

Application No. _____

**CITY OF WILMINGTON
STATE OF NORTH CAROLINA**

**APPLICATION FOR APPEAL FROM AN ACTION OF THE
WILMINGTON SUBDIVISION REVIEW BOARD**

An appeal from the Subdivision Review Board's decision can be made to the City of Wilmington Planning Commission in accordance with Sec. 18-74 of the Wilmington City Code, Chapter 18, Land Development Code. Any appeal must be filed with the secretary of the Planning Commission no later than twenty (20) days after the date of the action by the Subdivision Review Board. The party or parties appealing shall be entitled to de novo hearing before the Planning Commission.

TO THE PLANNING COMMISSION:

I, _____, hereby appeal to the Planning Commission the following adverse decision of the Wilmington Subdivision Review Board: (State the decision)

This adverse decision was made with respect to property located at:

Also known as Tax Parcel No. _____

STATEMENT BY THE APPELLANT: In the space below or on a separate sheet of paper, present your reasons for believing the Wilmington Subdivision Review Board should not have approved/denied the above referenced preliminary plan.

STATEMENT OF STANDING: Decisions of the Subdivision Review Board may be appealed by the following persons:

- City Council and/or Planning Commission
- The subdivider
- Any aggrieved party with standing
- Persons who, upon request to the Planning Commission, receive a favorable majority vote as to the question of their proven significant interest in the matter.

In the space below or on a separate sheet of paper state how you qualify, based on the above list, to appeal the Subdivision Review Board's decision. In regards to legal standing, the burden of proof is on the applicant to demonstrate standing by clear and convincing evidence. If the Planning Commission, on hearing the evidence regarding the applicant's standing, dismisses the appeal for lack of standing, the Commission's action shall constitute a final order disposing of the appeal.

PLEASE INCLUDE ALL OF THE FOLLOWING (CHECK OFF). Please check the list below carefully before you submit:

- FILING FEE FOR APPEALING SUBDIVISION REVIEW BOARD DECISION.**
- Checks may be made out to the City of Wilmington.
- Payments may be made by cash or check
- THIS APPLICATION FORM** completed and signed by the appellant.
- ONE SET OF BUSINESS-SIZED ENVELOPES** pre-addressed to the property owners adjacent to the subject property with the Planning Division's return address. All envelopes must have postage and metered postage must be *undated*. The Department account number, 2670-419, must be shown just below the return address. This will assure any returned letters will come to this Department. Pursuant to G.S. Chapter 160A, Article 19.

I certify that all of the information presented by me in this Application is true and correct to the best of my knowledge, information, and belief.

Date Signature of Applicant

Mailing address: _____

Telephone number: _____

E-mail address: _____