



City of Fredericksburg
COMMUNITY PLANNING AND BUILDING DEPARTMENT
715 Princess Anne Street / P.O. Box 7447
Fredericksburg, VA 22404-7447
Telephone: 540-372-1179

APPLICATION FOR CHANGE OF NON-CONFORMING USE

Definition

A non-conforming use is a land use which does not conform to the prescribed zoning district. The Zoning Administrator may allow a change in a non-conforming use, provided the new use is equally or more restrictive and will not have an adverse effect on the neighborhood in which the proposed use is located.

Approval of a Change of Non-Conforming Use

The following guidelines shall be used by the Zoning Administrator to determine whether a proposed non-conforming use is more restrictive than the previous non-conforming use and whether such a new use will have an adverse effect on the neighborhood in which it is located:

1. The parking requirements and parking spaces provided in reference to the new use.
2. The appearance of the building and site on which the use is to be located.
3. The use, type, area and appearance of signs.
4. The hours of operations for the new use.
5. The lighting provisions for the new use.
6. The landscaping provisions for the new use.
7. The potential increase in vehicular traffic in the neighborhood.
8. The potential effect on the fair market value of neighboring properties.

The Zoning Administrator may decide upon conditions for approval but may also deny such uses as incompatible with existing uses or the surrounding areas.

Application Requirements

Change of non-conforming use applications must be filed with the Office of Planning & Community Development. **Applications must include the application fee of \$300.00 as well as the original application with original signatures, one complete copy of the application must be uploaded to the City's FTP website. This must be completed in order for the application to be deemed to be complete. Please see the attached instructions on how to upload the application to the City's website. In addition, submit 2 paper copies of the application and preliminary plan with the following information (attach additional sheets as necessary):**

1. Certified boundary survey of the property.
2. Total area of the property.
3. Location and dimensions of all existing structures and facilities.
4. Location and dimensions, including height, of all proposed structures site improvements, facilities, parking and loading access points utilities and landscaping.
5. Descriptions of the development's impact on neighboring and adjacent properties.
6. A certified plat, signed and sealed by a professional surveyor as well as by an engineer and/or architect who is qualified to certify structural, grading, utility, and other site improvements.

7. Statement of proposed use, ownership, maintenance plan, management program, and other information, to include hours of operation, proposed number of employee's, operator's qualifications, traffic impact projections, market area to be served, and architectural features of proposed structures.

Conditions

The Zoning Administrator may impose conditions, safeguards and restrictions upon a proposed change of non-conforming use as it may deem necessary in the public interest to secure compliance with the Unified Development Ordinance and the Comprehensive Plan including, but not limited to, the following conditions:

1. Limit the hours of operation for the non-conforming use.
2. Place a time limit on the non-conforming use and require that it be periodically renewed or extended.

The Zoning Administrator may also revoke a non-conforming use permit in accordance with Article 72-7 of the Unified Development Ordinance.

Extensions/Renewal of Permits

Applications for extension or renewal of non-conforming use permits must be filed thirty (30) days before the expiration of the permit. The Zoning Administrator will monitor the non-conforming use to determine if the use continues to satisfy the conditions of the permit.

Date of Application: _____

Fee: \$ 300.00

Application #: _____

Name of Applicant: _____

Applicant's Mailing Address: _____

Telephone: _____ E-Mail: _____

Address of Subject Property: _____

Property Owned By: _____

Owner's Mailing Address: _____

Telephone: _____ E-Mail: _____

Size of Subject Property (Square Feet/ Acres): _____ (Attach plat)

PREVIOUS NON-CONFORMING USE

Description:

Hours of Operation: _____ Number of Employees: _____

Average number of patrons per day: _____

Number of off-street parking spaces provided: _____

Number and type of signs, along with size in square feet: _____

Lighting provisions: _____

Percent of property landscaped: _____

How long has this use operated at this address: _____

What use(s) preceded this use: _____

PROPOSED NON-CONFORMING USE

Description (*be specific*):

Hours of Operation: _____ Number of Employees: _____

Estimate number of patrons per day: _____

Number of off-street parking spaces to be provided: _____

Number and type of proposed signs, along with size in square feet: _____

Lighting provisions: _____

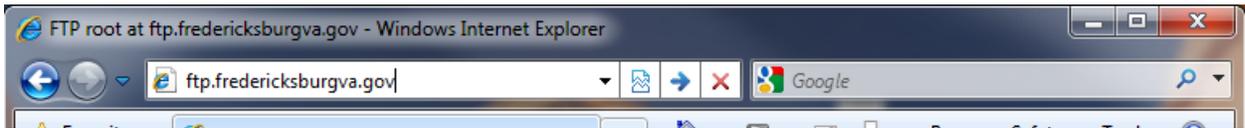
Landscaping improvements proposed for site: _____

Public FTP Access for the City of Fredericksburg

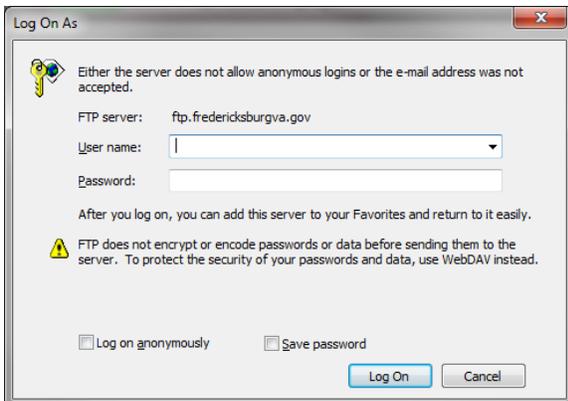
In order to share (upload or retrieve) electronic documents with the City of Fredericksburg, you may use the City's Public FTP site.

Step 1 – Logging into the FTP Site

- Open your default internet browser. Typically this is Internet Explorer.
- In the address bar at the top of the screen you will type in the url <ftp.fredericksburgva.gov>



- Hit "Go" or press enter and you should see a login screen prompting you for the username and password.



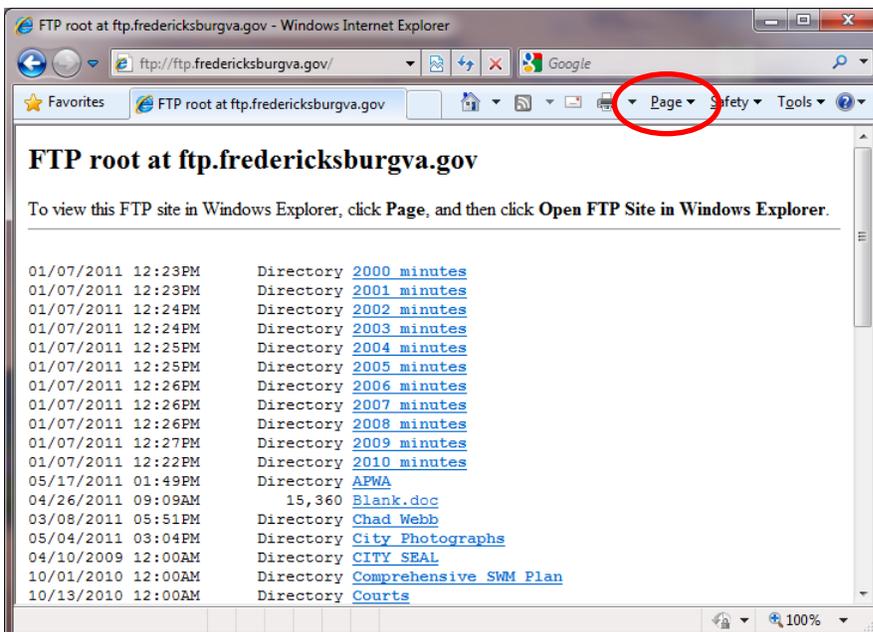
Username: fred

Password: guest

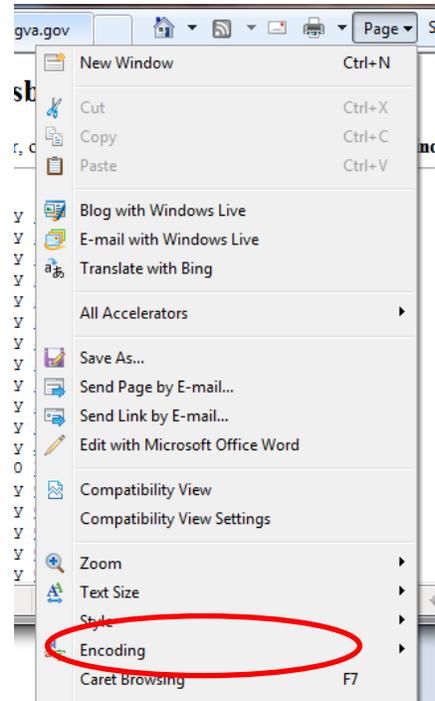
Hit "Log On" and you will be brought to the FTP site.

Step 2 – Uploading Documents

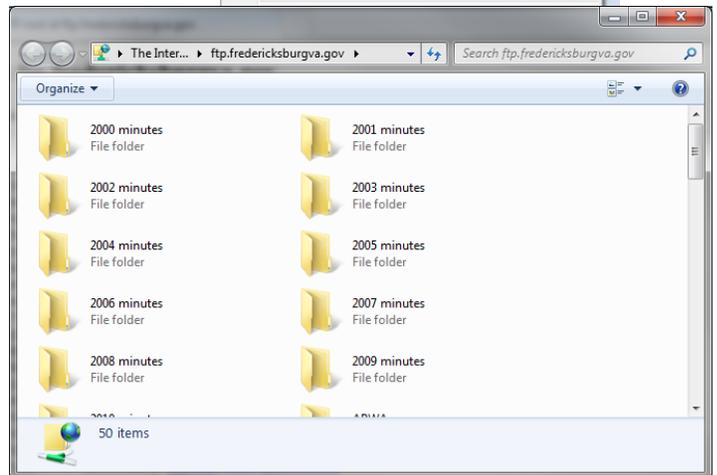
- Click on the "Page" dropdown menu at the top of your screen.



- In the dropdown locate the option to “Open FTP Site in Windows Explorer”, clicking on this option will ask you to login again at which time you will use the same credentials as before.



- You will then be shown the FTP site in a typical folder/file layout. You can simply drag-and-drop the files you wish to upload into the Electronic Application Materials folder. Click on the folder and then the applicable year and month in which you are filing the application. Create a new folder within the month you are filing the application, with the name of the applicant, and put all documents in this folder.
- All information shall be submitted in a pdf format.



PLEASE NOTE:

The City’s FTP site is for temporary transfer of documents ONLY; it is not for permanent record storage. Items older than 30 days will be **DELETED without notice.

This is a **PUBLIC FTP so be cautious before utilizing this site. If your documents contain sensitive or confidential information then please seek other means in order to submit your documents.