

# PITTSYLVANIA COUNTY Zoning Ordinance

## NOTICE OF APPEAL Application Process



Pittsylvania County Administrative Offices  
E-911 Building, 53 N. Main Street  
Chatham, VA 24531  
Telephone Numbers  
Chatham 432-1771

# PITTSYLVANIA COUNTY

## APPEALS PROCEDURE

### Reasons for Appeal

The Pittsylvania County Zoning Ordinance provides that any person who is aggrieved by a decision of the Zoning Administrator or by any order, requirement, decision, or determination made by an administrative office of the County in the enforcement of the Zoning Ordinance may petition the Board of Zoning Appeals for review of the decision.

### Submission of Appeal

Any person who wishes to appeal a decision by the Zoning Administrator or administrative office or to apply for interpretation of the Zoning District Map must complete an appeals package consisting of the following:

1. Notice of Appeal; which must be typed, with all information completed, and signed by the petitioner. An important part of the form is a listing of the names and complete addresses (including zip code) of all owners of property adjacent to and across the road from the property affected by the appeal. This information may be obtained by the applicant in the Office of the Clerk of the Circuit Court of Pittsylvania County, located in the County Courthouse Building, Chatham, Virginia.
2. Payment of Advertising and Processing Costs: \$115.00 to cover processing, signs and required newspaper advertising. Additionally, a certified letter fee for each adjoining property owner and a registered letter fee for the applicant will be added for mailing costs.

***Completed package must be turned in by the last Thursday of the Month to be placed in the next available cycle (Ex. Cases filed the last Thursday in January will be heard in March)***

Appeal to the Board of Zoning Appeals may be taken by any person aggrieved or by any officer, department board or bureau of the County affected by any decision of the Zoning Administrator. Such appeal shall, be taken within thirty (30) days after the decision appealed from by filing with the, Zoning Administrator, and with the Board of Zoning Appeals, a notice of appeal specifying the grounds thereof. The Zoning Administrator shall forthwith transmit to the Board of Zoning Appeals all the papers constituting the record upon which the action appealed from was taken. An appeal shall stay all proceedings in furtherance of the action appealed from unless the Zoning Administrator certifies to the Board of Zoning Appeals that by reason of facts stated in the certificate, a stay would in his opinion cause imminent peril to life or property in which case proceedings shall not be stayed otherwise than by a restraining order granted by, the Board of Zoning Appeals or by, a court of record, on application and on notice to the Zoning Administrator and for good cause shown. (Amended December 21, 1993)

A petition for interpretation of district boundaries may be submitted at any time. The deadline imposed by the legal requirements for advertising will be provided to the applicant.

### Effect of Appeal

The filing of an appeal shall stop all proceeding on an action appealed unless the Zoning Administrator certifies that such a stoppage would, in his opinion, cause imminent peril to life or property. In that case, proceedings would not be stopped unless a restraining order is granted by the Board of Zoning Appeals or a court of record.

# PITTSYLVANIA COUNTY

## NOTICE OF APPEAL TO THE BOARD OF ZONING APPEALS

Part 1 – To be completed by Applicant  
Please type the following information

Applicant's Name: \_\_\_\_\_ Telephone: \_\_\_\_\_

Address: \_\_\_\_\_

Location of Property: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Tax Map Parcel # \_\_\_\_\_ Zoning \_\_\_\_\_

Any materials relating to a particular case, including a staff recommendation or report furnished to a member of the board, shall be made available without cost to such applicant, appellant or other person aggrieved. Such materials will be sent to the following email address, unless otherwise requested.

\_\_\_\_\_ (Email)

List below the names and complete addresses of the owners of all properties adjacent to or directly across a road from the property which is the subject of the appeal. This information may be obtained from the Office of the Clerk of Circuit Court. If more space is needed, please attach a separate sheet. Check here if additional sheet is attached. \_\_\_\_\_

NAME: \_\_\_\_\_ ADDRESS: \_\_\_\_\_

TAX MAP NUMBER: \_\_\_\_\_

**NOTICE OF APPEAL TO THE BOARD OF ZONING APPEALS**

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Action Requested by the Board of Zoning Appeals:

\_\_\_\_\_ A. Appeal of Administrative decision. \_\_\_\_\_ B. Interpretation of District Map.

If Block A above is checked, describe the decision being appealed below, including date decision was rendered and by whom (Zoning Administrator or other administrative officer). Explain what effect the decision has on the property.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I hereby appeal to the Pittsylvania County Board of Zoning Appeals for a decision on the issue described above. I authorize the appropriate County officials to enter upon the above-described property during normal business hours to conduct required inspections. I hereby certify, under penalties of perjury, that the above information is true, complete, and correct.

I have read, signed and understand the attached Sign Affidavit regarding posting the property.

\_\_\_\_\_  
*Signature of Applicant*

Applicant is: \_\_\_\_\_ Owner \_\_\_\_\_ Contract Purchaser \_\_\_\_\_ Agent  
\_\_\_\_\_ Other: \_\_\_\_\_

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Part 2 – To be completed by County

Appeal Number: \_\_\_\_\_ Date Received: \_\_\_\_\_

Public Hearing Date: \_\_\_\_\_ Dates of Advertisements: \_\_\_\_\_

I certify that, on \_\_\_\_\_, each of the property owners adjacent to and across the road from the applicant's property were sent by first class mail a notification of the public hearing and a registered letter was sent to the applicant.

\_\_\_\_\_  
Signature of Staff

\*\*\*\*\*

**Action by the Board of Zoning Appeals**

Action: \_\_\_\_\_

Date: \_\_\_\_\_ Secretary, Board of Zoning Appeals: \_\_\_\_\_

## **Public Notice**

A public hearing will be conducted on the application by the Board of Zoning Appeals. The staff will take the following actions to notify interested person about the request and the public hearing:

1. Send to the local newspaper a notice of the public hearing which will be published once a week for two (2) consecutive weeks.
2. Notify each of the adjacent property owners by certified mail.

### Action by Board of Zoning Appeals

The Board of Zoning Appeals will conduct a public hearing on the appeal at the date and time advertised in the public notice. The applicant is required to attend the public hearing and may have an agent present if desired. All interested parties will have an opportunity to comment on the issue. The Board must render a decision on the appeal within sixty (60) days of the filing of the appeal.

In the case of an application for interpretation of a District Map, the Board may interpret the Map in such a way as to carry out the intent and purpose of the Zoning Ordinance for the particular section or district in question but may not change substantially the locations of district boundaries established by the Ordinance.

For further information or assistance, please contact the Zoning Administration staff Monday through Friday, 8:00 a.m. to 5:00 p.m. at

Code Compliance Office  
53 North Main Street  
Chatham, Virginia 24531  
Telephone: 432-1771  
Fax: 432-7919



**SIGN AFFIDAVIT**

**Sec. 35-817. POSTING OF PROPERTY - PLANNING COMMISSION HEARING-**

At least fourteen (14) days preceding the Commission's public hearing on a zoning map amendment, there shall be erected on the property proposed to be rezoned, a sign or signs provided by the Zoning Administrator indicating the date, time, and place of the public hearing. The sign shall be erected within ten (10) feet of whatever boundary line of such land abuts a public road and shall be so placed as to be clearly visible from the road with the bottom of the sign not less than two and one-half (2 1/2) feet above the ground. If more than one (1) such road abuts the property, then a sign shall be erected in the same manner as above for each such abutting road. If no public road abuts thereon, then signs shall be erected in the same manner as above on at least two (2) boundaries of the property abutting land not owned by the applicant.

**Sec. 35-818. POSTING OF PROPERTY - BOARD OF SUPERVISORS HEARING-**

When a public hearing has been scheduled before the Board of Supervisors for a Zoning Map amendment, there shall be erected, at least fourteen (14) days preceding such hearing, a sign or signs provided by the Zoning Administrator indicating the date, time and place of the public hearing. Such sign or signs shall be erected in the same manner as prescribed in Section 35-817 above.

**Sec. 25-819. MAINTENANCE AND REMOVAL OF SIGNS.**

Any sign erected in compliance with this section shall be maintained at all times by the applicant up to the time of the hearing. It shall be unlawful for any person, except the applicant or the Zoning Administrator or an authorized agent of either, to remove or tamper with any sign furnished during the period it is required to be maintained under this Section. All signs erected under this Section shall be removed by the applicant with fourteen (14) days following the public hearing for which it was erected.

I have read and understand Sections 35-817, 35-818, and 35-819 of the Pittsylvania County Zoning Ordinance. I understand it is my responsibility to post, maintain and remove this/these sign or signs, according to Section 35-817, Section 35-818, and 35-819. If this sign is removed or destroyed, I understand it is my responsibility to obtain another sign from the Zoning office, post the property and maintain the sign(s), according to the above Sections of the Pittsylvania County Zoning Ordinance.

***Should the property not be posted and the sign(s) maintained as required above, I understand the board may defer the case.***

Case \_\_\_\_\_ Applicant \_\_\_\_\_ Date \_\_\_\_\_

Sworn to and subscribed before me in my presence this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, in my City and State aforesaid, by \_\_\_\_\_ Notary Public. My commission Expires: