



# Board of Zoning Appeals

OFFICE USE ONLY  
Date Received: \_\_\_\_\_

Case Number:  
VA / SX / AZ / EX \_\_\_\_ - \_\_\_\_ - \_\_\_\_ - \_\_\_\_

Complete this application in its entirety and submit along with the required materials (listed in Step 2 below) to the following address:

City of Hampton, Community Development Department  
22 Lincoln Street, 3rd Floor  
Hampton, Virginia 23669

Application for (check one):

- variance (VA)
- special exception (SX)
- appeal of the zoning administrator's or zoning administrative officer's decision (AZ)
- Chesapeake Bay Exception (EX)

## 1. PROPERTY INFORMATION

Address or Location \_\_\_\_\_

LRSN \_\_\_\_\_ Zoning District \_\_\_\_\_

Current Land Use \_\_\_\_\_

Proposed Land Use \_\_\_\_\_

The proposed use will be at/in:  an existing building  a new addition  a new building

## 2. SUBMITTAL REQUIREMENTS & DETAILS

All applications must include the following four items: (1) a recent survey plat of the property; (2) application fee of \$100 for single-family residential uses, \$250 for all other uses, payable to the City of Hampton; (3) a written description of request (use the space below or submit as a separate document) which describes the request, and for variances, how the request meets the following criteria for a hardship under the Code of Virginia (Sec. 15.2-2201):

A variance shall be granted if the evidence shows that the strict application of the terms of the ordinance would unreasonably restrict utilization of the property or that the granting of the variance would alleviate a hardship due to a physical condition relating to the property or improvements thereon at the time of the effective date of the ordinance, and:

- (i) *The property interest for which the variance is being requested was acquired in good faith and any hardship was not created by the applicant for the variance;*
- (ii) *The granting of the variance will not be of substantial detriment to adjacent property and nearby properties in the proximity of that geographical area;*
- (iii) *The condition or situation of the property concerned 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;*
- (iv) *The granting of the variance does not result in a use that is not otherwise permitted on such property or a change in the zoning classification of the property; and*
- (v) *The relief or remedy sought by the variance application is not available through a special exception process or the process for modification of a zoning ordinance pursuant to a subdivision A4 of § 15.2-2286 at the time of the filing of the variance application.*

**Description of request:**

and (4) the following:

**Variance**

For requests relating to signage, submit plans showing detail of the sign type, size, design, and location

**Special Exception**

Day Care  
Supplement form

**Appeal of the Zoning Administrator's Decision or  
Appeal of a Zoning Administrative Officer's  
Decision**

In the description of request, include the date of the decision being appealed and the reason for appeal

**Chesapeake Bay Exception**

- (1) A recent, to scale physical survey of the property, prepared by a licensed surveyor that must include:
  - a) Environmental Site Assessment: RPA, RMA, IDA buffer areas, RPA features, and wetlands drawn and clearly labeled.
  - b) Erosion and Sediment Control Plan; Silt Fences, Construction Entrances, etc.
  - c) All proposed improvements to the property; new buildings, new roads/infrastructure, etc.
- (2) Water Quality Impact Assessment (see attached);
- (3) Background Information (property deeds, recorded plats, date stamped photos, prior approvals, etc.);

***Additional information may be required at the Zoning Administrator's discretion***

**3. PROPERTY OWNER INFORMATION**  
*An individual or a legal entity may be listed*

Owner's Name \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
Phone \_\_\_\_\_  
Email \_\_\_\_\_

**4. AGGRIEVED PARTY INFORMATION (if applicable)**  
*An individual or a legal entity may be listed*

Aggrieved Party \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
Phone \_\_\_\_\_  
Email \_\_\_\_\_

**4. APPLICANT INFORMATION**  
**(if different from owner)**

Applicant's Name \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
Phone \_\_\_\_\_  
Email \_\_\_\_\_

**5. APPLICANT AGENT INFORMATION**  
**(if different from applicant)**

Agent's Name \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
Phone \_\_\_\_\_  
Email \_\_\_\_\_

**6. CERTIFICATION FOR LEGAL ENTITY PROPERTY OWNERS**

*Complete this section only if the property owner is **not** an individual but rather a legal entity such as a corporation, trust, LLC, partnership, diocese, etc. as specified in Step 3 above.*

*"I hereby submit that I am legally authorized to execute this application on behalf of the fee-simple owner of this property. I have read this application and it is submitted with my full knowledge and consent. I authorize city staff and representatives to have access to this property for inspection. The information contained in this application is accurate and correct to the best of my knowledge."*

Name of Legal Entity \_\_\_\_\_

Signed by: Name (printed) \_\_\_\_\_, Its (title) \_\_\_\_\_  
Signature \_\_\_\_\_ Date \_\_\_\_\_

Name (printed) \_\_\_\_\_, Its (title) \_\_\_\_\_  
Signature \_\_\_\_\_ Date \_\_\_\_\_

**7. CERTIFICATION FOR INDIVIDUAL PROPERTY OWNERS**

*Complete this section only if the property owner is an individual or individuals.*

*"I hereby submit that I am the fee-simple owner of this property. I have read this application and it is submitted with my full knowledge and consent. I authorize city staff and representatives to have access to this property for inspection. The information contained in this application is accurate and correct to the best of my knowledge."*

Signed by: Name (printed) \_\_\_\_\_  
Signature \_\_\_\_\_ Date \_\_\_\_\_

Name (printed) \_\_\_\_\_  
Signature \_\_\_\_\_ Date \_\_\_\_\_