



BOARD OF ZONING APPEAL APPLICATION  
DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT  
315 Douglas Avenue  
Colonial Beach, VA 22443  
(804) 224-7506  
[www.colonialbeachva.net](http://www.colonialbeachva.net)

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CASE NUMBER: \_\_\_\_\_ PERMIT NUMBER: \_\_\_\_\_

### 1. TYPE OF REQUEST

- Variance: Specify ordinance section: \_\_\_\_\_
- Administrative Appeal (zoning/building/property maintenance code)
- Right-of-way Vacation

### 2. APPLICANT INFORMATION

**OWNER(s) OF RECORD** (use additional sheets if more than one-party)

\_\_\_\_\_  
Owner DAYTIME PHONE NUMBER

\_\_\_\_\_  
MAILING ADDRESS, CITY, STATE, ZIP CODE

\_\_\_\_\_  
E-mail Address

**Applicant (if different from owner)**

\_\_\_\_\_  
Applicant DAYTIME PHONE NUMBER

\_\_\_\_\_  
MAILING ADDRESS, CITY, STATE, ZIP CODE

\_\_\_\_\_  
E-mail Address

**Agent (if different from owner/applicant)**

\_\_\_\_\_  
Applicant DAYTIME PHONE NUMBER

\_\_\_\_\_  
MAILING ADDRESS, CITY, STATE, ZIP CODE

\_\_\_\_\_  
E-mail Address

### 3. PROPERTY INFORMATION

Tax Map Number			Total Acreage			
Subdivision Name		Section		Block		Lot
Physical Address						
Existing Land Use			Existing Structures			
Current Zoning			Acreage of Request			
Proposed Utilities	Water: <input type="checkbox"/> Public		Sewer: <input type="checkbox"/> Public			

- Attach – a copy of a tax receipt showing that taxes on the property are current.

### 4. SUBMITTAL REQUIREMENTS

1. All applications for a variance shall include a recent survey of the property delineating the area(s) where relief is sought.
2. Variance requests should include a narrative which explains how the requests meets the findings of fact as outlined in 17-5 of the Zoning Ordinance.

### 5. SIGNATURE(S)

I/WE HAVE READ THIS COMPLETED APPLICATION, UNDERSTAND ITS INTENT AND FREELY CONSENT TO ITS FILING. THE INFORMATION PROVIDED IS ACCURATE TO THE BEST OF MY/OUR KNOWLEDGE. I UNDERSTAND THAT THE TOWN MAY APPROVE, CONDITIONALLY APPROVE, APPROVED WITH MODIFICATIONS OR DENY THE REQUEST FOR WHICH I AM APPLYING. FURTHERMORE, I GRANT PERMISSION TO THE DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT AND ANY OTHER AUTHORIZED GOVERNMENT AGENTS TO ENTER THE PROPERTY AND MAKE SUCH INVESTIGATIONS AS THEY DEEM NECESSARY TO EVALUATE THE REQUEST AND ENSURE THAT CONDITIONS PLACED ON THE REQUEST HAVE BEEN IMPLEMENTED AND/OR MAINTAINED AS PROSCRIBED BY THE APPROVING AUTHORITY. ADDITIONALLY, IF OUTSIDE REVIEW IS NEEDED BY THE TOWN TO EVALUATE THIS REQUEST I ACKNOWLEDGE AND AGREE TO REIMBURSE THE TOWN OF COLONIAL BEACH FOR THESE OUTSIDE REVIEW AGENCY COSTS.

<b>Owner/Applicant Signature</b>	<b>Date</b>
Owner /Applicant Signature	Date

## 6. FEES

Variance

\$500

Total Fees Collected

\_\_\_\_\_

**\*NOTE: AN APPLICATION SHALL NOT BE DEEMED OFFICIALLY FILED UNTIL ALL REQUIRED PLANS, PLATS, FEES AND SUPPORTING DOCUMENTATION ARE SUBMITTED TO THIS DEPARTMENT.**

### 17-5 Variances - Standards of Review.

A. The Board of Zoning Appeals may authorize, upon application in specific cases, such variance from the terms of the ordinance as will not be contrary to the public interest when, owing to special conditions, a literal enforcement of the provisions will result in unnecessary hardship; provided that the spirit of the ordinance shall be observed and substantial justice done, as follows:

1. When a property owner can show that his property was acquired in good faith and where by reason of the exceptional shallowness, size or shape of a specific piece of property at the time of the effective date of the ordinance, or where by reason of exceptional topographic conditions or other extraordinary situation or condition of such piece of property, or of the use or development of property immediately adjacent thereto, the strict application of the terms of the ordinance would effectively prohibit or unreasonably restrict the use of the property or where the Board is satisfied, upon the evidence heard by it, that the granting of such variance will alleviate a clearly demonstrable hardship approaching confiscation, as distinguished from a special privilege or convenience sought by the applicant, provided that all variances shall be in harmony with the intended spirit and purpose of the ordinance.
2. No such variance shall be authorized by the Board unless it finds:
  - a. That the strict application of the ordinance would produce undue hardship;
  - b. That such hardship is not shared generally by other properties in the same zoning district and the same vicinity; and
  - c. That the authorization of such variance will not be of substantial detriment to adjacent property and that the character of the district will not be changed by the granting of the variance.
  - d. Variances shall be authorized only after a hearing advertised according to the public notice requirements of this Article, shall have been held.
  - e. No variance shall be authorized unless the Board finds that the condition or situation of the property concerned or the intended use 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.
  - f. Where an application for a zoning variance is disapproved by the Board, the Board may not consider substantially the same application for a period of one (1) year following the date of the denial of the application by the Board.
  - g. If the work described or permitted by any zoning variance has not been started within one year from the date of issuance, the variance shall expire.