

County of Floyd, Virginia

Information for Requesting an Exception
of the Floyd County Subdivision Ordinance



FLOYD COUNTY PLANNING OFFICE

REQUEST FOR SUBDIVISION ORDINANCE EXCEPTION (SOE)

Please complete and submit this form, along with the required documentation to:

Floyd County Administrative Offices
P.O. Box 218
120 W. Oxford Street, Floyd, VA 24091
Phone: (540) 745-9300

Procedures for requesting Subdivision Ordinance Exceptions

General Information

Requests for exceptions of the Floyd County Subdivision Ordinance are heard by, and decided upon, by the Floyd County Planning Commission at their regular monthly meetings. The Planning Commission has 60 days to review, discuss, and vote to approve, approve with conditions, or deny the request for exception. During that 60 day period, they may return the request to the applicant for clarification or to ask for additional information. The applicant shall provide the requested clarification or additional information to the Agent prior to the submittal deadline for the next regular monthly meeting of the Planning Commission.

Submittal Information

Submittal should include:

- A completed and signed application, with evidence that the provision of subdivision standards would cause unnecessary hardship, and that topographical or other conditions peculiar to this site would allow for departure from the subdivision standards without undermining the intent of the ordinance. It must also be demonstrated that all other alternatives have been exhausted. (Note that financial hardship due to the application of the Subdivision Ordinance is not considered evidence of unnecessary hardship.);
- Ten (10) full size copies of the preliminary plat or preliminary sketch, which meet the requirements of the Subdivision Ordinance.

The application deadline is the second Tuesday of each month. Applications received after that date will not be placed on the Planning Commission's agenda until the following month.

**REQUEST FOR EXCEPTION OF THE
FLOYD COUNTY, VIRGINIA SUBDIVISION ORDINANCE**

APPLICANT INFORMATION

NOTE: If the Applicant is not the property owner, a letter from the property owner authorizing this request for exception must be submitted with the application.

	OWNER (If not the applicant)	APPLICANT/OWNER AGENT
Name(s):		
Street Address:		
City, State, Zip:		
Phone Number:		
Email Address:		

PARCEL INFORMATION

Tax Parcel No./s: _____ Public Water Public Sewer
 Magisterial District: _____ Private Water Private Sewer

EXCEPTION REQUEST (ATTACH ADDITIONAL PAGE, IF NECESSARY)

Applicant is requesting an exception to Section(s) _____ of the Subdivision Ordinance. Identify below the specific requirements of the Subdivision Ordinance, as well as the exception being requested. (The Planning Staff is available to assist with the following requested, if needed)

Ordinance Requirement: (Example: Section 6-2: "Setback Width Requirement")	Exception Request: (Example: Allow 135 feet width at setback line instead of 175 feet)

EXPLANATION (ATTACH ADDITIONAL PAGE, IF NECESSARY)

Section 10-3 of the Floyd County Subdivision Ordinance states the considerations for granting a request for an exception to the Subdivision Ordinance.

The following will be considered by the Floyd County Planning Commission:

- 1) *"An unusual situation or when strict adherence to the general regulations would result in substantial injustice or hardship. Hardship is defined in physical terms and not in financial terms."* State, in your opinion, how this request complies.

EXPLANATION (Continued)

2) *“The authorization of the exception will not create a substantial detriment to adjacent or nearby property.”*
Demonstrate how this exception will not be detrimental to adjacent or nearby property.

3) *“The situation is not of so general or recurring a nature as to make reasonably practicable the formulation of general regulations to be adopted as amendment(s) to this Ordinance.”* Describe how an exception to the Subdivision Ordinance due to the described site condition(s) would not undermine the intent of the Ordinance.

4) *“The hardship is created by the physical character of the property or of the property immediately adjacent thereto. Personal, pecuniary (financial), or self-inflicted hardship shall not be considered grounds for the authorization of an exception.”* Demonstrate how this exception complies with this provision.

SIGNATURE OF OWNER OF RECORD

As Owner of this property or authorized Agent therefore, I hereby certify that this application is complete and accurate to the best of my knowledge, and I authorize County representatives to enter the property for purposes of reviewing this request.

Signature: _____ Date: _____

Print Name: _____

FOR OFFICE USE ONLY

Date Application & Fee Received:	Application Fee \$ Due	Received by:	PC Meeting Date:	Granted or Denied: