



**ZONING APPEAL APPLICATION  
BOARD OF ADJUSTMENT  
TOWN OF NAGS HEAD, NORTH CAROLINA**

Application No. \_\_\_\_\_ Date \_\_\_\_\_

Application Fee \$300.00 Receipt No. \_\_\_\_\_

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THE BOARD OF ADJUSTMENT MAY HEAR AND DECIDE APPEALS WHERE IT IS ALLEGED THERE IS AN ERROR IN ANY ORDER, REQUIREMENT, DECISION OR DETERMINATION MADE BY AN ADMINISTRATIVE OFFICIAL IN THE ENFORCEMENT OF THE UNIFIED DEVELOPMENT ORDINANCE. THE BOARD ALSO HAS THE AUTHORITY TO INTERPRET THE ZONING MAP AND DECIDE QUESTIONS ON LOT LINES AND DISTRICT BOUNDARY LINES. ADDITIONAL PAGES MAY BE ATTACHED TO ANSWER ANY QUESTIONS IN THE APPLICATION OR TO PROVIDE ANY SUPPLEMENTAL INFORMATION.

Application Request: Appeal of Administrative Decision \_\_\_\_  
Interpretation of Zoning Map \_\_\_\_

1. Applicant Name \_\_\_\_\_

Mailing Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Telephone \_\_\_\_\_

2. Property Owner Name (If different from Applicant) \_\_\_\_\_

Mailing Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Telephone \_\_\_\_\_

3. Property (If decision being appealed is specific to a particular property):

Street Address \_\_\_\_\_

Tax Parcel Identification Number \_\_\_\_\_

Subdivision Name \_\_\_\_\_ Section# \_\_\_\_\_ Lot# \_\_\_\_\_

Zoning District Classification \_\_\_\_\_

Current Use of Property \_\_\_\_\_



8. If you are not the property owner, or if the decision was not issued to you, explain how you are a person aggrieved by the decision.

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9. If appeal is property specific list the names and addresses of all abutting property owners and the owners of property immediately across the street from the property affected. The list shall be current according to the most recent tax listing abstract as filed in the office of the Dare County Tax Supervisor.

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10. Are any attachments being submitted with this application? Yes \_\_\_ No \_\_\_  
If yes, please identify attachments and number of pages.

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### **FILING OF APPLICATION**

Variance and appeal applications are filed with the Nags Head Department of Planning & Development located at the Town of Nags Municipal Complex, 5401 South Croatan Highway, Nags Head, NC. Applications may be filed in person at the Department Monday through Friday during normal office hours or may be mailed to the Department at PO Box 99, Nags Head, NC 27959. Appeal applications must be filed with both the Board **and** the administrative officer from whom the appeal is taken within **30 days** of the date of the decision being appealed. Appeal applications not in the physical possession of the Board and the administrative officer at their offices at the Department of Planning & Development within the prescribed 30 day deadline, for any reason, will be deemed late. In order for an application to be considered complete all questions and information requested in the application must be answered and provided. Applications must have original notarized signatures of the applicant and must be accompanied by the required application fee. Applications found to be incomplete will not be accepted and will be returned to the applicant.

### **SCHEDULING OF APPLICATION**

Applications submitted by the monthly filing deadline will be placed on the following month's Board agenda. The monthly filing deadline and Board meeting dates for the year are listed in the "Planning and Development Submittal Dates" published annually. You may view these dates on-line at [www.nagsheadnc.gov](http://www.nagsheadnc.gov) or receive a copy by contacting the Department at (252) 441-7016.

### **HEARING OF APPLICATION**

The Board of Adjustment is a quasi-judicial body consisting of five members. The Board's regular meeting date is the second Thursday of each month at 9:00 a.m. Their meeting is held in the Board Room located at the Town of Nags Head Municipal Complex. At the meeting the Board will hear testimony and receive evidence from the applicant, town staff and other interested parties. Board members cannot discuss any case with any interested parties or persons prior to the public hearing of the case. Any person who testifies at the hearing must be sworn in and any written or physical evidence presented to the Board will be retained by the Board.

### **BOARD DECISION**

An affirmative 4/5 majority vote of the Board is required to grant a variance or appeal. Shortly after the meeting an Order will be prepared and signed by the Board Chairman stating the Board's decision and findings. This Order will be filed with the Town Clerk and delivered to the applicant by registered mail. Decisions of the Board may be appealed by any aggrieved party to Superior Court within 30 days from the filing of the Board's Order.

### **ADDITIONAL INFORMATION**

Persons seeking additional information or assistance concerning variances or appeal applications should contact the Zoning Administrator at the Nags Head Department of Planning & Development at (252)441-7016.

