

# Zoning Board of Appeals Application

Please type or print legibly. Attach additional sheets, if necessary, to fully answer any of the following sections. Incomplete applications will not be scheduled by the Metropolitan Planning Commission (MPC) until deficiencies are corrected. Additional instructions and information regarding the amendment process are attached. **SUBMIT 1 COMPLETED ORIGINAL APPLICATION FORM AND 1 COPY TO THE CITY at 5515 Abercorn St. Applicants are requested to contact the MPC staff at 912.651.1440 and City planning staff at 912.651.6530 prior to submitting an application.**

## I. Subject Property

Street Address(es): \_\_\_\_\_

Property Identification Number(s) (PINs) (Note: Attach a boundary survey, recorded or proposed plat, tax map or scaled plot plan to identify the property boundary lines.):  
\_\_\_\_\_

Total acreage or SF of the subject property: \_\_\_\_\_

Zoning District(s): \_\_\_\_\_

Existing land use(s) for the subject property (e.g., undeveloped, restaurant, auto repair shop, multi-family): \_\_\_\_\_.

## II. Reason for Application (Check all that apply)

**TO REQUEST A VARIANCE (Sec. 3.21).** Refer to Page 5 for plot plan criteria and explain specifics of request. Example: "To request a 5 foot reduction of the 25 foot rear yard setback". The ZBA may grant variances only to those standards that are not within the purview of the Planning Commission, Historic Preservation Commission and the Savannah Downtown Historic Board of Review. The ZBA may grant variances only from the building standards for permitted uses in the base zoning districts (not to include density or vehicular access) in Article 5.0, Base Zoning Districts; variable standards in Article 9.0, General Site Standards; variable standards in Article 10.0, Natural Resource Standards.

**TO APPEAL AN ORDER, REQUIREMENT, DECISION OR DETERMINATION of the City Manager, or any decision of the Savannah Downtown Historic District Board of Review, Historic Preservation Commission, or Planning Commission when an error is alleged (Sec. 3.23).** A notice of appeal shall be filed within thirty (30) working days of a final written decision. An appeal shall be made by filing a written notice of appeal specifying the grounds for the appeal with the ZBA and the administrator, commission or board whose decision is being appealed. A notice of appeal shall be considered filed when a complete notice of appeal is delivered to the City Manager or his or her designee. **Provide the decision.**

**RELIEF FOR NONCONFORMING USES AND STRUCTURES (Sec. 3.24).** To request a re-establishment, expansion, or reconstruction of a nonconforming use. Use  Structure

**TO REQUEST AN EXTENSION OF A ZBA APPROVAL.** Date \_\_\_\_\_ File # \_\_\_\_\_

**Provide a description or specifics of request below or attach it to application:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**The petitioner must obtain a Public Notice Sign(s) from the City at 5515 Abercorn St and erect the sign(s) on the subject property at least 15 DAYS PRIOR TO THE ZBA MEETING.**

**Application History.** Have any previous applications been made regarding the subject property?

Yes  No  If yes, please provide the file number(s): \_\_\_\_\_.

**III. Property Owner Information**

Name(s): \_\_\_\_\_

Registered Agent: \_\_\_\_\_  
(Or Officer or Authorized Signatory, if Property Owner is not an individual. Provide GA Annual Registration.)

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

E-mail address: \_\_\_\_\_

**IV. Petitioner Information, if different from Property Owner** (Note: If the property owner(s) will have an agent serve on his or her behalf, the owner(s) must complete the attached Letter of Authorization. If the agent changes after submitting the application and the agent is not the property owner, a new authorization form will be required.)

Name(s): \_\_\_\_\_

Registered Agent: \_\_\_\_\_  
(Or Officer or Authorized Signatory, if Petitioner is not an individual)

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

E-mail address: \_\_\_\_\_

**V. Agent, if different from Petitioner or Property Owner** (Note: A signed, notarized statement of authorization from the property owner is required and must be attached if this section applies. If the agent changes after submitting the application and the agent is not the property owner, a new authorization form will be required.)

Name(s): \_\_\_\_\_

Firm or Agency: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

E-mail address: \_\_\_\_\_

**VI. Items Required to be Submitted with this Application:**

**A. Application. A COMPLETED ORIGINAL APPLICATION FORM AND TWO COPIES.**

**B. Filing Fee.** The non-refundable filing fee is based on the type of use for which relief is requested. Make check payable to City of Savannah. Fee is subject to change.

Special Exceptions:  Residential: \$120.00  Non-residential: \$350.00

**C. Notarized Letter of Authorization Form.** If the property owner will not represent the petition, a signed, notarized statement from the property owner authorizing the petitioner / agent to act on his behalf is required.

**D. Checklist.**

**E. Survey.** A scaled or dimensioned boundary survey, tax map, plot plan, or sketch showing the subject property (Original not scanned if produced electronically and not recorded).

**F. Legal Description.** A legal description of the land by lot, block, and subdivision designations, or if none, by metes and bounds (Electronic or digital Word document).

**G.** Is this request related to another review, such as a Certificate of Appropriateness (COA), Subdivision, Site Development Permit or Plan, Master Plan, Business Location Approval, Rezoning, or Text Amendment? If so, please provide the Plan/Permit # \_\_\_\_\_ and associated Staff Report/Decision.

**VII. Sec. 3.23.7 Appeal of Final Action by the Zoning Board of Appeals or the Mayor and Aldermen**

An appeal of the final written decision of the Zoning Board of Appeals or the Mayor and Aldermen under this Section may be taken by filing a petition for certiorari with the Chatham County Superior Court within 30 days of the final action.

**VIII. Certification**

By my signature below, I certify that the information contained in this application is true and correct to the best of my knowledge at the time of the application. I acknowledge that I understand and have complied with all of the submittal requirements and procedures, and that this application is a complete application submittal. I further understand that an incomplete application submittal may cause my application to be deferred to the next posted deadline date. I understand that the approval of an application for Special Use Permit by The Mayor and Aldermen does not constitute a waiver from any applicable local, state, or federal regulations.

Applicant Name: \_\_\_\_\_  
Print Signature Date

**Contacts**

- Planning & Urban Design: 5515 Abercorn St, Savannah, GA, 31405 (Located within the Development Services Building) ~ P.O. Box 1027, Savannah, GA, 31402 (Phone: 912.651.6530)
- The Planning Commission: 110 E State St, Savannah, GA, 31401 (Located at the State Street Garage) ~ P.O. Box 8246, Savannah, GA, 31412 (Phone: 912.651.1440)

# Letter of Authorization

As fee simple owner of the subject property that is identified as Property Identification Number(s) (PIN)

\_\_\_\_\_, I (we) authorize \_\_\_\_\_  
(Agent Name) of \_\_\_\_\_ (Firm or Agency, if applicable) to serve as agent on my (our) behalf for the purpose of making and executing this application for the proposed request. I (we) understand that any representations(s) made on my (our) behalf, by my (our) authorized representative, shall be legally binding upon the subject property.

## Property Owner(s)

Name(s): \_\_\_\_\_

Registered Agent: \_\_\_\_\_

(Or Officer or Authorized Signatory, if Property owner is not an individual)

\_\_\_\_\_  
Signature(s)

\_\_\_\_\_  
Date

## Witness Signature Certificate

State of Georgia

County of \_\_\_\_\_

Signed or attested before me on \_\_\_\_\_

Date

by \_\_\_\_\_

(Printed name(s) of individual(s) signing document)

who proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

\_\_\_\_\_ Personally Known or \_\_\_\_\_ Produced Identification      Type of ID \_\_\_\_\_

\_\_\_\_\_  
Signature of notary public

\_\_\_\_\_  
(Name of notary, typed, stamped or printed)

Notary Public State of Georgia

My commission expires: \_\_\_\_\_

# **RETAIN THIS PAGE**

## **Instructions**

1. Applicants are required to contact the Secretary to the ZBA at the MPC, 110 E State St, prior to submitting an application. Call the MPC at 912.651.1440.
2. The application form must be completed (including appropriate fee) and must include all required supplemental materials before it will be processed and scheduled for a hearing. Two (2) copies of the completed application and supporting documents must be provided. If the property has been purchased within the past twelve (12) months, please provide the Deed.
3. A plot plan must be provided when a dimensional variance or use permit is requested. Plot plan criteria are listed below.
4. Supporting documents, such as the written decision that is being appealed (and specifics on why the decision is in error), or the associated COA Staff Report/Decision, Subdivision Staff Report/Decision, Site Permit Staff Report, and City Manager Decision must be provided. If Property Owner/Petitioner is not an individual, provide GA Annual Registration.
5. **A total of two (2) copies of the completed application and all supporting documents MUST be provided.**
6. Applications must be submitted to the City of Savannah Planning & Urban Design Department at 5515 Abercorn St, Savannah, GA, 31405 (Located within the Development Services building).
7. Scheduled ZBA meeting dates, including application submission dates, are attached.

## **Zoning Board of Appeals Process (After the Application is Submitted)**

1. Once an application submittal is determined by the Secretary to the ZBA to be complete, it will be scheduled for the next posted ZBA hearing date.
2. The petitioner must obtain a sign(s) announcing the petition from the City of Savannah Development Services and erect the sign(s) on each street frontage of the subject property at least **15 DAYS PRIOR TO THE ZBA MEETING**. The sign(s) must be posted no more than five (5) feet from the property line. If the property does not abut a public right-of-way, at least one (1) sign shall be placed on the property at the access point and additional sign(s) shall be placed on the nearest public right-of-way.
3. If the signs are not erected in a timely manner, the petition will be rescheduled to the next scheduled ZBA meeting. The signs shall remain in place until a ZBA decision is made. Changes to signs shall be made by the applicant to reflect the correct dates and any other changing information involving a petition that has been postponed or continued at least ten (10) days prior to the revised public meeting or hearing date. The petitioner shall remove the signs within 10 days of the decision.
4. The ZBA agenda, which includes the staff report, will be posted on [www.thempc.org](http://www.thempc.org) no later than the Friday before the scheduled meeting.
5. The ZBA hearing will be held in the Arthur A. Mendonsa Hearing Room at the MPC, 112 E State St doorway.
6. An overhead projector and computer are available for use. The overhead projector can display all paper items (e.g., photographs, maps, site plans). PowerPoint presentations must be provided to the Secretary to the ZBA at least two days prior to the hearing. A copy of any materials used to support your petition must be submitted for the record at the time of the hearing.
7. A request to continue a petition that occurs after legal notice of the petition is published can be continued only by the ZBA; however, the ZBA may or may not grant the request.
8. A written notice of the ZBA Decision will be prepared and mailed or emailed to the property owner or agent after the meeting.
9. Development Services will issue permits and approvals upon receipt of the ZBA Decision.
10. A variance requires a building permit shall expire after twelve (12) months from the date of approval if no building permit is issued. If a building permit is issued and expires under the terms of this Ordinance, the variance requiring the building permit shall also become null and void at the same time the building permit expires.

## **Plot Plan Criteria** (If you are applying for a dimensional variance or special use approval, a plot plan of the subject property must be submitted with this application. The plot plan must include the below information.)

- North arrow and scale
- Street name(s)
- Dimensions of lot(s)
- Existing and proposed structures on lot (identify each structure - e.g., house, shed, pool)
- Dimensions between all structures and property lines and/or fences
- Location and dimensions of and proposed construction
- Types of fence (for example, chain link, wood, masonry, etc.)
- Proposed landscaping
- Project status (proposed or existing)

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**2020 Application Submittal Deadlines for Planning Commission Meetings**

<b>Application Submittal Deadline</b>	<b>Planning Commission Meeting Date</b>
<p><i>(Application submittal deadlines are on Tuesdays unless otherwise noted.)</i></p> <p><b>Submittal Due:</b> 5:00 p.m.</p> <p><b>Submittal Location:</b> City Hall, 2 E Bay St, Clerk of Council's Office on the 1<sup>st</sup> Floor.</p>	<p><i>(All meetings are scheduled for every three weeks on Tuesdays unless otherwise noted.)</i></p> <p><b>Pre-meeting:</b> 12:00 p.m.</p> <p><b>Meeting Time:</b> 1:30 p.m.</p> <p><b>Meeting Location:</b> MPC, 112 E State St, Arthur A. Mendonsa Hearing Room or the Chatham County Commission Chambers of the Old Courthouse, 124 Bull St on the 2<sup>nd</sup> Floor. Call 912.651.1440.</p>
DEC 13, 2019	JAN 23, 2020
JAN 31	FEB 27
FEB 28	MAR 26
MAR 27	APR 23
MAY 01	MAY 28
MAY 29	JUN 25
JUN 26	JUL 23
JUL 31	AUG 27
AUG 28	SEP 24
SEP 25	OCT 22
OCT 23	NOV 19
NOV 13	DEC 17
DEC 11	JAN TBD (2021)

**O.C.G.A. § 36-66-4(a):** A local government taking action resulting in a zoning decision shall provide for a hearing on the proposed action. At least 15 but not more than 45 days prior to the date of the hearing, the local government shall cause to be published within a newspaper of general circulation within the territorial boundaries of the local government a notice of the hearing. The notice shall state the time, place, and purpose of the hearing.