

Town of Gordonsville, Virginia



VARIANCE REQUEST APPLICATION PACKAGE

Procedures for submitting a request for a variance

Variance Application Form

Attachment A – Variance Request Site Plan Requirements

Procedures for Submitting a Request for a Variance

The Town of Gordonsville Land Development Ordinance applies the same rules to all the land within the Town. Because every parcel of land is unique, the ordinance can sometimes be unfair. If the unusual size, shape or topography of your land makes the application of the zoning ordinance unfair, you may apply for a variance.

The Board of Zoning Appeals has the power to grant variances from the area, width, and setback requirements of the Land Development Ordinance under certain conditions. The board cannot grant variance to allow uses that are not permitted otherwise, or to give special advantages to one property owner that other owners in the same situation do not enjoy.

State law requires that the Board of Zoning Appeals cannot grant a variance unless they find that all of the following are true:

- The owner acquired the land in good faith;
- The lot is exceptionally small, narrow or shallow, or has some other unusual conditions that restricts its use;
- Because of that condition, a strict application of the Land Development Ordinance would prevent the owner from making any reasonable use of the land;
- This hardship was not caused by the owner;
- The variance would be in harmony with the intent of the Land Development Ordinance and would not harm the area; and
- The problem is not so common that it would be better to change the ordinance rather than grant a variance each time the problem arises.

The procedures for requesting a variance are as follows:

1. The Town of Gordonsville recommends a preliminary meeting be held prior to the submission of a variance application. This meeting is not required.
2. The applicant must submit a completed application signed by the current property owner along with a site plan and the application fee. *Please see Attachment A for site plan requirements.* Please also provide the Zoning Administrator with a digital copy of the application and any associated plans or maps.
3. Staff will review the application and site plan for completeness and notify the applicant whether or not the package is complete. Once it is determined that the application package is complete staff will notify the applicant and request eleven (11) additional copies of the application and site plan. After additional copies are submitted, staff will submit a copy of the package to the Town Planning Commission for their review pursuant to [Virginia Code §15.2-2310](#). Please note that the Planning Commission *may* make a recommendation to the Board of Zoning Appeals, which means they may need to meet to review the application in advance of a hearing held by the Board of Zoning Appeals. Staff will schedule a hearing before the Board of Zoning Appeals, send out hearing notices, and post the property. The applicant's presence is required at the meeting of the Board of Zoning Appeals.
4. The applicant will be advised of the Board of Zoning Appeal's action on the variance request within thirty (30) calendar days after the hearing date.
5. If the variance is granted, the applicant must obtain the proper zoning permit and building permit prior to construction.



Town of Gordonsville, Virginia

Zoning Administrator
Post Office Box 276, 112 West Main Street
Gordonsville, Virginia 22942
Phone – (540) 832-2233/ Fax – (540) 832-2449
E-mail dkendall@gordonsville.org

VARIANCE APPLICATION FORM

I. IDENTIFICATION AND PROPERTY LOCATION

Name of Property Owner: _____
Tax Map Identification Number: _____
Physical Address of proposed site: _____
Mailing Address: _____
Telephone Number: _____ Fax Number: _____
E-mail Address: _____

II. PRESENT ZONING CLASSIFICATION

- R-1 (Residential) R-4 (Low Density Residential) M-1 (General Industrial)
- R-2 (Multi-Family/Town House)** B-1 (General Business)
- R-3 (Professional/Residential)** B-2 (Restricted Business)

III. TYPE OF DEVELOPMENT

- Single-family Dwelling Duplex Dwelling* Multi-Family Dwelling*
 New Expansion New Expansion New Expansion
- Business Home Occupation
 New Expansion
 Type of business: _____
- Other: _____

IV. EXPLANATION

Variance request (please provide a specific description of your variance request using the general format as follows: EXAMPLE: "I wish to construct an addition onto my home that will be located approximately 18 feet from the rear property line, for a variance of seven feet (the rear yard setback in R-1 is 25')."

Zoning requirement that is unfair as applied to this land _____

Unusual conditions of the size, shape or topography of the land _____

Hardship caused by applying this requirement to these conditions _____

V. APPLICATION FEE

Please include your non-refundable application fee in the amount of \$200.00 dollars plus \$175.00 for the required public hearing advertisement. Please be aware that you will be billed at a later time for any advertising costs that exceed the initial \$175.00. Checks should be made payable to The Town of Gordonsville.

Contractor's business license must be paid prior to issuance of zoning permit.

Signature of Property Owner(s)

Date

Please print name of signature

****PLEASE PROVIDE TO THE ZONING ADMINISTRATOR
A DIGITAL COPY OF YOUR APPLICATION, INCLUDING ANY MAPS
OR PLANS ASSOCIATED WITH YOUR REQUEST****

Attachment A

Site Plan Requirements for Variance Applications

- Lot dimensions with property line monuments located
- Location and size of existing and proposed structures
- Yard dimensions
- Use of existing structures
- Easements (public and private)
- Water courses
- Fences
- Names of adjoining roads
- Location of right-of-way lines
- Names and addresses of adjoining property owners to include property directly across the street(s).