

APPENDIX C BOARD OF ZONING APPEALS PETITION FORMS

GUIDELINES (adopted 2/11/2014)

Property owners must present a signed petition and necessary attachments, requested supplement, amendment or change to the Ordinance to the Raleigh County Planning and Zoning Commission.

Within sixty (60) days after receiving the petition the Board of Zoning Appeals shall hold a public hearing. The Board of Zoning Appeals shall require the petitioner to give notice of a public hearing a minimum of fifteen (15) days prior to the hearing date by placing a Class I legal advertisement in the "general circulation" newspaper **and** serve notice by sending notification by certified mail to adjacent property owners at least fifteen (15) days prior to the hearing date.

The petitioner(s) must appear at the hearing either in person or by representative.

After the public hearing, the decision of the Board of Zoning Appeals findings will be conveyed to the petitioner.

The following items are required to constitute a complete petition:

1. Petition, with filing fee of \$60.00 (FORM BZA-1)
2. Copy of Deed of Petition area.
3. Parcel Plan Map (FORM BZA-2).
4. Listing of adjacent property owners (FORM BZA-3).
5. Legal advertisement (FORM BZA-4).
6. Description and Plan of proposed use of property (FORM BZA-5).
7. Appropriate Certificates of Approval (See FORM Z-6).
8. Deed Examination that property is not restricted for proposed use.

CHECKLIST FOR ZONING AMENDMENT

- _____ Petition, with Filing Fee of \$60.00 (FORM BZA-1)
- _____ Copy of Deed of Petition Area
- _____ Parcel Plan Map (FORM BZA-2)
- _____ Listing of Adjacent Property Owners (FORM BZA-3)
- _____ Legal Advertisement Notification (FORM BZA-4)
- _____ Description and Plan of Proposed Use (FORM BZA-5)
- _____ Certificates of Approval (FORM BZA-6)
- _____ Deed Examination

(FORM BZA-1) PETITION FOR BOARD OF ZONING APPEALS HEARING

Petition Fee \$ 60.00

DATE: _____

PROPERTY OWNER: _____

ADDRESS: _____

AGENT (if applicable): _____ Telephone _____

AGENT'S ADDRESS: _____

PROPERTY ADDRESS AND LOCATION: _____

PROPERTY TAX ID: District _____; Map _____; Parcel _____

Copy of deed or description of property must accompany this application.

PROPOSED USE OF PROPERTY: _____

I certify that the information supplied on this petition and other information provided is accurate and true to the best of my knowledge.

SIGNATURE OF OWNER: _____

SIGNATURE OF AGENT (if applicable): _____

Taken, subscribed and sworn to before the undersigned authority this the _____ day of _____, 20____.

My commission expires: _____

Notary Public _____

(FORM BZA-2) PARCEL PLAN MAP REQUIREMENTS

The petition shall be accompanied by a parcel plan map, clearly showing the following:

- A. The boundaries and dimensions of the property, along with a metes and bounds description. If boundaries are from courthouse records and not by actual survey, a note stating, "This is not a Land Survey" is to be shown on the map.
- B. All adjacent property owners of the area of the Conditional Use Petition. A separate site plan may be submitted with the parcel plan. Adjacent owners shown must comply with Form BZA-3.
- C. Existing and proposed structures.
- D. Deed or legal description with source of title and Tax Map location of area to be rezoned.
- E. Location of access road(s), parking area, signs, etc. with size and type of cover material.
- F. Title Block, Date and Scale.
- G. Buffer zones, if applicable.
- H. Flood plain designation.
- I. Where the proposed property lies partially or completely in the flood plain areas, the plan map shall include detailed information giving the location and elevation of proposed roads, public utilities and building sites.

(FORM BZA-4)

RALEIGH COUNTY BOARD OF ZONING APPEALS
NOTICE OF PUBLIC HEARING

Notice is hereby given that on the _____ day of _____
In the County Commission Courtroom, 116 1/2 North Heber Street,
Beckley, West Virginia at 5:00 p.m., the Board of Zoning Appeals
of Raleigh County, West Virginia will hold a public hearing upon
the application of _____
for the purpose of _____

The present zoning of the property to be affected is
_____ and the proposed zoning is to be _____.
The property to be affected contains _____ acres and the
physical location of the property is _____.

Any person wishing to be heard concerning this matter should be
present at the time and place indicated above. Written comments
concerning this matter received by _____ will be
considered.

Written comments should be sent to: Raleigh County Planning and
Zoning Commission, 116 1/2 North Heber Street, Beckley, West
Virginia 25801. A copy of the application for public review is
on file in the office of the County Commission at the address
listed above.

(FORM BZA-5) DESCRIPTION OF PROPOSED USE OF PROPERTY

In narrative form below, precisely describe the proposed use of the property covered by this petition request. Unless otherwise requested and approval given in writing, rezoning approval of this petition will allow for only that use described below. Any change of use, without prior approval from the board, would constitute a violation of this petition. Failure to comply fully with this section will result in enforcement action being taken to the extent allowed by applicable laws of the State of West Virginia.

Narrative Description

(FORM BZA-6) APPROPRIATE CERTIFICATES

- A. Appropriate certificates of approval (entrance permits) from the West Virginia Department of Highways.
- B. Appropriate certificates of approval from State and/or local health authorities concerning water/sewer systems.
- C. Appropriate agreements between the Utility Provider and the developer that services are available.
- D. Appropriate certificates of approval from the State Division of Natural Resources, if applicable.
- E. Letter from Emergency Operations Center that compliance with Street Naming and Physical Addressing is met.
- F. Certification from Attorney that the property is not restricted for the proposed use.