



ZONING BOARD OF APPEALS (ZBA) NON-RESIDENTIAL DEVELOPMENT GUIDE

VARIATIONS & SPECIAL USES

Informal Preliminary Review

Informal Preliminary Review gives you an opportunity to meet with staff members to review your proposal on a preliminary basis. Staff will help you identify potential concerns and issues to assist you in determining whether or not you want to move forward in the process.

Neighborhood Meeting

You need to meet with the neighbors of the project site early in the process in order to identify and address their concerns. This may include meeting individually with business or neighborhood leaders, attending a homeowners' association meeting, etc. In almost all cases you will need to organize a neighborhood meeting for the specific purpose of introducing your proposal and obtaining neighbor input. Any concerns must be discussed and, if possible, resolved. You will need to keep minutes of the meeting including an attendance list, and submit the minutes as part of your petition. This requirement may be waived by the Zoning Official for special types of projects.

Petition Filing

If you choose to go forward with the project you must submit a completed application form along with the required application fee and supporting documents to the Department of Engineering and Building. Staff will review a submittal checklist with you to determine what must be included in your submittal. Generally, 15 copies of the information will be required. Submittals must be made at least four (4) full weeks prior to the date of the public hearing.

Architectural Review Commission (ARC) – If applicable

The ARC meets on the second and fourth Thursdays of every month. Many ZBA cases also require review by the ARC. Staff will work with you to coordinate the scheduling of ZBA and ARC reviews. Refer to the ARC Development Guide for specific submittal requirements. Submittal documents are due three weeks prior to the ARC meeting.

Public Notice and Hearing

The Zoning Board of Appeals meets the first Tuesday of each month. After a ZBA public hearing date has been set, staff will prepare a legal notice to be published in the newspaper 15-30 days before the hearing. At least 10 days before the hearing, you must then send a letter (Form No. 2) and a copy of the legal notice to all property owners within 250 feet, excluding rights-of-way, of the perimeter of the property. At the ZBA public hearing, you must submit the certified mail return receipts (green cards) from the letters as well as a signed and notarized Affidavit of Notice (Form No. 3).

Board of Trustees

The Board of Trustees meets the second and fourth Mondays of each month. After ZBA and, if applicable, ARC review, the petition will be sent to the Board of Trustees for final consideration. In order to process the petition for approval, electronic or reduced exhibits must be submitted to staff approximately two weeks before the Board of Trustees meeting.