APPENDIX C BOARD OF ZONING APPEALS PETITION FORMS (amended 6/2/2026)

GUIDELINES

Property owners must present a signed petition and necessary attachments, requested supplement, amendment or change to the Raleigh County Planning and Zoning Ordinance to the Board of Zoning Appeals.

Within sixty (60) days after receiving the petition the Board of Zoning Appeals shall hold a public hearing. The Board of Zoning Appeals shall require the petitioner to give notice of a public hearing a minimum of fifteen (15) days prior to the hearing date by placing a Class I legal advertisement in the "general circulation" newspaper **and** serve notice by sending notification by certified mail to adjacent property owners at least fifteen (15) days prior to the hearing date.

The petitioner(s) must appear at the hearing either in person or by representative.

After the public hearing, the decision of the Board of Zoning Appeals findings will be conveyed to the petitioner.

The following items are required to constitute a complete petition:

1. Petition, with filing fee of $100.00 (FORM BZA-1)
2. Copy of Deed of Petition area.
3. Parcel Plan Map (FORM BZA-2).
4. Listing of adjacent property owners (FORM BZA-3).
5. Legal advertisement (FORM BZA-4).
6. Description and Plan of proposed use of property (FORM BZA-5).
7. Appropriate Certificates of Approval (See FORM Z-6).
8. Deed Examination that property is not restricted for proposed use.

Criteria for Issuance of Conditional Use Permit or Variance.

Business:

1. Type of Business.
2. Hours of operation.
3. Adequate off-street parking.
4. Building size.
5. Number of employees.
6. Noise, fumes, odors or electrical interference causing a nuisance to a neighboring residence.
7. Increased traffic within the neighborhood.
8. Outside storage or placement of equipment, machinery or materials.

Mobile Homes:

Mobile Home - A transportable structure that is wholly, or in substantial part made, fabricated, formed, or assembled in manufacturing facilities for installation or assembly and installation on a housing site and designed for long-term residential use and built prior to the enactment of the federal manufacturing housing construction and safety standards institute (ANSI) - A119.1 standards for mobile homes. (37-15-2)

1. Types of residences in affected area (the general character of the neighborhood; would placement of manufactured home be conducive to the area).

2. Ownership of property (is it to be rented or owner-occupied).

3. Reasons for wanting placement of manufactured home (are there special circumstances or hardships involved).

4. Does the placement of manufactured home meet the requirements of the Raleigh County Zoning Ordinance.

Manufactured Home Park:

1. Manufactured Home Parks are not permitted in the Residential (R2) zone. Manufactured Home Parks are allowed in the Rural (R1) and Commercial (B1) zones after securing a Conditional Use Permit.

2. More than three (3) Manufactured Home on one tax parcel constitutes a Manufactured Home Park.

3. Application for Manufactured Home Park shall require a parcel plan of property showing proposed Home sites, all other buildings and structures; setbacks from adjacent properties and roadways.

CHECKLIST FOR ZONING AMENDMENT

_____ Petition, with Filing Fee of $100.00 (FORM BZA-1)
_____ Copy of Deed of Petition Area
_____ Parcel Plan Map (FORM BZA-2)
_____ Listing of Adjacent Property Owners (FORM BZA-3)
_____ Legal Advertisement Notification (FORM BZA-4)
_____ Description and Plan of Proposed Use (FORM BZA-5)
_____ Certificates of Approval (FORM BZA-6)
_____ Deed Examination

(FORM BZA-1) PETITION FOR BOARD OF ZONING APPEALS HEARING

Petition Fee $ 100.00

DATE: _____

PROPERTY OWNER: _____

ADDRESS: _____

AGENT (if applicable): _____ Telephone _____

AGENT'S ADDRESS: _____

PROPERTY ADDRESS AND LOCATION: _____

_____

PROPERTY TAX ID: District_____; Map_____; Parcel_____

Copy of deed or description of property must accompany this application.

PROPOSED USE OF PROPERTY: _____

_____

I certify that the information supplied on this petition and other information provided is accurate and true to the best of my knowledge.

PRINT NAME OF OWNER: _____

SIGNATURE OF OWNER: _____

PRINT NAME OF AGENT (if applicable): _____

SIGNATURE OF AGENT (if applicable): _____

Taken, subscribed and sworn to before the undersigned authority this the _____ day of _____, 20____.

My commission expires: _____

Notary Public _____

(FORM BZA-2) PARCEL PLAN MAP REQUIREMENTS

The petition shall be accompanied by a parcel plan map, clearly showing the following:

A. The boundaries and dimensions of the property, along with a metes and bounds description. If boundaries are from courthouse records and not by actual survey, a note stating, "This is not a Land Survey" is to be shown on the map.

B. All adjacent property owners of the area of the Conditional Use Petition. A separate site plan may be submitted with the parcel plan. Adjacent owners shown must comply with Form BZA-3.

C. Existing and proposed structures.

D. Deed or legal description with source of title and Tax Map location of area to be rezoned.

E. Location of access road(s), parking area, signs, etc. with size and type of cover material.

F. Title Block, Date and Scale.

G. Buffer zones, if applicable.

H. Flood plain designation.

I. Where the proposed property lies partially or completely in the flood plain areas, the plan map shall include detailed information giving the location and elevation of proposed roads, public utilities and building sites.

(FORM BZA-3) ADJACENT PROPERTY OWNERS

In addition to a Class I legal advertisement (Form Z-4), notice must be sent to all adjacent property owners. Notification shall be by certified mail and must occur a minimum of fifteen (15) days prior to the public hearing. Proof that notification was sent may be made by submission of the certified receipts. The petitioner(s) requirement to notify adjacent property owners will be fulfilled if the notification is mailed to the adjacent property owners current address as listed with the County Assessor's office.

Adjacent property owners shall mean all persons, firms, corporations, etc. whose property borders at any point of the property to be rezoned, including any owners whose property would border the parcel to be rezoned, but for the location of a street, alley or other roadway between that property and the parcel for which the Conditional Use is petitioned. Notification shall be given to property owners or other entities that the Board of Zoning Appeals may deem necessary. The locations of all property owners to be notified are to be shown on the Parcel Plan Map. Commercial Kennels, Riding Academies or any other applications concerning animals, (Adjoining or Adjacent) Shall mean a 300-foot radius from the place of the keeping of the animals. Notification shall be a copy of the Class I legal advertisement.

Failure to fully comply with this article will require the public hearing to be rescheduled and proper notice to be given again.

All owners of property or other entities must be listed below and designated on the Preliminary Plat.

(FORM BZA-4) ADJACENT PROPERTY OWNERS

All owners of property or other entities must be listed below and designated on the Preliminary Plat.

Map ID	Property Owner	Mailing Address

(FORM BZA-4) RALEIGH COUNTY BOARD OF ZONING APPEALS
NOTICE OF PUBLIC HEARING

Notice is hereby given that on the ____ day of _____

In the County Commission Courtroom, 116 North Heber Street,

Beckley, West Virginia at 5:00 p.m., the Board of Zoning Appeals of

Raleigh County, West Virginia will hold a public hearing upon the

application of _____ for the

purpose of _____

_____

The present zoning of the property to be affected is _____ and

the proposed zoning is to be _____. The property to be affected

contains _____ acres and the physical location of the property is

_____

Any person wishing to be heard concerning this matter should be present

at the time and place indicated above. Written comments concerning

this matter received by _____ will be considered.

Written comments should be sent to: Raleigh County Planning and Zoning Commission, 116 ½ North Heber Street, Beckley, West Virginia 25801. A copy of the application for public review is on file in the office of the County Commission at the address listed above.

(FORM BZA-5) DESCRIPTION OF PROPOSED USE OF PROPERTY

In narrative form below, precisely describe the proposed use of the property covered by this petition request. Unless otherwise requested and approval given in writing, approval of this petition will allow for only that use described below. Any change of use, without prior approval from the board, would constitute a violation of this petition. Failure to comply fully with this section will result in enforcement action being taken to the extent allowed by applicable laws of the State of West Virginia.

Narrative Description

_____

_____

_____

_____

_____

(FORM BZA-6) APPROPRIATE CERTIFICATES

A. Appropriate certificates of approval (entrance permits) from the West Virginia Department of Highways.

B. Appropriate certificates of approval from State and/or local health authorities concerning water/sewer systems.

C. Appropriate agreements between the Utility Provider and the developer that services are available.

D. Appropriate certificates of approval from the State Division of Natural Resources, if applicable.

E. Letter from Emergency Operations Center that compliance with Street Naming and Physical Addressing is met.

F. Certification from Attorney that the property is not restricted for the proposed use.