



Phone (540) 967-3430 COUNTY OF LOUISA COMMUNITY DEVELOPMENT DEPARTMENT Fax (540) 967-3486
www.louisacounty.com

BZA VARIANCE GUIDELINES

Checklist:

A variance as defined in Virginia Code § 15.2-2201, provided that the burden of proof shall be on the applicant for a variance to prove by a preponderance of the evidence that his application meets the standard for a variance as defined in § 15.2-2201 and the criteria set out in this section. According to § 15.2-2309 a variance shall be granted if the evidence shows that:

Step 1:

The Board determines the strict application of the terms of the ordinance (must choose at least one):

- a. ___ Would unreasonably restrict the utilization of the property, or
- b. ___ Granting of the variance would alleviate a hardship due to a physical condition relating to the property or improvements thereon at the time of the effective date of the ordinance.

Step 2:

The Board finds (must choose all):

- c. ___ The property interest for which the variance is being requested was acquired in good faith and any hardship was not created by the applicant for the variance; and,
- d. ___ The granting of the variance will not be of substantial detriment to adjacent property and nearby properties in the proximity of that geographical area; and,
- e. ___ The condition or situation of the property concerned is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to the ordinance; and,
- f. ___ The granting of the variance does not result in a use not otherwise permitted on such property or a change in the zoning classification of the property; and,
- g. ___ The relief or remedy sought by the variance application is not available through a special exception (Board of Supervisors retains this authority).