

# **BOARD OF ZONING ADJUSTMENTS**

## **REQUEST FOR SPECIAL EXCEPTION PERMIT**

### Notice to Applicants

The Board of Zoning Adjustment and Appeals hears and decides special exceptions upon which the Board is required to act for uses as shown in Tables 4-5 in Article IV of the Zoning Ordinance of the City of Phenix City, Alabama. All uses as listed shall require the submission of an application to the Board of Adjustment. Such application shall be filed with the Building Inspector at least twenty-one (21) days before the scheduled hearing date before the Board of Adjustment. The application shall be filed by the property owner of the authorized agent of the owner on a form made available by the Building Inspector.

The Board of Adjustment shall review the application for compliance with the Zoning Ordinance and all other applicable codes and ordinance of the City. In particular the Board shall determine that satisfactory provisions have been made concerning the following, among other considerations of this Ordinance:

- a. Access to and from the property and the proposed structure and/or uses, with particular attention to vehicular and pedestrian safety and convenience, traffic flow and control, and emergency access.
- b. The location and accessibility of off-street parking and loading areas.
- c. The location and accessibility of refuse and service areas and their potentially adverse affects upon surrounding properties.
- d. The screening and buffering of potentially adverse views and activities from surrounding properties.
- e. Control of noise, glare, odor, surface water runoff, and other potentially disturbing impacts upon surrounding properties.
- f. The availability, location, and capacity of utilities.
- g. The location and scale of signs and lighting with particular reference to traffic safety, glare, and visual compatibility with surrounding properties.
- h. The "bulk", density and lot coverage of structures, and yards and open areas, with reference to their compatibility with the character of the surrounding area.

The Board may impose such conditions for approval that it deems necessary in the particular case to protect the public interest and the intent of the Comprehensive Plan and the Zoning Ordinance in relation to the items listed above and as may otherwise be reasonably necessary. Such conditions shall apply to the land, structure, and use for which the special exception is granted and not to a particular person.

**DATA ON APPLICANT AND OWNER:**

NAME OF APPLICANT (S): \_\_\_\_\_

ADDRESS OF APPLICANT (S): \_\_\_\_\_

APPLICANT (S) TELEPHONE NUMBER: \_\_\_\_\_

PROPERTY INTEREST OF APPLICANT (S): \_\_\_\_\_  
(owner, contract purchaser, etc.)

NAME OF OWNER (S): \_\_\_\_\_

A Special Exception Permit is requested in conformity with the powers vested in the Board to

permit the \_\_\_\_\_

on the property described below.

**DESCRIPTION, USE, and ZONING OF PROPERTY:**

Location: \_\_\_\_\_

Lot Size: \_\_\_\_\_ ft. X \_\_\_\_\_ ft. = \_\_\_\_\_ sq. ft.

Present Use: \_\_\_\_\_  
(vacant, residence, grocery, factory, etc.)

Present Zoning: \_\_\_\_\_

Site Plan: A site plan shall be attached to this application showing the location of the property, all property lines, set backs, location of all buildings (existing or proposed) and area to be used for parking.

**PROPOSED USE INFORMATION:**

In order for the Board of Adjustment to determine whether the proposed use will be in harmony with the Zoning Ordinance and not detrimental to adjoining land uses, it is necessary to determine the precise nature and impact of the proposed use. The following questions shall be answered as explicitly and precisely as possible. If a particular question is inapplicable, please state so and explain why in the space provided. Failure to provide the appropriate information will force the Board of Adjustment to delay action until the appropriate information can be secured.

Proposed Use: \_\_\_\_\_

Proposed Hours of Operation: \_\_\_\_\_ A.M. to \_\_\_\_\_ P.M.

Proposed Days of Operation: S \_\_\_\_\_ M \_\_\_\_\_ T \_\_\_\_\_ W \_\_\_\_\_ T \_\_\_\_\_ F \_\_\_\_\_ S \_\_\_\_\_

Will the use involve the employment of individuals? Yes \_\_\_\_\_ No \_\_\_\_\_

If yes: estimate minimum number of visitors per day: \_\_\_\_\_

Estimated maximum number of visitors per day: \_\_\_\_\_

Will the use encourage visitation to the property? Yes \_\_\_\_\_ No \_\_\_\_\_

If yes: estimate minimum number of visitors per day: \_\_\_\_\_

Estimated maximum number of visitors per day: \_\_\_\_\_

Have provisions been considered for off-street parking? Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, number of square feet \_\_\_\_\_

Number of off-street parking places: \_\_\_\_\_

Condition of pavement: paved \_\_\_\_\_ unpaved \_\_\_\_\_

If no, number of square feet available for parking: \_\_\_\_\_

Describe all processes or operation to be undertaken with this use. Any process involving the utilization of equipment which would generate excessive noise, odors, air pollution or traffic should be identified. Proposals to lessen the impact of any detrimental characteristics should be identified:

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**SPECIAL EXCEPTION PERMIT  
BOARD OF ADJUSTMENT**

This is to certify that a Special Exception Permit has been granted to \_\_\_\_\_,  
Case No. \_\_\_\_\_, to allow the \_\_\_\_\_  
\_\_\_\_\_ at \_\_\_\_\_  
(use)  
(location)

Subject to the following condition:

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

This permit is not transferable. Failure to comply with the above specified conditions and safeguard is a violation of this permit and voids the permit. This permit shall become effective on the date of certification by the applicat/property owner.

ATTESTED: \_\_\_\_\_ Date  
Chairman, Board of Adjustment  
\_\_\_\_\_ Date  
Secretary, Board of Adjustment

I (we) certify that I (we) am (are) aware of the conditions and safeguards specified by the Board of Adjustment as conditions for the granting of this Special Exception Permit, that failure to comply with these specified conditions and safeguards is a violation of this permit and voids the permit. I (we) further certify that I (we) am (are) aware that this permit pertains solely to this particular use at this particular location and as such is not transferable to other uses at this location or to this use at other locations.

\_\_\_\_\_  
Applicant Date  
\_\_\_\_\_  
Owner Date

**If denied, reason for denial:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Chairman Date Secretary Date

**APPLICATION FOR APPEAL  
BOARD OF ZONING APPEALS**

CASE NUMBER: \_\_\_\_\_

NAME OF APPLICANT: \_\_\_\_\_

MAILING ADDRESS: \_\_\_\_\_

PHONE NUMBER: Home \_\_\_\_\_ Business \_\_\_\_\_

The undersigned requests review of the decision by the Building Inspector of Application for Building

Permit Number \_\_\_\_\_, denied on \_\_\_\_\_.

It is the applicant's contention that the following error was made in the determination of the Building

Inspector: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Appellant

\_\_\_\_\_  
Date

For Official Use Only

Date Filed: \_\_\_\_\_ Case Number: \_\_\_\_\_

Date of Notice to Parties of Interest: \_\_\_\_\_

Date Adjacent Property Owners Notified: \_\_\_\_\_

Date of Notice in Newspaper: \_\_\_\_\_ Name of Newspaper: \_\_\_\_\_

Date of Public Hearing: \_\_\_\_\_

Fee Paid \$ \_\_\_\_\_ Receipt No. \_\_\_\_\_ Date \_\_\_\_\_

Decision of the Board:    Approved \_\_\_\_\_    Denied \_\_\_\_\_

If approved the following conditions and safeguards were prescribed:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_