



5515 Abercorn St, Savannah, GA, 31405
 P.O. Box 1027, Savannah, GA, 31402-1027
 Phone: 912.651.6530 / TDD: 912.651.6702
 Fax: 912.651.6543 / www.savannahga.gov



Zoning Board of Appeals Application



110 E State St, Savannah, GA, 31401
 P.O. Box 8246, Savannah, GA, 31412-8246
 Phone: 912.651.1440 / Fax: 912.651.1480
www.thempc.org

All information must be completed in full before this application will be processed and scheduled for a Zoning Board of Appeals (ZBA) hearing. Additional instructions and information regarding the appeals process are attached. **SUBMIT 1 COMPLETED ORIGINAL APPLICATION FORM AND 1 COPY TO THE CITY at 5515 Abercorn St. Applicants are required to contact the Secretary to the ZBA at the MPC prior to submitting an application.** Call Matthew Lonnerstater, AICP, Secretary to the ZBA, at 912.651.1465.

I. Subject Property

Street Address: _____

Property Identification Number(s) (PIN): _____

Zoning District(s): _____

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.
- 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.

Variance Review Criteria Form

Describe how the requested variance(s) satisfy the following criteria:

Sec. 3.21.10 – Criteria for Approval: *The responsible review authority shall make a finding that the variance request does comply or does not comply with each individual criterion below. The Zoning Board of Appeals shall consider the criteria below when determining whether a variance shall be approved.*

- a. General Consistency:** The variance shall be consistent with the intent of the Zoning Ordinance and the Comprehensive Plan and shall not be injurious to the neighborhood or otherwise detrimental to the public health, safety or welfare.

b. Special Conditions:

- i. Special conditions and/or circumstances exist which are peculiar to the land, buildings or structures involved and which are not applicable to other lands, buildings or structures in the same zoning district.
- ii. The special conditions and/or circumstances do not result from the actions of the applicant.
- iii. The Special conditions and/or circumstances are not purely financial in nature so as to allow the applicant to use the land, buildings, or structures involved more profitably or to save money.

- c. Literal Interpretation:** Literal interpretation of the provisions of the regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the Ordinance and would result in unnecessary and undue hardship on the applicant.

- d. Minimum Variance:** The variance, if granted, is the minimum variance necessary to make possible the reasonable use of land, buildings or structures.

- e. Special Privilege Not Granted:** The variance would not confer on the applicant any special privilege that is denied by this Ordinance to other lands, buildings or structures in the same zoning district.

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: _____

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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 Matthew Lonnerstater, AICP, Secretary to the ZBA and Development Services Planner, at 912.651.1465.
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 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)

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)

Secretary to the ZBA: The MPC, 110 E State St, Savannah, GA, 31401 ~ P.O. Box 8246, Savannah, GA, 31412 (Phone: 912.651.1440)

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**2019 Application Submittal Deadline for
Zoning Board of Appeals Meeting Dates**

<p align="center">Application Submittal Deadline</p> <p><i>(Application submittal deadline are on Fridays unless otherwise noted)</i></p> <p>Submittal Due: 5:00 p.m. Submittal Location: 5515 Abercorn St, Savannah, GA, 31405, City of Savannah Development Services</p>	<p align="center">Meeting Date</p> <p><i>(All meetings are scheduled for the fourth Thursday unless otherwise noted)</i></p> <p>Meeting Time: 10:00 a.m. Meeting Location: 112 E State St, Savannah, GA, 31401, Arthur A. Mendonsa Hearing Room at the MPC</p>
DEC 21*	JAN 24
JAN 25	FEB 28
MAR 1	MAR 28
MAR 29	APR 25
APR 26	MAY 23
MAY 31	JUN 27
JUN 28	JUL 25
JUL 26	AUG 22
AUG 30	SEP 26
SEP 27	OCT 24
OCT 25	NOV 21**
NOV 25***	DEC 19****
DEC 20*****	JAN (2020 TBD)

- * **Deadline on 3rd Friday due to Christmas and New Year Holidays**
- ** **Meeting on 3rd Thursday due to Thanksgiving Holiday**
- *** **Deadline on 4th Monday due to Thanksgiving, Christmas, and New Year Holidays**
- **** **Meeting on 3rd Thursday due to Christmas and New Year Holidays**
- ***** **Deadline on 3rd Friday due to Christmas and New Year Holidays**