



The Town of
Davidson

College Town, Lake Town, Your Town

Board of Adjustment

Application for Appeal

Appeals and Variances shall follow the rules and procedures set out in NCGS Section 160A-388. Additionally, see Section 14.18 of the Davidson Planning Ordinance (DPO).

I/We _____, hereby declare my/our desire to appeal the order, requirement, decision or determination described below, which was made by the duly authorized Planning Director of the Town of Davidson and request the Board of Adjustment to review, hear, and decide the same.

Project Information

Name of Project: _____

Tax Parcel(s): _____

Acreage: _____

Existing Planning Area (and Overlay District, if applicable): _____

Master Plan or Conditional Plan (if applicable): _____

APPEAL: I/We, request an appeal from the following determinations of the Planning Director:

APPLICANT'S STATEMENT: In the space provided below, and/or on an attached sheet, discuss your interpretation of the Planning Ordinance provisions in question and present your reasons for believing that your interpretation is correct and the Planning Director erred. Your discussion should be supported by factual evidence, references to Ordinance provisions that appear to contradict the decision being appealed, citation of the correct regulation if it is your opinion the wrong regulation was applied, definitions of terms as used or applied in the Planning Ordinance, photos, etc. Your argument must not be solely based on your own opinion.

Area containing horizontal lines for writing the applicant's statement.

APPLICANT’S STATEMENT (Continued)

TRANSCRIPT NOTICE

If a verbatim transcript of the Board of Adjustment hearing on this matter is requested, the production of said transcript shall be at the expense of the applicant.

APPEAL OF THE DECISION OF THE BOARD OF ADJUSTMENT

Any decision made by the Board of Adjustment may be appealed to Superior Court within thirty (30) days of the date of receipt of the Order of the Board by the applicant.

I/We hereby certify and say that the information contained herein and herewith is true and accurate to the best of my/our knowledge and that this application shall not be scheduled for official consideration until all of the required contents are submitted in proper form to the Planning Department.

Signature of Applicant

Date

Signature of Property Owner (if different from applicant)

Application Requirements

Name of Project: _____

Date Received	Item
	Application fee per Town of Davidson Fee Schedule (Due upon submittal of application).
	Contact Information (Included in form).
	Application Request (Included in form).
	Description of the Request (Included in form).
	Names, mailing addresses and tax parcel identification of all contiguous property owners, including properties either abutting or directly across a street, alley, or other vehicular right-of-way (Table included in form).
	Notice to neighboring property owners (Unsealed, stamped, addressed letters containing notices to all property owners due upon submittal of application, with the town as the return address).
	Additional requirements as listed below:

As the applicant, I hereby confirm that all the required materials for this application are authentic and have been submitted to the Town of Davidson Planning Department.

Applicant's Signature

Date

Contact Information

Name of Project: _____

Applicant's Information

Name: _____

Email: _____

Mailing Address: _____

Business Phone: _____ Mobile Phone: _____

Property Owner's Information

(If different from applicant)

Name: _____

Email: _____

Mailing Address: _____

Business Phone: _____ Mobile Phone: _____

Attorney's Information

(If parties have legal representation)

Name: _____

Email: _____

Mailing Address: _____

Business Phone: _____ Mobile Phone: _____

Hearing Process

Name of Project: _____

This process is drawn from GS 160A-388, the State Statute governing appeals and variances, and the Davidson Planning Ordinance (DPO) section 14.18, "Appeals and Variances."

Date Completed	Action
	Board of Adjustment Appeal Application and Fee submitted.
	Planning director determination of application completeness (no more than 5 days after initial submittal).
	Hearing Date Set (No more than 45 days after application completeness is determined).
	Mail notification of Public Hearing to Interested Parties (Between 25 and 10 days before the hearing date).
	Placement of notice sign on property (Between 25 and 10 days before the hearing date).
	Agenda, Staff Report, Case Materials sent to board members and applicants (At least 10 days before the hearing date).
	Board of Adjustment Public Hearing: The official who made the decision shall be present at the hearing as a witness. The appellant shall not be limited at the hearing to matters stated in the notice of appeal. If any party or the city would be unduly prejudiced by the presentation of matters not presented in the notice of appeal, the board shall continue the hearing. The board of adjustment may reverse or affirm, wholly or partly, or may modify the decision appealed from and shall make any order, requirement, decision, or determination that ought to be made. The board shall have all the powers of the official who made the decision (<i>GSS-160A-388(b1-8)</i>).
	Board of Adjustment Decision and Written Findings of Fact (Sent to applicant no more than 30 days after the public hearing).

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Notice Letter Template



(date)

From: Mr. Jason Burdette, Planning Director
Town of Davidson
216 South Main Street
P.O. Box 579
Davidson, NC 28036

Re: _____
Name of Project

Project Location

The Board of Adjustment of the Town of Davidson will hold a public hearing pursuant to NC General Statute 160A - 388 on _____ immediately following the Planning Board meeting (scheduled start 6:00 p.m.) at Davidson Town Hall, 216 South Main Street, Davidson, North Carolina, to hear public comments on a request for an appeal from an administrative decision. You are being notified as an adjacent property owner.

Information about the proposal can be found on the Board of Adjustment webpage on the Town of Davidson Planning Department's website.

Jason Burdette, AICP
Planning Director
Town of Davidson