



"Good Things Are Happening in Sussex County!"
Sussex County, Virginia
Planning and Zoning Department

CONDITIONAL USE PERMITS

WHY DO I NEED A CONDITIONAL USE PERMIT?

Sussex County's Zoning Ordinance permits certain "by right" land uses in a district, and other uses, which, because of their unique characteristics or potential impacts on adjacent land uses, are not generally permitted in certain zoning districts as a matter of right. Such other uses, under the right set of circumstances and conditions, may be acceptable in certain specific locations only after review and recommendation of a Conditional Use Permit by the Planning Commission and approval by the Board of Supervisors.

WHAT IS THE PROCEDURE FOR OBTAINING A CONDITIONAL USE PERMIT?

1. Prior to submitting an application, we recommend scheduling a pre-application meeting to review the application and discuss any questions the applicant may have. Pre-application meetings may be scheduled by calling the Planning and Zoning Department at 434-246-1043.
2. Submit fifteen (15) copies of the completed application form, completed application checklist with all required documents (See Submittal Checklist for additional items that may be required), completed disclosure of real estate holdings, owner's affidavit, the filing fee and one (1) digital copy of all documents.

Conditional Use Permit

- Basic Fee: \$1,000 + \$50 per acre
- Cell Tower: \$5,000
- Renewable Energy Project: \$5,000

WHEN IS A CONDITIONAL USE PERMIT APPLICATION CONSIDERED BY THE PLANNING COMMISSION?

Once a completed application has been submitted to the County, the application is distributed for comment and review to all appropriate County and State agencies and departments. Once all comments are received and the application is deemed acceptable by all appropriate County and State agencies and departments, the application is scheduled for public hearing at the next Planning Commission meeting. Planning Commission meetings are held at 6:00 p.m. on the first Monday of each month in the General District Courtroom at the Sussex Judicial Center. The advertising deadline for an upcoming Planning Commission public hearing is the first Friday of the month; therefore, an application must be deemed acceptable by the Planning and Zoning Department prior to this deadline in order to be placed on the next month's agenda.

WHAT IS THE PUBLIC HEARING PROCEDURE FOR A CONDITIONAL USE PERMIT?

1. Once the application is scheduled for a public hearing by the Planning Commission, the applicant may be required to submit additional copies of the application deemed necessary by the Planning and Zoning Department for distribution to the Planning Commission. All required items must be submitted to the Planning and Zoning Department no fewer than ten calendar days prior to the scheduled public hearing.
2. The applicant will be given at least one sign to post on the property at least ten (10) days prior to the Planning Commission public hearing, indicating an application has been filed.



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Additional signs may be required based on linear road frontage. These signs are provided by the County and may be picked up in the Planning and Zoning Department at 21035 Princeton Road, Sussex, VA 23884.

3. The application is advertised for public hearing in the local newspaper(s) twice – no more than twenty-one (21) days and no less than five (5) days prior to the public hearing.
4. Notices are sent by the Planning Department to all property owners within a 200-foot radius of the property associated with the application at least five (5) days prior to the public hearing.
5. Staff will prepare a report on the application and the applicant will be sent a copy of the report and other comments made by County and State agencies and departments prior to the meeting date.
6. The applicant and/or a representative is required to attend the Planning Commission meeting to present the application and answer any questions from Commission members.
7. Following the Planning Commission's recommendation of approval or denial, the application will be placed on the Board of Supervisors' agenda for a public hearing. Board of Supervisors meetings are held on the third Thursday of each month and begin at 6:00 pm in the Sussex County General District Courtroom, 15098 Courthouse Road, Sussex, VA 23884. The same notification procedure as outlined above will be followed, and ten (10) additional copies of all application documents will be required to be submitted by the applicant for distribution to the Board of Supervisors. All required items must be submitted to the Planning and Zoning Department no fewer than ten calendar days prior to the scheduled public hearing.

8. The Board of Supervisors will hold the public hearing as scheduled, and make a determination to approve or deny the application. The applicant and or a representative is required to attend the Board of Supervisors meeting to present the application and answer any questions from Board of Supervisors members.
9. The applicant will be notified in writing of the Board of Supervisors' discussion. If denied, a period of at least one (1) year must elapse in order to resubmit the application, unless significant changes are made. Also, the applicant may appeal the Board's decision to the Sussex County Circuit Court within 30 days.

HOW LONG IS A CONDITIONAL USE PERMIT VALID?

Indefinitely, unless the Board of Supervisors places a time limit or other condition on the use permit that makes it not indefinite.

CAN A CONDITIONAL USE PERMIT BECOME VOID OR BE REVOKED?

Yes, unless otherwise specified by the conditions of the use permit, failure to establish the use within two (2) years from the date of approval shall cause the use permit to become void. When a use is discontinued for any reason for a continuous period of two (2) years or more, the use permit shall become void. The Board of Supervisors may revoke a use permit due to a change in conditions affecting the public, repeated violations of the Zoning Ordinance and/or the conditions of the use permit, or providing false information in order to obtain the use permit.

WHAT OTHER PERMITS OR APPROVALS MAY BE REQUIRED PRIOR TO CONSTRUCTION?

- Zoning Permit
- Stormwater Permit
- Building Permit
- Health Department Permit
- Site Plan Approval
- Subdivision Plat Approval
- Landscaping Surety
- BMP Maintenance Agreement



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SUBMITTAL CHECKLIST FOR CONDITIONAL PERMIT APPLICATIONS

In conjunction with Article XV, *Administration and Enforcement* of the Sussex County Zoning Ordinance, as amended, the following information shall be submitted for a Conditional Use Permit Application. Please note that it is the applicant's responsibility to ensure that the application is in compliance with all Federal, State and County regulations.

No application for a Conditional Use shall be certified as complete unless the following information is provided, unless the Zoning Administrator reduces the number of required copies.

- 1. Fifteen (15) copies of the original, executed application and one (1) original executed application. Both the applicant(s) and the property owner(s) must have their signature(s) notarized on page No. 2 of the application.
- 2. The appropriate fees have been submitted with the application. Checks should be made payable to: Treasurer, Sussex County.
- 3. Fifteen (15) copies of a statement of the reasons for seeking such permit, and if applicable, a statement of conditions.
- 4. Fifteen (15) copies of a narrative description of the property which shall include the Tax Parcel Identification Number.
- 5. One (1) copy of the most recent deed(s) for the property(s) associated with the application.
- 6. A concept plan of the property showing all existing and proposed physical improvements and such other information as is necessary to clearly indicate to the Planning Commission and Board of Supervisors that adequate provisions shall be made for compliance with all standards for that particular use and the extent of the property to be so used on a given parcel or parcels. Such document shall be drawn to scale and shall include the following information:
 - 1. A vicinity map at a scale of no less than one (1) inch equals two thousand (2,000) feet
 - 2. Title of drawing
 - 3. Date of drawing
 - 4. Existing wood line
 - 5. North arrow
 - 6. Scale bar
 - 7. Dimensions of property, location, size and elevation of existing buildings and proposed buildings, roadways, sidewalks, parking and loading spaces, and landscaping.
 - 8. Current zoning of parcel(s) to be rezoned, including tax map number(s) and owner(s)
 - 9. Current zoning of adjacent parcel(s), including tax map number(s) and owner(s)
 - 10. Street names including route number and width(s) of the right-of-way(s)
 - 11. Fifteen (15) full size copies, with one (1) reduced 11-inch X 17-inch copy shall be submitted
 - 12. Please note that additional information on the site layout may be requested by the Zoning Administrator during the review process in order to more effectively review the application and prepare the staff reports for the Planning Commission and Board of Supervisors.



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- 7. Fifteen (15) copies of such supplemental material as may be necessitated by the proposal.
- 8. One (1) electronic copy of all application documents.
- 9. All real estate taxes must be paid and current at the time of submittal; otherwise, the submittal will be refused at the counter. Proof of the most recent tax payment to the County must accompany the application.

I, the undersigned, certify that this application is complete, accurate and contains all required and requested information, documents and other submittals, and that all statements made herein are, to the best of my knowledge, true and correct. I further certify that I have exercised due diligence to obtain the most recent, complete and correct information available. I understand that any section not completed in its entirety may delay processing of this application and the date of the Planning Commission public hearing and that the submittal of a complete application does not guarantee the application will be placed on the next available Planning Commission agenda.

Printed or Typed Name

Signature

Date



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APPLICATION FOR CONDITIONAL USE PERMIT

This application should be used to petition for a permit for certain uses which, because of their unique characteristics or potential impacts on adjacent land uses, are not generally permitted in certain zoning districts as a matter of right, but which may, under the right set of circumstances and conditions be acceptable in certain specific locations. The following application requirements are consistent with the procedures set forth in Section 16-274, *Public hearing on Conditional Use Permit*, of the Sussex County Zoning Ordinance, as amended.

A. APPLICATION:

Conditional Use Permit (Are applicant proposed conditions attached?): _____ Yes _____ No

The proposed use or activity is listed as a conditional use in the _____ zoning district as per Section _____ in Article III of the Sussex County Zoning Ordinance.

Proposed Use, Activity, or Type of Improvement: _____

Fair Market Value of Improvements? \$ _____

B. PROJECT DESCRIPTION:

Project Name: _____

Property Address (if any): _____

Election District: _____

Comprehensive Plan Designation: _____

The use permit will apply to _____ acres out of _____ total acres

Tax Parcel Identification # _____ Number of acres to be effected: _____

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Tax Parcel Identification # _____ Number of acres to be effected: _____

Proposed Utilities (check all that apply): Public Water _____ Private Well _____

Public Sewer _____ Private Septic _____

Are there any deed restrictions on the property? _____ Yes _____ No

(If yes, please attach a copy of the deed restrictions.)



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C. APPLICATION INFORMATION:

Applicant(s) Name(s): _____

Address: _____

City, State, Zip Code: _____

Phone No.: _____ Email: _____ Fax No.: _____

Property Owner(s) Name(s): _____

Address: _____

City, State, Zip Code: _____

Phone No.: _____ Email: _____ Fax No.: _____

Applicants/Owners Affidavit (including compliance with all deed restrictions and covenants)

This application must be signed by the owner(s) of the subject property or must have attached written evidence of the owner's consent, which may be in the form of a binding contract of sale with the owner's signature or a letter signed by the owner(s), containing written authorization to act with full authority on the owner(s) behalf in filing this use permit application. Signing this application shall certify the owner's compliance with all deed restrictions and covenants, and shall constitute the granting of authority of the County to enter onto the property for the purpose of conducting site analyses and compliance with Federal, State and County regulations.

Applicant: _____
Printed or Typed Name

Owner: _____
Printed or Typed Name

Applicant: _____ Date: _____
Signature

Owner: _____ Date: _____
Signature

County of Sussex, Commonwealth of Virginia

County of Sussex, Commonwealth of Virginia

Subscribed and sworn to before me _____
_____, A Notary Public in and for
the County of Sussex, Commonwealth of Virginia,
this ____ day of _____, 20____

Subscribed and sworn to before me _____
_____, A Notary Public in and for
the County of Sussex, Commonwealth of Virginia,
this ____ day of _____, 20____

Notary Public

Notary Public

My Commission Expires _____

My Commission Expires _____



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Owner: _____
Printed or Typed Name

Owner: _____
Printed or Typed Name

Owner: _____ Date: _____
Signature

Owner: _____ Date: _____
Signature

County of Sussex, Commonwealth of Virginia

County of Sussex, Commonwealth of Virginia

Subscribed and sworn to before me _____
_____, A Notary Public in and for
the County of Sussex, Commonwealth of Virginia,
this ____ day of _____, 20____

Subscribed and sworn to before me _____
_____, A Notary Public in and for
the County of Sussex, Commonwealth of Virginia,
this ____ day of _____, 20____

Notary Public

Notary Public

My Commission Expires _____

My Commission Expires _____



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NOTICE: THE ATTACHED CHECKLIST MUST BE COMPLETED, CERTIFIED, AND SUBMITTED OR THE APPLICATION WILL BE CONSIDERED INCOMPLETE.

Remit Application to: Sussex County Planning Department, 20135 Princeton Road, P. O. Box 1397,
Sussex, Virginia 23884

FOR OFFICE USE ONLY:

Complete Application Received On: _____ Fees Paid: _____

Tax Query: [] Current [] Delinquent Distribution Date: _____

Posted/Date to Post: _____

AGENCIES REFERRALS:

_____ Department of Environmental Quality

_____ Finance

_____ Industrial Development Authority

_____ County Administration

_____ Public Safety

_____ Health Department

_____ VDOT

_____ Commissioner of the Revenue

_____ Sussex Service Authority

_____ Building Inspections

_____ Sheriff's Office

_____ Town of Jarratt

_____ Town of Waverly

_____ Town of Stony Creek

_____ Town of Wakefield

_____ Schools

_____ County Attorney

_____ Other _____

Verified By: _____ Date: _____



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COUNTY OF SUSSEX

DISCLOSURE OF REAL ESTATE HOLDINGS

Applicant _____

Address _____

Street

City

State

Zip

REAL ESTATE HOLDINGS TO BE AFFECTED

Location or Address	Description

OTHER OWNERS OF AFFECTED REAL ESTATE

(Not Required for Corporation whose stock is traded on a national or local stock exchange or having more than 500 shareholders.)

Name of Individuals Corporation/Partnership Business Association	Address

Does any member of the Sussex County Planning Commission or governing body have any interest in such property, either individually, by ownership of stock in a corporation owning such land, partnership, as the beneficiary of a trust, or the settlor of a revocable trust, or whether a member of the immediate household of any member of the Planning Commission or governing body has any such interest? _____ Yes _____ No

If yes, names of members:

I do solemnly swear that the foregoing statement(s) and attachments(s), if any, are complete, correct and true.

Applicant: _____ Applicant: _____ Date: _____
Printed or Typed Name Signature

Commonwealth of Virginia
County of Sussex

Subscribed and sworn to before me _____,

A Notary Public in and for the County of Sussex, Commonwealth of Virginia, this _____ day of _____, 20 _____.

Notary Public

My Commission Expires _____