



TOWN OF CLIFTON BOARD OF ZONING APPEALS

P.O. Box 309

Clifton, Virginia 20124

email: wriden@aol.com

Check only one:

- APPLICATION FOR A ZONING VARIANCE, or**
- APPEAL OF ZONING DETERMINATION**

Submittal of this form with original signatures is required. PLEASE PRINT.

Variance:

Describe the variance requested and its justification, based on the standards specified in Section 15.2-2309 of the Virginia Code: _____

Appeal of Zoning Determination:

Attach a copy of the determination or order appealed from, and the basis of the appeal:

Address of the Subject Property: _____

Tax Map ID #: _____

Zoning Classification of the Subject Property: _____

Have any site alterations or any alterations to buildings on the site been completed or commenced in connection with this use?

- No
- Yes

If Yes, please describe:

Name and role of principal contact for this application (property owner or agent authorized in writing to act on behalf of property owner): _____

Mailing address: _____

Email: _____ Office Phone: _____ Mobile Phone: _____

REQUIREMENTS FOR ALL APPLICATIONS:

Each application must:

- be completed with all required information.
- be signed and dated by the legal owner of the Subject Property.
- include the following:
 - Written evidence of the identity of legal owner of Subject Property (copy of executed deed, printout of data from Fairfax County real estate assessment website).
 - A written statement from the legal owner of the Subject Property identifying and authorizing an agent to act on their behalf (if applicable).
 - A Site Plan or Plat of the property, drawn to scale and signed by a certified engineer or land-surveyor, showing (i) all existing buildings including accessory buildings and (ii) any proposed structure or alteration, including proposed height, setbacks or other architectural provisions, and in either instance the number of feet of existing and/or proposed structures from each boundary line.
 - Any other drawings, pictures, plans and information that might assist the Board in making its decision.
- be accompanied by an application fee, payable by check to Town of Clifton Board of Zoning Appeals, in the following amounts:
 - Appeals - \$500 plus third party fees (i.e. attorney, engineer, consultant to BZA); third party fees will be payable by separate invoice
 - Variances - \$250 for residentially zoned property, \$500 for properties in all other zoning categories.

REQUIREMENTS FOR ZONING VARIANCE APPLICATIONS:

In addition, each application for a variance must include the following documents:

- A letter signed by the owner or owner's agent applying for the variance and describing in detail the justification thereof, demonstrating that:
 - The strict application of the terms of the Zoning Ordinance would unreasonably restrict the utilization of the Subject Property or that the granting of a variance would alleviate a hardship due to a physical condition relating to the Subject Property that existed as of (on or prior to) the effective date of the Zoning Ordinance;
 - The hardship was not created by the applicant;
 - The granting of a variance will not be of substantial detriment to adjacent property or properties in proximity to the Subject Property;
 - The condition or situation of the Subject Property is not of so general or recurring a nature as to make reasonably practicable the formulation of an amendment to the Zoning Ordinance;
 - The application would not result in a use not otherwise permitted on the Subject Property or a change in its zoning classification, from those permitted in Chapter 9 of the Zoning Ordinance; and
 - The variance would not be contrary to the purpose of the Zoning Ordinance.

REQUIREMENTS FOR ZONING DETERMINATION APPEALS:

In addition, each appeal must include the following documents:

- A copy of the Zoning Determination from which appeal is being taken, certified by the Clerk of the Clifton Town Council.
- A letter signed by the owner or owner's agent appealing the Zoning Determination and specifying the grounds of such appeal.
- A copy of any Use Permits and/or Certificates of Appropriateness issued for the structure cited in the notice of zoning determination.

PROCESS FOR SUBMISSION OF APPLICATIONS:

- Deliver one original and four copies of the completed executed application and the check for the application fee to the Secretary of the Board at the mailing address on the application.
- Email one copy of the completed executed application to the Secretary of the Board at the email address on the application.
- Deliver one copy of the completed executed application to the Clerk of the Town of Clifton at P.O. Box 309, Clifton, Va. 20124.

SCHEDULING HEARING:

The BZA will schedule a public hearing as rapidly as practicable after receiving a duly submitted, completed and executed application and the application fee. Virginia law requires that a notice of hearing be published once a week for two successive weeks in some newspaper published or having general circulation in the Clifton area; specifying the time and place of hearing at which persons affected may appear and present their views. The hearing is required to be held not less than five days nor more than 21 days after the second advertisement appears in such newspaper. In addition, notices of hearing are required to be mailed by first class mail to the owners or the occupants of abutting property and property immediately across the street or road from the property which is the subject of a hearing.

The Secretary of the Board will notify the applicant of the date, time and place of the hearing.

