



Application For Appeal

A Pre-submittal meeting is not required prior to submission

City-County Development Services Center

Planning

101 City Hall Plaza, Durham, NC 27707 | <https://dsc.durhamnc.gov> | 919-560-4137

Submittal: Applications are due within 30 days of receipt of the decision being appealed and are available online at: <http://dsc.durhamnc.gov/174/Permits-and-forms>. Application submittals must be made in-person to the City Clerk’s Office, if in City’s jurisdiction, or the County Clerk’s Office, if in the County’s jurisdiction. Fees are due at time of submittal. **ONLY COMPLETE APPLICATIONS CAN BE ACCEPTED.**

Appeal applications are heard by the Board of Adjustment as a quasi-judicial public hearing. The application is a form of written testimony and is used to provide evidence. In addition to the application materials, the applicant may provide any other written, drawn or photographed material to support his/her request and as permitted by the Board of Adjustment. Any such additional material submitted will become part of the application, and as such cannot be returned.

Attendance at the hearing is required. Applicants may represent themselves or may be represented by someone appropriate for quasi-judicial public hearings. The public hearing will allow the applicant, proponents, opponents and anyone else the opportunity to speak and ask questions in regards to the request.

An “Appeal of an Administrative Decision” is permitted in accordance with Section 3.15, and an “Appeal of an interpretation of Zone Boundaries” is permitted in accordance with Section 4.1.4, of the Unified Development Ordinance (UDO).

Action by the Board of Adjustment (Section 3.15.6A of the UDO): The Board of Adjustment may reverse or affirm (wholly or partly), or may modify the order, requirement, decision, or determination appealed from, and shall make any order, requirement, decision, or determination that in its opinion ought to be made in the case before it. To this end, the Board of Adjustment shall have all the powers of the official from whom the appeal is taken. **Decisions can be appealed to Superior Court within 30 days.**

Tracking Information (Staff Only)		
Case Number:	Date/Time rec’d:	Rec’d by:

Application Requirements	Applicant Initial	Staff Initial
Completed application and responses: ORIGINAL signatures required		
Fee: \$695, payable to City of Durham or County of Durham, as applicable		
Supplemental material, as applicable: <ul style="list-style-type: none"> Written Order or decision being appealed Copy of Notice of Violation Site plan or plot plan Other documents 		

Property Information

Site Address:	Site size (in acres):
Zoning District(s) :	PIN(s):
Zoning Overlay District(s):	PID(s):
Development Tier:	<input type="checkbox"/> City <input type="checkbox"/> County <input type="checkbox"/> Both

Property Owner

Name(s) (Print):	Phone:
Contact Person:	Email:
<hr/>	
Owner Signature	Date

Applicant Information

Name(s):	
Contact Person:	Phone:
Address:	Fax:
City/State/ZIP:	Email:
<p><i>I certify that all of the information presented by me in this application is accurate to the best of my knowledge, information, and belief.</i></p>	
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Applicant Signature	Date

Agent (if different than applicant)

Name:	
Contact Person's Mailing Address:	Phone:
Address:	Fax:
City/State/ZIP:	Email:

For General Appeals (UDO 3.15): Complete and respond to the following in the space provided, or with an attachment (Suggested):

I, _____, wish to appeal the following decision by
_____. (Administrative official)

The ruling was based on the following Unified Development Ordinance provision(s):

A copy of the written decision/interpretation is attached. This ruling was made with respect to the property located at:

Address: _____

PIN or PID: _____

Summarized below, and on other sheets as necessary (attached), is my rationale for arguing that the administrative ruling is an improper or erroneous interpretation of the Ordinance:

For Appeals of Zoning Boundary Interpretations (UDO 4.1.4): Complete And Respond To The Following In The Space Provided, Or With An Attachment (Suggested):

I, _____, wish to appeal the interpretation of the zoning district boundary at a location generally described as:

Section 4.1.4B states the methods of interpreting zoning boundaries that do not follow lot lines. Explain how your circumstances are not covered by Section 4.1.4B:

OR Explain how physical or cultural features existing on the ground vary with those shown on the Official Zoning Map: