



Zoning Appeal Application

801 Crawford Street, Portsmouth, Virginia 23704

www.portsmouthva.gov/181/Planning-Department

Notes:

1. Applications for appeals to the Board of Zoning Appeals (BZA) under the Zoning Ordinance may be submitted by any individual or entity with standing under the Code of Virginia or other applicable state law.
2. Appeals shall be filed in accordance with procedures and standards outline in [Section. 40.2-522](#).
3. Appeal of the Zoning Administrator shall be to the Board of Zoning Appeals (BZA).
4. A Pre-Application Conference with the Zoning Administrator is strongly recommended prior to submission of a Zoning Appeal Application.
5. Any appeal of a written determination made by the Zoning Administrator (including decisions, interpretations, orders, requirements, notices of violation and any other determinations) under the Zoning Ordinance must be filed and perfected within thirty (30) days of the registered mailing or posting of the written decision in accordance with the Code of Virginia § 15.2-2311.
6. To perfect an appeal of a written determination made by the Zoning Administrator, the appellant must timely file with the Zoning Administrator and the BZA:
 - a. A written notice of appeal specifying the grounds of appeal; and
 - b. The appeal filing fee.
7. The BZA meets on the fourth Wednesday of each month at 4:30pm.
8. Applications are due at 5:00 PM on the date listed in the [Board of Zoning Appeals meeting schedule](#), which can be found on the Planning Department website.
9. If an appeal of a written determination of the Zoning Administrator is not timely filed and perfected, the determination of the Zoning Administrator shall be final and unappealable.
10. The BZA shall hear timely filed and perfected appeals within ninety (90) days.
11. The determination of the Zoning Administrator shall be presumed to be correct.
12. At the hearing, the appellant has the burden of proof to rebut the presumption of correctness by a preponderance of the evidence.
13. The BZA may reverse or affirm, wholly or partly, or may modify, the determination made by the Zoning Administrator.
14. No application will be processed while violations exist on the property or if there are outstanding fines, taxes, liens, or other fees are owed to the City of Portsmouth, unless the application and/or approval would remedy the violation.
15. No application, permit, or approval shall be considered on property where there is a known outstanding violation of this Ordinance, unless the application, permit, and/or approval would remedy the violation.
16. The Appeal Application Fee is \$350 or fee as established in City Code Appendix A Portsmouth Fee Schedule.
17. Fees are typically non-refundable once the application has been advertised.
18. **Submit applications by email to the Zoning Administrator at millhousek@portsmouthva.gov or to CITY OF PORTSMOUTH, PLANNING DEPARTMENT 4th Floor, 801 CRAWFORD STREET, PORTSMOUTH, VA 23704**

1. General Project Information

Submission Date:			
Project Address:			
City Case Number of Action Being Appealed:			
Date of Decision Being Appealed:			
Decision-making body responsible for the action being appealed:			
Has an appeal been filed for this property within the last year?	<input type="checkbox"/>	Yes	<input type="checkbox"/>
	<input type="checkbox"/>	No	<input type="checkbox"/>

2. Written Description of Request

*Explain in detail the nature of the request for an appeal and the justification for such appeal.
If needed, continue on separate sheets.*

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3. Applicant Information

Applicant Name:		
Mailing Address:		
Phone Number(s):		
Email Address:		

4. Property Owner Information (if different from applicant)

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 (if different from applicant)

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

Property Owner or Authorized Signature:		Date Signed:	
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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

	Appeal Application Form (completely filled out with all required information included)
	\$350 Appeal Application Fee or fee as established in City Code Appendix A Portsmouth Fee Schedule
	Any additional information determined to be necessary by the Zoning Administrator