



Notice of Appeal Application

Date: _____

Date of Notification of Decision for which there is an Appeal: _____

NOTICE: This Notice of Appeal must be filed within 30 days of the receipt of the Planning Director's, or designated Administrator's, order, decision, determination or interpretation. Failure to file, in a timely manner, a complete Notice of Appeal (application, fee, all attachments, etc.) shall constitute a waiver of any rights to appeal under the Town of Huntersville Zoning Ordinance, Article 11.2, *et seq.* Appellant hereby grants permission to the Town of Huntersville personnel to enter the appellant's property for any purpose required in processing this Notice of Appeal upon mutual coordination of such site visits at times agreed to by all parties.

Location of Building / Property:

Address: _____

Tax Parcel ID Number(s): _____

Acreage: _____ Zoning: _____

Text of Zoning Ordinance to be appealed:

Article: _____ Section: _____

Text to be appealed: _____

Submittal Requirements:

The following must be submitted with this completed application (signed and dated by the Appellant):

- Applicable map(s), site plans, exhibits, and applications showing exact location of property with respect to existing streets, adjoining lots and other important features on or contiguous to the property. Also, include any maps and/or illustrations (to scale), which are necessary to show the location, number and size of buildings, signs, etc., on the property.
- A list of names, addresses and tax parcel identification numbers of properties that abut the site, are across the street from the site or are otherwise within one hundred feet (100') of the site.
- Review Fee (Please check most recent version of Fee Schedule for applicable review fee for Appeal)
- See the current Planning Board schedule for filing deadlines and meeting dates. **The variance and appeals processes are quasi-judicial. Contact with the Planning Board shall only occur under sworn testimony.**
- The application, all supplemental documents, and the fee must be postmarked or received in person by staff by the filing deadline.

Physical Address: 105 Gilead Road | Third Floor **(Fed Ex, UPS, and Couriers)**

Mailing Address: P.O. Box 664 | Huntersville, North Carolina 28070 **(USPS)**

Attention: Planning Department

Please make checks payable to: Town of Huntersville

Notifications Required:

Planning Staff will be required to notify in writing each owner of land abutting the parcel(s) of land that is/are the subject of the hearing. At least, one (1) sign will be prominently placed on the property(ies) in question or along an adjacent public street or right-of-way.

APPEALS WITHIN WATERSHED OVERLAY DISTRICTS

If you are appealing a determination from the Mountain Island Lake or Lake Norman Watershed Overlay Districts, Planning Staff will be required to notify in writing each local government having jurisdiction in the watershed and the entity using the water supply for consumption as follows:

- Mountain Island Lake Watershed Overlay. Local governments having jurisdiction in the watershed: Charlotte Mecklenburg, Cornelius and Huntersville. Entities using the water supply for consumption: Mecklenburg County, Gastonia and Mount Holly.
- Lake Norman Watershed Overlay. Local governments having jurisdiction in the watershed: Davidson, Cornelius and Huntersville. Entities using the water supply for consumption: Mooresville, Mecklenburg County and Lincoln County.

Appeal Requirements:

STANDARDS FOR GRANTING AN APPEAL (Article 11.3.2.c):

1. The Planning Board shall reverse or modify the order, decision, determination, or interpretation under appeal only upon finding an error in the application of these regulations on the part of the officer rendering the order, decision, determination, or interpretation.
2. In modifying the order, decision, determination, or interpretation, the Planning Board shall have all the powers of the officer from whom the appeal is taken.

Signatures Required:

Every applicant, and any duly authorized agent(s), must sign this application. If submitted by an agent on behalf of the applicant, this petition **MUST** be accompanied by a Limited Power of Attorney signed by the applicant and notarized, specifically authorizing the agent to act on the applicant's behalf. If signed on behalf of a business entity or homeowners association, the petition must include documentation of signatory authority. Failure of each applicant and their duly authorized agent(s) to sign, or failure to include documentation of the authority of the agent(s) and/or business entity signatory, will result in an INVALID APPLICATION. **If additional space is needed for signatures, attach the Town of Huntersville Signature Addendum Form.**

Separate Applications:

A single application, with required signatures, may be submitted by the owners of jointly owned property (i.e. property owned by a married couple or a trust).

A single application, with required signatures and documentation of signatory authority, may be filed on behalf of a business entity, homeowner's association, or condo owner's association.

Separate applications are required in all other instances.

In the following space, indicate the FACTS or evidence that demonstrates to the Planning Board that should lead the Board to conclude the decision of the Planning Director or designated Administrator was in error.

Applicant

Printed Name of Applicant _____

☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____

Phone of Applicant _____

Applicant Email _____

Address of Applicant _____

Printed Name of Applicant's Legal Representative, if applicable: _____

Phone of Legal Representative: _____

Legal Representative Email: _____

☐ By signature below, I hereby acknowledge, as/on behalf of (circle one) the applicant my understanding this application will be considered in a quasi-judicial proceeding and that neither I, nor anyone on my behalf, may contact the Board of Commissioners except through sworn testimony at the public hearing. (Applicable if box is checked) Appellant hereby grants permission to the Town of Huntersville personnel to enter the appellant's property for any purpose required in processing this Notice of Appeal upon mutual coordination of such site visits at times agreed to by all parties.

Signature of Applicant: _____ Date _____

Signature of Legal Representative: _____ Date _____

Title: _____

Property Owner (if different than applicant)

Printed Name of Property Owner _____

☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____

Phone of Property Owner _____ Email of Property Owner _____

Address of Property Owner _____

☐ By signature below, I hereby acknowledge, as/on behalf of (circle one) the applicant my understanding this application will be considered in a quasi-judicial proceeding and that neither I, nor anyone on my behalf, may contact the Board of Commissioners except through sworn testimony at the public hearing. (Applicable if box is checked) Appellant hereby grants permission to the Town of Huntersville personnel to enter the appellant's property for any purpose required in processing this Notice of Appeal upon mutual coordination of such site visits at times agreed to by all parties.

Signature of Applicant: _____ Date _____

Printed Name of Property Owner's Legal Representative, if applicable: _____

Phone of Legal Representative: _____ Legal Representative Email: _____

Title: _____

Contact Information

Town of Huntersville	Phone:	704-875-7000
Planning Department	Fax:	704-875-6546
PO Box 664	Physical Address:	105 Gilead Road, Third Floor, Huntersville, NC 28078
Huntersville, NC 28070	Website:	https://www.huntersville.org/planning