

B	SMALL RESIDENTIAL CONSTRUCTION PROJECTS
<p>This section covers common small-scale construction projects that homeowners may undertake to add new buildings and structures to lots or additions to existing buildings. Examples include:</p> <ul style="list-style-type: none">• Decks and porches• Outbuildings (e.g., carports, sheds, garages)• Additions to a house or outbuilding• Swimming pools (in-ground and above ground)• Freestanding solar panels	
<p><u>Contact Person:</u> Jeremy Camp, Senior Planner/Zoning Administrator (Planning Department) (540) 955-5131, jcamp@clarkecounty.gov</p>	
<p><u>Permits/Reviews Required:</u></p> <ul style="list-style-type: none">• Zoning Permit – issued by Planning Department• Building Permit (in most cases) – issued by Building Department• Land Disturbance Permit (in some cases) – issued by Building Department• Well/septic system review -- by Virginia Department of Health (VDH)	
<p><u>Information Required for Zoning Permit:</u></p> <ul style="list-style-type: none">• Completed new residential construction zoning permit application• Site sketch• Well and septic system permits/information (if applicable)	

Overview

Most small residential construction projects require a building permit, however all such projects require issuance of a **zoning permit**.

- A **zoning permit application** is reviewed to determine whether a proposed structure will be constructed within the minimum required distances to features on a lot including:
 - Property lines
 - Roads and private access easements
 - Streams/springs/sinkholes
 - Existing wells and septic systems.

Applications are also reviewed to determine whether the use of a proposed structure meets Zoning Ordinance requirements. Most man-made features added to a lot are considered to be structures – make sure to check with the Planning Department to

determine whether a zoning permit is required as well as the applicable regulations for your project. Approval of a zoning permit application is required before a **building permit** will be issued by the Building Department.

- A **building permit application** (filed with the Building Department) is reviewed to determine whether the proposed structure will be constructed in accordance with the Virginia Uniform Statewide Building Code and any other pertinent construction codes. Building Department staff can advise whether a building permit is required for your project.
- A **land disturbance permit application** (filed with the Building Department) may be required depending upon how much soil will be disturbed on a lot through grading, excavating, and similar activities associated with the construction project. Building Department staff can advise whether a land disturbance permit is required for your project.
- Depending on the type of construction project, **review of proposed and/or existing wells and septic systems by the Virginia Department of Health (VDH)** may be required. If the construction project will use an existing well and/or septic system, or will require a new well and/or septic system, permitting by VDH will be required. If the property is located in a karst area, submission of a resistivity test may also be required. Such reviews and permit approvals are a prerequisite to zoning and building permit approvals. Other VDH reviews are described below in the zoning permit review process.

Zoning Permit Review Process

- **STEP 1** -- Contact the Building Department to determine whether your project will require a building permit and, if so, what information you will need to provide with the building permit application. If your project is exempt from building permit requirements because it is an agricultural structure, you must obtain written confirmation from the Building Department regarding this exemption and provide a copy with your zoning permit application.
- **STEP 2** -- Contact the Planning Department to obtain a zoning permit. A zoning permit application must be filed containing the location of the property where the project will take place, the dimensions and floor area of the proposed structure, and its proposed use. A **site sketch** containing the following site features and distances to the closest point on the proposed structure shall also be provided:
 - Lot lines, adjacent public roads, and adjacent private access easements
 - Any existing structures (dimensions, floor area, and use information may also be required)
 - Any existing and proposed septic systems (including tanks and drain lines), reserve areas, and wells
 - Existing and proposed driveways
 - Existing or proposed utility, drainage, or other easements
 - Sinkholes, springs, perennial streams, and intermittent streams

- Any other site features or information required by the Zoning Administrator

Measurements of required distances must comply with the minimum setback distances required by the Zoning Ordinance. Tables showing minimum setback distances by zoning district are included in the zoning district descriptions set forth in Section 4 of the Zoning Ordinance.

The Zoning Administrator may also require VDH review as a condition of zoning permit approval in certain situations where the proposed project may have an impact on existing wells and septic systems. These include:

- Where the project involves a significant modification to an existing structure
- A change of use is proposed
- The existing septic system has not been used or has been used under its maximum design capacity

Such reviews are required by the County Septic Ordinance ([Code of Clarke County Section 143](#)) and may involve submission of an application and fee with VDH.

- **STEP 3** – After providing a complete zoning permit application, the Zoning Administrator will review the zoning permit application and will notify you if it is approved, denied, or requires additional information. Once the zoning permit is approved, you can continue with the building permit process (if applicable).

For questions or assistance in completing the zoning permit application, please contact the Zoning Administrator to schedule an appointment.

ZONING ORDINANCE REFERENCES:

- [Section 4, Zoning Districts](#). Contains setback for requirements buildings and structures.
 - [Section 4.1.1 – Agricultural-Open Space-Conservation District \(AOC\)](#)
 - [Section 4.1.2 – Forestal-Open Space-Conservation District \(FOC\)](#)
 - [Section 4.1.3 – Rural Residential District \(RR\)](#)
 - [Section 4.3.1 – Open Space Residential District \(OSR\)](#)
 - [Section 4.3.2 – Detached Residential-1 District \(DR-1\)](#)
 - [Section 4.3.3 – Detached Residential-2 District \(DR-2\)](#)
 - [Section 4.3.4 – Detached Residential-4 District \(DR-4\)](#)
- [Section 6.2.1, Administrative Review Processes – Zoning Permit](#). Contains regulations that apply to the review and approval of zoning permits.