



City of Morgantown, West Virginia

**APPLICATION FOR  
VARIANCE PETITION**

OFFICE USE	
CASE NO.	
RECEIVED:	

(PLEASE TYPE OR PRINT IN BLACK INK)

Fee: \$75

<b>I. APPLICANT</b>		Name:			
Mailing Address:	Street			Phone:	
	City State Zip			Mobile:	
				Email:	
<b>II. PROPERTY</b>		Street Address:			
Owner:				Zoning:	
Mailing Address:	Street			Tax Map No:	
	City State Zip			Parcel No:	
				Phone:	
<b>III. NARRATIVE</b>		Please describe the nature and extent of your variance request(s).			
<b>V. ATTEST</b>					
<p>I hereby certify that I am the owner of record of the named property, or that this application is authorized by the owner of record and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. The granting of a variance does not presume to give authority to violate or cancel the provisions of any other federal, state, or local law regulating construction or the performance of construction. I certify that the information submitted herein and attached hereto is true and accurate and understand that if found otherwise may result in the denial of this request or subsequent revocation of any and all related approvals. The undersigned has the power to authorize and does hereby authorize City of Morgantown representatives on official business to enter the subject property as necessary to process the application and enforce related approvals and conditions. I hereby authorize the Development Services Department to erect a notification sign on the subject property approximately 15 days prior to the BZA hearing. I further agree to maintain said signage and hereby accept responsibility in case of destruction or removal.</p>					
Type/Print Name of Applicant/Agent		Signature of Applicant/Agent		Date	

**You or a representative MUST be present at the scheduled hearing to present the request and answer questions. Failure to appear at the hearing will result in your request being tabled.**



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## VI. SUPPLEMENTAL INFORMATION

Depending on the type of variance request and the scale and scope of the development proposal, supplemental information may be needed to assist the Board of Zoning Appeals in rendering a variance decision. *Staff will check the appropriate boxes below that must be addressed.*

- Land Use Characteristics** (complete only those that apply)
- Residential       Single-Family Dwelling       Townhouse Dwelling  
 Two-Family Dwelling       Multi-Family Dwelling
- Non-Residential or Mixed (*please explain*)

- Structure Characteristics** (complete only those that apply)
- Total number of buildings: \_\_\_\_\_ Gross floor area of each building: \_\_\_\_\_
- Estimated number of employees: \_\_\_\_\_ No. of dwelling units: \_\_\_\_\_ No. of bedrooms: \_\_\_\_\_
- Additional structure-related details:

- Additional Information** (as required by Staff):

- Site Plan.** A scaled site plan may be required to assist the Board in rendering a variance decision. The following features must be represented, as required by Staff.
- Location, shape, exterior dimensions, and number of stories of each building on the site.
  - Standard yard setbacks for the applicable zoning district
  - Location, grade, and dimensions of paved surfaces, and all abutting streets
  - Existing and proposed contours, at an interval of at least two (2) feet
  - Complete traffic circulation plan showing dimensions, entrance/exit drives, planters, and similar improvements
  - Location of landscaped areas (to be detailed on landscape plan), fences, walls, and other screen required



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<b>VII. FINDINGS OF FACT</b>	<b>COMPLETE THE FOLLOWING STATEMENTS IN THIRD PERSON.</b>
<p>The Board of Zoning Appeals may grant a variance request only if each of the following "Findings of Fact" criteria is determined to be in the positive. Applicants must give their own responses to the following criteria statements.</p>	
<p><b>1. The variance will not adversely affect the public health, safety or welfare, or the rights of adjacent property owners or residents, because:</b></p>	
<p><b>2. The variance arises 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, because:</b></p>	



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<b>VII. FINDINGS OF FACT</b>	<b>COMPLETE THE FOLLOWING STATEMENTS IN THIRD PERSON.</b>
	<p><b>3. The variance will eliminate an unnecessary hardship and permit a reasonable use of the land, because:</b></p>
	<p><b>4. The variance will allow the intent of the zoning ordinance to be observed and substantial justice done, because:</b></p>