

Department of Planning
Post Office Box 15225
Chesapeake, Virginia 23328-5225
(757) 382-6176
FAX (757) 382-6406

SPECIAL EXCEPTION APPLICATION INSTRUCTIONS

PURPOSE

A special exception may be granted by the Planning Commission for relief of specific Zoning Ordinance requirements only under special circumstances. The Chesapeake Zoning Ordinance specifies when a property owner can apply for a special exception.

REVIEW PROCESS

The deadline for submitting a special exception request is the Monday prior to the second Wednesday of the month. If the deadline falls on a City holiday, the deadline is the next City business day. All applications are to be submitted to the Planning Department.

The Planning Department will review the application and site plan for completeness. If the application or site plan is found to be incomplete, the Planning Department will return the application, plans, and filing fee to the applicant with a description of the manner and areas in which the application is incomplete. **The filing fee is \$100.00.**

Once the application and site plan have been determined to be complete, the Planning Department distributes the application and site plan to various City departments for review. The departments review the request for conformance with the City's development ordinances and standards. Development review departments include Development and Permits, Public Utilities, Police, Schools Administration, Economic Development, Libraries, Fire, Inspections, Zoning, Parks & Recreation, and Planning.

After receiving comments from the other departments, the Planning Department will contact the applicant and relay the departmental comments. A revised plan or application, if required, will be requested at this time.

The Planning Department will compile departmental comments, the applicant's response to the comments, and will provide a recommendation for approval, approval with stipulations to ensure compliance with City codes and standards, or denial in a staff report.

REVIEW PROCESS (Continued)

The Planning Department will prepare the advertisement. At this time, the applicant will be required to post the property with a sign, prepared by the Planning Department, giving NOTICE OF SPECIAL EXCEPTION REVIEW. Such posting must be in accordance with the instructions set out by the Planning Department. Applicants are encouraged to take pictures of the signs after posting and provide them to the Planning Department as proof that the signs were properly posted. Improper posting will delay processing of the application. The applicant will be contacted by the Planning Department when the signs are available for posting. The applicant is responsible for the sign fee. (\$25.00 for the first sign, \$20.00 for each additional sign, as required).

APPLICATIONS THAT DO NOT MEET MINIMUM APPLICATION REQUIREMENTS AS SPECIFIED IN THE CHESAPEAKE CITY CODE WILL NOT BE ADVERTISED.

The Planning Department will forward a copy of the application, site plan, any additional information which will assist the Planning Commission, and a staff report to each Planning Commission member. A copy of the staff report will be provided to the applicant. All staff reports are available for review in the Planning Department and Public Libraries.

The Planning Commission will hold a public hearing the second Wednesday of the month after the application has been deemed complete by the Planning Department. The public hearing is open to all citizens. The applicant must attend the Planning Commission public hearing. Failure of the applicant to attend the Planning Commission public hearing will automatically require the application to be continued to a future Planning Commission hearing date.

At the public hearing, the Planning Commission will hear proponents and opponents of the application, as well as staff comments and recommendations. The Commission will consider all information and take one of the following actions: approve the special exception as presented, approve with stipulations, or disapprove the special exception request.

Upon approval, the applicant may proceed with the construction process through normal procedures, i.e. building permits, final construction plan approval, etc.

SPECIAL EXCEPTION REQUIREMENTS

1. Original application, with original signatures, including all required information. All information must be typed or clearly printed on the application and 8½" x 11" paper as needed.
2. Three (3) copies of the completed application.
3. Filing fee for a special exception application is \$100.00.

SPECIAL EXCEPTION REQUIREMENTS (Continued)

4. Thirty (30) site plans or plat of the property shall be drawn to scale, showing all existing buildings, including porches, stoops, steps, bay windows, roof overhangs and the proposed structure or alteration, parking, landscape areas, sign locations, and other structures and features located on the site. This site plan shall include a vicinity map. **All site plans shall be folded to a size not larger than 9" x 14" with the site plan facing out.**
5. Two (2) copies of the site plan reduced to 11" x 17" paper.
6. Two (2) copies of the site plan reduced to 8½" x 11" paper.
7. The original plus one (1) copy of the tax map parcel on 8½" x 11" paper with the parcel highlighted. *This information may be obtained in the Real Estate Assessors office or the Planning Department.*
8. Any additional drawings, pictures, or information, which will assist the Planning Commission in making their decision.

SIGN EXCEPTION REQUIREMENTS

The following additional items are required as part of a Special Exception application regarding signs only:

1. Thirty (30) copies of a sign plan, including design, elevations, and dimensions on 8½" x 11" paper.