



801 Crawford Street, Portsmouth, Virginia 23704

Special Exception Application Form

www.portsmouthva.gov/181/Planning-Department

Notes:

1. A Pre-Application Conference with the Planning staff is **strongly recommended** prior to submission of an application for a Special Exception.
2. A Special Exception may be granted by the Board of Zoning Appeals (BZA) for the relief of specific Zoning Ordinance requirements under special circumstances outlined in [Sec. 40.2-535](#) of the City's Zoning Ordinance.
3. Special Exception applications will be heard by the BZA at a public hearing in accordance with the [BZA Application and Meeting Schedule](#) available on the Planning Department website.
4. Applicants are encouraged to consult the City's Zoning Ordinance prior to submitting their application. [Chapter 40.2 Article III](#) contains site design requirements (such as parking, landscaping, open space, etc.) if applicable.
5. Applications for a Special Exception need not prove that granting the Special Exception would alleviate a hardship due to a physical condition relating to the property or would alleviate a hardship by granting a reasonable modification to the property but must comply with all other applicable zoning regulations and any conditions for approval imposed by the BZA.
6. Applicants are encouraged to speak with adjoining property owners and/or nearby civic leagues concerning their proposed project. A list of civic league contacts can be found on the [City's website](#).
7. The Special Exception application process typically takes at least 1 - 2 months.
8. Applications are due at 5:00 PM on the date listed in the BZA meeting schedule, which can be found on the Planning Department website.
9. The BZA meets the fourth Wednesday of each month at 4:30 PM. See the Planning Department website for the [BZA meeting schedule and application deadlines](#).
10. Unless otherwise authorized by the City Treasurer, no application shall be processed unless the applicant produces satisfactory evidence that any delinquent or outstanding real estate taxes, nuisance charges, stormwater management utility fees, or other charges that constitute a lien on the subject property have been paid.
11. No application shall be considered on property where there is a known outstanding violation of the Zoning Ordinance, unless the application approval would remedy the violation.
12. A staff coordinator will be assigned to your application and ensure the application is complete. Applications will not be advertised and will not be included on the BZA agenda if they are incomplete. Completed applications will be routed to pertinent City departments for comment. Meeting notices will be mailed to adjacent property owners to allow public comment. Staff will write a staff report that includes a recommendation and recommended conditions for the application.
13. In approving a Special Exception, the BZA may impose conditions regarding the location, character, duration, and other features of the Special Exception as may be deemed to ensure compliance with the general intent and purposes of the Zoning Ordinance and to prevent or minimize adverse effects from the use.
14. Applicants are advised to be prepared to provide a brief presentation of the application and answer questions at the BZA public hearing.
15. The final decision will be made by the BZA, which approves, approves with conditions, or denies Special Exception applications at their legislative discretion delegated by City Council.
16. On their own initiative or at the request of the applicant, BZA may also defer consideration of an application to a future meeting.
17. Submit completed applications by email to chopi@portsmouthva.gov or to City of Portsmouth, Planning Department 4th Floor, 801 Crawford Street, Portsmouth, VA 23704.
18. A Special Exception may be revoked by the BZA following a public hearing for failure to comply with the terms and conditions of the Special Exception.
19. **The Special Exception Application Fee is \$350 or fee as established in City Code [Appendix A Portsmouth Fee Schedule](#).**
20. **Fees are typically non-refundable once the application has been advertised.**

1. General Project Information

Submission Date:			
Project Address:			
Tax Parcel Identification Number:			
Lot Area (in square feet):		Zoning District:	

2. Written Description of Request

A. Type of Special Exception Request (check all that apply)

<input type="checkbox"/>	Sign	<input type="checkbox"/>	Parking	<input type="checkbox"/>	Fencing	<input type="checkbox"/>	Entertainment Overlay District
<input type="checkbox"/>	Non-Conforming Structure		<input type="checkbox"/>	Non-Conforming Use		<input type="checkbox"/>	Other (specify) _____

B. Explain in detail the justification for the Special Exception. Be sure to cite the section of Zoning Ordinance applicable to the Special Exception request. If needed, continue on separate sheet.

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3. Primary Point of Contact Information

Primary Point of Contact Name:			
Mailing Address:			
Phone Number(s):			
Email Address:			

4. Property Owner Information (if different from primary point of contact)

The property owner must sign the property owner consent box. See item number 5 below.

Property Owner Contact Name:			
Mailing Address:			
Phone Number(s):			
Email Address:			

5. Property Owner Consent

*The names, addresses, telephone numbers, and signatures of all owners of the property are required.
Please attach additional sheets as needed.
If a legal representative signs for a property owner, please attach an executed power of attorney.*

By signing this application below, I, as the owner of the property under review, give my endorsement of this application.

Property Owner or Authorized Signature:		Date Signed:	
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If a business entity owns the property, provide the name and title of the individual authorized to sign the business entity.

Name of Person Authorized to Sign:			
Title of Person Authorized to Sign			
Mailing Address:			
Phone Number:		Email Address:	

6. Applicant Signature

By signing this application below, I hereby attest to the truth and accuracy of all facts and information presented with this application.

Applicant Signature:		Date Signed:	
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Submittal Requirement Checklist

Submit digital copies of all required documents. Hard copies of some documents may be required.

A. GENERAL INFORMATION	
	Pre-Application Conference completed
	Special Exception Application Form
	\$350 Special Exception application fee or fee as established in City Code Appendix A Portsmouth Fee Schedule
	Copy of approved Certificate of Appropriateness (COA) if located within the DD Overlay District or within a historic district
	Proposed or existing development name
	Project address and parcel number(s)
	Written description of Special Exception request including justification for the request, proposed and/or existing use(s), and site operations/activities (population, number of employees, hours of operation, etc.)
	Transportation analysis, if required (100 trips at peak periods or 1,000 trips per day)
	Any additional information determined to be necessary by the Planning Department
B. SITE DETAIL PLAN DRAWN AT 1" = 20' SCALE THAT INCLUDES THE FOLLOWING:	
	A site plan or survey of the property layout showing all existing improvements drawn to scale by a professional site or land planner. Must include date prepared.
	Existing and/or proposed land use(s) on the site
	Zoning district(s) and existing use(s) of adjacent parcels including across any streets
	A conceptual plan of the proposed site layout drawn to scale by a professional site or land planner. Must include date prepared and all relevant information below
	If the application is related to the building, a detailed floor plan of the building(s) indicating use of each space and ingress/egress
	Elevation for each building side (if applicable)
	Description of the type of material(s) used on each façade elevation (if applicable)
	Proposed building height(s) in feet and number of floors (if applicable)
	Amount of fenestration on the ground floor and upper floor front façade areas of a commercial building (if applicable)
	All easements (including drainage) with dimensions and designation as to type (if applicable)
	Location and description of all existing man-made structures and site features (including utilities, monuments, etc.) both above and below ground (if applicable)
	Location of existing curb cuts, private streets, parking and loading areas, pedestrian walks, lighting facilities, and outside trash storage facilities (if applicable)
	Location of vehicular site access and off-street surface parking areas including number of spaces (if applicable)
	Screening devices and techniques for all ground-based and roof-mounted utility equipment (if applicable)
	Location of all trash collection areas, including dumpster pads and screening features (if applicable)
	Approximate location, height, and materials of proposed fences or walls (if applicable)
	Approximate location and type of proposed landscaping (if applicable)
	Approximate location and type of proposed signage (if applicable)

OFFICE USE ONLY		Case Number (Tidemark):	
Received By:		Received Date:	
Accepted as Complete By:		Accepted Date:	