

2020 SESSION

INTRODUCED

20103346D

SENATE BILL NO. 314

Offered January 8, 2020

Prefiled January 5, 2020

A BILL to amend and reenact Chapter 707 of the Acts of Assembly of 2019, relating to an act to grandfather certain nonconforming use.

Patron—Stanley

Referred to Committee on Local Government

Be it enacted by the General Assembly of Virginia:

1. That Chapter 707 of the Acts of Assembly of 2019 is amended and reenacted as follows:

§ 1. A wall built on residential property shall be grandfathered as a valid nonconforming use, and the wall shall not be subject to removal solely due to such nonconformity, in any instance where (i) a residential property owner sought local government approval prior to 2008 for construction of a wall on the owner's property, (ii) the property owner was informed by a local official that such wall ~~required no permit and that the structure~~ would comply with the zoning ordinance, (iii) the wall was thereafter constructed, (iv) the locality subsequently informed the property owner that the wall was illegal, and (v) such a wall, had it been constructed as described in clauses (ii) and (iii) after 2017, would be considered a valid nonconforming use not subject to removal.

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SB314