

Instructions for filing for a variance on MGO Connect Portal

1. Go to [MGO Connect Portal](#) and create an account. If you have an account already created, you can skip this step.
2. Next “Select an Application Type”. For residential variances only, you must select “**Residential Board of Zoning Adjustments Appeal Application (One and Two Family Dwellings)**”.
If you are applying for commercial property, you must select “**Commercial Board of Zoning Adjustments Appeal Application (More than Two Family Dwellings and Commercial Establishments)**”.
3. Follow all online instructions for relevant information. Please note, when asked for an address, you must enter a physical property address for where the variance is being applied for. Lot numbers, subdivisions or just street names with no numeral address will not be accepted and be cause for your application to be rejected.
4. A current survey, list of owners within 100’/300’, hardship statement, contact information and a plot plan must be uploaded as a PDF. All documents must be clear to read and print.
5. If you have problems applying for the variance or uploading documents please contact My Government Online at 866-957-3764.

WHAT YOU NEED TO KNOW **BEFORE** FILING A ZONING VARIANCE

Hardship:

The Jefferson Parish Comprehensive Zoning Ordinances were created and adopted into law in 1958. Some “lots-of-record” had obvious property hardships that prevented the ability to comply with all zoning requirements and therefore prevented the ability to obtain a legal permit to build.

Therefore, the Board of Zoning Adjustments was created to provide an outlet for possible relief where a property hardship existed. **ECONOMIC, PERSONAL, MAN-MADE REASONS DO NOT CONSTITUTE A HARDSHIP.**

Examples of property hardships:

Lot being narrow, shallow, L-shaped, pie-shaped, a parallelogram, substandard, etc.

Jefferson Parish Comprehensive Zoning Ordinance:

Article XLII, Section 40-793. Limitation of powers and standards for board action:

(2) Standards.

- a. In the consideration of all appeals and all proposed variances and/or exceptions requiring Board approval, under the terms of this ordinance, the board shall not grant approval unless if it makes a finding, based upon the evidence presented to it, as indicated in the record and the transcript of the hearing, that any of the following criteria exists:
 1. The approval, if granted, would cause diminution or depreciation of property values of any surrounding property or would alter the essential character of the locality.
 2. The approval, if granted, would tend to degrade or retard the prosperity and general welfare of the neighborhood and community.
 3. The approval, if granted, would be detrimental to the public welfare or seriously affect or be injurious to other property or improvements in the neighborhood in which the property is located, in that it will not: impair an adequate supply of light and air; or increase substantially the congestion in the public streets, create a traffic hazard, or permit inadequate parking; or increase the danger of fire; or substantially affect or overburden existing drainage or sewerage systems; or otherwise endanger the public safety; or cause serious odors, fumes, gases, dust, smoke, noise or vibration, light or glare, or other nuisances.

- b. Additionally, the Board shall not grant approval of any variance unless it makes a further finding, as indicated in the record or the transcript of the hearing, that each case shall indicate the following:
 1. Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to the other lands, structures, or buildings in the same zoning district; and the special conditions and circumstances do not result from the intentional actions of the applicant or any other person who may have or had interest in the property; and the strict adherence to the regulation for the property would result in a demonstrable hardship upon the owner as distinguished from mere inconvenience; or
 2. Literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this ordinance; and granting the variance requested will generally not confer on the applicant any special privilege which is denied by this

ordinance to other lands, structures, or buildings in the same district or similarly situated; and the purpose of the variance is not based exclusively upon a desire to serve the convenience or profit of the property owner or other interested party.”

ARTICLE XXXIX, Section 40-742. Exceptions and modifications to use regulations.

(c) Fences.

- a. Required front yard areas may not be fenced or otherwise enclosed unless a variance is granted by the Board of Zoning Adjustments (BZA) in accordance with Article XLII, BZA, of the Comprehensive Zoning Ordinance and the following criteria are met.
 1. Fences may be permitted in the required front yard provided the fence meets the definition of an open fence or the portion above three (3) feet is an open fence and durable materials are used.
 2. All fences must be constructed in such as fashion so as not to obscure the view from adjacent property.
 3. Wood and metal fences and similar decorative fences may be used in conjunction with masonry, brick or similar opaque materials provided the solid opaque material extends no more than three (3) feet above the ground and columns extend no more than seven (7) feet in height and no more than eighteen (18) inches in width, depth, or diameter. Fence columns shall be spaced no closer than five (5) feet on center.
 4. **In granting or denying the request for a fence in the required front yard, the BZA may consider how the proposed fence conforms with the characteristics of existing fences in the immediate area and, except to maintain conformity with existing fences, a minimum setback of three (3) feet from the front lot line shall be provided. The immediate area is defined as consisting of both sides of the street or road within three hundred (300) feet from the subject property, as measured from the outer corners of the subject property’s front property line. The property owner or applicant shall provide documentation of existing fences to the BZA.**
- b. **Fences not meeting the above criteria shall not be permitted in the required front yard but may be permitted to enclose side and rear yards.**

APPLYING FOR A VARIANCE

Current surveys and site plans with all significant dates clearly visible must be reviewed by the Department of Inspection and Code Enforcement before 10:00 am the Thursday prior to the BZA deadline date.

Applications must then be reviewed and approved by the Department of Board of Zoning Adjustments and payment submitted prior to the BZA deadline date.

Submission of all required documents **DOES NOT** guarantee that you will be placed on the next agenda. You will be notified by certified mail of your scheduled hearing date.

Applicant or representative must:

- **CLEARLY PRINT** the name and correct mailing address, zip code and telephone number of the owner and the name and correct mailing address, zip code and telephone number of your representative if you have appointed someone to present your case to the Board during the public hearing. We must be able to reach someone for information, or for notification of cancellation or postponement of a hearing.
- You are required to provide a **CURRENT SURVEY**, (showing ALL improvements). **VARIANCES WILL NOT BE ACCEPTED WITHOUT A CURRENT SURVEY.** Survey shall not exceed 8 ½" x 14"
- Submit a plot plan drawing **with accurate dimensions** of all existing and proposed structures, **including height.** Provide the measured distance between all structures on the lot with relation to the property lines as well as with relation to each other. Plot plan drawing shall not exceed 8 ½" x 14"
- If you are applying for a fence in the front yard, you must provide documentation of existing fences to the BZA. The fences must be located within three hundred feet (300') from the subject property, as measured from the outer corners of the subject property's front property line. The front yard fences **MUST** be located on the same street and cannot be located on a neighboring street.
- **You are required to submit a hardship statement stating your alleged property hardship.**
- You are required to submit an "owner of record" for residential zoned properties within 100' or commercial zoned properties within 300'. It shall contain the names and mailing address of all owners of record within the required radius. The names and mailing address must be obtained by contacting the Jefferson Parish Assessor's Office or by going to <https://www.jpassessor.net/> The names and addresses **MUST** be placed on the attached list of owners form and be signed and notarized. Variance will not be accepted without it.

- On the “owner of record” you are to list the owner of where the variance is being applied for where it says “OWNER”. Once finished, it must be signed and notarized by a licensed notary public. The variance will not be accepted if it is not signed and notarized.

- CERTIFIED MAIL and REGULAR/FIRST CLASS MAIL. The cost is \$8.77 each for certified mail and \$0.87 each for regular/first class mail, plus your filing fee of \$100.00 per variance per lot for residential uses or \$150.00 per variance per lot for non-residential uses.

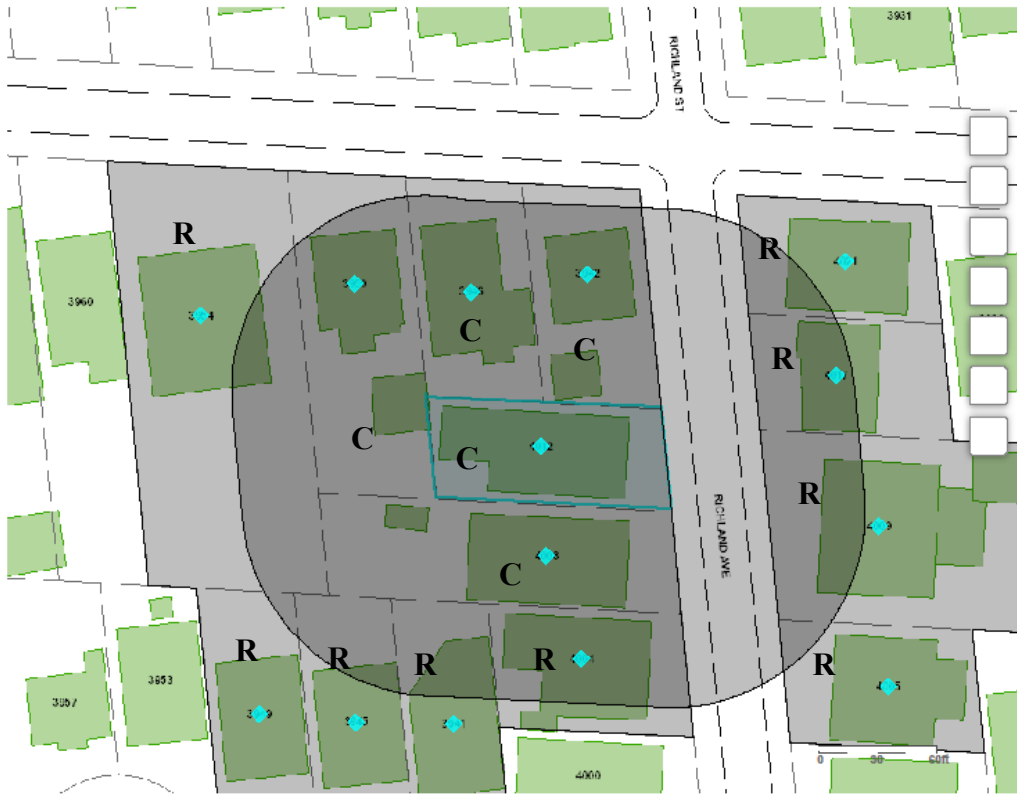
Please note: Postage fees and appeal/filing fees are not refundable.

Article XLII, Section 40-794, Sub-Section F-2 “The Board of Zoning Adjustments shall send notice of the hearing at least ten (10) days prior to the hearing by certified mail to the applicant and owners of all immediately abutting property. All other property owners with a one hundred (100’) or three-hundred (300’) radius from the perimeter of the subject property shall be sent notice of the hearing by regular mail. The cost of the mail shall be borne by the applicant in addition to all other fees required by the board.”

- Appeals must be applied for online at MGO Connect Portal with the Department of Building Permits.
- FOR MORE INFORMATION: Please call the *Department of Building Permits, Building Plan Review/Permit Section*: East Bank Office (504) 736-6957/(504) 6958 or West Bank Office (504) 364-3512
- Acceptable forms of payment are Checks, money orders, cashier checks, Visa, Master Card, American Express and Discover. Checks should be made payable to: Jefferson Parish Pooled Cash

How to acquire the list of owners within 100'/300'.

1. Go to Jeffparish.net Planning Department/GeoPortal website:
<http://geoportal.jeffparish.net/public>
2. Once on the GeoPortal site, go to search and put in the address where the variance is being applied for.
3. Go to "Buffer" to create a 100' buffer around the subject property for Residential, and 300' for commercial. Make sure to change Buffer Type to **Custom** Shape and select **Polygon**.
4. Click on all for corners of the property in the Geo Portal program highlighting the lot and double click to close the buffer. This will give you all the address in the buffer zone.



5. A box should appear as shown above and as well as a box to be Exported. Export the address in to the program you wish to use. A good program is Excel. The list all address within that 100' buffer around the subject property for Residential, and 300' for commercial should then appear in the program. (Note all abutting addresses receive certified mail and the rest in the buffer zone receive regular mail.) **C = certified mailing** **R = regular mailing**
6. You must now contact the Jefferson Parish Assessor's Office at (504)736-6370 to receive the names and mailing addresses for the owner of the abutting properties. The names and addresses **MUST** be placed on the attached list of owners form and be signed and notarized. Variance will not be accepted without it.

Please return to plan reviewer when completed.

When applying for a zoning variance, please provide the following information, it is imperative that we receive the correct mailing address. Without the correct information, there will be a delay in receiving your judgement whether your appeal was approved or denied.

The address for the subject property that I am applying for:

Address: _____

City, Zip: _____

Representative information:

Name: _____

Mailing Address: _____

City, State, Zip: _____

Phone Number: _____

Property owner's information:

Name: _____

Mailing Address: _____

City, State, Zip: _____

Phone Number: _____

**BOARD OF ZONING ADJUSTMENTS
PLOT PLAN FORM**

APPEAL NO.: _____

COUNCIL DISTRICT: _____

DATE FILED: _____

DATE OF HEARING: _____

Any building hereafter constructed and used for business purposes shall provide sidewalks between the street and property line on any street in front or on the side of the building in accordance with regulations prescribed by the Department of Engineering – Ordinance # 6257

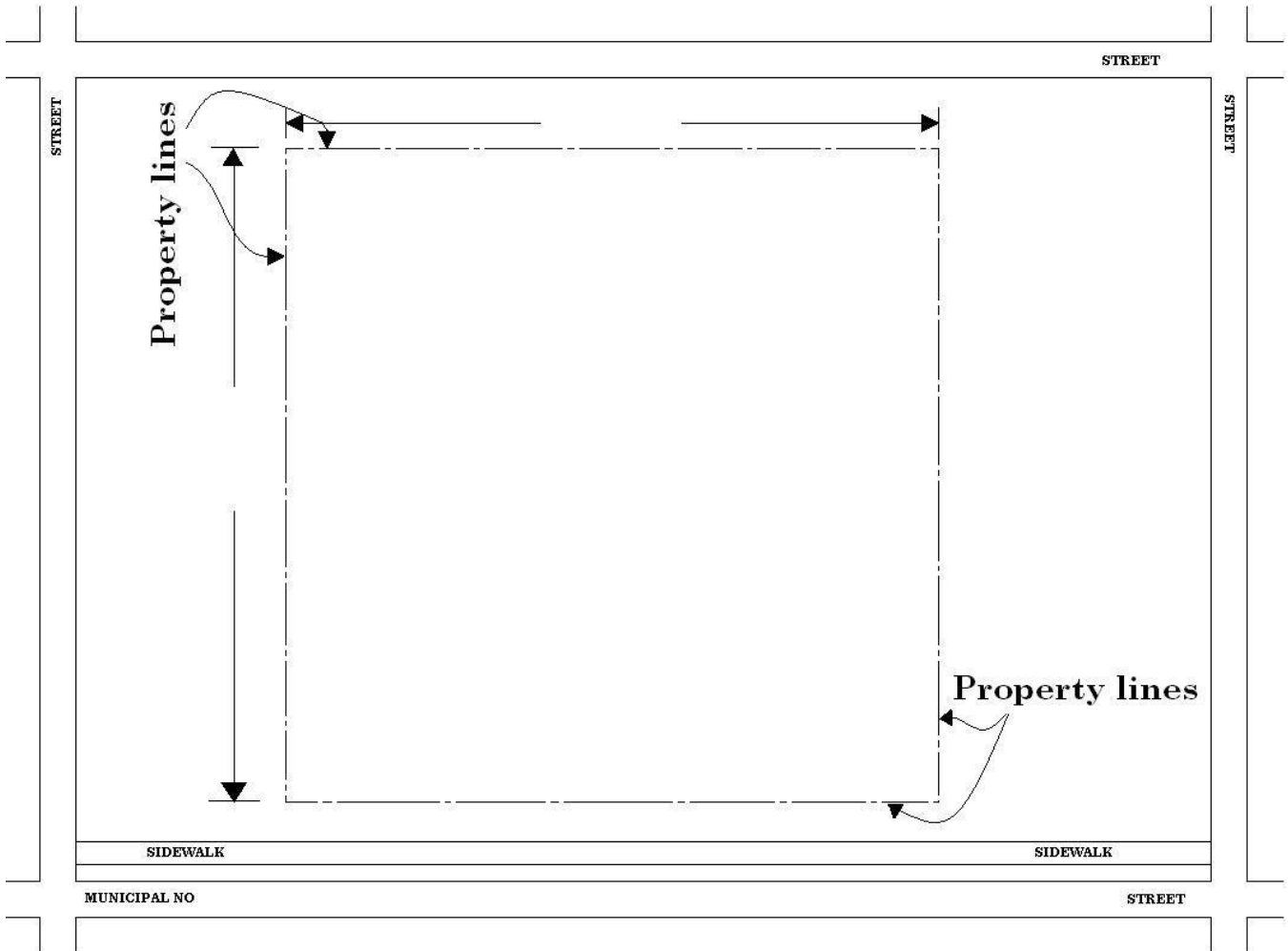
**SHOW ALL EXISTING BUILDINGS ON LOT
SHOW ALL MEASUREMENTS FROM PROPERTY LINE TO BUILDINGS
SHOW ALL MEASUREMENTS IN-BETWEEN BUILDINGS**

Subdivision: _____ Square No: _____ Lot No: _____ Zoning Classification: _____

Give Proposed Height: _____ No. of Stories: _____ Occupancy use: _____

This certificate conveys no right to occupy any street, alley or any part thereof, either temporarily. Encroachments on public property not specifically permitted, must be approved by the council. **Separate permits must be obtained from other parish and state agencies as required by law.** This certificate is subject to the final issuance of a Compliance Certificate, otherwise null and void. The **APPROVAL** of this **VARIANCE** does not release the applicant from the conditions of any applicable subdivision or title restrictions, or any other restrictive covenants.

PLEASE SHOW SIZE OF LOT AND SIZE OF BUILDINGS
GIVE NAMES OF BOUNDING STREETS



IS THIS A CORNER LOT? Yes ___ No ___

KEY LOT IN REAR? Yes ___ No ___

I CERTIFY THIS PLOT PLAN TO BE TRUE AND CORRECT

Signature _____ Please print _____

A building permit is required for all construction **THIS IS NOT A PERMIT.**

Before constructing a sidewalk or driveway apron in front of property you must obtain approval from Department of Engineering at 736-6500.

BOARD OF ZONING ADJUSTMENTS HARDSHIP STATEMENT

PLEASE PRINT CLEARLY

Please state your alleged property hardship below that will not allow you to comply with all zoning requirements and therefore prevent you the ability to obtain a legal permit to build. A hardship statement must be included with your appeal application. **Economic, personal reasons or man-made do NOT constitute a hardship.**

LIST OF OWNERS OF RECORD WITHIN 100'

Instructions:

This is not a Petition – This is an affidavit.

The names and addresses must be CLEARLY printed or typed.

Do NOT bring this form to your neighbors for them to fill in.

You must contact the Jefferson Parish Assessor’s Office for the names and mailing address of all the owners of record within 100’. If you have access to a computer with internet you may go to <https://www.jpassessment.net/> to access the Assessor’s Office website to obtain the names and mailing address of all owners of record within 100’

ABUTTING PROPERTIES AND APPLICANT – CERTIFIED MAIL

NAME	CURRENT MAILING ADDRESS	CITY	STATE	ZIP
<u>OWNER</u>				

ALL OTHER PROPERTIES WITHIN A 100’ RADIUS – REGULAR FIRST CLASS MAIL

NAME	CURRENT MAILING ADDRESS	CITY	STATE	ZIP

Affiant’s Signature

STATE OF LOUISIANA
PARISH OF JEFFERSON

Before me, the undersigned authority came and appeared _____ of the full age of majority who, after being duly sworn, deposed and said that listed above are the names and mailing addresses of the owners of abutting properties within a 100’ radius to the best of his/her knowledge, as required by Parish Ordinance for filing an appeal to the Jefferson Parish Comprehensive Zoning Ordinance (Chapter 40 of Jefferson Parish Code of Ordinance.)

WITNESS: _____

SWORN TO AND SUBSCRIBED BEFORE ME
THIS _____ DAY OF _____ 20____

NOTARY

LIST OF OWNERS OF RECORD WITHIN 300'

Instructions:

This is not a Petition – This is an affidavit.

The names and addresses must be CLEARLY printed or typed.

Do NOT bring this form to your neighbors for them to fill in.

You must contact the Jefferson Parish Assessor’s Office for the names and mailing address of all the owners of record within 300’. If you have access to a computer with internet you may go to <https://www.jpassessment.net/> to access the Assessor’s Office website to obtain the names and mailing address of all owners of record within 300’

ABUTTING PROPERTIES AND APPLICANT – CERTIFIED MAIL

NAME	CURRENT MAILING ADDRESS	CITY	STATE	ZIP
OWNER				

ALL OTHER PROPERTIES WITHIN A 300’ RADIUS – REGULAR FIRST CLASS MAIL

NAME	CURRENT MAILING ADDRESS	CITY	STATE	ZIP

 Affiant’s Signature

STATE OF LOUISIANA
 PARISH OF JEFFERSON

Before me, the undersigned authority came and appeared _____ of the full age of majority who, after being duly sworn, deposed and said that listed above are the names and mailing addresses of the owners of abutting properties within a 300’ radius to the best of his/her knowledge, as required by Parish Ordinance for filing an appeal to the Jefferson Parish Comprehensive Zoning Ordinance (Chapter 40 of Jefferson Parish Code of Ordinance.)

WITNESS: _____

 SWORN TO AND SUBSCRIBED BEFORE ME
 THIS _____ DAY OF _____ 20____

 NOTARY

