



Local Roots, Global Reach

ISLE OF WIGHT COUNTY, VIRGINIA

DEPARTMENT OF PLANNING AND ZONING

WHAT TYPE OF CASES DOES THE BOARD OF ZONING APPEALS (BZA) REVIEW?

The BZA considers requests for variances to the County Zoning Ordinance and administrative appeals of the Zoning Administrator's decisions.

WHAT IS A VARIANCE?

A variance is a waiver of the dimensional and numeric requirements of the Zoning Ordinance approved by the board of zoning appeals in accordance with section 1-1019 of the ordinance.

In accordance with the Code of Virginia 15.2-2309 and Section 1-1019.B.2 of the Isle of Wight County Zoning Ordinance, the Board of Zoning Appeals shall not authorize a variance unless it finds:

1. The property for which the variance is being requested was acquired in good faith and any hardship was not created by the applicant for the variance.
2. The granting of the variance will not be harmful to adjacent property and nearby properties.
3. The condition or situation 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.
4. 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.
5. The relief or remedy sought by the variance application is not available through a special exception process that is authorized in the ordinance pursuant to Section 15.2-2309 of the Code of Virginia or the process for modification of a zoning ordinance pursuant to Section 15.2-2286 of the Code of Virginia at the time of the filing of the variance application.

WHAT IS THE PROCESS FOR REQUESTING AN ADMINISTRATIVE APPEAL OR VARIANCE?

1. Schedule a pre-application meeting with the Department of Planning and Zoning to review your application and discuss any questions that you may have.
2. Submit a complete application package which should include:
 - A completed application package form, including checklist and affidavit;
 - A surveyed plat, showing the exact location of the structure in relation to buildings, roads, and property lines;
 - A current deed for the property; and
 - Other supportive documents as necessary.
3. Planning Staff will review the application and schedule a Public Hearing for the next available BZA meeting, to include advertisement in a local newspaper.
4. The BZA either will grant or deny the variance, or will uphold or overrule the decision of the Zoning Administrator. You will receive written notification of the decision.

IS THERE AN APPLICATION FEE?

Yes, \$750

CAN I APPEAL THE DECISION OF THE BZA?

Yes, you can appeal the decision within thirty (30) days to the Circuit Court.

WHEN AND WHERE ARE THE BZA MEETINGS?

BZA meetings are held the first Monday of the month at 6:00 pm in the Robert C. Claud, Sr. Board Room at the County Courthouse Complex on an on-call basis.