APPEAL APPLICATION
BOARD OF ZONING APPEALS

INSTRUCTIONS

1. **FILING:** Appeals to the Board of Zoning Appeals must be filed within **30 days from the date that the order, requirement, decision or determination was made.**

2. **APPLICATION FORMS:** Complete the form titled "Application for Appeal, Board of Zoning Appeals." Please use blue or black ink. Sign the form and include a daytime phone number and email address.

3. **PLANS:** Twelve (12) copies of supporting materials are to be submitted with each application. Plans, drawings, photos, or other materials should not exceed 11" x 17" and should not be smaller than 8.5" x 11". All plan sets must be to scale. In addition, applicants should submit all images, photographs, and drawings in digital format. Larger or additional copies may be requested by staff for large scale projects. Applications without the required supporting materials will be deemed incomplete and will not be scheduled for hearing by the BZA.

4. **FILING FEE:** Applicants must submit a filing fee with the application. Exact amount may be obtained from the Department of Planning and Zoning.

5. **HEARING DATE:** Once staff has reviewed the application for completeness and validity, a hearing date will be scheduled. The appellant shall be notified by staff of the scheduled hearing date.

6. **PROPERTY OWNER NOTIFICATION:** In the case of an appeal to the Board of Zoning Appeals, the City shall send written notice to all adjoining and facing property owners; notices must be sent by certified or registered mail **at least ten days** prior to the Board of Zoning Appeals public hearing (not counting the date of the hearing) and **not more than 30 days** prior to the hearing. In the event the application is deferred, notification shall be given again.

BOARD OF ZONING APPEALS PROCESS

PUBLIC HEARINGS – BOARD OF ZONING APPEALS

The Board of Zoning Appeals meets on the second Thursday of each month in the City Council Chambers, City Hall, at 7:30 P.M. Meeting dates should be verified by the applicant prior to the hearing as they are subject to change. **The applicant or a representative must attend the meeting.**

DEFINITION OF APPEAL

The Board of Zoning Appeals is authorized to hear appeals where it is alleged there is error from any order, requirement, decision or determination made by the Director in the administration or enforcement of the Zoning Ordinance of the City of Alexandria, Virginia and jurisdiction is not given to another body. The appeal must be filed within 30 days of such order, requirement, decision or determination made by the Director.

APPEAL POWERS – BOARD OF ZONING APPEALS

The Board of Zoning Appeals may reverse or affirm wholly or partly or may modify the order, requirement, decision or determination appealed from.

STAY OF PROCEEDINGS

A properly filed appeal shall stay all proceedings in furtherance of the action appealed from, unless the Director certifies to the Board after the notice of appeal has been filed that by reason of facts stated in the certificate a stay would, in his/her opinion, cause imminent peril to life or property. In such case, proceedings shall not be stayed except by restraining order which may be granted by the Board or by a proper court on notice to the Director and on due cause shown.

DECISIONS ON APPEAL

Within a reasonable time after the appeal has been filed, the Board shall hold a public hearing, giving public notice thereof as well as due notice to parties of interest, decide the appeal and file with the Director written findings of fact and conclusions regarding the appeal. The concurring vote of four members is needed to reverse a decision. The Director will provide a copy of the decision to the applicant and to each other person who was a party of record at the hearing.

APPEAL OF THE BOARD OF ZONING APPEALS DECISION

Any person jointly or severally aggrieved or affected by a decision of the Board of Zoning Appeals may appeal such decision by filing a petition in the Circuit Court of the City. The petition shall set forth the alleged illegality of the Board's action, and shall be filed within 30 days from the date of the decision of the Board.

For assistance with any of these procedures or processes, please call the Department of Planning and Zoning at 703-746-4333.

BZA Case # _____

APPEAL APPLICATION
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Identify the order, requirement, decision or determination that is the subject of the appeal. Attach one copy to the application.

_____

_____

_____

On what date was the order, requirement, decision or determination made?

_____

***The appeal must be filed within 30 days from the date that the order, requirement, decision or determination was made.**

PART A

1. Applicant: [ ] Owner [ ] Contract Purchaser [ ] Agent

Name _____

Address _____

_____

Daytime Phone _____

Email Address _____

2. Property Location _____

3. Assessment Map # _____ **Block** _____ **Lot** _____

Zone _____

4. Legal Property Owner Name _____

Address _____

_____

BZA Case # _____

5. **If property owner or applicant is being represented by an authorized agent**, such as an attorney, realtor or other person for which there is a form of compensation, does this agent or the business in which they are employed have a business license to operate in the City of Alexandria, Virginia?

   ☐ Yes, Provide proof of current City business license.
   ☐ No, Said agent shall be required to obtain a business license prior to filing application.

THE UNDERSIGNED HEREBY ATTESTS that all of the information herein provided including the site plan, building elevations, prospective drawings of the projects, etc., are true, correct and accurate. The undersigned further understands that, should such information be found incorrect, any action taken by the Board based on such information may be invalidated. The undersigned also hereby grants the City of Alexandria permission to post placard notice as required by Article XI, Division A, Section 11-301(B) of the 1992 Alexandria City Zoning Ordinance, on the property which is the subject of this application. The applicant, if other than the property owner, also attests that he/she has obtained permission from the property owner to make this application.

APPLICANT OR AUTHORIZED AGENT:

_____ _____

Print Name **Signature**

_____

Date

Pursuant to Section 13-3-2 of the City Code, the use of a document containing false information may constitute a Class 1 misdemeanor and may result in a punishment of a year in jail or $2,500 or both. It may also constitute grounds to revoke the permit applied for with such information.

OWNERSHIP AND DISCLOSURE STATEMENT

Use additional sheets if necessary

1. Applicant. State the name, address and percent of ownership of any person or entity owning an interest in the applicant, unless the entity is a corporation or partnership, in which case identify each owner of more than ten percent. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.

Name	Address	Percent of Ownership
1.		
2.		
3.		

2. Property. State the name, address and percent of ownership of any person or entity owning an interest in the property located at _____(address), unless the entity is a corporation or partnership, in which case identify each owner of more than ten percent. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.

Name	Address	Percent of Ownership
1.		
2.		
3.		

3. Business or Financial Relationships. Each person or entity indicated above in sections 1 and 2, with an ownership interest in the applicant or in the subject property are require to disclose **any** business or financial relationship, as defined by Section 11-350 of the Zoning Ordinance, existing at the time of this application, or within the12-month period prior to the submission of this application with any member of the Alexandria City Council, Planning Commission, Board of Zoning Appeals or either Boards of Architectural Review. **All fields must be filled out completely. Do not leave blank. (If there are no relationships please indicated each person or entity and "None" in the corresponding fields).**

For a list of current council, commission and board members, as well as the definition of business and financial relationship, click here.

Name of person or entity	Relationship as defined by Section 11-350 of the Zoning Ordinance	Member of the Approving Body (i.e. City Council, Planning Commission, etc.)
1.		
2.		
3.		

NOTE: Business or financial relationships of the type described in Sec. 11-350 that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings.

As the applicant or the applicant's authorized agent, I hereby attest to the best of my ability that the information provided above is true and correct.

_____	_____	_____
Date	Printed Name	Signature

BZA Case # _____

PART B

1. Why do you believe the order, requirement, decision or determination is incorrect? Explain the basis for the appeal, beginning in the following space and using additional pages, if necessary.