

FOR OFFICE USE ONLY VA # _____ SIGN # _____

ZONING ORDINANCE SECTION: _____

Fee Amount \$ _____ Date Paid _____ By who? _____ Receipt # _____ Ck# _____ By: _____

Application for Variance



Variance = \$538 to be paid once application is deemed complete

Initial notice fee to be provided in conjunction with an application,
for preparing and mailing notices and published notice = \$435

FEES for re-advertisement and notification of public hearing after advertisement of a public hearing and a deferral is made at the applicant's request

| | |
|---|---|
| ➤ Preparing and mailing or delivering each notice after fifty (50) | \$215 |
| ➤ Preparing and mailing or delivering each notice after fifty (50) | \$1.08 for each additional notice + actual cost of first-class postage |
| ➤ Published notice (published twice in the newspaper for each public hearing) | Actual cost based on a cost quote from the publisher (averages between \$150 and \$250) |

Project Name: _____

Parcel ID Number: _____ **Zoning:** _____

Physical Street Address (if assigned): _____

Contact (who should the main contact about this project): _____

Street Address _____

City _____ **State** _____ **Zip Code** _____

Phone Number _____

Email _____

Owner of Record: _____

Street Address _____

City _____ **State** _____ **Zip Code** _____

Phone Number _____

Email _____

Applicant (if different from the owner): _____

Street Address _____

City _____ **State** _____ **Zip Code** _____

Phone Number _____

Email _____

Variance is defined as follows

A variance is defined as a reasonable deviation from those provisions regulating the shape, size or area of a lot, or the size, height, area, bulk or location of a structure when the strict application of this chapter would unreasonably restrict the utilization of the property, and the need for the variance would not be shared generally by other lots, and provided that the variance is not contrary to the purpose of this chapter, provided that a variance shall not include a change in use. (Albemarle County Code Chapter 18 Section 3)

REQUIRED ATTACHMENTS & OTHER INFORMATION TO BE PROVIDED for THE APPLICATION TO BE CONSIDERED COMPLETE AND OFFICIALLY SUBMITTED

- Nine (9) folded copies of any and all plans or additional information
- One (1) copy of a recorded plat or boundary survey of the property requested for the variance. If there is no recorded plat or boundary survey, please provide legal description of the property and the Deed Book and page number or Plat Book and page number.
- Drawings showing all existing and proposed improvements on the property, with all dimensions and distances to property lines, and any special conditions on the property that may justify the request.
- Written description of your request (include dimensions, measurements or sizes in feet). **This is to also include evidence as noted below.**
- As the owner/applicant I certify that any delinquent real estate taxes, nuisance charges, stormwater management utility fees, and any other charges that constitute a lien on the subject property, which are owed to the County of Albemarle and have been properly assessed against the subject property, **have been paid.**

Please be aware that the board shall grant a variance if the evidence shows:

- (i) That strict application of the terms of the ordinance **would unreasonably restrict the utilization of the property;**
- (ii) That granting the variance would alleviate a **hardship due to**
a physical condition relating to the property or
due to improvements thereon at the time of the effective date of the ordinance; or
- (iii) That granting the variance would alleviate a **hardship by granting a reasonable modification to a property or improvements thereon requested by, or on behalf of, a person with a disability**
and
- (iv) All of the following:
 1. **Good faith acquisition and hardship not self-inflicted.** The property interest for which the variance is being requested was acquired in good faith and any hardship was not created by the applicant for the variance.
 2. **No substantial detriment.** Granting the variance will not be a substantial detriment to adjacent property and nearby properties in the proximity of that geographical area.
 3. **Condition of situation not general or recurring.** The condition or situation of the property is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to the ordinance.
 4. **Use variance prohibited.** Granting the variance does not result in a use that is not otherwise permitted on the property or a change in the zoning classification of the property.
 5. **Special use permit or special exception not available.** The relief or remedy sought by the variance application is not available through a special use permit or special exception authorized by this chapter when the application is filed.

Please be aware that the evidence required above needs to be provided by the applicant and should be provided with the written description as noted above.

Owner/Applicant Must Read and Sign

I hereby certify that I own the subject property, or have the legal power to act on behalf of the owner in filing this application. I also certify that the information provided on this application and accompanying information is accurate, true, and correct to the best of my knowledge. By signing this application I am consenting to written comments, letters and or notifications regarding this application being provided to me or my designated contact via fax and or email. This consent does not preclude such written communication from also being sent via first class mail.

Signature of Owner/Applicant

Date

Print Name

Daytime phone number of Signatory

Board of Zoning Appeals Action/vote: _____

Board of Zoning Appeals Chairman's signature: _____ Date: _____