



**COUNTY OF LOUDOUN  
DEPARTMENT OF BUILDING AND DEVELOPMENT  
1 HARRISON STREET, S.E., P. O. BOX 7000  
MSC #60  
LEESBURG, VA 20177-7000  
(703) 777-0397**

**APPEAL TO  
BOARD OF ZONING APPEALS  
(APPL)**

**UNDER THE  
1972 ZONING ORDINANCE  
OR  
REVISED 1993 ZONING ORDINANCE**

**COMMONWEALTH OF VIRGINIA  
COUNTY OF LOUDOUN  
APPLICATION FOR APPEAL**  
(Please type or Print in Black Ink)

APPLICATION NO. \_\_\_\_\_  
(Assigned by Staff)

NAME OF THE APPELLANT: \_\_\_\_\_

NATURE OF THE APPEAL:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DATE OF ORDER, REQUIREMENT, DECISION, DETERMINATION OR NOTICE OF VIOLATION WHICH IS SUBJECT TO THE APPEAL: \_\_\_\_\_

HOW IS THE APPELLANT AN AGGRIEVED PERSON?  
\_\_\_\_\_  
\_\_\_\_\_

IF APPEAL RELATES TO A SPECIFIC PROPERTY, PROVIDE THE FOLLOWING INFORMATION:

POSTAL ADDRESS OF PROPERTY: \_\_\_\_\_

TAX MAP DESCRIPTION: \_\_\_\_\_

MCPI # (PIN): \_\_\_\_\_

*The undersigned has or has not (circle one) the authority to allow and does or does not (circle one) authorize Loudoun County staff representatives on official business to enter on the subject property as necessary to process the application.*

\_\_\_\_\_  
Type or print name of Appellant or Agent

\_\_\_\_\_  
Signature of Appellant or Agent

\_\_\_\_\_  
Address

\_\_\_\_\_  
Telephone No. Home Work

**DO NOT WRITE IN THIS SPACE**

Subdivision Name: \_\_\_\_\_

Total Area (Acres/Square Feet): \_\_\_\_\_

Present Zoning: \_\_\_\_\_ Applicable Ordinance: \_\_\_\_\_

Election District: \_\_\_\_\_

Date application received: \_\_\_\_\_ Application Fee Paid: \$ \_\_\_\_\_

Date application accepted: \_\_\_\_\_ Receipt No.: \_\_\_\_\_

**CHECKLIST OF SUBMISSION REQUIREMENTS**  
**FOR APPEAL APPLICATIONS**

Please remember:

1. Submit two (2) copies of a completed and signed application form which includes a signed statement setting forth the following information:
  - The order, requirement, decision, determination or notice of violation which is the subject of the appeal. *NOTE: Please attach a copy of the document that sets forth the determination at issue.*
  - The date upon which the decision being appealed was made.
  - The grounds for appeal.
  - Specification as to how the appellant is an aggrieved person.
  - Any additional supportive data such as plats, plans, drawings, charts or other related material.
2. Submit the \$350 application fee, in the form of a check, made payable to the County of Loudoun. *NOTE: Cash is not accepted.*
3. File the appeal with both the Zoning Administrator and the Chairman of the Board of Zoning Appeals (BZA). Please accomplish this by submitting the completed application form and the above-referenced materials through the Land Development Counter located on the second floor at the following address: 1 Harrison Street, S.E., P.O. Box 7000, MSC#60, Leesburg, Virginia 20177-7000.

**Please note:**

- The appellant will be notified in writing as to whether the appeal has been accepted. If accepted, the appellant will be notified of the date and time for the public hearing in the acceptance letter.
- Should you have any questions regarding the appeal procedure, please contact the Zoning Administration Division at (703) 777-0397.

**GENERAL INFORMATION FOR APPEALS TO THE  
BOARD OF ZONING APPEALS (BZA)**

**INTRODUCTION**

The Loudoun County Board of Zoning Appeals, frequently referred to as the BZA, was established pursuant to the provisions of Article 8, Chapter 22, Title 15.2 of the Code of Virginia. The BZA's powers, duties, and procedures are set forth in broad terms in the State Code and are further detailed in the Loudoun County Zoning Ordinance. Such powers and duties include, but are not limited to:

- Hearing and deciding appeals of administrative decisions made pursuant to the Zoning Ordinance.
- Hearing and deciding on applications for variances as authorized by the Zoning Ordinance.
- Hearing and deciding on appeals from the decisions of the Zoning Administrator regarding interpretation of the Zoning Map where there is uncertainty as to the location of a zoning district boundary.

The BZA consists of five (5) members and two (2) alternates appointed by the Circuit Court for staggered terms of five years. All members of the BZA are private citizens and are required to be residents of Loudoun County. They serve only as a Board and not as County employees. They do not have County office space nor are they available by telephone in the County government. The Zoning Administration Division of the Department of Building and Development provides the principal administrative support on appeal applications for the BZA. They are located at 1 Harrison Street, S.E., P.O. Box 7000, MSC#60, Leesburg, Virginia, 20177-7000 on the third floor and their telephone number is (703) 777-0397.

Before the BZA will consider an appeal, an application must be properly filed with both the Zoning Administrator and the Chairman of the BZA within thirty (30) days from the date the decision being appealed was made. The completed application form with the attached submission requirements and filing fee should be submitted through the land development counter located on the second floor of the same above noted building. The application will subsequently be forwarded to both the Zoning Administrator and Chairman of the BZA. If an application is accepted, a public hearing date is then scheduled. Written notice requirements must be satisfied and the public hearing properly held before the BZA can act upon an application. The appellant or authorized agent is required to present the justification for the appeal at the hearing.

## **PROPERLY FILED APPLICATIONS**

Attached to the application form for an appeal is a copy of the submission requirements for filing and processing the application. All components of the submission requirements must be met within the thirty (30) day filing time frame before the application can be accepted and scheduled for public hearing.

The appellant must submit an appeal application to include a written statement signed by the appellant setting forth the following:

- The order, requirement, decision, or determination which is the subject of the appeal. *NOTE: This usually can best be accomplished by including a copy of the document which sets forth the determination at issue and then making reference to it in the statement.*
- The date upon which the decision being appealed was made.
- The appellant's grounds and reasons for the appeal.
- Specification as to how the appellant is an aggrieved person (for example, owner of property affected by the determination or adjacent owner affected by the determination, etc.). If the appellant is a County officer, department, board or bureau, a statement must be provided as to how the appellant is affected by this decision.
- Any other supportive data as the appellant may desire in the record, including plats, plans, drawings, charts or related material.

A \$350 filing fee as prescribed in the Zoning Ordinance must accompany each application. The filing fee must be in the form of a check made payable to the County of Loudoun; cash is not accepted. If the application is withdrawn, there will be no refund of the filing fee.

## **LEGALLY ADVERTISED PUBLIC HEARING**

Normally, the public hearing on an application will be held within approximately ninety (90) days of the acceptance of the application. There are advertisement and public notification procedures required by law for all public hearings. They are as follows:

1. The **County** must publish a notice of the time and place of the public hearing once a week for two successive weeks in a newspaper having general circulation in the County, with the second advertisement no more than twenty one (21) days and no fewer than six (6) calendar days before the date of the public hearing.

2. If the appeal is processed under the 1993 Loudoun County Zoning Ordinance, the **appellant** must, at least twenty-one (21) and no more than thirty (30) calendar days prior to the public hearing, post on the subject property a notice of the hearing using the placards provided by the County. If the appeal is processed under the 1972 Loudoun County Zoning Ordinance, the **appellant** must, at least ten (10) calendar days prior to the public hearing, post on the subject property a notice of the hearing using the placards provided by the County.
3. The **appellant** must notify nearby property owners concerning the public hearing. The Clerk to the BZA will notify the applicant of the time, date, and place of the public hearing in sufficient time for the applicant to fulfill this legal requirement. Instructions for preparing these written notices and additional information regarding the public hearing process are provided at that time.

Prior to the public hearing, staff will forward a memorandum to the BZA detailing staff's position, a copy of which will be sent to the applicant. At the public hearing, both staff and the appellant present their position and then any other interested person is given the opportunity to speak.

### **ACTION OF THE BZA**

Although the BZA may occasionally find it necessary to defer its decision on an application, it usually renders a decision immediately following the public hearing. The BZA may affirm or reverse, wholly or in part, or may modify any order, requirement, decision or determination of the Zoning Administrator or any other administrative officer in the administration or enforcement of the Zoning Ordinance. Such action requires the concurring vote of three (3) members of the BZA.

The State Code provides that any person aggrieved by a decision of the Board of Zoning Appeals may, within thirty (30) days of that decision, file a petition with the Circuit Court to review its decision.