

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 AN ELECTRONIC COMPLETED APPLICATION AND SUPPLEMENTAL DOCUMENTATION TO PLANNING@SAVANNAHGA.GOV.**

Applicants are requested to contact the MPC staff at 912.651.1440 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 Variance (Check all that apply and attach a response and supporting documentation for each item checked).

- A. REQUEST A VARIANCE (Sec. 3.21).** The application must be submitted to provide an opportunity for the ZBA to 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; and variable standards in Article 10.0, Natural Resource Standards. Refer to Page 6 for plot plan criteria and explain specifics of request (e.g., To request a 5 foot reduction of the 25 foot rear yard setback). **Describe the variance requested:** _____

On a separate attachment explain how the requested variance(s) satisfies one or more of the following criteria:

- **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.
- **Special Conditions:**
 - 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.
 - The special conditions and/or circumstances do not result from the actions of the applicant.
 - 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.
- **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.
- **Minimum Variance:** The variance, if granted, is the minimum variance necessary to make possible the reasonable use of land, buildings or structures.
- **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.

- B. APPEALS (Sec. 3.23).** An appeal by any aggrieved party may be taken to the ZBA when an alleged error in a final written decision of any administrator, commission or board authorized to make a final written decision occurs. An application must be filed within thirty (30) working days of a final written decision. It will be considered filed when a complete notice of appeal is submitted to planning@savannahga.gov . **For this request, please include the following as an attachment to your application:**
 - An explanation specifying the grounds for the appeal with the ZBA and the administrator, commission or board whose decision is being appealed.
 - A copy of the decision that resulted in the filing of the appeal must be included.
- C. RELIEF FOR NONCONFORMING USES AND STRUCTURES (Sec. 3.24).** An application must be submitted to request a re-establishment, expansion, or reconstruction of a nonconforming use. **For this request, please include the following as an attachment to your application:** Describe the request for the relief for nonconforming to include the reason for the request.
 - The area of the subject property proposed to obtain a relief for nonconforming uses and structures stated in square feet if less than one acre and in acres if one or more.
 - Present and proposed land uses of the property petitioned for the relief for nonconforming uses and structures and all adjoining properties if under the same ownership.
 - Indicate the type of non-conformity and relief sought.
- D. REQUEST AN EXTENSION OF A ZBA APPROVAL.** If a ZBA decision needs to be extended, an application must be submitted.
 Date of ZBA Approval: _____ File No.: _____

III. Application History.

- Have any previous applications been made regarding the subject property?
 - Yes No If yes, please provide the file number(s): _____
- 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.

IV. 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: _____

V. 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: _____

VI. Agent, if different from Petitioner or Property Owner (Note: A signed, notarized Letter 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. Please refer to VIII. Letter of Authorization.)

Name(s): _____

Firm or Agency: _____

Address: _____

City, State, Zip: _____

Telephone: _____ Fax: _____

E-mail address: _____

VII. Application 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. Fees are subject to change.

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

The petitioner will receive notification to obtain and post the Public Notice Sign(s) from the City's Planning & Urban Design Office at least 15 DAYS PRIOR TO THE ZONING BOARD OF APPEALS MEETING.

VIII. 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 Zoning Board of Appeals (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 complete according to Sec. 3.1.5 including the appropriate fee and all required supplemental materials before it will be processed and scheduled for a hearing. If the property has been purchased within the last 12 months, please provide a copy of the Deed.
3. All applications must be submitted electronically to planning@savannahga.gov. If the document size is larger than 20 MB, please contact 912-525-2783.
4. A plot plan must be provided when a dimensional variance or use permit is requested. Plot plan criteria are listed below.
5. 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 the Georgia Annual Registration.
6. A schedule of the application deadlines as well as the Planning Commission and City Council meetings dates are part of this application.

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

1. Once an application submittal is determined to be complete according to Sec. 3.1.5, the MPC will schedule the petition for the next posted ZBA hearing date.
2. The MPC will notify the petitioner of the public hearing date and time as well as publish a public notification in the newspaper.
3. The petitioner will receive notification to obtain a Public Notice Sign(s) announcing the petition from the City's Planning & Urban Design Office located at 5515 Abercorn Street. The petitioner must post the sign(s) at least **15 DAYS PRIOR TO THE ZBA MEETING**. The sign(s) should be placed in a conspicuous place on the subject property and/or placed along each street that the property abuts so that the sign is visible from the street. If the property does not have street frontage, at least one sign should be placed on the property at the access point and additional sign(s) should be placed on the nearest public right-of-way. Signs shall not be posted on any tree. If the signs are not posted at least 15 days prior to the meeting, the petition will be rescheduled.
4. The petitioner is responsible for removing the sign(s) within 10 days of the decision.
5. The ZBA agenda, which includes the staff report, will be posted on www.thempc.org no later than the Friday before the scheduled meeting.
6. The ZBA hearing will be held in the Arthur A. Mendonsa Hearing Room at the MPC, 112 E State Street doorway.
7. 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.
8. Requests to withdraw, defer or continue a petition is outlined in Sec. 3.1.8.
9. A written notice of the ZBA decision will be sent to the petitioner following the meeting.
10. Building permits and approvals will be released upon receipt of the ZBA decision.
11. A variance requiring 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.
12. An appeal of the final written decision of the ZBA may be taken by filing a petition for certiorari with the Chatham County Superior Court within 30 days of the final action.

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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**2021 Application Submittal Deadlines
And Meeting Dates
for Zoning Board of Appeals**

<p align="center">Application Submittal Deadline</p> <p><i>(Application submittal deadlines are on Fridays unless otherwise noted.)</i></p> <p>Submittal Due: 5:00 p.m. Submit Electronically to: planning@savananhga.gov</p>	<p align="center">Zoning Board of Appeals Meeting Dates</p> <p><i>(All meetings are scheduled for every three weeks on Thursdays unless otherwise noted.)</i></p> <p>Pre-meeting: 9:00 a.m. Meeting Time: 10:00 a.m. Meeting Location: MPC, 112 E State St, Arthur A. Mendonsa Hearing Room.</p>
DEC 31, 2020	JAN 28, 2021
JAN 29	FEB 25
FEB 26	MAR 25
MAR 26	APR 22
APR 30	MAY 27
MAY 28	JUN 24
JUN 25	JUL 22
JUL 30	AUG 26
AUG 27	SEP 23
OCT 1	OCT 28
OCT 22	NOV 18** (3 rd THURS)
NOV 19	DEC 16** (3 rd THURS)
<p align="center">**MEETING DATES/TIME RESCHEDULED DUE TO CONFLICT</p>	

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.