

Step  
1

## • Decision of Zoning Enforcement Officer

- The Board of Adjustment shall hear and decide appeals from decisions of the zoning enforcement officer charged with the interpretation and enforcement of the Zoning Ordinance or any other ordinance that regulates land use or development. The Zoning Enforcement Officer will issue a written interpretation on the matter in question which will be sent to the property owner and/or complainant if different. The Board of Adjustment is referenced in County code beginning 155.230 and North Carolina General Statute 160A-388.

Step  
2

## • Appeal Submitted

- Any person with standing as outlined in G.S. 160A-393(d) may submit a notice of appeal with the county clerk stating their grounds for the appeal of the Zoning Enforcement Officer's decision/interpretation. The appeal will be placed on the next available Board of Adjustment's agenda. All written appeals must be submitted to the county clerk within 30 days of the written interpretation by the Zoning Enforcement Officer.

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## • Quasi-Judicial Hearing Notification

- Prior to the hearing, staff will mail letters to all adjoining property owners, post a sign on the site of the appeal, and advertise the hearing in the Davie County Enterprise newspaper. The hearing will be posted on the Davie County meeting portal website. A copy of the Record will be submitted to the appellant and property owner if different

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## • Quasi-Judicial Hearing & Board of Adjustment Action

- At the hearing, staff introduces the appeal and the Zoning Enforcement Officer is present. The Board opens the hearing and receives testimony and evidence from the appellant and anyone in favor or opposition to the appeal. All persons speaking at the hearing are required to be sworn in by the Board Chairman and testimony given should be based on factual evidence rather than opinion. Speakers are subject to cross examination. The Board may reverse or affirm, wholly or partly, or may modify the decision appealed from and shall make any order, requirement, decision, or determination that ought to be made. The board shall have all the powers of the official who made the decision.

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## • Order & Appeal Window

- Following the hearing, the Board attorney and Chairman will produce in writing the official Order of the Board. Once this has been delivered to the appellant, the timeframe for appeal begins. Any parties with standing that are dissatisfied by the decision of the Board may appeal the ruling to the Superior Court of Davie County within 30 days of the Order date.