

**ORDINANCE AMENDING  
SECTION 16-10  
OF THE CODE OF ORDINANCES  
OF  
ROCKINGHAM COUNTY, VIRGINIA**

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF ROCKINGHAM COUNTY, VIRGINIA:

That Section 16-10. Variances be amended as follows:

**Secton 16-10, Variances.**

When the subdivider can show that conforming with the provisions of these standards would cause unnecessary hardship, or where topographical or other conditions peculiar to the site make compliance impracticable, and if, in addition, the agent is of the opinion that a departure from any provisions of this chapter would not destroy the intent of its provisions, the agent shall submit the proposed variance in writing to the board, the county administrator, the county attorney, VDOT, the health department, the fire chief, the director of public works; and the community development director and unless any of such entities oppose in writing such proposed variance within thirty (30) days of the date appearing on such notice, such variance may be granted. Lands transferred for state roads or public utilities that do not meet the subdivision requirements shall be approved administratively under this Section by the Subdivision Agent.

This ordinance shall be effective from the \_\_ day of \_\_\_\_\_, 2019.

Adopted the \_\_ day of \_\_\_\_\_, 2019.

Aye                      Nay                      Abstain                      Absent

Supervisor Cuevas  
District 1  
Sallie Wolfe-Garrison  
District 2

Supervisor Chandler  
District 3  
Supervisor Kyger  
District 4  
Supervisor Breeden  
District 5

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Chairman of the Board of Supervisors

ATTESTE:

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Clerk

**STAFF RECOMMENDATION**

APPROVAL

January 9, 2019

Lands are often divided from parcels for the widening of roads or for public utilities that are less than the required minimum lot size for the district in which these properties are located. Inasmuch as these uses are to benefit the public and inasmuch as the agencies and staff reviewing 16-10 variances are involved in the need for the land (in a review that required 30 days), it is staff's recommendation that this ordinance be approved which would allow the Subdivision Agent to approve the request administratively.