

A	PERMIT APPLICATIONS GENERALLY
<p>Permits and licenses are required for a wide range of construction activities and uses. This section provides a general overview of the permits and licenses required for the most common types of permit applications that County residents file.</p>	
<p><u>Key Government Contacts:</u></p> <ul style="list-style-type: none">• Zoning Permits <u>Department of Planning</u> Government Center 2nd floor, 101 Chalmers Court, (540) 955-5132• Building Permits and Land Disturbance Permits <u>Building Department</u> Government Center 1st floor, 101 Chalmers Court, (540) 955-5112• Private Well and Onsite Sewage Disposal System Permits <u>Virginia Department of Health (VDH)</u> 100 North Buckmarsh Street, (540) 955-1033• Business Licenses <u>Office of the Commissioner of the Revenue</u> Government Center 1st floor, 101 Chalmers Court, (540) 955-5108	

Zoning Permit

A zoning permit application is reviewed to determine whether use or development of a property, or construction of buildings and improvements on a property, complies with the requirements of the Clarke County Zoning Ordinance ([County Code Section 200, Article I](#)). Zoning permits are issued by the Zoning Administrator and Staff in the County Planning Department. Approval of a zoning permit is a prerequisite for approval of a building permit, however zoning and building permit review may take place at the same time.

Types of zoning permits include:

- **New residential construction** – Required for residential building projects such as new homes, additions to existing homes, decks/porches, garages, sheds, and swimming pools.
- **Agricultural building construction** – Required for buildings to be used for agricultural purposes in the AOC and FOC Districts of which the Building Official has determined to be agriculturally exempt from building permit requirements.

- **Non-residential building construction** – Required for main structures on AOC or FOC-zoned lots that are not to be used as dwellings, e.g., storage buildings.
- **Temporary dwelling** – Permit issued to allow temporary residential occupancy of a structure, manufactured home, or major recreational equipment (such as a travel trailer or recreational vehicle) due to a hardship resulting from destruction of a residence on the lot or for residential use while in the process of constructing a new home on the lot.
- **Temporary structure** – Required for certain structures to be located on a lot for a limited time period including shipping containers, portable canopies, and tents requiring a building permit.
- **Home occupation** – Required for businesses operated from a home by a resident or residents (see “Can I run a business from my home?” section under “Information for Businesses”).
- **Signs** – Required to install any new permanent sign or to reconstruct or re-face any existing sign.
- **Short-term residential rental** – Required for the rental of one or more rooms within a dwelling, or the rental of an entire dwelling for lodging purposes for a period of fewer than 30 consecutive days in exchange for a charge (see “What are the rules for transient lodging businesses?” section under “Information for Businesses.”)
- **Agritourism activity** – Required to operate a temporary activity in conjunction with an agricultural operation allowing the public to participate in agricultural activities for recreational, entertainment, or educational purposes.
- **Antenna support structure** – Required to construct a small-scale freestanding or structure-mounted tower for internet or other telecommunications.
- **Farm brewery/farm winery/farm distillery** – Required to operate a limited farm brewery, limited farm winery, or limited farm distillery as licensed under State law in the AOC and FOC Districts.
- **Small wind energy system** – Required to construct wind turbines of a limited size to generate electricity that will be used primarily on the same property.
- **Change of use --** Required when an existing permitted use of a lot or structure is being changed to a new permitted use and no improvements are proposed that would require different zoning approval such as a site development plan. Examples include changing an accessory structure to a tenant house or converting a barn to an accessory building for non-agricultural use.

Zoning permit applications to conduct new activities such as home occupations are reviewed to determine whether the use of a proposed structure and property meets Zoning Ordinance

requirements. These applications require the applicant to provide details on the proposed use and to confirm that the applicant understands how certain activities are limited or prohibited per zoning regulations. A **site sketch** prepared by the applicant or their representative may be required by the Zoning Administrator to identify locations on a lot where the activities will be conducted. If new structures are built in conjunction with the use, a site sketch will be required (see below).

Zoning permit applications to construct new buildings and other structures are reviewed to determine whether the proposed structure will be constructed within the minimum required distances to property lines, roads/access easements, streams/springs/sinkholes, and to existing wells and septic systems. **A site sketch**, prepared by the applicant or their representative, is required with all zoning permit applications and shall contain the following site features and distances to the closest point on the proposed structure:

- 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 Guidance Manual Appendix and in the zoning district descriptions set forth in [Zoning Ordinance Section 4](#).

Site sketches do not have to be drawn to scale however the applicant is responsible for ensuring that all information provided on the site sketch is accurate. Planning Department staff cannot assist applicants with drawing site sketches.

Unless otherwise noted in the Zoning Ordinance, all zoning permit applications shall be signed by the property owner.

Building Permit

A building permit application is reviewed to determine whether a proposed structure will be constructed in accordance with the Virginia Uniform Statewide Building Code and any other pertinent construction codes. Building permits are issued by Staff in the County Building Department. Approval of a zoning permit is a prerequisite for approval of a building permit, however zoning and building permit review may take place at the same time.

Land Disturbance Permit

A land disturbance permit is required for any project that involves grading, excavating, or similar land disturbance activity. Applications are reviewed to determine compliance with State erosion

and sediment control regulations and local regulations found in [County Code Chapter 148 \(Erosion & Sediment Control\)](#). Land disturbance permits are issued by Staff in the County Building Department.

Well and Septic System Permits

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.

Business Licenses

Business licenses are issued by the Office of the Commissioner of the Revenue. In conjunction with the review of a new business license application, the Department of Planning conducts a zoning compliance review. Depending upon the nature of the proposed business, additional permits or review processes may be required. The Department of Planning also conducts zoning compliance review for business license renewals in which new or expanded uses are proposed. Zoning compliance review is required prior to approval of the business license by Commissioner of the Revenue staff.

If you have questions about zoning compliance for a business license, please contact the Department of Planning.