



STAFFORD COUNTY  
DEPARTMENT OF PLANNING AND ZONING  
1300 Courthouse Road, Stafford VA 22554  
Phone: 540-658-8668 Fax: 540-658-6824  
[www.staffordcountyva.gov](http://www.staffordcountyva.gov)

# APPEAL

## APPLICATION PACKET

- The following items are included within this packet:
  1. Pre-Application Conference Sheet
  2. Stafford County Code Section 28-349
  3. Application
  4. Owner's Consent Form
- If an application is withdrawn prior to the first public hearing, fifty (50) percent of the amount of the application fee may be refunded to the applicant.

Fees are as follows:      *Residential \$600.00 per Appeal*  
   *Commercial/Industrial \$1,900.00 per Appeal*

*\* Beginning July 1, 2012, per Ordinance O12-19, a 2.75% technology fee will be assessed and collected on the total fees for all new and resubmitted applications or requests.*

May 2019

## **NOTICE**

Stafford County treats all applications and applicants equally. The County does not discriminate against religion, or on the basis of race, sex, age, national origin, or disability, in its planning, permitting, utilities, and land use processes.

Under the laws of the United States and the Commonwealth of Virginia, no government may discriminate against any religion or on the basis of race, sex, age, national origin, or disability, in its planning, permitting, utilities, and land use processes.

Under the Religious Land Use and Institutionalized Persons Act (“RLUIPA”), no government may apply its zoning or land use laws, or its policies and procedures in a manner that unjustifiably imposes a substantial burden on the religious exercise of a person, assembly, or institution.

RLUIPA also provides that no government may apply its zoning or land use laws in a manner that treats a religious assembly or institution on unequal terms with a non-religious institution or assembly.

Finally, RLUIPA provides that no government may impose or implement a land use regulation in a manner that discriminates against a religious assembly or institution.

Stafford County does not discriminate in its planning, permitting, utilities, and land use processes, practices, and policies. Stafford County treats all applications and applicants equally.



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Pre-Application Conference - Checklist

Pre-application conference date: \_\_\_\_\_

Owner and/or Applicant: \_\_\_\_\_

Application for:     ***APPEAL***

The following information must be submitted with the completed application and fee:

	Plat - 1 copy ( <i>May be obtained from the Clerk of the Circuit Court, if available</i> )
	Sketch, Layout, Elevation or other renderings
	Site Plans - 1 copy
	Completed Application
	Zoning Violation/Zoning Determination
	Owner's Consent Form ( <i>Provide if applicant is not the owner of the property</i> )
	Verification of Non-Delinquent Taxes ( <i>May be obtained from the Treasurer's Office</i> )
	Other (Specify):

Applications must be completed and returned no later than \_\_\_\_\_ in order to be heard at the meeting scheduled for \_\_\_\_\_. Meetings are held at 7:00 p.m. in the Board of Supervisors Chambers and you or a representative must be present.

NOTE: This form must be submitted with the completed application, affidavit, all of the above, and a fee of \$\_\_\_\_\_.

\_\_\_\_\_  
*Staff Member Signature*

## Section 28-349. Appeals to board generally.

- (a) The board of zoning appeals shall hear and decide appeals from any order, requirement, decision or determination made by an administrative officer in the administration or enforcement of this chapter.
- (b) An appeal to the board of zoning appeals may be taken by any person aggrieved, or by an 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, 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 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.
- (c) The board of zoning appeals shall fix a reasonable time for the hearing of an application or appeal, give public notice thereof, as well as due notice to the parties of interest and decide the same within sixty (60) days.
- (d) In exercising its powers, the board of zoning appeals may reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination of any administrative official or to decide in favor of the applicant.



STAFFORD COUNTY  
Department of Planning and Zoning

APPEAL APPLICATION

RECEIVED BUT NOT OFFICIALLY SUBMITTED	
DATE: _____	INITIALS: _____
OFFICIALLY SUBMITTED	
DATE: _____	INITIALS: _____

<b>APPEAL:</b> Commercial <input type="checkbox"/> Residential <input type="checkbox"/>	_____
TYPE OF APPLICATION	APPLICATION NUMBER

**APPLICANT INFORMATION**

NAME \_\_\_\_\_

STREET ADDRESS \_\_\_\_\_

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

PHONE \_\_\_\_\_ CELL \_\_\_\_\_

FAX \_\_\_\_\_ EMAIL \_\_\_\_\_

**OWNER INFORMATION**

NAME \_\_\_\_\_

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

PHONE \_\_\_\_\_ CELL \_\_\_\_\_

FAX \_\_\_\_\_ EMAIL \_\_\_\_\_

**PROPERTY INFORMATION**

TAX MAP \_\_\_\_\_ SECTION \_\_\_\_\_ PARCEL/LOTS \_\_\_\_\_ LOT SIZE \_\_\_\_\_

SUBDIVISION \_\_\_\_\_ ZONING DISTRICT \_\_\_\_\_

EXISTING USE \_\_\_\_\_ PROPOSED USE \_\_\_\_\_

COMPREHENSIVE PLAN DESIGNATION \_\_\_\_\_ MAGISTERIAL DISTRICT \_\_\_\_\_

**FOR OFFICE USE ONLY**

APPLICATION APPROVED BY \_\_\_\_\_ DATE \_\_\_\_\_

CASE # \_\_\_\_\_

Fees Paid: Yes  No

**GENERAL INFORMATION**

The Appeal requested is for the following reason:

**Appeal the Zoning Administrator’s Decision/Interpretation**

*Please provide a copy of the decision/interpretation and the date received: \_\_\_\_\_*

**Appeal a Notice of Violation**

*Please provide the file # \_\_\_\_\_, date received \_\_\_\_\_, and a copy of the notice.*

**Other, please specify: \_\_\_\_\_**

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**APPEAL JUSTIFICATION**

Please provide a narrative which specifies the reason(s) you deem an Appeal necessary. You may use additional sheets, if necessary:

**APPEAL JUSTIFICATION (Continued)**

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**AUTHORIZATION**

- ❖ *The undersigned declares that the above statements and those contained in any exhibits transmitted to the Board of Zoning Appeals are true.*
- ❖ *The applicant or a representative for the applicant must attend the meeting.*

\_\_\_\_\_  
*Owner / Applicant's Signature (Circle One)*

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Owner / Applicant's Signature (Circle One)*

\_\_\_\_\_  
*Date*

- ❖ Was an Owner's Consent form provided?  *Yes*  *No*  *Not Required*

# Owner's Consent Form

(All owners must sign)

I/We, the Owner(s) of the property listed below, hereby grant permission for the Applicant,

\_\_\_\_\_ to seek a

\_\_\_\_\_ as

requested in the Board of Zoning Appeals application relating to property located at \_\_\_\_\_

\_\_\_\_\_ on Assessor's Parcel(s)

\_\_\_\_\_.

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Signature*

\_\_\_\_\_  
*Printed Name*

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Signature*

\_\_\_\_\_  
*Printed Name*

\_\_\_\_\_  
**~Notary~**

**SUBSCRIBED & SWORN TO** Before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
*Notary Public*

My Commission Expires: \_\_\_\_\_