

**TOWN OF CHINCOTEAGUE
BOARD OF ZONING APPEALS APPLICATION**

APPEAL CASE NUMBER: _____

FEE: \$ 450.00

APPLICANT/APPELLANT NAME: _____

ADDRESS: _____

PHONE NUMBER _____ **E-MAIL** _____

OWNER/APPELLANT SIGNATURE: _____ **DATE** _____

ADDRESS OF PROPERTY: _____

TAX MAP#: _____ **PARCEL#** _____ **LOT SIZE:** _____

ZONING DESIGNATION: _____ **DATE ACQUIRED:** _____

THE APPLICANT/APPELLANT REQUEST THAT A HEARING BE CONDUCTED BEFORE THE BOARD OF ZONING APPEALS FOR THE FOLLOWING PURPOSE:

- VARIANCE FROM ZONING REGULATIONS**
- APPEAL FROM A DECISION OF THE ZONING ADMINISTRATOR**
- INTERPRETATION OF THE ZONING DISTRICT BOUNDARIES**
- APPEAL OF A ZONING VIOLATION NOTICE**
- SPECIAL EXCEPTION**
- APPEAL FROM ANY ORDER, REQUIREMENT, DECISION, OR DETERMINATION MADE BY ANY OTHER ADMINISTRATIVE OFFICIAL**
- REVOCATION OF SPECIAL EXCEPTION, OR OTHER REQUESTED ACTION.**
- APPEAL FROM FLOOD PLAIN ORDINANCE**

SECTIONS OF ZONING ORDINANCE UNDER APPEAL:

PLEASE PROVIDE RESPONSES AND EXPLANATIONS WHERE APPLICABLE TO THE FOLLOWING:

- 1. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, GENERAL OR SPECIAL, A VARIANCE SHALL BE GRANTED IF THE EVIDENCE SHOWS THAT THE STRICT APPLICATION OF THE TERMS OF THE ORDINANCE WOULD UNREASONABLY RESTRICT THE UTILIZATION OF THE PROPERTY OR THAT THE GRANTING OF THE VARIANCE WOULD ALLEVIATE A HARDSHIP DUE TO A PHYSICAL CONDITION RELATING TO THE PROPERTY OR IMPROVEMENTS THEREON AT THE TIME OF THE EFFECTIVE DATE OF THE ZONING ORDINANCE, AND (I) THE PROPERTY INTEREST FOR WHICH THE VARIANCE IS BEING REQUESTED WAS ACQUIRED IN GOOD FAITH AND ANY HARDSHIP WAS NOT CREATED BY THE APPLICANT FOR THE VARIANCE.**

YES NO

EXPLANATION: _____

- 2. THE GRANTING OF THE VARIANCE WILL NOT BE OF SUBSTANTIAL DETRIMENT TO ADJACENT PROPERTY AND NEARBY PROPERTIES IN THE PROXIMITY OF THAT GEOGRAPHICAL AREA.**

YES NO

EXPLANATION: _____

- 3. THE CONDITION OR SITUATION OF THE PROPERTY CONCERNED IS NOT OF SO GENERAL OR RECURRING A NATURE AS TO MAKE REASONABLY PRACTICABLE THE FORMULATION OF A GENERAL REGULATION TO BE ADOPTED AS AN AMENDMENT TO THE ORDINANCE.**

YES NO

EXPLANATION: _____

4. THE GRANTING OF THE VARIANCE DOES NOT RESULT IN A USE THAT IS NOT OTHERWISE PERMITTED ON SUCH PROPERTY OR A CHANGE IN THE ZONING CLASSIFICATION OF THE PROPERTY.

YES NO

EXPLANATION: _____

5. THE RELIEF OR REMEDY SOUGHT BY THE VARIANCE APPLICATION IS NOT AVAILABLE THROUGH A SPECIAL EXCEPTION PROCESS THAT IS AUTHORIZED IN THE ORDINANCE PURSUANT TO SUBDIVISION 6 OF §15.2-2309 OR THE PROCESS OF MODIFICATION OF A ZONING ORDINANCE PURSUANT TO SUBDIVISION A4 OF §15.2-2286 AT THE TIME OF THE FILING OF THE VARIANCE APPLICATION.

YES NO

EXPLANATION: _____

6. IS THE PROPERTY SUBJECT TO ANY LEGAL ACTION INCLUDING BUILDING CODE VIOLATIONS, ZONING CODE VIOLATIONA OR ANY PENDING COURT ORDER?

YES NO

EXPLANATION: _____

7. IF THE OWNER OF THE PROPERTY ELECTS REPRESENTATION BEFORE THE BOARD BY LEGAL COUNSEL, AGENT OR OTHERS ACTING ON BEHALF OF THE OWNER, THE FOLLOWING INFORMATION MUST BE PROVIDED:

REPRESENTATIVE'S NAME: _____

REPRESENTATIVE'S ADDRESS: _____

REPRESENTATIVE'S PHONE NUMBER: _____

REPRESENTATIVE'S EMAIL: _____

8. ATTACH ANY APPLICABLE SITE PLANS, BUILDING ELEVATIONS, GRADING PLANS, SEWERAGE LOCATIONS OR OTHER INFORMATION THAT MAY ASSIST THE BOARD IN THEIR CONSIDERATION OF THE MATTER.

OFFICIAL USE ONLY

DATE: _____

APPEAL # _____

MOTION ON APPEAL: _____

APPROVED

DENIED

CONDITIONALLY APPROVED;

FOR :

JESSIE SPEIDEL DONNIE THORNTON ROBERT CHERRIX

MIKE MCGEE JACK GILLISS CHUCK WARD DAVID LANDSBERGER

AGAINST:

JESSIE SPEIDEL DONNIE THORNTON ROBERT CHERRIX

MIKE MCGEE JACK GILLISS CHUCK WARD DAVID LANDSBERGER