



# ALTERATIONS WAIVER PROCESS GUIDELINES

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**FEE: \$125.00**

If your property has an existing structure that falls within the Chesapeake/Atlantic Preservation Overlay District (County Code 106 Article XVI) Resource Protection Area (RPA) and is considered a legal nonconforming lot (Code Section 106-387), then no change or expansion of use of an existing nonconforming structure shall be allowed.

In accordance with Accomack County Code 106-387.1, a waiver may be requested from the Department of Environmental Programs for the expansion of an existing principal structure to provide for remodeling and alterations or additions, provided the following conditions are met:

- a. The waiver request is the minimum necessary to afford relief;
- b. The waiver is not based on conditions or circumstances which are self-created or self-imposed, nor does the request arise from conditions or circumstances either permitted or nonconforming that are related to adjacent parcels;
- c. The waiver is in harmony with the purpose and intent of this article; and is not substantially detrimental to water quality;
- d. Reasonable and appropriate conditions are imposed (**planting plan as a minimum**), as warranted, that will prevent the waiver from causing a degradation of water quality;
- e. Granting the waiver will not confer upon the applicant any special privileges that are denied by this article to other property owners in the overlay district.

The waiver request should include, as a minimum, the name and address of applicant and property owner, a legal description of the property and type of proposed use and development, a sketch of the dimensions of the lot or parcel, location of buildings and proposed additions relative to the lot lines, and boundary of the RPA, water quality impact assessment, location and description of any existing private water supply or sewage system, and the proposed planting plan to mitigate the encroachment.

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