

CITY OF VIRGINIA BEACH  
**ADMINISTRATIVE ENCROACHMENT APPLICATION**  
 FOR PERMIT TO ENCROACH INTO CITY RIGHT OF WAY,  
 CITY PROPERTY, OR EASEMENT  
 WITHIN THE STRATEGIC GROWTH AREAS AND B-4C ZONING DISTRICT  
**\$250 APPLICATION FEE (NON-REFUNDABLE)**  
**(ADDITIONAL COST FOR RECORDING\*)**

APPLICANT:	
MAILING ADDRESS:	
DAYTIME PHONE NUMBER:	
<b>LOCATION OF ENCROACHMENT (S):</b>	

TYPE OF ENCROACHMENT: (Check all that apply)	Outdoor Cafe' <input type="checkbox"/>	Awning <input type="checkbox"/>
	Railing <input type="checkbox"/>	Canopy <input type="checkbox"/>
OR	Other: <input type="checkbox"/>	
	Specify Type:	
DESCRIPTION OF ENCROACHMENT (including height and width dimensions):		

FOR INDIVIDUALS	FOR BUSINESSES
Married? <input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Corporation <input type="checkbox"/> Partnership
Spouse's Name _____	State in which licensed or Incorporated _____
FOR NON-PROFIT ORGANIZATIONS	
<input type="checkbox"/> Church <input type="checkbox"/> Civic League <input type="checkbox"/> Other	If partnership, what type? _____
Person authorized to sign _____	Person authorized to sign _____
Title _____	Title _____

ATTACH REQUIRED PLATS: **See instruction sheet (page 2) for requirements.**

THIS APPLICATION WILL BE RETURNED TO THE APPLICANT IF THE ITEMS LISTED ON THE INSTRUCTION SHEET (PAGE 2) ARE NOT ATTACHED TO THE APPLICATION OR IF ATTACHMENTS DO NOT MEET SIZE AND DETAIL REQUIREMENTS.

By signing this application, the applicant acknowledges that the \$250 application fee is NOT refundable, even if the request is denied. The applicant agrees to pay the recording fees for the Encroachment Agreement.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

**NOTE:** Please provide photographs of the area to be encroached upon and any adjacent properties with similar encroachments. THIS APPLICATION WILL NOT BE PROCESSED WITHOUT PHOTOGRAPHS ATTACHED.

**MAKE \$250.00 CHECK PAYABLE TO: Treasurer, City of Virginia Beach**

**\* A check made payable to the "Clerk of the Circuit Court" will be needed from the applicant and mailed with the signed Encroachment Agreement. The amount will be \$21.00 for 10 pages or less or \$35.00 for 11 – 30 pages.**

INSTRUCTION SHEET

ATTACH TO THE APPLICATION 6 COPIES OF A PLAT, SITE PLAN, ELEVATIONS AND SUPPORTING DETAIL DESCRIBING THE PROPOSED ENCROACHMENT. The plat must show the exact location and alignment of the encroachment and must be **NO SMALLER THAN 8½" X 11" AND NO LARGER THAN 8½" X 14"**. **Lettering must be 9 point font or greater.** Show right of way lines, ties to nearest cross streets, and other pertinent physical features. If the encroachment crosses a roadway, existing sewer or waterlines, the plat must indicate the location and depth of the utilities in that area. Please provide photographs of the adjacent properties with similar encroachments.

If the request is for an awning, a rendering of the dimensions, including materials to be used, is required as well.

For businesses or organizations, attach proof that the person signing is actually authorized to sign:

For **corporations**, please attach a copy of a corporate resolution or other official document showing that the person signing for the company has authorization to do so.

For **partnerships**, attach a copy of the partnership agreement on file with the Circuit Court.

For **associations**, attach proof, such as a resolution of a civic league or other officially recognized body, that the person signing has authority to do so for the organization.

The Director of Planning has been given the administrative authority with the provisions of Section 33-114.3 of the City Code to review and, where appropriate, approve encroachments upon or over any public street or sidewalk in any zoning district intended to implement a Strategic Growth Area Plan or the B-4C Central Business Mixed Use District. The code provisions address encroachments of outdoor cafes, storefront uses, and other specified physical features.

The initial review of this request will take one to two weeks, followed by a week for the preparation of the encroachment agreement, if the request is recommended for approval. After the agreement is signed by the applicant or other authorized person and returned to the Office of Planning, one of two things will happen:

(1) The agreement will be routed for signature by the City manager or Authorized Designee of the City Manager, after which it will be recorded in the Office of the Clerk of Circuit Court and final approval given;

(2) If the encroachment impedes any utilities or presents question regarding compliance with the established Design Guidelines, a two-week review and comment period will be necessary. Once the Planning Director approves it, the agreement will be signed by either the City manager or Chief of staff and recorded in the Circuit Court Clerk's Office, followed by final approval.

If the encroachment is approved, it will be necessary for the applicant to provide evidence of general property and liability insurance in the amount of \$500,000, with the City shown as an additional named insured.

If staff recommends denial during the initial review, you have the right to appeal to City Council for final approval.

**TOTAL PROCESSING TIME IS 4 TO 6 WEEKS.**

Return the application to: City of Virginia Beach  
Strategic Growth Areas Department  
Attention: Deborah Zywna  
4525 Main Street, Suite 710  
Virginia Beach, VA 23462