

Hanover County

Application and Procedures for

SPECIAL EXCEPTION

**See Page 6 for Fee Submittal Procedure



County of Hanover Department of Planning
7516 County Complex Road
P.O. Box 470
Hanover, VA 23069
(804) 365-6171 (p) (804) 365-6232 (f)
www.hanovercounty.gov

Rev. September 2022

Approval Process for Special Exception Applications

Preapplication Meeting (optional)

- Meetings with the Planning Staff are recommended prior to submittal of a special exception application. Please bring a plat to the meeting with a sketch of your proposal.

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Submit Application for Approval

- The application deadline is the first Monday of every month. If the first Monday falls on a holiday, the deadline will be the following business day.
- When submitting an application be sure to include the following: plat of the subject property that includes metes and bounds, and supplementary information to support the request (such as a sketch plan and building elevations). Incomplete applications will not be accepted and will be returned to the applicant.
- The applicant will be notified to submit the required fees, all applications fees must be submitted by the Tuesday the week following the application deadline. (See Page 6)

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Application Distribution to County Review Agencies

- Complete applications are routed to County and State review agencies within five (5) days of the application deadline.

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Agency Review Zoning Staff Meeting

- The application is reviewed and discussed at the Zoning Staff meeting held on the 3rd Wednesday of the month of submittal.
- Written comments will be provided to the applicant.

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Staff/Applicant Meeting

- The staff may contact the applicant to schedule a meeting to discuss comments provided by reviewing agencies and to discuss additional information or plan revisions. At this meeting, the staff may also discuss and recommend conditions of approval (conditions are included to help address potential impacts of the proposed use).

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Board of Supervisors

- A staff report, containing the recommendation of the Staff, is sent to the Board of Supervisors and applicant at least 1 week prior to the meeting.
- The Board of Supervisors typically hears Special Exception cases on the 2nd Wednesday of every month. Applications shall be placed on the first available Board agenda.
- Following a public hearing on the case, the Board of Supervisors may vote to approve, deny, or defer the application to another meeting.

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Approval

- A Board of Supervisors' letter of approval is sent to the applicant that includes all conditions of approval.
- The next step may require the submittal of an application for site plan approval or other review. Please refer to your approval letter or contact the Planning Staff to find out whether other approvals are necessary.

Denied as Submitted

- A Board of Supervisors' letter of denial is sent to the applicant, including reasons for denial.
- The applicant may not submit a substantially similar application until one year following the date of the Board's action.

Hanover County Planning Department Application

Request for a Special Exception

Case #: _____

Please type or print in **black ink**.

APPLICANT INFORMATION

Owner/Applicant: _____

Contact Name: _____

Address: _____

Telephone No. _____

Fax No. _____

Email Address _____

PARCEL INFORMATION

For multiple parcels, please also complete Page 4

GPIN(s)(Tax Parcel #'s) _____

Deed Book _____ Page _____

Magisterial District _____

Location Description (Street Address, if applicable) _____

Area (acres/square feet) _____

Current Zoning _____

Requested Use/Exception _____

SIGNATURE OF OWNER **POWER OF ATTORNEY** **CONTRACT PURCHASER** (*attach contract*)

As owner or authorized agent of this property, I hereby certify that this application is complete and accurate to the best of my knowledge, and I authorize County representatives entry onto the property for purposes of reviewing this request.

Signature _____ Date _____

Print Name _____

Signature _____ Date _____

Print Name _____

QUESTIONS/ LETTERS/ REPORTS SHOULD BE FORWARDED TO THE FOLLOWING**:

Name _____

Address: _____

Telephone No. _____

Fax No. _____

Email Address _____

**It is the responsibility of the contact person to provide copies of all correspondence to other interested parties to the application.

FOR APPLICATIONS WITH MULTIPLE PARCELS, PLEASE LIST:

GPIN	Property Owner(s)	Deed Book and Page Number	Area (acres/square feet)	Current Zoning	Requested Zoning
	Print				
	Sign				
	Print				
	Sign				
	Print				
	Sign				
	Print				
	Sign				
	Print				
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	Sign				

REQUIREMENTS/ ATTACHMENTS - For ALL REQUESTS you must submit the following:

- a. **Signature of Property Owner or Contract Purchaser** (Page 3) – If the contract purchaser signs the application, please provide a copy of the signed contract, with all sensitive information redacted.
- b. **Acknowledgement of Application Fee Payment Procedure** (Page 6)
- c. **Adjacent property owners and Board of Supervisors notification form** (Page 7) - please list all adjacent property owners including those across roadways, watercourses, and/or railroads as well as the member of the Board of Supervisors for the magisterial district in which the property is located. Adjacent property owners and Board members must be notified prior to submittal of this application. The form must include owners' names, address, and GPINs for all adjacent property owners. (This information is available from the County website or can be obtained from the Planning Department.) The form on Page 9 may be used to notify these property owners.
- d. **A plat of the subject property**, which accurately reflects the current property boundaries and the location of existing structures on the property. If the full-size plat is larger than 8 ½" x 11", the plat must be folded no larger than 9" x 12", and a reduction of the plat must be submitted which is 8 ½" x 11" in size. (Typically available from the County Clerk's Office in the Circuit Court building.)
- e. **Historic Impact Information** (Page 10) (This information is available on the County website or may be obtained from the Planning Department.)
- f. **Responses to questions** on Page 11
- g. **Community Meeting Guide** (Check the box if you have read and understand Pages 13 & 14. Please note that applicants that schedule community meetings without coordinating with the staff may be required to reschedule the meeting, which may cause the application process to be delayed.)
- h. A **sketch** of your proposal, showing the following:
 - 1) The proposed title of the project, the name of the developer, and the name of the preparer of the plan.
 - 2) The north point, scale, and date. The scale of the plan shall not exceed 1" = 200'.
 - 3) The boundaries of the property involved; county or town boundaries; property lines; existing streets, buildings, and waterways; areas affected by Chesapeake Bay preservation requirements; and major tree masses.
 - 4) The general location and character of construction of proposed parking lots, driveways, curb cuts, entrances, and exits.
 - 5) The locations of all proposed buildings and structures.
 - 6) The general locations, heights, and materials of all fences, walls, screen plantings, berms, and landscaping.

If the full-size sketch is larger than 8 ½" x 11", please provide **ten (10) copies of the sketch and elevations**, folded no larger than 9" x 12", and **one (1) a reduction of the sketch**, which is 8 ½" x 11". Sheets must be no larger than 24" x 36".
- i. For applications for manufactured/mobile home needed for **medical hardship** please provide a note from a medical doctor verifying that it is necessary for someone to live in close proximity to provide care.
- j. For SE applications for telecommunication facilities, a **Telecommunications application** must be completed and include all of the required attachments.

ACKNOWLEDGEMENT OF APPLICATION FEE PAYMENT PROCEDURE

Application fees are not accepted at the time of submittal. I hereby acknowledge that this application is not complete until the payment for all application fees has been received by the Hanover County Planning Department. The Hanover County Planning Department shall notify me by mail, email or fax (as selected below), of the applicable fee(s) at such time that they determine that the application is complete and acceptable. I acknowledge that I am responsible for ensuring that such fees are received by the Hanover County Planning Department by the Tuesday the week following the application deadline. I further acknowledge that any application fee submitted after this date shall result in the application being considered filed for the next Application Deadline.

Should the applicable fees not be submitted within forty-five (45) days of the date of the notification letter, it shall be my responsibility to arrange for the retrieval of all application materials. The application and any supplementary materials for incomplete applications that are not retrieved within forty-five (45) days of the date of the notification letter shall be destroyed by the Hanover County Planning Department.

Should my application be accepted, my payment will be due by _____. (To be filled in by a Planning Staff member.)

Signature of applicant/authorized agent _____ Date _____

Print Name _____

Signature of applicant/authorized agent _____ Date _____

Print Name _____

Address to which notification letter is to be sent:

If you would like your letter emailed and/or faxed, please make selections, and provide the information below:

Email _____ Fax _____

FEES

After application is accepted for review, make checks payable to Treasurer, Hanover County:

Special Exception	\$750
Extension	\$20
Special Exceptions for manufactured homes needed in a medical hardship case	\$200

Please note: Applicants which request tax-exempt status may have their application fee waived upon presentation of official documentation of such status.

FOR STAFF USE ONLY:

Fee: _____

Accepted by: _____

HTE #: _____

NOTIFICATION OF ADJOINING PROPERTY OWNERS AND BOARD OF SUPERVISORS

Applicant’s Statement:

I hereby certify that I have notified all adjacent property owners to the property, which is the subject of this request, as well as the member of the Board of Supervisors for the magisterial district in which the property is located. Adjacent property includes all property across roadways, watercourses, railroads, and/or municipal boundaries. I further certify that the names and addresses below are those of the adjacent property owners as listed in the tax records of the Commissioner of Revenue of Hanover County.

Applicant’s Signature: _____

COMMONWEALTH OF VIRGINIA)

COUNTY OF HANOVER) to-wit:
)

The foregoing instrument was acknowledged before me this _____ day of _____, 200____, by _____ (Name of Applicant).

My commission expires:

_____ Notary Public

Board of Supervisors Representative:

List of Adjacent Property Owners:

GPIN	Name	Address

NOTIFICATION OF ZONING APPLICATION SUBMITTAL

TO: Adjacent Property Owner

FROM: _____

DATE: _____

The following application will be submitted for review to the Hanover County Planning Department:

- Rezoning
- Conditional Use Permit
- Special Exception

Applicant: _____

Property Location: _____

GPIN(s): _____

Requested Zoning District: _____

Requested Use/Exception: _____

The application will be available for viewing at the Hanover County Planning Department. The Planning Department shall notify all adjacent property owners of the time, day, and place of the public hearings to be held on this application. Should you have any questions or comments, please contact the Planning Department at (804) 365-6171.

HISTORIC SITE IMPACT ANALYSIS

Please identify any **known or suspected historic resources on both the subject property and adjacent properties**, to include both structural and non-structural resources, such as trenches, cemeteries, and archeological sites. Please include the GPIN (Tax Parcel Number) associated with the resource. Please attach additional sheets, if necessary. Should you need assistance completing this form, please contact the Planning Staff.

1. Historic Resource/File No. _____ GPIN _____
2. Historic Resource/File No. _____ GPIN _____
3. Historic Resource/File No. _____ GPIN _____

If you have identified known or suspected historic resources on the subject property or adjacent property, please provide the following information on each site:

- a) Is the historic site listed as a National or State Registered Landmark? _____
- b) Is the historic site open to the public? _____
- c) Describe the impact the proposed request will have on the identified historic resources with regard to noise, traffic, dust, vibration, visual impact, and air pollution. _____

- d) Describe voluntary measures that will be undertaken to help mitigate the impact that the proposed use may have on the identified historic resources. _____

If there are no known or suspected historic resources on the subject property or immediately adjacent, including structural and non-structural resources, trenches, cemeteries, and archeological sites, **please sign and date.**

Signature: _____ Date: _____

EXPLANATION: (Attach additional sheets, if necessary)

1. This Special Exception is being requested in order to: _____

2. Briefly describe how you plan to develop the property for the proposed use and any associated uses. _____

3. Describe why the proposed use or exception is desirable and appropriate for the area. What measures will be taken to assure that the proposed use or exception will not have a negative impact on the surrounding vicinity? (For example, this may include traffic or environmental impacts.) _____

4. Are there any deed restrictions concerning the type of use proposed? If so, provide the date the said restrictions expire. (You may attach a copy of the restrictions.) _____

5. Is the subject property located in a Dam Break Inundation Zone? Yes No (Please contact the Department of Planning or Public Works for assistance in addressing this question.) If yes, please contact the Department of Public Works for further information.

COMPLIANCE WITH VDOT & COUNTY TRAFFIC IMPACT ANALYSIS REQUIREMENTS

The following must be completed for all applications: The selection below is based on a projected daily trip generation of _____ vehicles per day and a site peak hour trip generation of _____ vehicles per hour, based on the stipulations of 24 VAC 30-155. The _____ edition (latest edition) of the ITE Trip Generation Manual was used in determining the trip generation (Code Number _____ and Page Number _____).

Choose one of the two options below:

- I certify that this proposal **DOES NOT EXCEED** 380 vehicle trips per day that would require submittal of a Traffic Impact Analysis.
- I certify that this proposal **DOES EXCEED** 380 vehicle trips per day that would require a Traffic Impact Analysis be submitted.

Choose one of the two options below:

- I certify that this proposal **DOES NOT MEET** any of the VDOT thresholds identified in the Traffic Impact Analysis Regulations Administrative Guidelines (24 VAC 30-155) that would require a Traffic Impact Analysis to be submitted in conjunction with this application.
- I certify that this proposal **MEETS** at least one of the VDOT thresholds identified in the Traffic Impact Analysis Regulations Administrative Guidelines (24 VAC 30-155) that would require a Traffic Impact Analysis to be submitted in conjunction with this application. A Traffic Impact Analysis, prepared in accordance with the Traffic Impact Analysis Regulations Administrative Guidelines (24 VAC 30-155), has been prepared and will be submitted to VDOT the same day.

(Signature of Applicant/Applicant's Representative)

(Date)

(Applicant/Applicant's Representative – Print Name)

Community Meeting Guidelines

It is often recommended that applicants who file a zoning application for Rezoning, Conditional Use Permit, Special Exception Permit, or a Comprehensive Plan Amendment arrange a community meeting with surrounding property owners. These meetings are particularly necessary for complex rezoning applications or cases with significant community interest.

What is the purpose of a community meeting?

A community meeting allows the applicant the opportunity to present their case to the community and also obtain feedback from citizens who may have questions, concerns, or comments about the proposal.

When should the meeting be scheduled?

The applicant is responsible for scheduling the meeting. It should be scheduled at least one month prior to the date the application is scheduled to be heard by the Planning Commission or Board. This timeframe should allow the applicant time to make any necessary changes to the application following the meeting and still meet the 21-day Planning Commission or Board deadline. The Planning Staff recommends that applicants schedule the meeting after all agencies have conducted their initial review of the application.

Who should be contacted to arrange for the meeting time?

The applicant should coordinate with their Planning Commissioner, Board of Supervisors representative, and Planning Staff to arrange the meeting time and location. After the meeting has been scheduled, the remaining Planning Commissioners should also be invited and notified of the meeting time and location.

Where and at what time of day should the meeting be held?

The applicant is responsible for finding a location to hold the meeting. Potential locations often include churches, fire stations, and libraries.

The meeting should be held in the evening, Monday through Thursday, beginning around 6:00 pm or 7:00 pm. Meetings typically last from one to two hours, depending on the complexity of the case. It is recommended that applicants prepare an agenda for the meeting, setting aside time for staff comments, a presentation by the applicant, and a question and answer period. A sample agenda is attached.

Who should be notified about the meeting?

The applicant should start by sending written notices to adjacent property owners. At times, it may be appropriate to notify all of the residents within the subdivision (if the property is within a subdivision). The applicant should also ask the assigned planner if he or she has been contacted by other interested parties who may want to attend the meeting. If so, those parties should be notified of the meeting. It is helpful to include a copy of the proposed sketch plan or conceptual plan with the notice. This will allow citizens who may not be able to attend the meeting the opportunity to educate themselves about the nature of the project. Property owner information may be obtained from the County's website. (Directions for using this website are attached). It may also be necessary to notify representatives of nearby communities, such as the president of a homeowners association.

**Sample
Community Meeting Agenda
Date/Location
Hanover County Rezoning Case Number C-xx-xx (c)
Applicant: XXXX
Project name: XXXX**

1. Introductory Comments: Supervisor and/or Planning Commissioners name
2. Review Process – Staff
3. Zoning Proposal - Applicant
 - a. Project Introduction
 - b. Project Description
 - c. Project Design Concepts
 - d. Project Impact Mitigation Measures
4. Question and Answer – Supervisor/Planning Commissioner/Applicant/Staff as appropriate
5. Closing Comments – Supervisor/Planning Commissioner/Applicant

TO THE APPLICANT:

It is the policy of the Hanover County Board of Supervisors, the Hanover County Planning Commission, and Hanover County Board of Zoning Appeals to require a property to be posted when a zoning action is being considered. Such a posting notifies the general public of an impending action and the location being considered.

It is incumbent on you, the applicant, to insure the sign is in the proper location and remains there until an action has taken place. Consequently, the procedure for posting is as follows:

1. The Planning and Zoning Staff will post the sign on your property.
2. You should check the location of the sign to make certain it is in the right place on your property. If it is not, notify the Planning Office as soon as possible.
3. You should check periodically to insure the safety of the sign. If it is stolen or otherwise harmed, notify the Planning Office as soon as possible.
4. On the day of the final public hearing on your case, you may bring the sign with you and leave it in the Planning Office. Make sure the return of your sign is noted by a member of the Planning Staff.
5. All presentations from applicants/citizens must be emailed in advance of the Planning Commission and Board of Supervisors meetings.

Should you have any questions regarding this policy, please contact a member of the Planning Staff.

Ashland, Rockville and Mechanicsville	(804) 365-6171
Old Church	(804) 730-6171
Hanover and Doswell	(804) 537-6171
Beaverdam and Montpelier	(804) 227-3377
FAX	(804) 365-6232