



# Board of Appeals Hearing Request

104 N King St  
PO Box 248 (for mailing)  
Shepherdstown, WV 25443

Application # \_\_\_\_\_

To be completed by applicant or their legal agent. Town staff and Board of Appeals members cannot give advice on the substance of your appeal. Only aggrieved persons may file an appeal. [Please reference Title 9, Section-1006.](#)

Property address for which appeal is being made: \_\_\_\_\_

Applicant's name: \_\_\_\_\_

Mailing address: \_\_\_\_\_

\_\_\_\_\_

City

State

Zip

Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

Owner's name: \_\_\_\_\_

*(if not the Applicant)*

Mailing address: \_\_\_\_\_

*(if not the Applicant)*

\_\_\_\_\_

City

State

Zip

Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

*(if not the Applicant)*

State your request with specifics:

### Type of appeal:

*(Please indicate)*

- \_\_\_\_\_ Variance
- \_\_\_\_\_ Continuation of non-conforming use
- \_\_\_\_\_ Special Exception
- \_\_\_\_\_ Decision of Planning Commission

### Aggrieved person status:

*(Please indicate)*

- \_\_\_\_\_ A person who has been denied by the Planning Commission in whole or in part, the relief sought in any application or appeal
- \_\_\_\_\_ A person who will suffer peculiar injury, prejudice or inconvenience beyond that which other residents of the municipality may suffer

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

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

(Applicant)

Print Name: \_\_\_\_\_

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

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

(Owner)

Print Name: \_\_\_\_\_



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## Definitions

### **Variance**

The Planning Commission correctly applied the ordinance requirements to your request; however, you request a variance from the requirements of the ordinances.

### **Special Exception**

The Planning Commission correctly applied the ordinance requirements to your request; however, the ordinance allows for a special exception in R-1 and R-2 districts. They are listed in Section 9-505 of the Planning and Zoning Ordinance.

### **Continuation of non-conforming use**

Any lawful use of land or structures existing at the time of the adoption of Planning and Zoning Ordinance or subsequent amendment to the ordinances may be continued with limitations.

### **Appeal of decision of the Planning Commission**

You disagree with the Planning Commission's decision. You feel the Planning Commission erred in applying the ordinance to your requests.

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For Office Use:

Zoning Officer Comments:

Bond Paid

Date Paid