



Office of Zoning and Development
55 Trinity Street, Suite 3350
Atlanta, GA 30303
(404) 330-6145

APPLICATION FOR BOARD OF ZONING ADJUSTMENT VARIANCES & SPECIAL EXCEPTIONS

CHECKLIST

- Complete application and obtain notarized signature of property owner(s), if filing on behalf of the property owner (i.e. owner representative, attorney). **The original authorization must be submitted with the application. A copy will not be accepted.** (See Page 9 & 10).
- Obtain Referral Certificate from the Office of Zoning and Development BEFORE filing an application. See page 2 for specific requirements for referral certificates.**
- Attach plat of survey or written legal description in metes and bounds. **Application will be returned if survey or legal description in metes and bounds is not provided.**
- Provide **site plan(s)**: All site plans must be to a scale no smaller than 1 inch = 30 feet. **If the “to scale” site plan is 8 ½” x 11, submit 1 copy. If it is larger than 8 ½” x 11”, submit 8 folded copies.** Site plans should show all existing and proposed conditions including streets, footprints of buildings, parking layout, driveways, north arrow, streams, wetlands, riparian buffers, floodplains and must contain a seal of professional preparer. **Elevations are required for wall and fence special exceptions requests (submit 8 folded copies).**
- Provide a typed or written (legible) **justification** based on criteria outlined in application form. (See Pages 5-8).
- File completed **application** with the Office of Zoning and Development. Please make note of the deadline dates. (See Page 12)
- Pay fee (See Page 11) – the following payments are acceptable: check (payable to "City of Atlanta"), cash, cashier check, credit card or money order. **Applications will not be processed without the fee.**
- Obtain a copy of the **Notice to the Applicant** from Staff regarding the Board of Zoning Adjustment (BZA) hearing date and the Neighborhood Planning Unit (NPU) contact person.
- Obtain **public notice sign and sign posting affidavit** from Staff. The sign must be posted at least 15 days prior to the hearing. (See Page 2). The original sign posting affidavit must be submit to the Secretary to the Board prior to the public hearing. Failure to submit the affidavit may result in a delay of the board hearing the case.
- Contact the **NPU** representative to obtain information on the NPU meeting. If the subject property is within 300 feet of another NPU, applicants are required to contact the NPU representative to obtain information on meeting process and for purposes of review and comment only.
- Communicate with the Office of Zoning and Development (assigned planner) regarding any amendments, additions, withdrawal or deferral requests.
- Attend applicable Board of Zoning Adjustment (BZA) public hearing. (See attached hearing schedule).

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

**APPLICATIONS ARE ACCEPTED:
MONDAY- FRIDAY FROM 8:15 AM – 3:00 PM**

ON THE LAST DAY OF THE APPLICATION PERIOD (“CLOSING DAY”), APPLICANTS MUST SIGN IN AT THE OFFICE OF ZONING AND DEVELOPMENT BY 3:00 PM TO ENSURE PROCESSING AND SCHEDULING FOR THE CORRESPONDING PUBLIC HEARING DATE. (SEE ATTACHED PUBLIC HEARING SCHEDULE).

APPLICATION PROCEDURES

Variance & Special Exception applications are heard and decided at a regularly-scheduled public hearing by the five-member City of Atlanta Board of Zoning Adjustment (“BZA”). The Office of Zoning and Development serves as staff to the BZA. Approximately one week after each closing date, a planner is assigned to review your application. All inquiries regarding your application should be directed to the assigned planner at (404) 330-6145.

- 1) **Referral Certificate Process.** Each variance or special exception application must be accompanied by a Referral Certificate before it is filed and scheduled for the corresponding hearing date. The Referral Certificate describes the variance(s)/special exception(s) being requested and is obtained from the Office of Zoning and Development, Suite 3350, 3rd Floor City Hall, Atlanta, GA, (404) 330-6145. A request for a referral certificate to add floor area (new construction, additions, including second story or conversions) must include the following:
 - a. Completed variance or special exception application which should include a written justification.
 - b. Standard measurable site plan/survey showing **existing conditions** and a standard measurable site plan/survey showing **proposed conditions**.
 - c. One (1) set of scaled architectural drawing/floor plan of the structure.
 - d. Typical scaled exterior elevations (when applicable). For example, if requesting a variance to encroach into the required front yard setback, Staff will need to review the proposed floor plans/elevations to.

A request for a referral certificate that include multiple variance/special exception requests (4 or more) or requests for variances/special exceptions for Commercial and Multi-Family development, must be submitted five (5) days prior to filing an application.

Disclaimer: If the applicant fails to provide sufficient materials needed to conduct a complete zoning plan review, the applicant acknowledges that the proposed development may be subject to additional variances/special exceptions.

Note: Amendments to Referral Certificates must be made at least 18 days prior to the scheduled hearing date.

- 2) **Owner & Attorney Authorization.** If you are the applicant and do not own the subject property, the owner must sign the Authorization by Property Owner and have it notarized. If more than one property owner is involved, each owner should sign a separate authorization. The person who files the application with the City is considered to be the applicant. If the owner or applicant is represented by an attorney, the attorney must complete the “Attorney Authorization”. **The original authorization (s) must be submitted with the application. A copy will not be accepted.**
- 3) **Site Plan.** The site plan must show all existing conditions and proposed improvements, including existing trees within 100 feet of any new construction. If any amendments are made to the design of any proposed construction on the property, submit folded site plans (in the same number as previously submitted) that show the change. Direct the new site plans to the Secretary to the BZA or the assigned planner to review the application. If amendments are made that impact the initial request, then new site plans (8 folded copies) must be submitted reflecting the amendment.
- 4) **Justification.** A written justification must be submitted as a part of the application for all requests: variances and special exceptions. The justification must address the criterion that is the basis for the BZA decision (see Criteria, page 6 & page 8). Other supporting documentation may be submitted such as photographs.
- 5) **Fees.** The proper fee must accompany your application at the time of filing. Any combination of two or more variances on one lot may be combined into one application with one fee. Applications for variances and special exceptions may be combined into one application however separates fees will be assessed.
- 6) **Schedule.** There are two closing dates and two public hearings per month. The schedule allows time for NPU meetings to occur prior to each public hearing. When an application is filed, it will be scheduled for a public hearing (see attached schedule).
- 7) **Neighborhood Planning Unit (NPU) Recommendations.** The City is divided into 25 NPU’s, each of which has a volunteer citizen advisory committee that makes a non-binding recommendation to the BZA on variances and special exceptions. When an application is filed, the applicant is notified of the NPU contact person. The applicant must contact the NPU within five (5) days to confirm the NPU meeting date and process. The Office of Zoning and Development will send a copy of your application/site plan to the appropriate NPU after the application has been filed and within five (5) days of the filing.

- 8) **Public Notice.** At least 15 days prior to the hearing, Staff will initiate the public notice process. This includes sending written notice of the application to all property owners within 300 feet of the subject property and by causing public notice to be placed in a newspaper of general circulation. The applicant will be provided with a public notice sign(s) at the time of filing. The applicant is responsible for posting the sign in a visible location on the subject property, at least 15 days prior to the scheduled hearing. Failure to properly post the sign may cause the BZA to defer the application to another public hearing.
- 9) **Refunds on Withdrawn Cases.** Requests for withdrawal received 18 days prior to the public hearing may be considered for a refund of the application fee. A refund will not be issued after the case has been advertised.
- 10) **Staff Recommendation.** Office of Zoning and Development staff reviews and makes written recommendations to the BZA on each application. The assigned planner will provide each applicant with staff's recommendation. The applicant may also contact the assigned planner at (404) 330-6145 the day before the public hearing to ascertain staff's recommendation.
- 11) **Amendments to Application.** All amendments which substantially change the request (i.e. amended referral certificate: greater encroachment than what was advertised, additional variance/special exception not originally included on original referral certificate) should be submitted to the Office of Zoning and Development at least 18 days prior to the hearing. Failure to do so will result in a deferral in order to properly advertise. If the amendment does not impact the request as advertised the amendment should be submitted at least 5 days prior to the hearing. When applicable, please provide the Secretary to the Board the original amended referral certificate and/or 8 folded copies of the amended site plan.
- 12) **Deferrals.** Any applicant requesting a deferral, whether in writing prior to the hearing or in person at the hearing, is required to pay a deferral fee which includes the cost incurred for public notice (postage fees, postcards and newspaper advertisement). The Secretary of the BZA will provide the cost which must be paid no less than 3 business days after the deferral request has been granted by the Board.
- 13) **Public Hearing Presentation.** Each applicant or applicant's representative must appear and present the case before the BZA at the scheduled public hearing. The applicant is allowed a total of ten minutes to present the application and may reserve a portion of this time for rebuttal to any objections to the application. The applicant may bring. Any exhibits that are submitted at the hearing should be able to be stored in the 11" x 17" file.
- 14) **Consent Agenda.** The BZA may use a consent agenda to approve non-controversial or routine matters by a single motion and vote. If a member of the Board or the general public wants to discuss an item on the consent agenda (at the beginning of the meeting), that item is removed from the consent agenda and considered during the meeting. The Board then approves the remaining consent agenda items. If an item is removed from the consent agenda, that item will be heard in the order in which it was received by the Secretary. Consent agenda items shall be separately recorded in the summary of action.
- 15) **Appeals.** Per Section 6-4028(5) – Any person appealing from the decision of the board to the Superior Court shall pay the actual costs incurred by the city in causing the board's hearing(s) on the appeal to be transcribed as contemplated in the Zoning Ordinance. The board, through its secretary, shall communicate to the appellant the actual costs and the requirement and manner in which to pay same. The board shall not be required to file the transcript of the hearing(s) before it until such time as the appellant pays such costs.
- 16) **Inclusionary Zoning.** All new multifamily residential rental developments and conversions with ten (10) or more units in the Beltline Overlay District or Westside neighborhoods of English Avenue, Vine City, Ashview Heights, or AUC are subject to comply with requirements set forth in *Sections 16-36A.004, 16-36A.007, 16-37.004, OR 16-37.007.*
- 17) **Board Rules.** The rules of the BZA prevent BZA members from discussing the merits of any case except during the public hearing for that case. A copy of the Board of Zoning Adjustment Rules of Procedure is located at the following link: <http://www.atlantaga.gov/index.aspx?page=399>.

APPLICATION FOR BOARD OF ZONING ADJUSTMENT

Please mark "X" next to the type of application(s) you are submitting:

Variance	
Special Exception	
Variance & Special Exception	

Date Filed _____ Application Number _____

Name of Applicant _____ Daytime Phone _____

Company Name (if applicable) _____ email _____

Address _____
street city state zip code

Name of Property Owner _____ Phone _____

Address _____
street city state zip code

Description of Property

Address of Property _____
street city state zip code

Area: _____ Land Lot: _____ District: _____, _____ County, GA.

Property is zoned: _____, Council District: _____, Neighborhood Planning Unit (NPU): _____

TO THE BOARD OF ZONING ADJUSTMENT: Applicant, having received a preliminary plan review from the Office of Zoning and Development prior to seeking a building permit or certificate of occupancy, hereby requests that the Board of Zoning Adjustment grant a Variance or Special Exception.

I hereby authorize the staff of the Office of Zoning and Development to inspect the premises of the above-described property. I understand that it is my responsibility to post a public notice sign on the property according to the instructions given to me by the Office of Zoning and Development upon filing this application. I swear that all statements herein and attached hereto are true and correct to the best of my knowledge and belief.

Owner or Agent for Owner (Applicant)

Print Name of Owner

Sworn To And Subscribed Before Me This ____ Day Of ____, 20____.

NOTARY PUBLIC

SUMMARY & JUSTIFICATION FOR VARIANCES

Directions: Complete responses must be provided for ALL questions. Incomplete applications will not be accepted. The space below may be utilized or responses may be submitted as a separate attachment. Specific criteria for Board approval of variances may be found on page 7. **The justification must address these criteria.** Please submit a typewritten or legible justification.

State whether the property described in this application is subject to a pending application or ordinance for a Rezoning or Special Use Permit. ___YES ___NO. (If yes, the variance/special exception request will be rescheduled to a hearing following the final approval by City Council & the Mayor). Please provide the relevant zoning number associated with the subject property: _____.

Is the proposal subject to Inclusionary Zoning? ___ YES ___NO

Summary of proposed construction changes to buildings or site (shall not replace submittal of written criteria). (Examples: “Convert a 100’ x 200’ retail space into a restaurant.” “Install a 6-foot high opaque wooden wall (‘privacy fence’ with 6-foot high opaque wall gates.”).

Proposed Lot Coverage (After Construction): Calculate total amount of lot coverage on entire property, after completion of proposed construction, including existing and proposed buildings and other structures; sidewalks, driveways, parking pads, patios, gravel, etc.; everything except natural planted or undisturbed areas.

_____ covered square feet / _____ total lot square feet = _____% proposed lot coverage
_____ % maximum allowed lot coverage

Variance Criteria (see page 6 for detailed criteria):

- 1) What are the extraordinary and exceptional conditions pertaining to the particular piece of property in question (size, shape or topography)? _____

- 2) How would the application of the Zoning Ordinance of the City of Atlanta to this particular piece of property create an unnecessary hardship? _____

- 3) What conditions are peculiar to this particular piece of property? _____

- 4) Submit facts to show that relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the Zoning Ordinance of the City of Atlanta. _____

CRITERIA FOR VARIANCES

- 1) **There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography.**
 - Explain why you believe your property has an extraordinary or exceptional condition. Is the width narrower, or is it smaller than the minimum that is required by the zoning regulations for its zoning classification? Does it have a shape that limits development in its buildable area, or topography that restricts its use? Does this condition relate directly to the requested variance?
 - Commercially zoned properties do not have minimum width and area requirements; therefore, those elements of this criterion are not strictly applicable. However, it is advisable to evaluate the shape and topography of the property in comparison to other nearby commercial properties.
 - If the variance is required to avoid destruction of any mature trees located in the buildable area of the property, contact the office of the City Arborist at (404)330-6874 to schedule an appointment for an arborist to inspect the property and document the location of the tree.
- 2) **The application of the zoning ordinance of the City of Atlanta to this Particular piece of property would create an unnecessary hardship.**
 - Describe why you believe the zoning regulations create an unnecessary hardship on you regarding the use of your property. For the purposes of granting a variance, the Office of Zoning and Development does not consider a hardship to be related to cost alone. Variances are not solely intended to enable the property owner to save money. For example, the property owner is not considered to have a hardship if the only reason for the variance is that it would cost more to construct, without a variance, a structure in the buildable area of a lot, versus getting a variance to be allowed to construct the same structure in a yard setback.
 - Location of a house on the property in a manner that instigates a variance request is not usually considered an extraordinary or exceptional condition. However, a hardship might be involved if the functional layout of an existing floor plan drives the request for the variance.
- 3) **Such conditions are peculiar to the particular piece of property involved.**
 - State how the relevant extraordinary and exceptional conditions identified as per (1), above, are unique to the property, not shared by the majority of other properties in the same zoning district.
- 4) **Relief, if granted, would not cause substantial detriment to the public good or impair the purpose and intent of the zoning ordinance of the City of Atlanta.**
 - Explain how the requested variance would not detract from people's use and enjoyment of adjoining and surrounding properties. Explain how it would be consistent with the purposes and intent of the zoning ordinance and/or would further these purposes and intent. The purposes and intent are stated in Section 16-01.003 of the ordinance, and include: securing safety from fire, panic and other dangers, providing adequate light and air, encouraging . . . intensities of land development as will tend to facilitate drainage, sanitation, education, recreation and other public requirements, promoting desirable living conditions, sustaining stability of neighborhoods, providing for the orderly evolution of neighborhoods along lines responsive to public needs, protecting against blight and depreciation.

Note:

- Yard setback reductions to less than 3 feet for construction of a structure are discouraged because a) maintenance of side walls of structures is usually not possible without stepping on the adjoining property, and b) houses built less than 3 feet from the property line may not have windows in the affected side wall, in accordance with the fire safety building code.
- Pervious (porous) surfaces are encouraged to allow rainwater to absorb into the ground, thereby reducing runoff and flooding. Groundwater absorption also purifies stormwater runoff before it reaches our rivers and lakes. Please consider using the following pervious surfaces: pervious concrete, grasscrete, gravel, pervious medians in "ribbon" driveways, and sand-filled spaces between pavers. (Pervious surfaces are included in overall lot coverage calculations.)

SUMMARY & JUSTIFICATION FOR SPECIAL EXCEPTIONS

Directions: Complete responses must be provided. Incomplete applications will not be accepted. The space below may only be utilized for the summary of proposal or responses may be submitted as a separate attachment. Specific criteria for Board approval of special exceptions may be found on page 9. **The justification must address these criteria. Please submit a separate justification for responses to the applicable special exception criteria.**

State whether the property described in this application is subject to a pending application or ordinance for a Rezoning or Special Use Permit. ___YES ___NO. (If yes, the variance/special exception request will be rescheduled to a hearing following the final approval by City Council & the Mayor.)

Is the proposal subject to Inclusionary Zoning? ___ YES ___NO

Summary of proposed special exception request (shall not replace submittal of written criteria). (Examples: "Installation of a swimming pool adjacent to the public right of way ("active recreation"), "Install a 6-foot high opaque wooden wall ('privacy fence' with 6-foot high opaque wall gates.").

Parking & Loading: List the maximum number of employees who will park on the site at any given time: _____ AND list the maximum estimated number of customers, clients, visitors, or similar persons who will require automobile parking in connection with the facility on the site at any given time: _____. **If you propose to provide off-site parking, see the attached Standards for off-site Parking Agreements (page 10)**_____

Walls and Fences: Any request for walls or fences should include a site plan and elevations showing the full extent of the wall or fence and a drawing showing a typical portion of the wall or fence including gates of ornamental fences._____

Active Recreation:_____

Non-Conforming Uses & Structures (i.e. duplex):_____

All other Special Exception Requests:_____

CRITERIA FOR SPECIAL EXCEPTIONS

PARKING AND LOADING. The Board of Zoning Adjustment may waive or reduce the parking and loading requirements in any district when the character or use of the building is such as to make unnecessary the full provisions of parking or loading facilities, or where such regulations would impose an unreasonable hardship upon the use of the lot. If the proposal includes off-site parking spaces, please see the attached Standards for Off-site Parking Agreements (page 10).

WALLS AND FENCES.

The Board of Zoning Adjustment may grant Special Exceptions in any district for greater heights of walls and fences only upon finding that:

1. Such wall or fence is justified by reason of security or privacy and will not unduly prevent passage of light and air to adjoining properties and is not incompatible with the surrounding neighborhood;
2. Such greater height is justified by requirements for security of persons or property in the area;
3. Such greater height is justified for topographic reasons; or,
4. Such greater height, in the yard or yards involved, is not incompatible with the character of the surrounding neighborhood.

ACTIVE RECREATION: The BZA may grant a Special Exception to permit active recreation in yards adjacent to streets in residential districts only upon finding that:

1. The location will not be objectionable to occupants of a neighboring property or the neighborhood in general by reason of noise, lights or concentration of persons or vehicular traffic; and
2. The area for such activity could not reasonably be located elsewhere on the lot.

In some cases, applications for a swimming pool or tennis court adjacent to a street may also need a Special Exception for a wall or fence. This should be verified with a Plan Reviewer in the Office of Zoning and Development prior to filing an application.

NONCONFORMING USES AND STRUCTURES: See Section 16-24.001 through Section 16-24.007 of the City of Atlanta Zoning Ordinance and the following subsections:

1. Expansion of nonconforming uses or structures or of major structures and premises in combination: See Section 16-24.005(i).
2. Replacement or reconstruction of a destroyed major structure containing a nonconforming use: See Section 16-24.005(6)(b).
3. Expansion of a nonconforming use in R-4 (Single-Family Residential) and R-5 (Two-Family Residential) districts: See Section 16-24.005(7)(a).

ALL OTHER SPECIAL EXCEPTIONS NOT IDENTIFIED ABOVE:

1. Ingress and egress to the property and proposed structure or uses thereon, with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or other catastrophe.
2. Off-street parking and loading areas where required, with particular attention to the items in 1. above.
3. Refuse and service areas.
4. Appropriate buffering or screening to alleviate such potentially adverse effects as may be created by noise, glare, odor, lighting, signs or traffic congestion.
5. Hours and manner of operations.
6. Length of time regarding the duration of such permit, if any.
7. Required yards and other open spaces.

AUTHORIZATION BY PROPERTY OWNER

(Required only if the person filing the application is not the owner of the property subject to the proposed application.)

(Please print clearly. Must be the original document. A copy will not be accepted.)

I, _____ (OWNER'S NAME) SWEAR AND AFFIRM THAT I AM THE OWNER OF THE PROPERTY AT _____ (PROPERTY ADDRESS). AS SHOWN IN THE RECORDS OF _____ COUNTY, GEORGIA, WHICH IS THE SUBJECT MATTER OF THE ATTACHED APPLICATION. I AUTHORIZE THE PERSON NAMED BELOW TO FILE THIS APPLICATION AS MY AGENT.

OWNER'S TELEPHONE NUMBER: _____

SIGNATURE OF OWNER

PRINT NAME OF OWNER

NAME OF APPLICANT:

LAST NAME _____ FIRST NAME _____

ADDRESS _____ SUITE _____

CITY _____ STATE _____ ZIP CODE _____

APPLICANT'S TELEPHONE NUMBER: _____

APPLICANT'S EMAIL ADDRESS: _____

PERSONALLY APPEARED BEFORE ME THE ABOVE NAMES, WHO SWEARS THAT THE INFORMATION CONTAINED IN THIS AUTHORIZATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

NOTARY PUBLIC

DATE

ATTORNEY AUTHORIZATION

(Required only if the property owner or applicant is represented by an Attorney.)

(Please print clearly. Must be the original document. A copy will not be accepted.)

I SWEAR AND AFFIRM, AS AN ATTORNEY AT LAW, THAT I HAVE BEEN AUTHORIZED BY THE OWNER/APPLICANT OF THE PROPERTY SUBJECT TO THE PROPOSED VARIANCE/SPECIAL EXCEPTION TO FILE THIS APPLICATION.

NAME OF ATTORNEY:

LAST NAME _____ FIRST NAME _____

ADDRESS _____ SUITE _____

CITY _____ STATE _____ ZIP CODE _____

ATTORNEY'S TELEPHONE NUMBER: _____

ATTORNEY'S EMAIL ADDRESS: _____

SIGNATURE OF ATTORNEY

PRINT NAME OF ATTORNEY

PERSONALLY APPEARED BEFORE ME THE ABOVE NAMES, WHO SWEARS THAT THE INFORMATION CONTAINED IN THIS AUTHORIZATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

NOTARY PUBLIC

DATE

STANDARDS FOR OFF-SITE PARKING AGREEMENTS

Agreements in association with special exceptions for reduction of minimum required parking spaces and provision of off-site parking will be acceptable to the Office of Zoning and Development as valid if they meet the following standards (for convenience, words applicable to lease agreements are used; however any agreement must meet these standards):

1. Provide original signatures of lessee and lessor.
2. Provide current phone numbers and addresses of lessee and lessor.
3. Identify the principal property and the property on which the off-site spaces will be leased, by either of the two following methods:
 - a. Street address and outline of properties on a copy of a City of Atlanta “Cadastral” map.
 - b. Legal description in metes and bounds.
4. Include a provision that leased, off-site spaces must be used exclusively by the lessor for all persons who would otherwise use on-site parking on the principal property, in conjunction with the business, office, or other use on the principal property for which the lease is executed.
5. Include a provision in the lease that requires that the leased spaces will be demarcated, by signs and, optionally, by striping, barriers, or other means, as reserved for exclusive use by persons associated with the business, office, or other use on the principal property for which the lease is executed, and that identifies the party who will be responsible for so demarcating the spaces.
6. State the hours of the day and week during which the off-site parking spaces will be made available for use by the lessor.
7. State the term of the lease, including the expiration date. The term must be for a minimum of six months.
8. Provide signature and seal of a notary public.

In addition, applicants for special exceptions that involve off-site parking are required to provide a list of all executed agreements for the off-site parking location that are current at the time that the application is filed with the Office of Zoning and Development, and, for each agreement, its term, the number of parking spaces to be used, and the hours of the day during which the spaces are to be used.

FEE SCHEDULE

FOR APPLICATIONS TO THE CITY OF ATLANTA BOARD OF ZONING ADJUSTMENT (BZA) FOR VARIANCES, SPECIAL EXCEPTIONS, AND APPEALS

Fees for applications to the BZA are as follows:

- (A) **Variance applications.** Variance application fees are based on the zoning district in which the subject property is located.

<u>District</u>	<u>Fee</u>
R-1, R-2, R-2A, R-3, R-3A, R-4, R-4A, R-4B, R-5, LD, HD	\$100.00
RG Sectors 1-6 MR Sectors 1-8	\$500.00
R-LC, O-I, C-1, C-2, C-3, C-4, C-5, I-1, I-2, MRC-1, MRC-2, MRC-3, LW, NC, all SPI Districts	\$625.00

- (B) **Special Exception applications.** Special Exception application fees are based on the zoning district in which the subject property is located.

<u>District</u>	<u>Fee</u>
R-1, R-2, R-2A, R-3, R-3A, R-4, R-4A, R-4B, R-5, LD, HD	\$100.00
RG Sectors 1-6 MR Sectors 1-6	\$500.00
R-LC, O-I, C-1, C-2, C-3, C-4, C-5, I-1, I-2, MRC-1, MRC-2, MRC-3, LW, NC, all SPI Districts	\$625.00

- (C) **Deferral Fee.** Applicants/appellants requesting a deferral from a scheduled appearance before the BZA are required to pay a deferral fee which includes the cost incurred for public notice (postage fees, postcards and newspaper advertisement). The Secretary of the BZA will provide the cost which must be paid no less than 3 business days after the deferral request has been granted by the Board.

- (D) **Appeal applications.** For appeals of a decision of a City staff person, the application fee is \$250.00, without regard to the zoning district in which the subject property is located.



Office of Zoning and Development
2020 Board of Zoning Adjustment (BZA) Public Hearing Schedule
12:00 PM – City Council Chambers, Second Floor

Application Period	Public Hearing Date
October 24, 2019 – November 6, 2019	January 2, 2020
November 7, 2019 – November 20, 2019	January 9, 2020
November 21, 2019 – December 11, 2019	February 6, 2020
December 12, 2019 – December 18, 2019	February 13, 2020
December 19, 2019 – January 8, 2020	March 5, 2020
January 9, 2020 – January 22, 2020	March 12, 2020
January 23, 2020 – February 5, 2020	April 2, 2020
February 6, 2020 – February 19, 2020	April 9, 2020
February 20, 2020 – March 11, 2020	May 7, 2020
March 12, 2020 – March 25, 2020	May 14, 2020
March 26, 2020 – April 8, 2020	June 4, 2020
April 9, 2020 – April 22, 2020	June 11, 2020
April 23, 2020 – May 6, 2020	July 2, 2020
May 7, 2020 – May 20, 2020	July 9, 2020
May 21, 2020 – June 10, 2020	August 6, 2020
June 11, 2020 – June 24, 2020	August 13, 2020
June 25, 2020 – July 8, 2020	September 3, 2020
July 9, 2020 – July 22, 2020	September 10, 2020
July 23, 2020 – August 5, 2020	October 1, 2020
August 6, 2020 – August 19, 2020	October 8, 2020
August 20, 2020 – September 9, 2020	November 5, 2020
September 10, 2020 – September 23, 2020	November 12, 2020
September 24, 2020 – October 7, 2020	December 3, 2020
October 8, 2020 – October 21, 2020	December 10, 2020

Variance & Special Exception applications are accepted Monday – Friday until 3:00 pm

Appeals will be accepted during regular business hours
Monday – Friday from 8:15 am – 5:00 pm

Racquel T. Jackson, Secretary to the Board of Zoning Adjustment
(404) 330-6145