

COUNTY BUILDING OFFICIAL  
Subdivision Agent  
Floodplain Management Agent  
Soil Erosion Control Agent  
Airport Zoning Adm.  
Manufactured Home Ord. Adm.



Fax  
540-783-9314

Telephone  
540-783-3298  
Extension 213

COUNTY OF SMYTH

# Building Inspection Department

121 BAGLEY CIRCLE, SUITE 120 • MARION, VIRGINIA 24354

## APPLICATION FOR A VARIANCE REQUEST TO THE SMYTH COUNTY SUBDIVISION ORDINANCE

Name \_\_\_\_\_ Phone No. \_\_\_\_\_  
Mailing address \_\_\_\_\_

1. Give directions to the property and the adjoining property owner's 911 address:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. List sections of the Subdivision Ordinance from which a variance is requested:

\_\_\_\_\_  
\_\_\_\_\_

3. Explain below why you cannot comply with the above sections or attach a separate sheet:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. Attach a sketch or plat of the site and how you access the lot from a public road.

5. Attach a copy of the most recent deed to the property.

Date \_\_\_\_\_ Signature \_\_\_\_\_

Please contact the Building Inspection Office if you want help with this application.

## Procedure for a Variance Request:

- (a) You complete the application and return it to the Building Inspection Office at least fourteen days before the Planning Commission meets. Ask the Building Inspection Office for the next meeting date. (It is usually the fourth Thursday of each month.)
- (b) If your request for a variance creates a new building lot in an existing subdivision, you will need to notify all adjoining lot owners of your request for a variance. (See Section 7.12 of the Subdivision Ordinance.)
- (c) The Building Inspection Office will visit the site for which the variance is requested.
- (d) The Building Inspection Office will give your variance request to the county planner who mails it to the Planning Commission one week before the meeting date.
- (e) The Planning Commission may visit the site before the meeting.
- (f) The Planning Commission considers your request at their meeting. Usually the Building Inspection Office will present your request, but you and all parties involved in the land division need to be present to answer any questions. The meeting is open to the public and anyone may attend.
- (g) If the Planning Commission does not rule in your favor, you may appeal their decision to the Smyth County Board of Supervisors within twenty-one days following their decision. (See Section 5.4 of the Subdivision Ordinance.)

## Commonly asked questions by the Planning Commission at the meeting:

- (1) Can at least a 20-foot wide strip of land to the public road be deeded with the lot, in which case a right-of-way would not be necessary?
- (2) Does the deed to the original tract of land refer to an existing right-of-way? If so, when was the right-of-way originally created?
- (3) What do you intend to do with the lot?
- (4) Do you have a family relationship with the seller or current landowner?
- (5) Will you have a written agreement on who is to maintain the right-of-way?
- (6) Do you understand that if a variance is granted for a right-of-way, that it is only to access your lot and is not being approved for other lots to use as an access?

You may purchase a copy of the subdivision ordinance for \$2. However, we have attached some sections of the ordinance that are often used for a variance request.

Date this form given to applicant \_\_\_\_\_

Date you need to return this form to Building Inspection Office in order to be placed on the agenda for the next Planning Commission meeting \_\_\_\_\_

Note: This application is for a variance request to the Smyth County Subdivision Ordinance dated "Effective-July 10, 1996". The ordinance has a red cover.