

Board of Adjustment

The North Carolina General Statutes, at 160A-381, authorizes municipalities to adopt zoning regulations and to appoint a Board of Adjustment to provide an appeal process for individual landowners when those zoning provisions create unique land use hardships, are ambiguous, or where there are questions on how those zoning regulations may be applied.

Responsibilities: The Board of Adjustment has specific duties as outlined by state statute, which include:

1. Hear and decide applications for variances from the Town of Pineville Zoning Ordinance.
2. Hear and decide appeals from and review any order, requirement, decision, or determination made by an administrative official charged with the enforcement of the Town of Pineville Zoning Ordinance.
3. Hear questions about and interpret the meaning of parts of the Town of Pineville Zoning Ordinance that are unclear and interpret.

Special note: Unlike other citizen volunteer boards/committees appointed by the Town of Pineville Town Council, the Board of Adjustment holds public hearings, takes sworn testimony, acts in a quasi-judicial manner, and makes final decisions that are appealable only to Superior Court. This Board does not generally report back to or make recommendations to the Town of Pineville Town Council. Due the legal nature of the Board's work, the Town provides an attorney to assist the group during their meetings.

Composition: The Board of Adjustment consists of five regular or voting members and three alternate members. Votes on all cases before the Board of Adjustment require a four-fifths majority. The Board of Adjustment elects a Chair and a Vice-Chair from the regular members at their first meeting of each calendar year.

Pineville Residency Required: Yes

Meetings: The Board of Adjustment holds public hearings on the first Thursday of the month, when they have a case. Meetings are held in the Council Chambers at Pineville Town Hall at 7:00 p.m. Special meetings may be scheduled as necessary. All meetings are open to the public.

Appointment term: All regular and alternate members are appointed by the Town of Pineville Town Council for three-year terms. They may be reappointed for a second three-year term. Any vacant position is filled for the remainder of the unexpired term. Alternate members are generally moved into a regular member position as they become available.

Attendance: The Board's Rules of Procedure state all regular and alternate members should attend all meetings.

Please contact Lisa Snyder, Town Clerk, for more information and to obtain an application.