



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

Department of Planning

Mail: PO Box 90775, Henrico, VA 23273-0775, Shipping: 4301 E. Parham Rd, Henrico, VA 23228
Phone: 804-501-4602, Fax: 804-501-4379, Web: www.co.henrico.va.us/planning

Application for Conditional Use Permit

Check if Temporary

Property Address: _____ Current Zoning: _____

Parcel Number (GPIN): _____ Magisterial District: _____

Subdivision: _____ Section: _____ Block: _____ Lot: _____

Water: public private Sewer: public private

Request for a use permit pursuant to Section _____ of Chapter 24 of the Henrico County Code
in order to _____

If **temporary**, this use will begin on (date) _____ and end on _____

Proposed hours of operation (if applicable) from _____ to _____

Two copies of a plan must be submitted with this application, showing size and location of the lot, dimensions and location of the proposed building or structure, and the dimensions and location of the existing structures on the lot.

Applicant:		Representative:	
Address: _____		Address: _____	
Phone: _____ Fax: _____		Phone: _____ Fax: _____	
e-mail: _____		e-mail: _____	

Please complete entire application

By signing this application, the property owner authorizes the Board of Zoning Appeals and County employees to enter the property during the normal discharge of their duties in regard to this request and acknowledges that County employees will make regular inspections of the site.

Owner's Signature: _____

OFFICE USE

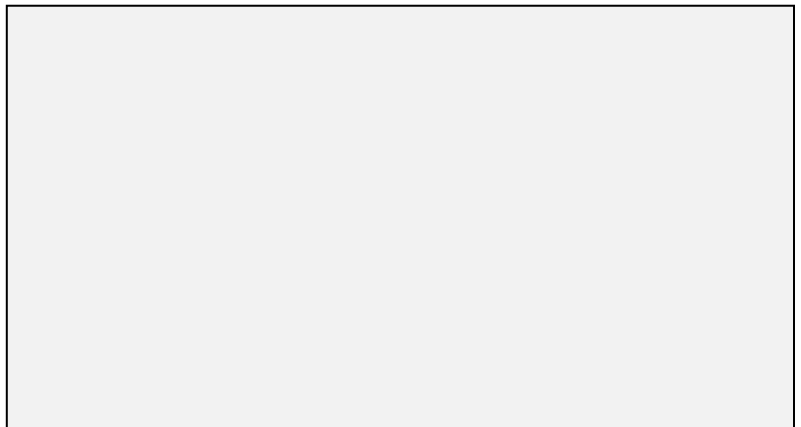
Print name: _____

Address: _____

Date: _____ Phone: _____

OFFICE USE

Date Received:	Time Received:
PIV #:	Fee: \$
Accepted By:	Case #:



The Henrico County Zoning Ordinance authorizes the Board of Zoning Appeals to grant conditional use permits for certain uses. The Board considers the following factors:

If it should find, after the hearing, that the proposed establishment or use will not adversely affect the health, safety or welfare of persons residing or working on the premises or in the neighborhood, will not unreasonably impair an adequate supply of light and air to adjacent property, nor increase congestion in the streets, nor increase public danger from fire or otherwise unreasonably affect public safety, nor impair the character of the district or adjacent districts, nor be incompatible with the general plans and objectives of the official land use plan of the county, nor be likely to reduce or impair the value of buildings or property in surrounding areas, but that such establishment or use will be substantially in accordance with the general purpose and objectives of this chapter, the board shall grant the exception and authorize the issuance, by the secretary of the board, of a special use permit.

To assist you in addressing the pertinent issues, please answer the following questions (attach additional sheets if necessary):

1. How would this permit affect other property in the area? Would the proposed building or activity be visible from neighboring property?

2. Is this use generally compatible with the surrounding area? How is other property in the area used, and how will the proposed use fit in?

The Henrico County Zoning Ordinance authorizes the Board of Zoning Appeals to impose conditions on use permits. Such conditions may include expiration dates, limited hours of operation, financial guarantees, and the like.

In those instances where the board finds that the proposed use may be likely to have an adverse effect as above, the board shall determine whether such effect can be avoided by the imposition of any special requirements or conditions with respect to location, design, construction, equipment, maintenance or operation in addition to those expressly stipulated in this chapter for the particular class of use. . . . The board may require satisfactory evidence and guarantee or bond that the conditions stipulated will be and will continue to be complied with. Any special use permit may be authorized and issued for either a limited or an indefinite period of time and shall be revocable by the board at any time for failure to adhere to the applicable conditions.

The staff will recommend conditions, which the Board may attach to the permit should it grant the request. The offering of conditions does not indicate that the Staff either favors or disfavors the request; rather, conditions are offered in order to provide assurance that the allowed activity meets appropriate technical, safety, and health standards.

What is a conditional use permit and when should one be approved?

For each zoning district, the Zoning Ordinance lists certain uses that are allowed by right, and other uses that may be allowed under a conditional use permit. The Board of Zoning Appeals has the discretion to allow the use or not, depending on the location and other factors. If it allows the use, the Board has the discretion to impose conditions on the permit to protect the public health, safety and welfare.

In deciding whether to grant a conditional use permit, the Board of Zoning Appeals considers the following factors:

. . . use will not adversely affect the health, safety or welfare of persons residing or working on the premises or in the neighborhood, will not unreasonably impair an adequate supply of light and air to adjacent property, nor increase congestion in the streets, nor increase public danger from fire or otherwise unreasonable affect public safety, nor impair the character of the district or adjacent districts, nor be incompatible with the general plans and objectives of the official land use plan of the county, nor be likely to reduce or impair the value of buildings or property in surrounding areas . . . Zoning Ordinance §24-116(c)

In deciding what conditions to impose on a permit, the Board of Zoning Appeals considers the following factors:

In those instances where the board finds that the proposed use may be likely to have an adverse effect as above, the board shall determine whether such effect can be avoided by the imposition of any special requirements or conditions with respect to location, design, construction, equipment, maintenance or operation in addition to those expressly stipulated in this chapter for the particular class of use. . . . Zoning Ordinance §24-116(c)

Board of Zoning Appeals Procedure

All conditional use permit requests must be filed on the attached form. Applications are processed according to a schedule of deadlines and public hearing dates, which is published each year. The County is required to advertise applications in the Richmond *Times-Dispatch*, and mail notices to the owners of all adjoining property.

The fee covers a portion of the cost of advertising, researching, reviewing and processing the application. If an application is withdrawn before the advertisement is prepared, the County may refund part of the fee. After the advertisement has been prepared, the fee cannot be refunded.

The applicant or a representative is required to attend the public hearing. At the hearing anyone may speak in favor of, or in opposition to, any application. Written comments may also be submitted. After hearing all comments, the Board of Zoning Appeals will take the matter under advisement, and hear the next case. After all of the day's cases have been heard, the Board will act on each one.