

**TOWN OF WISE  
BOARD OF ZONING APPEALS  
VARIANCE REQUEST  
FEE \$100.00 \_\_\_\_\_**

“Variance” is defined by Section 15.2 of the *Code of Virginia* as follows:

“Variance means, in the application of a zoning ordinance, a reasonable deviation from those provisions regulating the size or area of a lot or parcel of land, or the size, area, bulk, or location of a building or structure when the strict application of the ordinance would result in unnecessary or unreasonable hardship to the property owner, and such need for variance would not be shared generally by other properties, and provided such variance is not contrary to the intended spirit and purpose of the ordinance, and would result in substantial justice being done. It shall not include a change in use which change shall be accomplished by a rezoning or by a conditional zoning.”

**NOTICE:** This request must be typewritten or legibly handwritten and accompanied by all required data.

Appellant’s Name: \_\_\_\_\_

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

Telephone: day \_\_\_\_\_ evening \_\_\_\_\_

Date of Preparation of Appeal: \_\_\_\_\_

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

Owner of Subject Property (Name & Address): \_\_\_\_\_

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This property was acquired in good faith on \_\_\_\_\_, \_\_\_\_\_

Current Zoning District Designation: \_\_\_\_\_

Applicable Code Sections: \_\_\_\_\_

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**ATTACHMENTS:** Evidence of date property was acquired  
Complete listing of all adjacent property owners  
(including property owners across streets or highways) and their mailing  
addresses (available from the Wise County Commissioner of Revenue)  
Sketch or Drawing of property

**Copy of Deed to Property**

The Appellant requests a variance from the provisions of the Town of Wise Zoning Ordinance relating to:

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Specifically, I (we) propose the following change(s):

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Explain wherein your case conforms to each of the following requirements (Please be complete):

- a. Literal enforcement of the provisions of the Zoning Ordinance will result in unique, unnecessary, or unreasonable hardship due to the following:

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- b. The following extraordinary conditions applicable to the subject property, or to the intended use, are not shared alike by other properties or uses in the same neighborhood or immediate vicinity because

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- c. The granting of such variance will not be a detriment to the public interest, to the property itself, or to the property or improvements belonging to others in the zoning district or neighborhood in which the variance is sought because

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d. The granting of the requested variance will not impair the purpose, intent, and spirit of the Zoning Ordinance because

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e. The granting of the requested variance will alleviate a clearly demonstrable hardship as distinguished from a special privilege or convenience sought by the applicant because

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f. The property in question cannot yield a reasonable return if developed within the requirements of the Zoning Ordinance without granting of the requested variance because

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**AFFIDAVIT:** I hereby depose and certify that all of the above statements submitted herewith are true.

\_\_\_\_\_  
**Appellant's Signature**

**NOTE:** The filing of a special yard exception request with the Board of Zoning Appeals and payment of the required filing fee does in no way assure approval. The matter will be discussed and considered during a required public hearing and a decision will be rendered by the Board. Any person who feels aggrieved by a decision of the Town's Board of Zoning Appeals has the right to present a writ of certiorari to the Judge of the Wise County Circuit Court in the manner prescribed by law.



**OFFICE USE:** Date Appeal filed with the Town: \_\_\_\_\_  
(Staple postmarked envelope to the back of the appeal if received by mail)  
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