

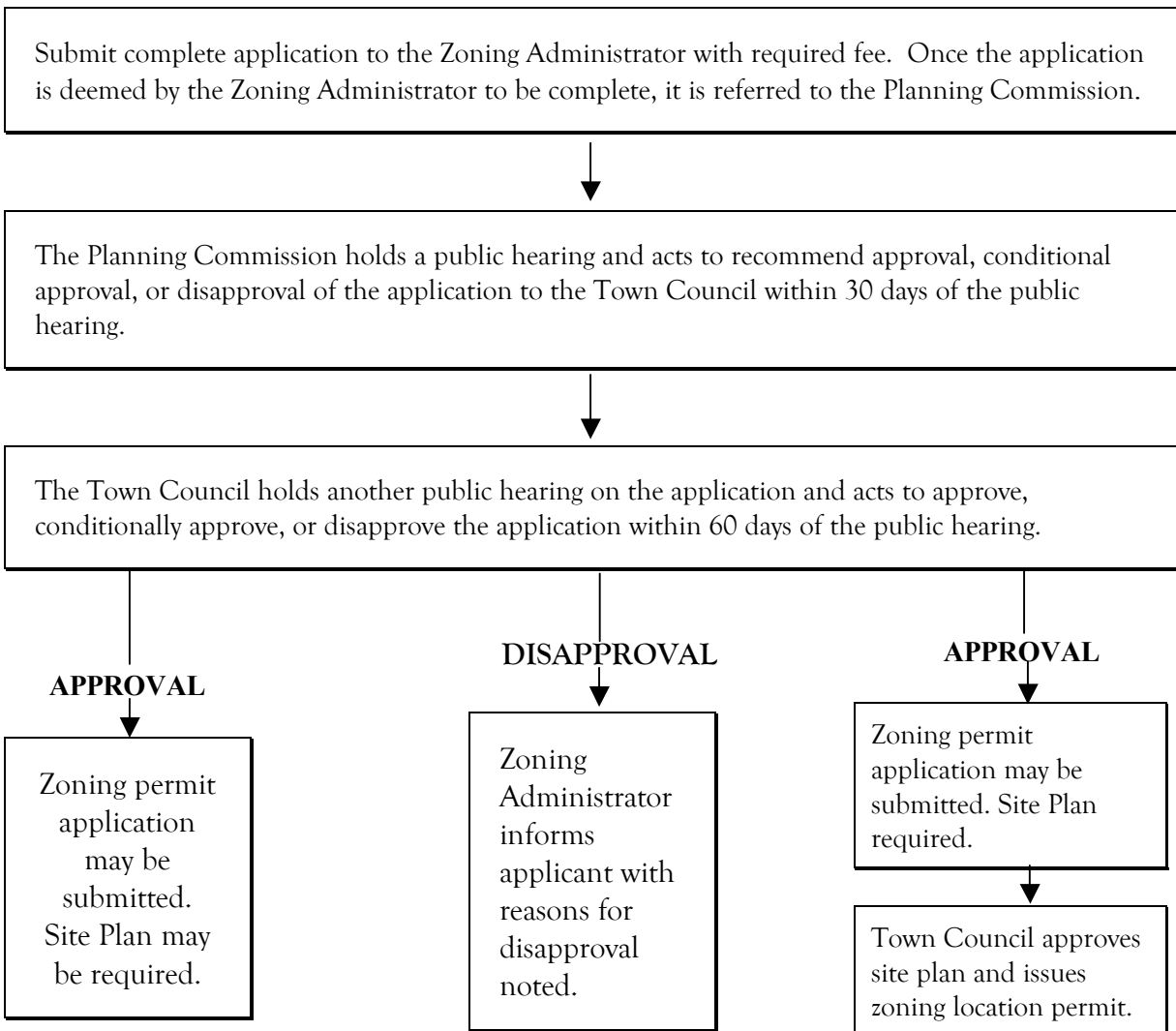
TOWN OF MIDDLEBURG
Office of the
Zoning Administrator

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How to Apply for a SPECIAL USE PERMIT

A **Special Use Permit** is required for certain uses of property that are specifically cited in the Middleburg Zoning Ordinance or that may have a significant nuisance effect, in addition to zoning permits for construction and occupancy. This permit may be subject to such reasonable conditions as the Town Council deems necessary to make the use compatible with the immediate area and to carry out the intent of the Zoning Ordinance.

APPLICATION PROCESS



CONDITIONAL

Submission Requirements

Sections 56-59 of the Middleburg Zoning Ordinance contain the approval process for special use permits in complete detail. The applicant should provide as detailed a description as possible of the nature of the proposed use on the application form, attaching additional sheets if necessary. In addition, Section 171 and 172 of the ordinance contain the specifications for site plans that must accompany special use permit applications.

Criteria for Review and Action on Special Use Permit Applications

As outlined in Section 58 of the Zoning Ordinance, the Town Council in approving a special use permit must find that:

- 1) The requested use is permitted by special use permit in the zoning district where proposed;
- 2) The development will comply with all requirements of the zoning ordinance; and
- 3) The development, if completed, will:
 - ❖ Not materially endanger the public health or safety;
 - ❖ Not substantially injure the value of adjoining or abutting property;
 - ❖ Be in harmony with the area in which it is to be located; and
 - ❖ Be in general conformity with the Middleburg Comprehensive plan or other plans adopted by the Council.

Conditions may be imposed by the Town Council on the use, such as the method and hours of operation of the proposed use, provisions for screening and buffering the use, and other reasonable requirements necessary to protect public health and safety. In addition, the Council may limit a special use permit to a specified duration.

