



City of Richmond

Department of Planning & Development Review

Division of Zoning Administration

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ADMINISTRATIVE VARIANCE INFORMATION

When requesting an Administrative Variance, it is important to be aware of the information outlined below. It is essential that the Zoning Administrator receive thorough and complete information in order that the request may be adequately considered and that an informed decision can be made.

An Administrative Variance is limited exclusively to relief for variations from the following with certain conditions:

- Interior side and rear yard requirements for single-family and two-family attached and detached dwellings.
- Front yard and street side yard requirements for 2ND-story additions to single-family detached dwellings.
- Front yard requirement along the longer street frontage for an addition to a single-family detached dwelling.
- Street side yard requirement for an addition to a single-family detached dwelling.
- Front yard requirement on a corner lot for an addition to a single-family detached dwelling.

In order for an Administrative Variance to be approved, the Zoning Administrator must determine that the request is consistent with all of the following standards:

- a. *The strict application of the ordinance would produce undue hardship;*
- b. *Such hardship is not shared generally by other properties in the same zoning district and the same vicinity;*
- c. *The authorization of the variance will not be of substantial detriment to adjacent property, and,*
- d. *The character of the zoning district will not be changed by the granting of the variance.*

It is very important to discuss any proposed Administrative Variance request with Zoning Administration Staff prior to formally completing the application. This is necessary because even if any adjoining property owner supports the request, it is possible that the Zoning Administrator may determine that the request is not consistent with the above-mentioned standards. The Administrative Variance granted by the Zoning Administrator shall be the minimum necessary to relieve the hardship.

When submitting the Administrative Variance request, provide the following required information:

1. Survey or site plan showing the existing improvements and any proposed improvements.
2. Building construction plans, including:
 - Floor plans.
 - Elevation drawings showing foundations, porches, windows and doors, siding, roofing, mechanical equipment, fencing, gutters, etc.
 - List of building materials, including: foundations, siding, windows, doors, roofing and fencing.
3. Application fee of one-hundred dollars (\$100).
4. A written statement addressing the standards (a-d) listed above.

You should also supplement the application with any photographs, maps, diagrams or any other graphic or written information that fully explains the request and assists the Zoning Administrator in understanding the request.

Be aware that both Virginia law and the Zoning Ordinance requires notification of the owner(s) of all adjoining properties (any property with which has a common property line) for any Administrative Variance request. This notification requires a twenty-one (21) day period from the date of the notice in which any adjoining property owner can file an objection to the request.

For this reason, it is very important that the specific request is discussed with the adjoining property owner(s) PRIOR TO submitting an application for an Administrative Variance.

Although not required by law, adjacent owner(s) of property within a 150-foot radius and the corresponding neighborhood civic association(s) will also receive an informational notice advising them of the request.

To receive a list of the property owner(s) who will be notified as a result of the application, contact Zoning Administration Staff at (804) 646-6340.

Information regarding the neighborhood association(s) and/or contact person(s) may be obtained from the City's website at:

<https://www.rva.gov/planning-development-review/civic-groups>

Once on the page, you can search for any property using the interactive map. A dialogue box will provide the name(s) of any civic group(s) within the immediate area. Once the group or owner names are obtained, it is advisable that you make contact with them in order to provide any information relative to the Administrative Variance request.

Be advised that the Zoning Administrator may impose certain conditions of approval, which typically include, but are not limited to, increasing the requested yard (setback) to accommodate access for maintenance, architectural features and attributes, rain diversion and control, and the prohibition of specific materials to be utilized in the construction.

Finally, under Virginia law, if an adjoining owner objects to the request, in writing, the Administrative Variance **CANNOT** be approved by the Zoning Administrator and the request will be denied. If denied and the applicant still wishes to pursue the waiver, it will be necessary to transfer the case to the Board of Zoning Appeals (BZA) for a public hearing. In the event it becomes necessary to transfer your case to the Board of Zoning Appeals, an additional application and application fee (\$175) shall be required in order to cover the cost of the legally required public notice advertisement.

I, _____, owner of _____,
(Print name) (Print address)

hereby acknowledge that I have read and understand the Administrative Variance requirements and process. I have contacted the adjoining property owner(s) and the local neighborhood association and discussed the submitted request and have provided and reviewed with them the proposed plans for the Administrative Variance.

Property Owner/Authorized Agent Signature

Date