



PROCEDURE FOR FILING SPECIAL EXCEPTION PERMIT

City of Salem Department of Planning and Development

Melinda J. Payne, Director
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Judy Hough CAP, Executive Secretary CAP
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Telephone: 540-375-3007

A request for approval of a Special Exception Permit under the provisions of the City of Salem Zoning Ordinance must be accompanied by the following:

1. A letter to the Executive Secretary of the City of Salem Planning Commission from the property owner(s) of the property proposed for a special use or representative(s) thereof which officially requests approval of a Special Exception Permit. The letter should include any relevant information pertaining to the property, its proposed use and development, including any proffers and/or conditions the petitioner is proposing relative to the granting of the request (see letter below).
2. A filing fee, in accordance with the fee schedule, to cover costs of legal advertisements in newspaper, the posting of signs on property, mailing of letters to adjacent property owners, and City staff review.
3. A completed Special Exception Permit petition (attached).
4. Provide eighteen (18) copies of a certified plat of survey of the property which must include the following:
 - (a) present zoning classification of adjacent properties; and
 - (b) all existing and proposed improvements (easements, buildings, etc.) including topographical information, building elevations and other relevant site characteristics.
5. Submit the above information to the Planning and Development Department no later than the 3rd Friday of the month prior to the month that the Petitioner wants to appear before the Planning Commission (regularly scheduled Commission meeting of that month).

A request for approval of a Special Exception Permit is considered and acted upon by the City Planning Commission and the City Council. Planning Commission and City Council separately advertise and schedule a public hearing for each request. A recommendation from Planning Commission is forwarded to City Council. Council renders the final decision.

DEADLINE FOR SUBMISSION: _____

PLANNING COMMISSION HEARING: _____

CITY COUNCIL HEARING: _____

January 1, 2006

TO ALL SPECIAL EXCEPTION PERMIT/USE NOT PROVIDED FOR PERMIT APPLICANTS:

Special Exception Permits are required for certain uses that the City of Salem envisions being located in a particular zoning district but requires additional site specific review to ensure there will be no adverse impact to the public health, safety, and welfare of the surrounding neighborhood or the community in general. Use not provided for permits are required when a proposed land use is not listed in the zoning district. Special exception and use not provided for permits are allowed only at the discretion and approval of the Salem City Council following review and recommendation by the Salem Planning Commission.

Since special exceptions can be controversial in nature, the applicant may be inclined to offer **conditions** in order to make the request more appealing. Such condition(s) should be discussed with City staff well in advance of the Public Hearing before the Salem Planning Commission. Conditions should be presented in writing and included with the completed special exception application whenever possible.

During a public hearing citizens or business owners often express concerns related to the request. When this occurs, the Planning Commission or City Council may impose additional conditions on the Special Exception Permit.

Any questions in this regard should be addressed to the Planning and Development Department at (540) 375-3007.

Sincerely,

Melinda J. Payne
Director of Planning and Development

MJP;jh

PETITION FOR SPECIAL EXCEPTION PERMIT

City of Salem Department of Planning and Development

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1. Legal Owner(s) of property wherein special exception is to be conducted:

2. Location of Property:

Address: _____

Subdivision: _____

Official Tax Map Number: _____

3. Characteristics of Property:

Size (Acreage): _____

Deed Restrictions: _____

Present Use: _____

Present Zoning Classification: _____

Land Use Plan Designation: _____

4. Proposed use of property: _____

5. Agent(s) or representative(s) of property owner(s): (Specify interest)

Mailing Address: _____

Telephone Number: _____

6. Affidavit:

A. The undersigned person(s) certifies that this petition and the foregoing answers, statements, and other information herewith submitted are in all respects true and correct to the best of their knowledge and belief. Also, the petitioner understands that a "Notice of Zoning Request" sign will be posted on the property by the City.

Signed: _____ Date: _____

Interest in Property: _____

Mailing Address: _____

Telephone Number: _____

Office Use Only:

Sec. 106-524(B) Sec. 106-524(C) "Use Not Provided For"

CITY OF SALEM, VIRGINIA

**Planning & Development Department
Fee Schedule**

Rezoning	\$700 + \$25/acre > one acre
Special Exception Permit	\$700 + \$25/acre > one acre
Planning Unit Developments (PUD) (a) Review and Approval	\$700 + \$25/acre > one acre
Variances (Board of Zoning Appeals) (a) Variance	\$700
Appeal to Uniform Statewide Building Code	\$250
Site Plan Approval	\$250 + \$25/acre > one acre
Subdivisions	
(a) Minor (5 or less lots)	\$100
(b) Major (6 or more lots or any subdivision involving the creation of public rights of way)	\$220 + \$45/lot
Boundary Line Adjustment or Vacation of Interior Lot Lines	\$75

**Adopted by Resolution #1050 on March 14, 2005
By Salem City Council
Effective March 24, 2005**