



# JEFFERSON COUNTY, WEST VIRGINIA

Department of Engineering, Planning, and Zoning

Office of Planning and Zoning

116 East Washington Street, 2<sup>nd</sup> Floor, P.O. Box 716

Charles Town, WV 25414

[www.jeffersoncountywv.org](http://www.jeffersoncountywv.org)

Email: [planningdepartment@jeffersoncountywv.org](mailto:planningdepartment@jeffersoncountywv.org)  
[zoning@jeffersoncountywv.org](mailto:zoning@jeffersoncountywv.org)

Phone: (304) 728-3228  
Fax: (304) 728-8126

## **BOARD OF ZONING APPEALS – VARIANCE REQUEST INSTRUCTIONS**

Thank you for the opportunity to assist with your inquiry regarding Board of Zoning Appeals Variance Requests. Please be advised that the following information must be submitted by a pre-determined cut-off date that directly relates to each individual monthly meeting. (Please contact the Office of Planning and Zoning for applicable cut-off dates.)

1. Original Variance Request Form – completed on both sides – dated and signed. (\*Additional attachments may be included if necessary.)
2. Original sketch of the requested project, on a separate sheet of paper (8 ½” x 11”) – dated and signed. (Per Variance Request form instructions).
3. A check in the amount of One Hundred Dollars (\$100) written to the Jefferson County Commission or One Hundred-Fifty Dollars (\$150) if application project has commenced or is complete.

Upon receipt in our office of the referenced information, your submission will be processed as follows:

1. Staff will review the submission for accuracy and completeness. You may be contacted to correct the application or to provide supplemental information.
2. The second Monday following your submission you will be provided a placard to be posted on your property 15 days prior to your hearing.
3. The second Wednesday following submission your request will be published in the “Spirit of Jefferson County” newspaper.
4. A site inspection will be performed by Staff to confirm placement of the placard. Photos of the subject property may be taken for the Board of Zoning Appeals’ staff report.
5. On the day of the meeting, you (or a Representative on your behalf) will be asked to speak and answer questions by the Board about your Request. The Board of Zoning Appeals Members will then deliberate and make a final determination regarding your matter. All decisions are effective immediately, unless otherwise stated. If an approval is granted, you may apply for a Building Permit, where applicable.

Should you have additional questions, please contact our office.



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File Number: \_\_\_\_\_  
Staff Initials: \_\_\_\_\_  
Meeting Date: \_\_\_\_\_  
Fees Paid (\$100 or \$150): \_\_\_\_\_

Email: zoning@jeffersoncountywv.org

Phone: (304) 728-3228

**Zoning Variance Request**

*Variances from the Zoning and Land Development Ordinance must comply with Article 8A-7-11 of the WV State Code. A variance is a deviation from the minimum standards of the ordinance and shall not involve permitting land uses that are otherwise prohibited in the zoning district, nor shall it involve changing the zoning classification of a parcel of land.*

**Property Owner Information**

Name: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

**Applicant Contact Information**

Name: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

**Applicant Registered Engineer(s), Surveyor(s), or Consultant(s)**

Name: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

**Physical Property Details**

Physical Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
Tax District: \_\_\_\_\_ Map No: \_\_\_\_\_ Parcel No: \_\_\_\_\_  
Parcel Size: \_\_\_\_\_ Deed Book: \_\_\_\_\_ Page No: \_\_\_\_\_

**Zoning District (please check one)**

Residential Growth (RG)	Industrial Commercial (IC)	Rural (R)	Residential- Light Industrial- Commercial (R-LI-C)	Village (V)	Neighborhood Commercial (NC)	General Commercial (GC)	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
			Highway Commercial (HC)	Light Industrial (LI)	Major Industrial (MI)	Planned Neighborhood Development (PND)	Office/Commercial Mixed-Use (OC)
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Place Received Date Stamp Here

On a separate sheet of paper, provide a sketch showing the shape and location of the lot indicating all roads, rights of way, and easements. Show the location of the intended construction or land use indicating building setbacks (i.e. the distance of the structure from all property lines), size, and height. Identify all existing buildings, structures, or land uses on the property. The sketch should show the full extent of the property. Sign and date the sketch.

Is there a Code Enforcement action pending in relation to this property? Yes ☐ No ☐

Reference the section of the Zoning Ordinance pertaining to this request: \_\_\_\_\_

Briefly describe the nature of the variance request:

\_\_\_\_\_

If this request is for a setback variance, please check one of the following:

Front Setback ☐ Side Setback ☐ Rear Setback ☐ Reduction From \_\_\_\_\_ to \_\_\_\_\_

Please explain why granting the variance will NOT adversely affect the public health, safety or welfare, or the rights of adjacent property owners or residents:

\_\_\_\_\_

In what way does this request arise from special conditions or attributes which pertain to the property for which a variance is sought and which were not created by the person seeking the variance?

\_\_\_\_\_

How will granting this variance eliminate an unnecessary hardship and permit a reasonable use of the land?

\_\_\_\_\_

How will granting this variance allow the intent of the Zoning Ordinance to be observed and substantial justice to be done?

\_\_\_\_\_

Original signature is required. If additional signatures are necessary, please attach a separate piece of paper.

By signing this application, I give permission for the Office of Planning and Zoning staff to walk onto the subject property, if necessary, in order to take photos for the Board of Zoning Appeals staff reports. The information given is correct to the best of my knowledge.

\_\_\_\_\_  
Signature of Property Owner                      Date

\_\_\_\_\_  
Signature of Property Owner                      Date

Notification Requirements (to be completed by staff)

Notice of a public hearing for an appeal shall be advertised in a newspaper having general circulation in the County at least 15 days before the hearing. The subject property shall be posted conspicuously by a zoning notice no less than 28" x 22" in size, at least 15 days before the hearing (pursuant to the Zoning and Land Development Ordinance Section 6.1B).

\_\_\_\_\_  
Date of Public Hearing

\_\_\_\_\_  
Advertising Date

\_\_\_\_\_  
Placard Posting Date

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File Number: \_\_\_\_\_

I authorize Planning and Zoning staff to make necessary revisions to the enclosed submission, if required for processing. I understand that said revisions will be discussed with me prior to content modification.

Applicant PRINTED Name: \_\_\_\_\_

Applicant Signature: \_\_\_\_\_

Contact Number: \_\_\_\_\_

Date: \_\_\_\_\_