



**MONTGOMERY  
COUNTY, VIRGINIA**

Planning & GIS Services

**BOARD OF ZONING APPEALS**

**SPECIAL USE PERMIT  
APPLICATION  
PROCESS AND  
PROCEDURES**

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# Montgomery County Planning & GIS Services Special Use Permit Process & Procedures

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## **Step 1. Contact Planning & GIS Staff.**

It is recommended that all prospective applicants meet with County staff to discuss development trends, appropriate zoning in accordance with proposed use and the County's Comprehensive Plan. Meetings can be scheduled with planning staff by contacting Montgomery County Planning & GIS by phone: (540) 394-2148 or by email: [mcplan@montgomerycountyvva.gov](mailto:mcplan@montgomerycountyvva.gov)

## **Step 2. Complete and Submit Application to Montgomery County Planning**

The Special Use Permit Application Form (pg. 6) is required. Please refer to and complete the Special Use Permit Checklist (pg. 5) to ensure all the materials are submitted. Incomplete applications will not be accepted or placed on the Board of Zoning Appeals agenda.

## **Step 3. Review of Proposal (Application)**

The Planning Department will review the application for completeness in accordance County ordinances. If the application is found to be incomplete, the Planning Department will return the application, site plans, and filing fee to the applicant or agent, with a description of the manner and areas in which the application is incomplete.

Notwithstanding any initial determination of completeness, the Planning Director, the Zoning Administrator, or the Board of Zoning Appeals may at any time during the review process find that essential information is lacking and may deem the application incomplete.

**APPLICATIONS THAT DO NOT MEET APPLICATION REQUIREMENTS OR HAVE OUTSTANDING ISSUES THAT NEED TO BE ADDRESSED WILL NOT BE CERTIFIED FOR PUBLIC HEARING.**

## **Step 4. Staff Reports.**

The Department of Planning drafts a staff report and distributes to the Board of Zoning Appeals. Staff reports are available to the public approximately 1 week prior to the Board of Zoning Appeals meeting date. Staff reports may be sent, emailed, or held for pick up upon request.

## **Step 5. Revisions.**

Changes to a proposal can be made prior to the scheduled BZA hearing provided the revisions are submitted ten (10) business days prior to the scheduled hearing. This will allow staff time to review the changes and incorporate pertinent information within the staff presentation at the public hearing. If revisions are requested after this time, the applicant must request a minimum one month deferral, unless otherwise waived by the BZA. Minor proffer revisions may be accepted up until noon on the day of the meeting.

## **Step 6. Board of Zoning Appeals Public Hearing.**

BZA public hearings are generally held the first Tuesday of each month at 5:00 p.m. Two notices of the scheduled hearing are published in the local newspaper 2 weeks prior to the hearing. Individual notices are also sent to the adjacent property owners of the subject property by the Planning Department.

At the public hearing, County staff provides a brief review of the development being proposed and makes a recommendation to the Board. The applicant or authorized representative is required to attend and is usually

expected to make a presentation. A time limit of three minutes is allotted to those members of the public who wish to speak regarding the request. The BZA may waive the time limits based on the merits of the situation. The vote of the Board of Zoning Appeals is final.



## Special Use Permit Application Checklist

The applicant shall submit ten (10) copies of all required materials listed below. Applications will **NOT** be accepted without the following attachments:

- **Application Form (pg 6).** The application form must be signed by all of the property owners. If ownership is in the name of any type of legal entity or organization including, but not limited to, a name of a corporation, partnership, or association, or in the name of a trust, or in a fictitious name, a document acceptable to the County must be submitted certifying that the person signing the application has the authority to do so. If the application is submitted by an agent of the owner, the agent shall sign the application as well.
- **Concept Development Plan.** Required for all special use permit requests. A concept plan is an initial plan, which shows the general nature of the land use change or development, which is intended. It differs from the final site plan, or, plot plan, which is required prior to the issuance of zoning approval and a building permit.

The level of needed detail may vary depending on the nature, size and complexity of the proposed project; however, the following items shall be addressed with a concept plan submittal:

### **Existing Site Features:**

- a) Name of all landowners, applicant (if different), developer, engineer/ party preparing the plans.
- b) Date, revision date(s), scale and north point of plan.
- c) Lot size in acres and/or square feet, property lines and dimensions and any easements.
- d) Zoning and existing use of property and all adjoining properties.
- e) All existing buildings, and streets and/or other adjacent improved or unimproved rights-of-way.
- f) All existing physical features such as tree cover, natural watercourses, recorded drainage easements, and 100-year floodplain limits.

### **Proposed Site Features:**

- g) Location of proposed access areas, loading zones, SWM facilities and streets or other rights-of-way.
  - h) Structures: dimensions, use and the general types of exterior materials.
  - i) Outside lighting: general location, height and type, and shielding.
  - j) General landscaping plan. Existing trees and shrubs are recommended to be maintained wherever possible.
  - k) General location and type of screening (fences, walls, vegetation), signs and trash enclosures
- **Filing Fee.** The application fee shall be paid when the application is submitted. Fees are determined by the current fee schedule. Contact Planning & GIS staff for assistance calculating fees. Checks should be payable to "Treasurer of Montgomery County".

Please note: In addition to the application fee, an invoice will be sent to the applicant/owner for fees associated with legal advertisements as required by the Commonwealth of Virginia.

- **Digital Submission of Application and all exhibits.** Applications will not be considered complete until digital items are received. An Adobe PDF document format is preferred for compatibility.



# Special Use Permit Application Form

Montgomery County, Virginia  
 755 Roanoke St. Suite 2A, Christiansburg, VA 24073  
 540-394-2148 | [mcplan@montgomerycountyva.gov](mailto:mcplan@montgomerycountyva.gov)

**Applicant Information:** (PLEASE PRINT – if additional owners, please attach additional sheets)

Owner of Record (attach separate page for add'l owners):	Address:
Telephone:	Email:

Applicant Name:    Owner    Contract Purchaser/Lessee	Address:
Telephone:	Email:

Representative Name and Company:	Address:
Telephone:	Email:

**Property Description:**

Location or Address: <i>(Describe in relation to nearest intersection)</i>		
Parcel ID Number(s):	Acreage:	Existing Zoning:
Comprehensive Plan Designation:	Existing Use:	

**Description of Request:** (Please provide additional information on attached sheet if necessary)

Proposed Use(s) including acreage/square footage:
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*I certify that the information supplied on this application and on the attachments provided (maps or other information) is accurate and true to the best of my knowledge. In addition, I hereby grant permission to the agents and employees of Montgomery County and State of Virginia to enter the above property for the purposes of processing and reviewing the above application.*

Owner 1 Signature	Date
Owner 2 Signature (for add'l owners please attach separate sheet)	Date
Applicant Signature	Date
Representative/Agent Signature	Date