

# **TOWN OF AMHERST BOARD OF ZONING APPEALS BY-LAWS**

(Originally adopted June 11, 1996; amended to reflect changes in the Town Code)

## **ARTICLE 1 - OBJECTIVES**

This Board has been established in accordance with §15.2-2308 of the Code of Virginia and §18.1-1402 of the Code of the Town of Amherst. The provisions of these by-laws are intended to facilitate the powers and the duties of the Board in accordance with these statutes.

## **ARTICLE 2 - APPLICATIONS**

All applications for decisions by the Board shall be transmitted to the Secretary and shall include, as a minimum:

- A. Cover letter
- B. Signed application on a form provided by the Secretary
- C. Site plan or other appropriate drawings
- D. Application fee required by law (Per §18.1-1009, \$150 for variance, \$300 for other)

Upon receiving a full application, the Secretary immediately report same to the Chairman who shall have the authority to set a public hearing date and authorize the required advertisement.

Applicants shall be advised that several weeks are normally required between application and decision by the Board. This is due to the public notice requirements for hearings by the Board as contained in §15.2-2204 of the Code of Virginia, arranging the meeting of the Board, and requests for additional information not available at the hearing. The Code of Virginia requires action by the Board within 90 days of receipt of the application.

## **ARTICLE 3 - MEETINGS**

Meetings shall be called at the request of the Chairman or a quorum of the Board's membership. Written notice stating time and place of meetings shall be given to each member prior to the meeting.

The order of business for a meeting shall be as follows:

1. Call to Order by Chairman
2. Determination of quorum
3. Confirmation of minutes of previous meeting
4. Public Hearings
  - A. Report by Secretary
  - B. Statements by Applicant
  - C. Statements by other interested parties
  - D. Questions from Board Members
5. Unfinished Business
6. New Business
7. Adjournment

## **ARTICLE 4 - RULES**

These by-laws shall remain in full force and effect unless changed by a vote of the full membership of the Board of Zoning Appeals.

*(Reference: Chapter 18.1 of the Town Code, available online at [www.amherstva.gov](http://www.amherstva.gov))*



APPLICATION FOR APPEAL  
TOWN OF AMHERST BOARD OF ZONING APPEALS  
POST OFFICE BOX 280  
AMHERST, VIRGINIA 24521  
(434) 946-7885

DATE \_\_\_\_\_

APPLICANT \_\_\_\_\_ OWNER \_\_\_\_\_  
ADDRESS \_\_\_\_\_ ADDRESS \_\_\_\_\_  
CITY \_\_\_\_\_ CITY \_\_\_\_\_  
TELEPHONE NO. \_\_\_\_\_ TELEPHONE NO. \_\_\_\_\_

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REPRESENTATIVE \_\_\_\_\_ ADDRESS \_\_\_\_\_  
CITY \_\_\_\_\_ TELEPHONE NO. \_\_\_\_\_

STATEMENT BY APPLICANT

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Please attach documents outlining the action appealed to this application.

*Applicants are reminded that §18.1-1002 of the Town Code requires signs describing the action requested under this application to be posted on the property.*

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I hereby petition the Board of Zoning Appeals to grant the appeal as described above.

\_\_\_\_\_  
Signature of Applicant Date \_\_\_\_\_

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BOARD OF ZONING APPEALS PUBLIC HEARING

\_\_\_\_\_  
Date Time \_\_\_\_\_

BOARD OF ZONING APPEALS ACTION:

\_\_\_\_\_  
ZONING ADMINISTRATOR Date \_\_\_\_\_

**Adjacent property owner information for**

Special Use Permit Application - Rezoning Application - Conditional Zoning Application - Variance Application - Appeal Application

§ 15.2-2204 of the Code of Virginia requires that a notice of pending action to be mailed to the owners, their agent or the occupant, of all abutting property and property immediately across the street or road from the property affected, including those parcels which lie outside the Town; and, if any portion of the affected property is within a planned unit development, then to such incorporated property owner's associations within the planned unit development that have members owning property located within 2,000 feet of the affected property. The purpose of this form is to assist the applicant to collect the needed information from the Amherst County Commissioner of the Revenue's office.

Tax Map #	Physical Address	Owner's Name	Owner's Mailing Address

*Applicants should use as many forms as are needed to provide the needed information.*

**Note:** Applicants are reminded that §18.1-1002 of the Town Code requires signs describing pending action by the Planning Commission, Town Council or Board of Zoning Appeals to be posted when approval of a site plan, subdivision, special use permit, rezoning, conditional zoning, variance, or appeal is requested.

**BZA Procedure Notes**

09/23/2008

1	Application Receipt	Receive application per BZA bylaws. Only AFTER the application is in order, with fees and all materials required by the bylaws received, call the chairman of the BZA.
2		Organize a meeting as directed by the chairman for an initial review and setting the date, time and place of the required public hearing
3		Notify the applicant and the New Era Progress to advise when the first meeting is to take place.
4		Prepare and distribute agenda papers to Board members via mail.
5		Distribute case info to Planning Commission for review and comment.
6		Fax agenda to the New Era Progress as the official meeting notice.
7	First Meeting	Calculate earliest hearing date
8		On the day of the meeting, do reminder/quorum calls, set up the meeting room (gavel, pads/pencils, chairs, minutes of last meeting), take minutes.
9		Write minutes and circulate to Board members and draft to minutes book and case file.
10		Send a letter confirming the application has been received and when the hearing will be held to the applicant.
11		Fax the hearing notice to the paper; call to confirm receipt and note such on what was faxed.
12		Prepare list of adjoining property owners.
13		Send a notice to adjoining property owners and prepare affidavit of same.
14	Second Meeting	Prepare and post zoning sign on the site.
15		Prepare case writeup/analysis/report
16		Prepare and distribute agenda papers to Board members via mail.
17		On the day of the meeting, do reminder/quorum calls, set up the meeting room (gavel, pads/pencils, chairs, minutes of last meeting), take minutes.
18		Write minutes and circulate to Board members and draft to minutes book and case file.
19	Closeout	Send a letter confirming any decision to the applicant (closeout letter).
20		Remove/recycle zoning sign.
21		Secretary wraps up paperwork and closes the file.