



Housing Appeal Application – Board of Adjustment

Planning and Development Customer Service Center | One Exchange Plaza, Suite 400 | Raleigh, NC 27601 | 919-996-2500

This application shall be submitted to the Board of Adjustment **and** the officer's whose decision is being appealed **within 10 days** of the rendering of the decision or service of the order being appealed.

Applications should be emailed to the board's staff, justin.bucher@raleighnc.gov, eric.hodge@raleighnc.gov, **AND** the officer who rendered the decision OR provided in-person to the Planning and Development Department on the 4th Floor of One Exchange Plaza, Raleigh, NC 27601.

Date	
Date Filed:	Date Received (for staff only):

An appeal from any decision or order of the public officer is a quasi-judicial matter and may be taken by any person aggrieved thereby or by any officer, board, or commission of the local government. Any party may appear in person or by agent or attorney at the appeal hearing.

When an appeal is from a decision of the public officer refusing to allow the person aggrieved thereby to do any act, the decision remains in force until modified or reversed. When any appeal is from a decision of the public officer requiring the person aggrieved to do any act, the appeal has the effect of suspending the requirement until the hearing by the board, unless the public officer certifies to the board, after the notice of appeal is filed with the officer, that because of facts stated in the certificate, a copy of which shall be furnished to the appellant, a suspension of the requirement would cause imminent peril to life or property. In that case the requirement is not suspended except by a restraining order, which may be granted for due cause shown upon not less than one day's written notice to the public officer, by the board, or by a court of record upon petition made pursuant to subsection (f) of this section.

The Board of Adjustment shall fix a reasonable time for hearing appeals, shall give due notice to the parties, and shall render its decision within a reasonable time. The board may reverse or affirm, wholly or partly, or may modify the decision or order appealed from, and may make any decision and order that in its opinion ought to be made in the matter, and, to that end, it has all the powers of the public officer, but the concurring vote of four members of the board is necessary to reverse or modify any decision or order of the public officer. The board also has power in passing upon appeals, when unnecessary hardships would result from carrying out the strict letter of the ordinance, to adapt the application of the ordinance to the necessities of the case to the end that the spirit of the ordinance is observed, public safety and welfare secured, and substantial justice done. See N.C. Gen Stat §§ 160D-1208, 160D-1209.

Housing Appeal Decision Checklist		
<input type="checkbox"/> Yes	<input type="checkbox"/> No	A signed, notarized, and complete application form including, the name of the appellant, the appellant's notarized signature, a description of the decision or order of the public officer being appealed, and, in particular, the grounds for the appeal.
<input type="checkbox"/> Yes	<input type="checkbox"/> No	A copy of the decision that you wish to appeal (this is not necessary to be provided within the 10-day appeal period).

Nature of Appeal
Description of the Decision that you believe should be overturned:
When did you receive the decision that you wish to appeal? Date:

Property Subject to the Decision at Issue

Property Address: _____

Appellant Information

Appellant Name: _____ Phone #: _____

Mailing Address: _____ Email: _____

Signature: _____

(If applicable) Name of Appellant's Agent or Attorney: _____

Notary

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she signed the foregoing document:

Name(s) of principals(s)

Date: _____

Official Signature of Notary

_____, Notary Public
Notary's printed or typed name

My commission expires: _____

Official Seal

Grounds for the Appeal * (THIS MUST BE FILLED OUT) *****

Why do you think the decision should be overturned?