speaker Sign-In Card.”
- All exhibits are to be submitted to the Analyst and logged in.

For appeals associated with plans, the **official site plan must be made available** to the Tree Commission and verified by the City Arborist and Applicant. For appeals of dead, dying, or hazardous (DDH) permit denials, please submit a plan (hand drawn is acceptable) showing the location of the tree(s) of concern and any structures on the property.

Filing eligibility: To appeal decisions affecting tree(s) on *private property*, appellant must be a property owner, business owner, or resident of the NPU in which the property is located, or live within 500 feet of the NPU in which the property is located. To appeal decisions affecting tree(s) on *public property*, any citizen, property owner, or business owner in the City of Atlanta, and/or any civic association in the neighborhood planning unit in which the tree(s) at issue are located may appeal.

Order of Presentation

1. A sounding of the summary of the appeal
2. Appellant submits evidence & official site plan (to Analyst/Clerk)
3. Swear in **all** speakers for case (Commission Chair)
4. Summarization of case (Arborist)
5. Explanation of exhibits (Appellant and/or Arborist)
6. Opening statement and presentation by appellant and statements of other parties supporting case (5 minutes)
7. Statement by any parties opposing the appeal (5 minutes)
8. Rebuttal by appellant (5 minutes)
9. Questions for testifying parties, as required (Commission)
10. Discussion and ruling (Commission)

The Tree Preservation Ordinance of the City of Atlanta, Chapter 158-56 of the Atlanta City Code, 1995, is available on the Atlanta Tree Conservation Commission’s website at www.treeconservationcommission.com as well as on the Arborist Division’s webpage on the City of Atlanta’s website at www.cityofatlanta.com. The Arborist Division is within the Office of Buildings, which is in the Department of Planning and Community Development.