

COA APPLICATION RECONSIDERATION REQUEST

Certificate of Appropriateness Committee

The By-laws and Rules of Procedure governing Raleigh Historic Development Commission, Inc. (Commission) provides a procedure for reconsideration of applications approved subject to conditions or denied if a written petition is sent to the chair of the COA committee of the Historic Development Commission postmarked within 20 days following the decision. The filing of such petition shall stay the time within which notice of appeal may be filed until 20 days following decision on the Petition.

Any person aggrieved by a decision of the COA Committee may request reconsideration by submittal of a petition as described below.

- a. The applicant shall prepare in letter form a petition to submit a request for reconsideration, addressed to the chair of the COA Committee at the Commission's place of business. The petition shall set forth specifically that there was a material omission from the facts presented, the absence of evidence on a relevant and material point, or the legal or factual basis for a contention of error in the COA Committee Findings or action. The petition shall be limited to that information which is necessary to enable the COA Committee to determine whether or not there has been a substantial change in the facts, evidence, or conditions relating to the decision. The petition shall be forwarded to the COA Committee as part of the "Other Business" section of the agenda for its next regularly scheduled meeting.
- b. The Chair shall entertain a motion from a member of the COA Committee that the applicant be allowed to present evidence in support of the request for reconsideration. Such evidence shall be limited to that which is necessary to enable the COA Committee to determine whether or not there has been a substantial change in the facts, evidence, or conditions relating to the application; provided, however, that the applicant shall be given the opportunity to present any other additional supporting evidence in support of reconsideration.
- c. After receiving the evidence, the COA Committee shall proceed to deliberate whether or not there has been a substantial change or material omission in the facts, evidence, or conditions, or error in the law, relating to the application that would warrant reconsideration. If the COA Committee finds in favor of the petition, the petitioner shall be free to submit a new application for consideration at a future meeting.