

NEW HANOVER COUNTY PLANNING & INSPECTIONS

NOTICE OF APPEAL

230 Government Center Drive Suite 110 Wilmington, NC 28403 910-798-7165 phone 910-798-7053 fax www.nhcgov.com

Appellant Information	Property Owner(s) If different than Appellant	Subject Property (if applicable)
Name	Owner Name	Address
Company	Owner Name 2	Parcel ID
Address	Address	Area
City, State, Zip	City, State, Zip	
Phone	Phone	
Email	Email	
Application Tracking Information	(Staff Only)	
Case Number	Date/Time received:	Received by:

OVERVIEW OF APPEALS PROCESS

Appeals from the enforcement and interpretation of the Zoning Ordinance may be taken to the Board of Adjustment. The Board of Adjustment will hear and decide on the appeal in a quasi-judicial proceeding. Zoning Board of Adjustment meetings are held on the 4th Tuesday of each month at 5:30PM in the Lucie F. Harrell Conference Room at the New Hanover County Government Center located at 230 Government Center Drive, Wilmington, North Carolina.

An appeal of a notice of violation or other enforcement order stays enforcement of the action appealed from unless the official who made the decision certifies to the Board of Adjustment after notice of appeal has been filed that because of the facts stated in an affidavit, a stay would cause imminent peril to life or property or because the violation is transitory in nature, a stay would seriously interfere with enforcement of the ordinance. In that case, enforcement proceedings shall not be stayed except by a restraining order, which may be granted by a court of record within New Hanover County. If enforcement proceedings are not stayed, the appellant may file with the official a request for an expedited hearing of the appeal, and the Board of Adjustment shall meet to hear the appeal within 15 days after such a request is filed.

If you are dissatisfied with the decision of the Board of Adjustment, an appeal may be taken to the Superior Court of New Hanover County within 30 days after the decision of the Board is filed in the Office of the Clerk to the Board, or after a written copy thereof is delivered to every aggrieved party who has filed a written request for such copy with the Clerk or Chairman of the Board at the time of the hearing of the case, whichever is later.

Appellants are requested to review all of Sections 121 and 122 of the Zoning Ordinance prior to submission, and advised to contact Planning Staff with any questions.

SUBMISSION REQUIREMENTS

In order to assist petitioners through the process for filing a Notice of Appeal, petitioners are highly encouraged to attend a pre-application conference prior to filing the Notice of Appeal. A Notice of Appeal must be filed no later than 5:00PM on the adopted application deadline day.

In addition to this Notice of Appeal, a \$400 filing fee is required. Additionally, any supporting or relevant documentation should be included with the Notice of Appeal.

Copies of all documents and exhibits constituting the record upon which the action appealed from is taken shall be forwarded to the Board of Adjustment. A copy of the record shall also be provided to the appellant and to the owner of the property that is the subject of the appeal if the appellant is not the owner.

Notice is hereby given the Board of Adjustment and the Zoning Administrator of New Hanover County		
of an appeal from a ruling made on the day of		
20, which denied/granted/ordered that		
By my signature below, I certify that this Notice of Appeal is complete and that all of the information presented in this Notice is accurate to the best of my knowledge, information, and belief.		
Signature of Appellant and/or Property Owner Date		