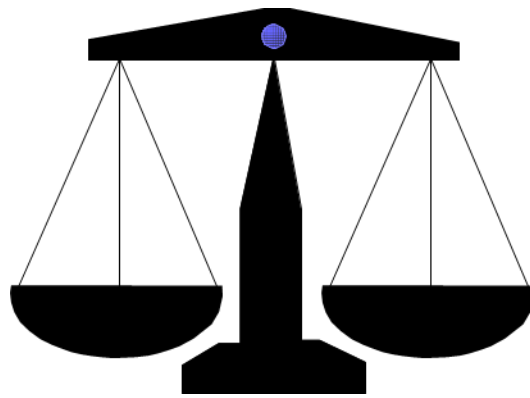




BOARD OF ZONING APPEALS



INFORMATION AND APPLICATION PACKAGE

GUIDELINES FOR A COMPLETE APPLICATION

(Incomplete applications will not be processed!)

- Please read pages 3–12 carefully. These pages contain information about the Board of Zoning Appeals, including their duties, variances, appeals, filing procedures, and other important details.
- Please print clearly or type the application (page 14) in full and have all interested parties sign the bottom (i.e., owner(s) and/or agents). Remember to submit the highlighted information on the application.
- Please carefully review pages 15 and 16. The worksheet on page 16 will help you assess if you have a hardship. Please note that a variance is granted only if you can demonstrate a hardship.
- On page 17, you will find a Declaration and Acknowledgement page. You must respond to the first paragraph by selecting “yes” or “no.” Page 13 contains a list of board members that may be useful in determining which members are relevant to this statement. Additionally, please be sure to select the party responsible for advertising, sign, and provide the information at the bottom of the page.
- Page 18 contains the Power of Attorney form specific to the Board of Zoning Appeals. This form must be completed and submitted with your application if you represent the property owner(s).
- Page 19 contains the Adjacent Property Owners List of Addresses form. You must complete this form with the information for all adjacent property owners surrounding the specified address. Please refer to page 20 for the definition of adjacent properties and examples. Visit the city’s online real estate service to obtain this information. For assistance, you may contact the Real Estate Assessor's Office.

INTRODUCTION

This information explains the zoning variance and appeals process for the City of Chesapeake as well as your rights and responsibilities in filing an application. Provided, are helpful suggestions to assist you, or your representative, in preparing an application and presentation for the Board.

ZONING

The power to zone derives from the inherent power vested by the State General Assembly in the Chesapeake City Council. The zoning regulations for Chesapeake have been enacted by the City Council in the form of a Zoning Ordinance. The most recent Zoning Ordinance was adopted October 21, 1993.

The general purpose of zoning is to control and order the growth and development of Chesapeake in accordance with the City's Comprehensive Plan. The Comprehensive Plan is required by State law to be updated every five years.

WHO IS THE ZONING ADMINISTRATOR?

The Zoning Administrator is a city staff member authorized to administer, interpret, and enforce the Zoning Ordinance on behalf of the City Council. This person has the authority and power to order, in writing, the remedy of any condition found in violation of the Ordinance and, if necessary, to bring legal action to ensure compliance with its provisions. The Zoning Administrator's authority is strictly defined.

By law, the Zoning Administrator does not have discretionary authority and therefore can only approve a request that clearly conforms to the requirements of the Zoning Ordinance. This provision is deliberate in that it is designed to prevent favoritism, unequal treatment of landowners in similar circumstances, and other abuses, which stem from the unfettered exercise of administrative powers.

WHAT HAPPENS WHEN UNIQUE CIRCUMSTANCES OCCUR?

The General Assembly has recognized that zoning regulations cannot be written to accommodate every set of circumstances, which arise when Council attempts to plan and control the use of land. That is, a Zoning Ordinance cannot provide for all conceivable situations to which it must apply. There are times when an interpretation is needed to determine if a variance in the application of specific terms of the Zoning Ordinance is appropriate and justified. Hence, provisions must be made to balance the strict application of the Ordinance with the purpose and intent established by it. Such judgments are the responsibility of the Board of Zoning Appeals (BZA). The powers and duties of the BZA are discussed in the following pages.

WHAT IS THE BOARD OF ZONING APPEALS?

The BZA is a semi-judicial body established by State law and City Code to decide on variance applications and appeals to include: (1.) An appeal from any decision of the zoning administrator or from any order, requirement, decision, or determination made by any other administrative officer in the administration or enforcement of the zoning ordinance; (2.) Interpretation of the Official Zoning Map where there is any uncertainty as to the location of a district boundary; and (3.) A variance from a provision of the zoning ordinance.

Without this body to decide on such matters, solutions to unique development problems would have to be accomplished by numerous detailed amendments to the Zoning Ordinance or through a lawsuit. Therefore, the function of the BZA is to hear and decide upon the interpretation and the application of the provisions of the Zoning Ordinance in such cases. Although the BZA has certain discretionary powers in making decisions, these powers have definite limits. The BZA must always abide by and comply with the powers granted to it by the Zoning Ordinance and the State Enabling Act.

WHO ARE THE MEMBERS OF THE BZA?

The Board consists of 10 (7 regular and 3 alternates) residents of Chesapeake appointed by the Circuit Court. Board members are normally appointed for a term of 5 years. There is no limit on the number of terms that a member may serve. A member may be removed by the court for just cause upon written charges and after a public hearing. Owing to the care exercised by the court in its appointments to the BZA, it has never been necessary to remove a member from the Board.

WHAT IS THE BZA EMPOWERED TO DO?

The Board of Zoning Appeals is empowered by Title 15.2, Counties, Cities and Towns - Section 15.2-2308 - 2315 (Chapter 22) of the State Code and Section 20 – 300 et seq. of the Zoning Ordinance to:

1. Hear and decide on variances to the Zoning Ordinance.
2. Hear and decide on appeals from any order, requirement, decision, or determination made by the Zoning Administrator in the enforcement or interpretation of the Zoning Ordinance. The Zoning Administrator is responsible for interpreting the terms and conditions that are not specifically addressed in the Ordinance. The Zoning Administrator's decision must be issued in writing, filed and available for review. The written interpretation must include the rationale for the decision and cite specific policies of the City Council as articulated in the adopted Comprehensive Plan supporting the interpretation.
3. Hear and decide on applications for interpretation of zoning maps.

WHAT IS A VARIANCE?

A "variance" as defined in § 15.2-2201 of the Code of Virginia shall mean a reasonable deviation from zoning ordinance requirements regulating the shape, size, or area of a lot or parcel of land; or the size, height, area, bulk, or location of a building or structure; when strict application of the ordinance would unreasonably restrict the utilization of the property and such need for a variance would not be shared generally by other property; and provided such variance is not contrary to the purpose of the zoning ordinance.

Use variances are not authorized by the BZA. The Board shall not be empowered to vary any of the provisions of the Ordinance relating to the use of land, buildings, or structures.

A variance request shall not include a change to land use as defined in the Table of Permitted and Conditional Uses.

WHAT IS THE PURPOSE OF A VARIANCE?

Notwithstanding any other provision of law, general or special, a variance shall be granted if the evidence shows that the strict application of the terms of the ordinance would unreasonably restrict the utilization of the property or that the granting of the variance would alleviate a hardship due to a physical condition relating to the property or improvements thereon at the time of the effective date of the ordinance or alleviate a hardship by permitting a reasonable modification be made to a property for the benefit of a person with a protected disability status.

WHERE DO I FILE MY BZA APPLICATION?

File your completed application with the BZA Secretary by noon on the filing deadline according to the BZA Public Hearing Schedule approved by the Board. The Board meets on the fourth Thursday of each month, except in November and December, when the meetings are combined and scheduled on a date decided by the Board, typically the second Thursday of December.

A schedule of meeting dates and application deadlines for the year are approved at the October hearing and may be obtained from the Secretary or by visiting the city's website, www.cityofchesapeake.net.

ARE THERE FILING FEES?

Yes. There are non-refundable processing fees. A filing fee of \$500.00 (effective July 1, 2025) is required to process a BZA application. The filing fee shall be paid at the time the application is submitted to constitute a complete application package. The application fee includes the cost for legal advertisements in newspaper ads, as described on the Acknowledgement Form included in the application package.

WHAT HAPPENS NEXT?

Staff will review the application to verify its completeness. Once the application is accepted and rendered complete, it will be placed on the agenda for the public hearing corresponding to the application deadline date. Applications are placed on the agenda in the order that they are formally received by the Secretary. Legal notices advertising the public hearing will be published in the local paper once a week for two consecutive weeks. In addition, the Secretary will notify, by letter, all adjacent property owners regarding your variance request. You will receive written notice of the date, time, and place for the public hearing approximately two weeks prior to the meeting.

Applicants requesting a variance must post a Zoning Variance Sign on the property in accordance with Section 20-702.E of the Chesapeake Zoning Ordinance as described on the following page. The Office of the Zoning Administrator will prepare each sign as required. You are responsible for retrieving the sign(s) from the Office of the Zoning Administrator on the second business day, after twelve o'clock noon, following the date of the first legal advertisement or as soon thereafter as notified by the Secretary.

The Secretary of the Board will provide a staff report to the Board concerning your request that includes pertinent code sections and factual statements. The staff report will be available for review in the Office of the Zoning Administrator approximately one week prior to the public hearing.

Members of the Board may inspect your property prior to the public hearing to gain a better appreciation of the circumstances occasioning your variance request and the land or structure involved. However, the board members do not meet with the applicant during the inspection or prior to the public hearing.

VARIANCE SIGN POSTING REQUIREMENTS

Section 20-702.E - Notice. In addition to any requirements contained in the Code of Virginia, the Zoning Administrator shall require each applicant for a variance to post a sign(s) indicating the date and time that the application has been scheduled for a public hearing in the manner prescribed by Section 16-105.

Section 16-105.A.5 – Additional Sign Requirements

- It shall be the responsibility of the applicant to post on the property, for which the application is filed, one (1) or more signs provided by the city so that at least one (1) sign is facing and clearly visible from each public right-of-way from which the property is visible.
- In cases where the property is not visible from a public right-of-way, the location of the sign shall be specified by the Zoning Administrator.
- Where the subject property abuts more than one (1) right-of-way, a minimum of one (1) sign shall be posted on each right-of-way.
- If the subject property is one (1) acre or more in size a sign shall be placed at every five hundred (500) feet of road frontage.
- As used in this subsection, the term "right-of-way" shall not include interstates.
- All signs required under this subsection shall be erected not less than fourteen (14) days prior to the date of the first scheduled public hearing before the BZA and shall include notice of the time and place of that first hearing and the specific nature of the matter involved.
- The posting of the signs shall be in accordance with Section 14-700 of the Ordinance.
- The signs shall not be posted on trees, towers, utility poles, fence posts or similar freestanding objects or on buildings or structures unless the application pertains to the reconstruction, renovation or expansion of the building or structure to which the sign is attached.
- The signs shall remain legible and be maintained in an erect position in its posted location.
- The signs shall be continually maintained by the applicant on the site to the conclusion of the public hearing by the BZA.
- In the event it is shown to the satisfaction of the BZA that improper posting or removal of required signs has occurred, the hearing on the application may be continued at the discretion of the Board of Zoning Appeals.
- Nothing in this subsection shall be construed to invalidate any subsequently adopted amendment or ordinance because of the failure to post signs in accordance with the requirements herein so long as all notice procedures in the Virginia Code, Section 15.2-2204, are met.
- All signs shall be removed from the property within five (5) days of final determination by the Board of Zoning Appeals. Any sign remaining on a property more than five (5) days after final action on the application to which it refers shall be an illegal sign and a violation of the Ordinance.

WHAT HAPPENS AT THE PUBLIC HEARING?

Upon arrival, you and any others who wish to speak must fill out a speaker registration form and submit it to the Recording Secretary. Speaker cards must be turned in before the meeting starts at 6:30 pm or you will not be given speaking time.

The agenda of regular BZA meetings is generally structured as follows: call to order, roll call, administration of oath, approval of previous minutes, continuances and withdraws, unfinished business, new public hearing items (this is where your application will be heard), new business, announcements, and finally, adjournment.

The Secretary will provide a verbal summary of each application on the agenda and name any speakers. The Chairperson will then call upon the City's Administrative Officer to expand on the details of the application, provide their determination, which will be presumed to be correct, and inform the Board if they recommend approval or denial of the request. You (the applicant) or your representative will then be called to speak on your behalf. Members of the general public, who have filled out a speaker form, will also be given the opportunity to speak. The Chairperson may call upon any prior speaker if the board has additional questions and may grant requests by any prior speaker to be heard in response to the statements of another speaker or in response to a statement made by a Board member. A motion to approve or deny the request is made by a Board member and the Secretary will call for each member's vote and announce the final decision.

DO I HAVE TO ATTEND THE PUBLIC HEARING?

YES, attendance by you (the applicant) or your representative is required. Otherwise, the Board may withdraw your application from the agenda, make a decision based on the merits of your application, or continue your application to be heard at the next scheduled public hearing, in accordance with the Code of Virginia and BZA By-Laws.

DO I NEED A LAWYER OR PROFESSIONAL REPRESENTATIVE?

Many individual property owners appear on their own behalf. However, it is acceptable to have professional representation to assist with your application and answer questions on your behalf. In this scenario, a Power of Attorney Form must be executed by the property owner and submitted with the application.

HOW LONG DO I HAVE TO WAIT FOR A DECISION?

In most cases, you can expect a decision the same night. However, there is a 30-day waiting period before the decision rendered becomes effective. If the application is extremely complex, the Board may vote to continue the case to the next scheduled public hearing or until another meeting date. The Secretary will also mail a final decision letter within 10 calendar days of the hearing.

WILL THE CITY SUPPORT MY APPLICATION FOR A VARIANCE?

The decision of the City to recommend the approval or denial of an application is made by the Zoning Administrator in consultation with staff. This decision is not made until after your application is accepted and rendered complete. The Zoning Ordinance provides strict standards on when a variance may be approved. The Zoning Administrator will only make recommendations for the granting of a variance when the applicant has provided evidence that the application clearly meets those standards.

WILL LACK OF SUPPORT BY THE ZONING ADMINISTRATOR MAKE IT MUCH LESS LIKELY THAT THE BOARD OF ZONING APPEALS WILL APPROVE MY APPLICATION FOR VARIANCE?

As previously noted, members of the Board are appointed by the Circuit Court, and the Board is a quasi-judicial body. Therefore, the Board does not automatically follow the recommendation of the Zoning Administrator. In considering an application, the Board will take all aspects of a case into consideration before reaching a final decision. The recommendation of the Zoning Administrator is only one of many factors considered. The factors that determine approval of a variance request are unique for each application; see the section that references “Standards for variances.”

WHAT ELSE DO I NEED TO KNOW OR DO?

It is up to you to prove that your application meets the standards for granting a variance or an appeal. Review the following standards or guidelines the Board is required to use when rendering a decision and consider how they affect your request.

FOR A VARIANCE

A variance will be evaluated based on the criteria from the Chesapeake Zoning Ordinance Section 20-402 and Section 15.2-2309 of the Code of Virginia. A variance shall be granted if:

The evidence shows that the strict application of the terms of the ordinance would unreasonably restrict the utilization of the property or that the granting of the variance would alleviate a hardship due to a physical condition relating to the property or improvements thereon at the time of the effective date of the zoning ordinance or alleviate a hardship by permitting a reasonable modification be made to a property for the benefit of a person with a protected disability status, and:

1. The property interest for which the variance is being requested was acquired in good faith and any hardship was not created by the applicant for the variance;
2. The granting of the variance will not be of substantial detriment to adjacent property and nearby properties in the proximity of that geographical area;
3. The condition or situation of the property concerned is not so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to this ordinance;
4. The granting of the variance does not result in a use that is not otherwise permitted on such

- property or a change in the zoning classification of the property; and
5. The relief or remedy sought by the variance application is not available through a conditional use permit, rezoning, or amendment of this ordinance at the time of the filing of the variance application.

Any variance granted to provide a reasonable modification to a property or improvements thereon requested by, or on behalf of, a person with a protected disability status may expire when the person benefited by it is no longer in need of the modification to such property or improvements provided by the variance, subject to the provisions of state and federal fair housing laws or the Americans with Disabilities Act of 1990 (42 U.S.C. Section 12131 et seq., as amended), as applicable. If a request for a reasonable modification is made and is appropriate under the provisions of state and federal fair housing laws or the Americans with Disabilities Act of 1990, as applicable, such request shall be granted unless a variance from the board of zoning appeals is required in order for such request to be granted.

Action and specific findings are required; the Board shall either approve, deny, or approve with conditions the request for a variance. The Board shall not grant a variance unless and until the above-listed standards have been met.

OTHER PERTINENT INFORMATION FOR A VARIANCE

Exhibits and photographs, reduced to 8½" x 11" paper, can be beneficial to the graphical presentation of your request. Petitions and written statements of support from adjacent property owners are permitted. All exhibits, photographs, documents, or any items for use as evidence submitted with the application or presented at the meeting will be maintained by the Secretary and will become documents of permanent record. These items are also made public records. Copies of original documents may be supplied upon written request of the applicant and collection of any associated fees for reproduction.

Provisions of a sales agreement or contract to purchase a property subject to obtaining a variance should give you the option to apply for a variance with a Power of Attorney executed by the property owner.

You, your representative, or elected local official, should not contact the members of the Board regarding the application prior to the public hearing. The decision of the Board shall be based only on the facts presented at the public hearing where all members, as well as the public at large, have an opportunity to consider the information presented. Decisions of the Board are based on the merits of each case and political issues are never a factor.

Decisions of the BZA are not bound by precedent as in a court of law. Each case is evaluated on its specific facts, and the Board determines its merits of a case on the information presented at the public hearing.

FOR AN APPEAL

1. The Board will examine the language of the Ordinance to determine whether the language is clear or is subject to more than one interpretation.
2. If, in the opinion of the Board, the language is clear, the Board will require you to show that your case is not within the intent of the regulation. In these cases, the Board will assume that the administrative decision is correct, and the applicant will bear the burden of proof.
3. If the language of the Ordinance is unclear, the Board will inquire as to whether the decision made by the official involved is consistent with previous administrative determinations in similar situations.
4. If the administrative decision is consistent with prior decisions, your application will prevail only if the administrative decision is not within the intent and purpose of the Ordinance and, therefore, so arbitrary or unreasonable that the Board must substitute its own interpretation and overturn the administrative decision. If the administrative decision is both consistent and reasonable, the Board will uphold it.
5. If the administrative decision is inconsistent with prior decisions, the Board will carefully examine all factors involved to ensure that the appearance of an arbitrary decision is overcome by a legitimate attempt to further the intent and purpose of the Ordinance. In applying these guidelines, the Board will consider any pertinent factors that arise during the public hearing.

CAN I ASK THE BOARD TO RECONSIDER MY APPLICATION?

If your application is denied or withdrawn, the Ordinance does not permit the same application or one of similarity to be considered by the Board for 1 year. However, the Board has discretionary authority to grant a request for a rehearing where it is evident that a substantial procedural error occurred which deprived either the city, the applicant or the landowner of actual notice of the original hearing on any matter reviewed by the Board.

CAN THE DECISION BE APPEALED IF MY APPLICATION IS DENIED?

Yes, if you disagree with the Board's decision, you have the right to appeal the decision to the Chesapeake Circuit Court. You must exercise your right to appeal within 30 days after the Board's decision. A petition is required to be filed with the Circuit Court specifying the grounds on which the person(s) is aggrieved.

**CITY OF CHESAPEAKE
BOARD OF ZONING APPEALS
2025 MEMBERSHIP ROSTER**

Current Board Members

Jankell, Peter J. – Chairperson
Term Expires: June 30, 2027

Fisher, Michael – Vice Chairperson
Term Expires: January 31, 2027

Randolph, Clifton
Term Expires: December 31, 2025

Waller Moon, Abram C.
Term Expires: April 2, 2027

Rowland, Bethany
Term Expires: January 7, 2026

Taylor, Cynthia
Term Expires: January 31, 2027

Huang, Lisa
Term Expires: June 30, 2026

Alternate Board Members

McFarlin, Tawanna
Term Expires: December 31, 2028

Robinson, Arthur
Term Expires: January 31, 2027

OFFICE USE ONLY	DATE RECEIVED: _____	APPLICATION NUMBER: ZON-BZA-20_____-_____
BOARD OF ZONING APPEALS PETITION APPLICATION		
OWNER INFORMATION		
USE CURRENT CONTACT INFORMATION FOR ALL PROPERTY OWNERS (AN ADDITIONAL SHEET MAY BE ATTACHED FOR MULTIPLE OWNERS)		
Name: _____		
Mailing address: _____		
City: _____	State: _____	ZIP Code: _____
Phone: _____	Email: _____	
APPLICANT (if different from owner) OR APPLICANT AGENT INFORMATION		
Name: _____		
Corporation: _____		
Mailing address: _____		
City: _____	State: _____	ZIP Code: _____
Phone: _____	Email: _____	Fax: _____
APPLICATION DETAILS		
Application For: Appeal of Zoning Decision / Notice of Violation: ☐ Variance: ☐		
Appeal Details: Date of Decision/Notice of Violation: _____	Explain the nature of request for appeal and justification for such appeal:	
Variance Details: Section of Zoning Ordinance: _____ Basis for Variance Request: ☐ Unreasonable Restriction ☐ Hardship Due to Physical Condition of Property	Explain the nature of your variance request (what are you asking for):	
PROPERTY INFORMATION		
Address of Property: _____		
Tax Map #: _____	Legal Description: _____	
Zoning District: _____	Present Use: _____	
APPLICATION CHECKLIST		
☐ Variance Worksheet (page 16) ☐ Declarations and Acknowledgement page (page 17) (Variances Only) ☐ POA (page 18), if needed ☐ Adjacent Property Owners List of Addresses (page 19) (Variances Only)	☐ Letter detailing justification for request (Variances & Appeals) ☐ A scale drawing of the property & proposed project, if applicable (Variances & Appeals) ☐ Any evidence or other documents you wish to submit ☐ \$500 Filing/Application Fee	
SIGNATURES		
I certify that the information supplied on this application and on the attachments provided (maps and other information) is accurate and true to the best of my knowledge. In addition, I hereby grant permission to the agents and employees of the City of Chesapeake to enter the above property for the purposes of processing and reviewing the above application. Also, the petitioner understands that a "Public Notice Sign" provided by the city must be retrieved from the city and required on any property which is involved with a variance and posted on the property 14 days prior to the public hearing.		
Signature of Owner: _____		Date: _____
Signature of Owner: _____		Date: _____
Signature of Agent: _____		Date: _____

The Board of Zoning Appeals may only approve a variance when the following conditions exist, according to the Code of Virginia (1950, as amended) Section 15.2-2309:

1. That the subject property was acquired in good faith.
2. That the subject property has at least one of the following characteristics:
 - a. Exceptional narrowness at the time of the effective date of the Ordinance;
 - b. Exceptional shallowness at the time of the effective date of the Ordinance;
 - c. Exceptional size at the time of the effective date of the Ordinance;
 - d. Exceptional shape at the time of the effective date of the Ordinance;
 - e. Exceptional topographic conditions;
 - f. An extraordinary situation or condition of the subject property; or
 - g. An extraordinary situation, condition, or development of property immediately adjacent to the subject property that the strict application of the terms of the ordinance would effectively prohibit or unreasonably restrict the utilization of the property.
3. That the strict application of the Ordinance would produce undue hardship.
4. That such hardship is not shared generally by other properties in the same zoning district and the same vicinity.
5. That authorization of such variance will not be of substantial detriment to adjacent property.
6. That the character of the district will not be changed by the granting of the variance.
7. That the condition or situation of the subject property concerned is not so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to the Ordinance.
8. That the variance is not of such a scope as to amount to a rezoning of the property.
9. That the variance will be in harmony with the intended spirit and purpose of this Ordinance and will not be contrary to the public interest.

VARIANCE WORKSHEET

The Board of Zoning Appeals can grant a variance only if certain legal requirements have been met. The following questions are intended to help the applicant show that a variance is appropriate.

Please answer all questions as completely as possible. Attach additional pages if necessary.

1. Does the zoning ordinance **unreasonably restrict** the use of the property? If so, explain how the ordinance is unreasonable?

2. Is there a **hardship** related to the physical condition(s) of the property? If so, what is the physical condition(s) that make a variance necessary? Was the physical condition(s) present when the ordinance was adopted?

3. Is a variance necessary to make a reasonable modification to the property or improvements requested by, or on behalf of, a **person with disability**? If so, describe what modification is needed, and why.

4. If there is a hardship, was it created by the applicant?

5. Is the condition or situation unique to this property, or is it common among other properties in the area?

6. Would the variance have a negative effect on other property in the area?

DECLARATIONS AND ACKNOWLEDGEMENT

DECLARATION OF BOARD OF ZONING APPEALS INTEREST:

State whether any member of the Board of Zoning Appeals owns or has any personal or financial interest in the land that is subject to the application or has any personal or financial interest in the outcome of the decisions, as defined by the Virginia Conflict of Interest Act.

☐ YES ☐ NO

DECLARATION OF ACCURACY:

By signing below, I certify that this application is complete, accurate and contains all required and requested information, documents, and other submittals, and that all statements made, herein, are to the best of my knowledge, true and correct. I further certify that I have exercised due diligence to obtain the most recent, complete, and correct information available. I understand that wrongful certification or failure to provide required or requested documents that become available after the initial submittal of this application may result in a delay in, or invalidation of, any official governmental action taken. Fraudulent representations may lead to additional penalties under law.

DECLARATION OF FINANCIAL RESPONSIBILITY FOR LEGAL ADVERTISEMENT:

By signing below, I understand that the cost of advertising for public hearing notification purposes is my responsibility and do hereby agree to pay all notices of payment due and invoices associated with advertising costs for this application, including newspaper and all re-advertisements for continuances, re-hearings, and appeals, as applicable.

Select the ***party responsible for advertising:***

☐ OWNER ☐ APPLICANT (if different from owner) ☐ Agent

DECLARATION OF CONSENT:

By signing below, the applicant/agent consents to entry upon the subject property by public officers, employees, and agents of the City of Chesapeake wishing to view the site for purposes of processing, evaluating, or deciding upon this application.

Owner/Applicant/Agent Signature: _____

Owner/Applicant/Agent Signature: _____

Owner/Applicant/Agent Printed Name(s): _____

Owner/Applicant/Agent Address: _____

Telephone Number(s): _____

Email Address: _____

Date: _____

POWER OF ATTORNEY

This _____ day of _____, 20_____, the below signed individual(s) do hereby appoint _____, with a mailing address of _____,

as their Attorney-In-Fact and grant and confer to them the following powers with respect to the property located at _____, Chesapeake, Virginia:

1. Full authority to file an application with the Chesapeake Board of Zoning Appeals for a variance and/or an appeal of a decision rendered by the Zoning Administrator.
2. The power to amend, in whole or in part, any of the documents relating to the above-referenced application to the Chesapeake Board of Zoning Appeals.
3. Full authority to appear before the Chesapeake Board of Zoning Appeals at such time the Board may consider the application for a variance or appeal.

The powers confirmed herein shall terminate upon a final decision by the Chesapeake Board of Zoning Appeals on the application for variance or appeal.

_____, Property Owner (sign and print)
_____, Property Owner (sign and print)

FOR NOTARY PUBLIC'S USE ONLY:

State of Virginia City/County of _____

Subscribed, and sworn to before me this _____ day of _____, 20_____

Notary Public Signature

Registration Number: _____

My commission expires: _____

State of Virginia City/County of _____

Subscribed, and sworn to before me this _____ day of _____, 20_____

Notary Public Signature

Registration Number: _____

My commission expires: _____

ADJACENT PROPERTY OWNERS LIST OF ADDRESSES

Provide the 13-digit tax map number and the names and mailing addresses of all persons, firms, or corporations owning all abutting property and property immediately across the street or road from the subject property. (see attached examples #1 & #2 on next page)

You can obtain this information by visiting the Real Estate Assessor's Office Property Information Website at <https://chesapeake.civ.quest/>.

Tax Map #: _____ Name(s): _____ Street: _____ City: _____ State/Zip: _____ / _____	Tax Map #: _____ Name(s): _____ Street: _____ City: _____ State/Zip: _____ / _____
Tax Map #: _____ Name(s): _____ Street: _____ City: _____ State/Zip: _____ / _____	Tax Map #: _____ Name(s): _____ Street: _____ City: _____ State/Zip: _____ / _____
Tax Map #: _____ Name(s): _____ Street: _____ City: _____ State/Zip: _____ / _____	Tax Map #: _____ Name(s): _____ Street: _____ City: _____ State/Zip: _____ / _____
Tax Map #: _____ Name(s): _____ Street: _____ City: _____ State/Zip: _____ / _____	Tax Map #: _____ Name(s): _____ Street: _____ City: _____ State/Zip: _____ / _____
Tax Map #: _____ Name(s): _____ Street: _____ City: _____ State/Zip: _____ / _____	Tax Map #: _____ Name(s): _____ Street: _____ City: _____ State/Zip: _____ / _____
Tax Map #: _____ Name(s): _____ Street: _____ City: _____ State/Zip: _____ / _____	Tax Map #: _____ Name(s): _____ Street: _____ City: _____ State/Zip: _____ / _____
Tax Map #: _____ Name(s): _____ Street: _____ City: _____ State/Zip: _____ / _____	Tax Map #: _____ Name(s): _____ Street: _____ City: _____ State/Zip: _____ / _____
Tax Map #: _____ Name(s): _____ Street: _____ City: _____ State/Zip: _____ / _____	Tax Map #: _____ Name(s): _____ Street: _____ City: _____ State/Zip: _____ / _____

ADJACENT PROPERTIES – DEFINITION AND EXAMPLES

Adjacent properties. Those properties which are either (a) contiguous, or (b) separated only by a public right-of-way.

Example #1



Example #2

