

# Subdivision Exception Application

Community Development | Planning & Zoning Division  
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 E: [planning@botetourtva.gov](mailto:planning@botetourtva.gov)



Surveyor Information			
Name:		Phone #:	
Mailing Address:		Email:	
Town/City:		State:	Zip:
Water is provided by: Well <input type="checkbox"/> Public or Community <input type="checkbox"/>		Sewer is provided by: Septic <input type="checkbox"/> Public or Community <input type="checkbox"/>	
Subdivision Property and Owner Information			
Name:			
Tax Map Number(s):		Total Acreage:	
Physical Address:	Town/City:	State:	Zip:
Mailing Address:	Town/City:	State:	Zip:
Email:		Phone:	
Is this a family subdivision: Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, please provide draft copy of deed.			
Name(s) and relationship of person(s) receiving the family subdivision lot: _____			
Subdivision Exception Information			
State the Botetourt County Subdivision Ordinance Code Section for the requested Subdivision Exception:			
State the evidence for the Subdivision Exception Justification (Additional page(s) may be used):			

## Botetourt County Subdivision Ordinance, Section 21-25. –

- (a) An applicant may request an exception to the substantive requirements contained in this chapter, by submitting in writing the request, including evidence for justification, to the agent. The planning commission, may grant such an exception upon evidence presented by the applicant that an exception is warranted due to an unusual situation or that strict adherence to the requirements would result in substantial injustice or hardship.
- (b) No such exception shall be granted that the planning commission finds would conflict with the comprehensive plan, or would conflict with the applicable requirements of the zoning ordinance. Further, no exception granted pursuant to this section shall affect the applicant's obligation to comply with requirements which are established by separate authority in accord with state or county law, nor may any exception relating to agreements and surety be granted pursuant to this section.
- (c) The planning commission shall conduct a public hearing on the application for an exception, in accord with the procedures for public hearing as provided for in the Code of Virginia § 15.2-2204.
- (d) The planning commission shall act on the application for exception within sixty (60) days from the date the application was officially submitted. At least ten (10) days prior to final action, the agent or planning commission shall give notice by publication in a newspaper having general circulation in the county.
- (e) The planning commission, shall grant or deny each request, stating the reasons therefor.