

Special Exception – Board of Zoning Adjustment

City of Decatur, Planning & Development Department
402 Lee Street NE
Decatur, AL 35602
(256) 341-4720 / Planning@decatur-al.gov



Location of Subject Property: _____

Name of Applicant(s): _____ Phone: _____

Address: _____ Email: _____

Name of Owner(s): _____ Phone: _____

Address: _____ Email: _____

The applicant will be the point of contact for all communication with city staff

Current Zoning: _____ Total Acreage: _____ Current Use of Property: _____

Review the Decatur Zoning Ordinance, specifically § 25-2.2.3. Board of Zoning Adjustments (BZA)

Describe the requested use: *(attach additional sheets as needed)*

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. Such conditions shall apply to the land, structure, and use for which the special exception is granted and not to a particular person. Violations of conditions lawfully attached to any special exception shall be deemed to be violations of this ordinance.

- All items must be marked as included or understood, or "N/A" if not applicable:
- _____ Proof of Ownership *The deadline to apply for the next meeting is: _____ / _____ / _____
 - _____ Designation of Agent Form *The date of the next available meeting is: _____ / _____ / _____
 - _____ Accurate, scaled site plan showing all necessary information, including property lines, existing & proposed structures, dimensions, and any additional information that would be helpful to the BZA in making a decision
 - _____ Church or Place of Assembly Supplement (if applicable)
 - _____ I understand that Special Exception approval lapses after one year if no construction or change in use has taken place
 - _____ Fee
 - _____ I agree to allow the City to place a sign or signs on this property notifying the public of this request

I have read the above statements and warrant in good faith that I understand and will comply, and that the information submitted is true and correct. I acknowledge that submitting incorrect or incomplete information that results in delays or invalidation is the sole responsibility of the applicant.

Applicant Signature: _____ **Date:** _____ / _____ / _____

STATE OF ALABAMA
COUNTY OF _____

I, _____, a Notary Public in and for said State at Large, hereby certify that _____, whose name is signed to the foregoing document, and

_____ Who is known to me, or
_____ Whose identity I proved on the basis of _____

and that being informed of the contents of the document, he/she, as such officer and with full authority, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the _____ day of _____, 20_____.

_____, Notary Public My Commission Expires: _____

§ Sec. 25-2.2.3. Board of Zoning Adjustment (BZA)

The Board of Zoning Adjustment is hereby established in accordance with state law.

a) Powers and Duties

The Board of Zoning Adjustment shall have the following powers and duties under this Ordinance:

(1) To review and decide the following:

- (i) Special Exceptions (Sec. 25-2.4.4); and
- (ii) Variances (Sec. 25-2.4.15(d)(6));

(2) To hear and decide appeals from final decisions on the following:

- (i) Planned Development District Minor Changes (Sec. 25-2.4.3(c)(8)(iii));
- (ii) Minor Site Plans (Sec. 25-2.4.5);
- (iii) Temporary Use Permits (Sec. 25-2.4.8);
- (iv) Administrative Enforcement Actions (see Article 25-7: Enforcement);
and

(3) Any other powers and duties assigned to it by the City Council in accordance with Chapter 52 of Title 11, Code of Alabama.

b) Membership, Terms of Office, Bylaws and Rules of Procedure, Meetings

The composition and appointment of members, terms of office, rules of procedure, and meetings of the Board of Zoning Adjustment shall be in accordance with Sec. 11-52-80, Code of Alabama.