



# Town of Rocky Mount SPECIAL ZONING APPLICATION

REZONING REQUEST     SPECIAL EXCEPTION/USE     VARIANCE

Date Received:
Received by:
PC/BZA Date:

**PRE-FILING CONSULTATION WITH THE TOWN PLANNING STAFF TO REVIEW THE PROPOSED REQUEST AND TO OBTAIN RECOMMENDED PROCEDURES AND TECHNICAL ASSISTANCE IS REQUIRED. TO SCHEDULE A PRE-FILING CONSULTATION, PLEASE CONTACT THE TOWN OF ROCKY MOUNT COMMUNITY DEVELOPMENT DEPARTMENT AT 540-483-0907.**

APPLICANT NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

PHONE: \_\_\_\_\_ EMAIL: \_\_\_\_\_

PROPERTY OWNERS NAME & ADDRESS:  
(IF DIFFERENT FROM APPLICANT) \_\_\_\_\_

TAX MAP & PARCEL NUMBER: \_\_\_\_\_ LOT SIZE (ACRES/SQ.FT.) \_\_\_\_\_

CURRENT ZONING: R-1 R-2 R-3 RA RB RPUD POS C-1 C-2 M-1 M-2 CBD CBD-ARTS & CULTURE GB

CURRENT LAND USE: VACANT AGRICULTURAL RESIDENTIAL COMMERCIAL INDUSTRIAL

REZONING REQUEST: PROPOSED ZONING: \_\_\_\_\_ PROPOSED LAND USE: \_\_\_\_\_

SPECIAL EXCEPTION/USE REQUEST OF SECTION(S) \_\_\_\_\_ OF THE TOWN ZONING ORDINANCE.

VARIANCE REQUEST OF SECTION(S) \_\_\_\_\_ OF THE TOWN ZONING ORDINANCE.

NATURE OF REQUEST - BRIEFLY DESCRIBE THE PROPOSED PROJECT AND SPECIFIC DEVIATION REQUEST FROM THE ZONING ORDINANCE.

*I HEARBY CERTIFY THAT I AM ACTING WITH THE KNOWLEGE AND CONSENT OF THE PROPERTY OWNER TO THE REQUEST DESCRIBED ON THE APPLICATION. BY SIGNING BELOW, I AGREE THE INFORMATION PROVIDED ON THE APPLICATION IS TRUE TO THE BEST OF MY KNOWLEDGE.*

\_\_\_\_\_  
APPLICANT SIGNATURE

\_\_\_\_\_  
DATE

*BY SIGNING BELOW, I CERTIFY I AM AWARE OF THE REQUEST SUBMITTED AND THE INFORMATION PROVIDED IS TRUE TO THE BEST OF MY KNOWLEDGE.*

\_\_\_\_\_  
OWNER SIGNATURE

\_\_\_\_\_  
DATE

## **WHAT IS A REZONING?**

A rezoning is a legal change to the Official Zoning Map. The rezoning of property is a legal matter, we strongly recommend applicants consult with an attorney to for assistance with the preparation of the rezoning application. A rezoning may be initiated by the property owner, by a contract purchaser with the owner's written consent, or by the owner's agent. Original signatures are required by all parties.

Rezoning requests will be submitted to the zoning administrator and referred to the planning commission for its review and recommendation. The final determination on the rezoning request will be made by the governing body (Town Council).

1. The written request for rezoning shall be submitted to the planning commission by the zoning administrator.
2. Notice shall be given of the required public hearing in accordance with the requirements of Code of Virginia, § 15.2-2204. Adjacent property owners (front, back and side) and the applicant shall be notified in writing as to the rezoning or conditional zoning request and public hearing date.
3. A public hearing shall be held by the planning commission. If requested, the zoning administrator may make a report and recommendation to the planning commission on the subject request. Other parties may appear in person and present their views.
4. The commission shall make a recommendation to go on the rezoning request after the public hearing is held.
5. The governing body (Town Council) shall then hold its own public hearing in conformity with all notice requirements under Code of Virginia, § 15.2-2204, and make the final determination on the rezoning request.

## **WHAT IS A SPECIAL EXCEPTION?**

A special exception/use permit allows a specific exception to the Town's Zoning Ordinance on a particular parcel of land in a district of a particular zoning character. Uses and dimensional standards allowed only by special exception are those considered to have potentially greater impact upon neighboring properties or the public. The special exception process allows potential impacts to be addressed through conditions. A granted special exception runs with the property.

## **WHAT IS A VARIANCE?**

A variance is a request for a reasonable deviation from a provision of the Town's Zoning Ordinance when strict application of the ordinance would result in unnecessary or unreasonable hardship to the property owner. A variance may not allow a use in a district not authorized by district regulations. A granted variance runs with the property.

The authorization to hear and decide on applications for special exception/use permit and a variance request has been delegated to the Board of Zoning Appeals (BZA), a quasi-judicial five (5) member Circuit Court appointed body.

Special Exception and Variance application requests will be submitted to the zoning administrator for review and recommendation; then referred to the to the Board of Zoning Appeals (BZA) for a public hearing. A determination on the application will be made by the Board of Zoning Appeals (BZA). Additional approval and final determinations by the Planning Commission and/or by the governing body (Town Council) could be required to complete the request.

1. The Special Exception or Variance application shall be submitted to the Board of Zoning Appeals (BZA) by the zoning administrator.
2. Notice shall be given of the required public hearing in accordance with the requirements of Code of Virginia, § 15.2-2204. Adjacent property owners (front, back and side) and the applicant shall be notified in writing as to the application request and public hearing date.
3. A public hearing shall be held by the Board of Zoning Appeals (BZA). If requested, the zoning administrator may make report and recommendation to the Board of Zoning Appeals (BZA) on the subject request. Other parties may appear in person and present their views.
4. The Board of Zoning Appeals (BZA) shall make a decision on the application request after the public hearing is held.
5. If additional approval and final determination is needed by the planning commission and/or the governing body (Town Council); each shall then hold its own public hearing in conformity with all notice requirements under Code of Virginia, § 15.2-2204, and will each make the final determination on the application request.