



CASE NO. _____
MEETING DATE _____

TOWN OF MOORESVILLE – APPLICATION FOR APPEAL

IMPORTANT INSTRUCTIONS FOR FILING APPEAL APPLICATION

APPLICATION MAY BE FILED IN PERSON OR BY MAIL

This application must be filed at least sixty (60) days before the meeting of the Town of Mooresville Board of Adjustments; and, within thirty (30) days of the Notice of Violation, if applicable. The application **may be submitted in person or by mail** to the Mooresville Planning Department, 413 North Main Street, Mooresville, NC, 28115, by **12:00 noon on** _____. The meeting will be held on _____. You will be notified by mail of the date, time, and location of the meeting. Applications are placed on the agenda according to the acceptance date. **A Zoning Board of Adjustments fee is required to be paid when submitting the appeal application form. Make checks payable to the Town of Mooresville.**

Residential / Commercial

\$ 500.00

The following information is required:

1. If title to the property is not in the name of the applicant, include a notarized letter from the owner signifying his approval.
2. Application must be completed, dated, and signed by the appropriate parties for acceptance.

FOR YOUR INFORMATION

Upon filing an appeal against the Zoning Administrator or an Interpretation the following rules and procedures shall apply:

- No further construction work shall be done except in accordance with the provisions of the Zoning Ordinance.
- All legal proceedings to enforce compliance will be held in abeyance.

- All written or physical evidence (plans,, maps, pictures, letters, etc.) presented before the Board becomes part of the physical record and property of the Town of Mooresville.
- All testimony given before the Board shall be given under oath.
- You have the right to appear and present your case before the Board.
- Applicants may be represented by council at their own expense, if they choose to do so.
- A Board member cannot discuss any case with any parties thereto prior to the public hearing on that case.

CHECK LIST OF ITEMS TO BE INCLUDED ON / WITH APPLICATION

- Have you been specific by stating the sections of the Ordinance related to your appeal?
- Have you stated facts or evidence to be presented?
- Is your application complete, dated, and signed by the appropriate parties?
- If you are not the property owner, have you included a notarized letter from the property owner giving you permission to appear before the Board?
- Fee paid.

Your appeal request may not be placed on the agenda if complete information and requested documentation is not included.

“BOARD OF ADJUSTMENTS HEARING PROCEEDINGS”

All exhibits should be numbered and must remain with the Board. Please turn them into the Zoning Administrator for tagging. Persons wishing to speak must sign in and limited to five (5) minutes. Those wishing to speak more than five (5) minutes must have approval by the Chairman of the Board of Adjustments **at least ten (10) days prior to the day of the meeting.**

This is a *quasi-judicial* Board that can only accept sworn testimony. Hearsay is admissible.

The Board of Adjustment has the authority to uphold, reverse, or modify the decision of the Zoning Administrator.

Appeal from this Board is to Superior Court of North Carolina. You have thirty (30) days from the date of the Boards written decision to file an appeal.

Case No. _____

I certify that all of the information presented by me is accurate to the best of my knowledge, information, and belief.

Signature of Applicant / Owner Date

Name of Applicant

Complete Address

City, State, Zip

Zip

_____ personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness by my hand and official seal this _____ day of _____, 20_____.

My Commission expires _____

Notary Public

IF THE APPLICANT IS NOT THE OWNER OF THE PROPERTY, indicate the owner's name and address, along with a notarized letter signifying approval TO REQUEST A VARIANCE on his property.

Property Owner

Address

City, State, Zip

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