

CHAPTER 25. ZONING

DIVISION I. PERMITS AND AMENDMENTS

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§ 25-591. Purpose.

The purpose of this article is to authorize Variances as defined in § 15.2-2201 of the Code of Virginia (1950), as amended.

State law reference--Virginia Code § 15.2-2286.

§ 25-592. Authority granted.

The board of zoning appeals shall hear and decide applications for such Variances as may be authorized by state law. In authorizing a Variance the board of zoning appeals may impose such conditions regarding the location, character and other features of the proposed structure or use as it may deem necessary in the public interest, and may require a guarantee or bond to ensure that the conditions imposed are being and will continue to be complied with.

State law reference--Virginia Code § 15.2-2309.

§ 25-593. Applications.

Applications for Variances shall be made on forms provided by the Department of Community Development and shall be signed by the owner of the property for which the Variance is sought. If the applicant is not the owner, the application shall be accompanied by the written consent of the owner.

§ 25-594. Limitations on Variances in Floodplain Overlay Districts.

In considering applications for Variances affecting property within Floodplain Overlay Districts, the board of zoning appeals shall consider the factors and procedures specified in §25-478. (Ord. 09/28/11)

§ 25-595. BZA review plans.

A. Any application for a Variance shall be accompanied by a BZA review plan.

B. Each BZA review plan shall be drawn to scale on 8½" by 11", 8½" by 14", or 11" by 17" paper. The scale shall be one inch (1") equals a stated number of feet. The number of feet shall be a multiple of ten (10). For example, the scale may be one inch (1") equals fifty feet (50') or one inch (1") equals one hundred feet (100').

C. Each BZA review plan shall contain or be accompanied by the following:

1. Reference to the tax map and parcel number, and when the tax map is inaccurate, an "insert map" showing the location of the tract or lot.
2. A scaled drawing of the tract or lot with dimensions indicated or, if available, a boundary survey of the tract or lot.
3. Names of owners of all adjoining property.
4. Location of all zoning districts, buildings, structures, boundary lines and other features from which minimum setbacks are required by this chapter.
5. Type of surfacing, size, design and dimension of all off-street parking spaces.
6. Location, design and dimensions of all vehicular entrances and exits to the site.
7. Location and dimensions, including height in feet, and the proposed general use of each building.
8. Any information required by the reviewing agencies referenced in §25-596 below.

§ 25-596. Review of BZA review plans.

A. The Zoning Administrator shall review the BZA review plan to ensure compliance with the requirements of this chapter and other applicable ordinances.

B. The Zoning Administrator may forward the BZA review plan to such other public officials or agencies as he may deem appropriate for further review.

§ 25-597. Reserved.

§ 25-598. Reconsideration.

The board of zoning appeals shall not consider an application for a Variance within one (1) year following the date of final action by the board of zoning appeals on a prior application if such application seeks substantially the same Variance sought in the previous application for the same parcel of land.

§ 25-599. Withdrawal of application.

An application for a Variance may be withdrawn by the applicant at any time; provided, however, that there shall be no refund of any fee paid if the county has contracted for any advertising or notification as required by law. In no case shall more than one-half (1/2) of the fee paid be refunded.

Section 25-600 reserved.

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