



# Board of Adjustment

## Application for Appeal

Appeals and Variances shall follow the rules and procedures set out in NCGS Section 160D-705. Additionally, see Section 14.21 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.







## 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 160D-705, the State Statute governing appeals and variances, and the Davidson Planning Ordinance (DPO) section 14.21, "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 (based on filing calendar, see Board of Adjustment webpage).
	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).
	<p><b>Board of Adjustment Public Hearing:</b> 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-160D-406(j)</i>).</p>
	Board of Adjustment Decision and Written Findings of Fact (Sent to applicant no more than 30 days after the public hearing).

### 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.





## Notice Letter Template



\_\_\_\_\_  
(date)

From: Mr. Jason Burdette, Planning Director  
Town of Davidson  
251 South 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 160D-705 on \_\_\_\_\_ immediately following the Planning Board meeting (scheduled start 6:00 p.m.) at Davidson Town Hall & Community Center, 251 South 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