



Planning & Zoning Department  
200 Jackson St., Fairmont WV 26554  
Phone (304) 366-6211, Ext 333  
Fax (304) 366-0228  
planning@fairmontwv.gov

**APPLICATION FORM  
BOARD OF ZONING APPEALS—VARIANCE**

<i>Office Use</i>		
Application No. _____	Review Fee _____	Hearing Date _____
Date Received _____	Receipt No. _____	Complete _____

**I. APPLICANT**

APPLICANT'S NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

PHONE \_\_\_\_\_ FAX \_\_\_\_\_

**II. PROPERTY INFORMATION**

PROPERTY ADDRESS \_\_\_\_\_

GENERAL LOCATION \_\_\_\_\_

LEGAL DESCRIPTION  ATTACHED  ON PLAT

PROPERTY TAX MAP AND PARCEL NO. \_\_\_\_\_

**III. NARRATIVE—Please describe the nature and extent of your variance request(s).**

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**IV. ATTEST**

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 the 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 Fairmont representatives on official business to enter the subject property as necessary to process the application and enforce related approvals and conditions.

\_\_\_\_\_  
SIGNATURE OF APPLICANT/AGENT (Print/type name of applicant/agent)

\*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 requested 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)

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**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:

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

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**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.

**For simple Variance requests (as determined by Staff), please use the graph area on the following page to illustrate applicable features listed above.**





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**VII. Findings of Fact**

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.

**1. It will not adversely effect the public health, safety, welfare or the rights of adjacent property owners, residents or the neighborhood, because:**

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**2. It 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:**

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**3. It would eliminate an unnecessary hardship and permit a reasonable use of the land, because:**

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**4. It will allow the intent of the Zoning Ordinance to be observed and substantial justice done, because:**

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**5. It is the minimum variance that will accomplish this purpose, because:**

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\_\_\_\_\_  
SIGNATURE OF APPLICANT

\_\_\_\_\_  
SIGNATURE OF LEGAL OWNER

\_\_\_\_\_  
(Print/type name of applicant)

\_\_\_\_\_  
(Print/type name of legal owner)