

Special Use Permit

A Special Use Permit is requested by an owner when they want to conduct a use on their property that is not allowed by the current zoning codes for their parcel. Below is a guideline of the process, and may vary slightly depending upon the circumstances.

Initially, the owner will contact the Zoning Administrator, Bill Rush, brush@marionva.org, and determine if their desired use is allowed by code. If it is an allowable action, then nothing further needs to be done and the owner can proceed with requested use. If it doesn't meet the zoning codes, the Zoning Administrator will inform the property owner, in writing, that the request has been denied. This process generally is quick, but if the request is complex, the Zoning Administrator may enlist the help of the Planning Commission to advise on the issue. This process may take as much as 60 days.

If the request is denied, the property owner has the right to appeal the decision to the Marion Town Council. The Council will review the owners request and determine if the request fits the requirements for granting a special use. A public hearing must be held on the request, and the property owner pays a fee of \$175 to cover the cost of advertising for the public hearing. This process may take up to 90 days. The Marion Town Council will conduct the public hearing, deliberate, and either grant or deny the request, or refer it back to the Planning Commission for further review. The Marion Town Council may require certain performance or legal stipulations when granting a special use permit. The Special Use Permit is site specific, person specific, conditions specific, and that permit is terminated upon any of those parameters ceasing or significantly changing, including, but not limited to, change of ownership.

For more information on the guidelines, please consult the Special Use Permit guidelines.