



## **SUBDIVISION ORDINANCE EXCEPTION SUBMITTAL INSTRUCTION SHEET**

A petition for a Subdivision Ordinance exception may be filed with the Department of Engineering, Site and Subdivision Office, 2400 Washington Avenue, 8<sup>th</sup> Floor, City Hall, City of Newport News, Virginia 23607, (telephone 926-8137).

### **SUBMISSION REQUIREMENTS**

1. Completed petition form with all necessary signatures (six (6) copies).
2. Submittal checklist (six (6) copies).
3. A plat or deed describing the legal description of the parcel (six (6) copies).
4. A conceptual plan showing the proposed development with all relevant information (six (6) copies).

**Once the petition, together with all required submissions have been filed with the Department of Engineering, the applicant will be notified of the date, place and time of the public hearing and the cost to advertise the notice.**

### **REVIEW PROCEDURE**

The Subdivision Review Board will consider the request at a public hearing, at which persons affected may present their views. A notice that the Board intends to consider an exception will be published once a week for two (2) successive weeks in a newspaper having general circulation in the City of Newport News. The notice will specify the time and place of the hearing. The hearing will be held no less than six (6) days nor more than twenty-one (21) days after the final publication. The notice will contain a reference to the place or places within the City where copies of the plan showing the proposed development may be examined.

**The cost to advertise the notice of the public hearing shall be paid by the party seeking review by the Board and must be paid three (3) working days prior to the hearing.**

### **NOTIFICATION OF ADJACENT PROPERTY OWNERS**

It shall be the property owners' responsibility to notify, by registered or certified mail, the owner or owners, their agent or occupant, of all abutting property and properties affected. Notice sent by registered or certified mail to the last known address of such owner as shown on the current real estate tax assessment books shall be deemed adequate compliance with this requirement. A copy of the notice and a list of the affected property owners who must be notified will be forwarded to the applicant upon receipt of the completed petition package.

**The mail receipts must be submitted to the Department of Engineering, Site and Subdivision Office, City of Newport News, 8<sup>th</sup> Floor, City Hall, 2400 Washington Avenue three (3) working days prior to the hearing.**



## SUBDIVISION ORDINANCE EXCEPTION SUBMITTAL CHECKLIST

Submit this checklist along with all required items to:

Site & Subdivision Office  
Department of Engineering  
2400 Washington Avenue  
Newport News, Virginia 23607

For each listed item, check (√) if provided, write "n/a" if the feature does not exist or is not proposed in the particular case to determine compliance with applicable regulations or to address the required conclusions.		Staff use only
√, n/a	APPLICABLE SUBMITTAL REQUIREMENT	√, X
1	Evidence of the legal creation of the parcel(s) making up the development site (copy of most recently recorded plat or deed describing parcel).	
2	Copy of any Conditional Zoning, Special Exceptions, Variances or Conditional Use permits applicable to site or part thereof (1 copy) (see Register of Deeds and/or Codes Compliance administration staff).	
3	Subdivision Ordinance exception petition form (6 copies) (attached)	
4	A conceptual plan of the proposed development showing existing conditions and proposed improvements (6 copies).	
a	Property lines with dimensions (metes and bounds).	
b	Zoning of the site and adjacent properties	
c	Statistical data in accordance with the zoning ordinance	
d	Owner information of adjacent properties	
e	Existing and proposed roadways and associated access rights-of-ways or easements (show name and label as public or private).	
f	Inset map showing site's location.	
g	Title block showing name and address of site owner(s), name of plan designer, parcel identification number, date of plan, scale, north arrow, and title.	

Note: All documents and plans submitted as required become the property of the City of Newport News.

Petition accepted as complete by: \_\_\_\_\_ Date: \_\_\_\_\_

Subdivision Review Board action: ( )Approved ( )Approved with conditions ( )Denied Date: \_\_\_\_\_

If approved, a development plan prepared by a certified professional engineer or certified land surveyor, in accordance with the requirements of the Subdivision Regulations, will need to be filed with the Department of Engineering for review and approval. Approval by the Board for an exception does not constitute a guarantee of approval of the development plan by the Director of Engineering, nor does it guarantee approval of the final subdivision plat.



**SUBDIVISION ORDINANCE EXCEPTION  
PETITION FORM  
CITY OF NEWPORT NEWS, VIRGINIA**

Complete the following information and return to Department of Engineering, Site and Subdivision Office, 2400 Washington Avenue, 8<sup>th</sup> Floor, City Hall, City of Newport News, Virginia 23607, (telephone 926-8137).

On this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_, the undersigned, \_\_\_\_\_

\_\_\_\_\_

owner(s) of the property described as follows (legal description and parcel(s) identification number(s):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

hereby petition the Newport News Subdivision Review Board for a hearing to determine whether or not the Petitioner is entitled to have the said property excepted from the literal enforcement of the provisions of the Subdivision Ordinance.

1. Your Petitioner avers that owing to special conditions, a literal enforcement of the said ordinance will result in unnecessary hardship and that to except said property will not be contrary to the public interest nor will it offend the spirit of the Subdivision Ordinance.
2. Your Petitioner further avers that the strict application of the terms of the Subdivision Ordinance would effectively prohibit or unreasonably restrict the use of the property

and to except said property will alleviate a clearly demonstrable hardship approaching confiscation as distinguished from a special privilege or convenience.

3. The Subdivision Regulation(s) proposed to be exempted (cite the provision(s) and identify the requirement Ex: Sec. 8-01.3 – each lot shall have the required frontage on a street dedicated by the subdivision plat or an existing publicly dedicated paved street).

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4. The following are the grounds in support of the position of the Petitioner:

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The undersigned property owner(s) hereby authorize(s) the filing of this petition, authorize(s) on-site review by authorized staff and hereby certifies that to the best of their/his/ her knowledge and belief, all information supplied with this application is true and accurate

Petitioner: \_\_\_\_\_ Date: \_\_\_\_\_  
Petitioner: \_\_\_\_\_ Date: \_\_\_\_\_  
Petitioner: \_\_\_\_\_ Date: \_\_\_\_\_

Contact Person: \_\_\_\_\_ Date: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

E-Mail: \_\_\_\_\_ Fax: \_\_\_\_\_

Telephone: \_\_\_\_\_ Relationship to  
owner(s): \_\_\_\_\_