

HANOVER COUNTY, VIRGINIA
PUBLIC WORKS DEPARTMENT
CHESAPEAKE BAY PRESERVATION PROGRAM

Applicant Procedure for Exception Request Applications

An application may be made to the Director of Public Works for an exception to the following County Code requirements for intended uses, which are essential to the reasonable use of the property.

- A. General Performance Criteria for Chesapeake Bay Preservation Areas (County Code Section 10-38), or
- B. Development Criteria for Resource Protection Areas (County Code Section 10-40).

A. Requests for exceptions to the General Performance Criteria:

- 1. Exception requests to the General Performance Criteria require the following submittals:
 - A complete Water Quality Impact Assessment (DPW Form 202), and
 - A complete Exception Request Application (DPW Form 203)
- 2. The Director will review the exception request application and the water quality impact assessment.
- 3. The Director may approve, disapprove, or request additional information.
- 4. The Director may impose conditions necessary to prevent the degradation of water quality.
- 5. If the Director disapproves the exception request, the applicant may appeal the decision to the County Administrator within fifteen (15) days in accordance with the County Code (Section 10-49).

B. Requests for exceptions to the Development Criteria:

- 1. Exception requests to the Development Criteria require the following submittals:
 - A complete Water Quality Impact Assessment (DPW Form 202), and
 - A complete Exception Request Application (DPW Form 203), and
 - Adjoining Property Owner List (DPW Form 203a), and
 - Payment of \$400 for processing exception request.
- 2. Exception requests to the Development Criteria will be forwarded to the Planning Commission for action after a Department of Public Works review. The Department of Public Works may request additional information.
- 3. There is a required public hearing and adjacent property owner notification. Hanover County's Planning and Public Works Departments will handle coordination of the public hearing and adjacent property owner notification respectfully.
- 4. The Planning Commission will review the exception request application and water quality impact assessment, and conduct the required public hearing.
- 5. Following the public hearing the Planning Commission may approve, disapprove, or approve and impose conditions deemed necessary to prevent the degradation of water quality.
- 6. The decision of the Planning Commission will be final and cannot be appealed.
- 7. Public Hearing and Adjacent Property Owner Notification process:
 - a. The exception request application deadline for public notice is the first Monday of each month, for possible notification and scheduling by the Commission sixty days from the deadline. Submission of an incomplete application will delay action on the request.
 - b. The Department of Public Works will review the application and complete the public notices including the adjacent property owner notifications.
 - c. The Planning Department will advertise and coordinate the public hearing.