City of Gallatin, Tennessee
Boards of Zoning Appeals
Information Packet

Zoning Variances, Conditional Use Permits, and Administrative Appeals Regulations

Updated: January 7, 2010

www.gallatinonthemove.com

CITY OF GALLATIN, TENNESSEE
BOARD OF ZONING APPEALS REVIEW POLICIES AND PROCEDURES

The information provided in this packet is intended to summarize the City of Gallatin's policies and procedures pertaining to the review and approval processes for applications submitted for consideration by the Boards of Zoning Appeals. The Codes/Planning Department is committed to providing quality customer service and assistance throughout the various review processes managed by the Division. Our goal is to make these processes as quick and easy as reasonably possible. However, in order for us to successfully meet this commitment and ensure a timely review of applications, we need your help to ensure that all required information and documentation outlined on the applicable review checklists is submitted along with the application materials by the published deadline dates and times. Please contact the Codes/Planning Department at (615) 451-5796 if you have any questions about what information needs to be included with your application.

QUICK REFERENCE QUIDE - SUBMITTAL REQUIREMENTS

REVIEW CHECKLISTS

- Review Checklists are provided for Variance, Conditional Use Permit, and Administrative Appeal requests and are intended to assist applicants with identifying the types of information that must be included on all applications submitted to the Codes/Planning Department. Additional information may be required to be provided depending on the specific circumstances pertaining to each application.
  - If you are unsure of any item listed on this checklist, please refer to the Zoning Ordinance for additional information about the requirements. If a checklist item does not apply to your application, please note in the box next to the item that it does not apply "N/A". Otherwise, please clearly mark each box in the checklist to indicate that the required information has been provided. If you have any additional questions, please contact the Codes/Planning Department staff member assigned to your application.
  - The Codes/Planning Department recommends that a written response letter be provided for any checklist items that have not been included or addressed in the initial submittal documents.

PRE-APPLICATION MEETING REQUIRED

- Most applications require the applicant to have a pre-application meeting with staff prior to submitting documents for consideration by the Planning Commission. Please contact the Codes/Planning Department to determine whether your application requires a pre-application conference. Applications will not be accepted without a required pre-application conference.

PROPERTY IDENTIFICATION AND ZONING INFORMATION REQUIRED ON ALL PLANS

- Correct zoning, property, and location identification must be clearly noted on the application form and listed on the plan documents in a Site Data Table. Please make sure that the following information is included on your application materials:
  - Tax map and parcel numbers for property
  - Property owner information
  - Property address
  - Current zoning of the property and the proposed zoning, if applicable
  - Existing and Proposed use
  - Bulk Regulations
  - Yard and Setback Requirements
  - Label surrounding property owner and zoning information

CITY OF GALLATIN, TENNESSEE
BOARD OF ZONING APPEALS REVIEW POLICIES AND PROCEDURES

INITIAL SUBMITTAL INFORMATION

- Initial submittals must include a completed Application Form, a completed checklist, and nine (9) folded copies of the required application documents by 4:30 PM on the published submittal deadline.
- Review fees are expected to be submitted with the application documents unless prior approval has been obtained from the Codes/Planning Department. Please contact the Codes/Planning Department if you have any questions on the fee schedule or how to calculate the fee amount.

RESUBMITTAL INFORMATION

- Resubmittal documents submitted to the Codes/Planning Department in response to the staff review comments must be turned into the Codes/Planning Department by 4:30 PM on the published resubmittal deadline. Resubmittals must include the following information in order to be considered a complete resubmittal:
  - Seventeen (17) corrected, folded copies of the resubmittal documents and any supporting information.
  - A detailed response letter, addressing all departmental review comments.
  - Return the original "Checkprint" to the Codes/Planning Department along with the resubmittal documents.

APPLICANT/AGENT CONTACT PERSON

- Applications must be signed by the property owner or agent. A letter signed by the property owner must be submitted designating this contact person.
- The project manager is the person responsible for becoming familiar with the regulations, policies, and procedures of the City of Gallatin and shall represent the applicant at all public meetings and is the person responsible for the quality and accuracy of the submitted plans.

CODES/PLANNING STAFF CONTACT PERSON

- A staff planner will be assigned as the main contact for each application.
- All planning and zoning comments and questions pertaining to the application need to be directed to the designated staff contact person.
- Questions concerning other City Departments' comments should first be directed to the applicable City Department. If you are unable to resolve your question or need additional information, please contact your assigned staff planner for further assistance.

CITY OF GALLATIN WEBSITE

- Visit the City of Gallatin website at www.gallatinonthemove.com for additional information including links to all City Departments, Development Review Checklists, Applications, Meeting Dates, Submittal Deadlines, and Zoning, Subdivision, and Storm Water Regulations.

Gallatin Zoning Ordinance Regulations - Board of Zoning Appeals

15.04 The Board of Zoning Appeals

15.04.10 Herein and hereafter, any reference to Board or Board of Zoning applies equally to the Regional Board of Zoning Appeals.

15.04.020 Creation of the Board of Municipal and Regional Board of Zoning Appeals - Membership and Appointment

A. The Municipal Board of Zoning Appeals shall have jurisdiction only within the corporate limits of the City of Gallatin and shall consist of five (5) members, who shall all be residents of the City of Gallatin at the time of their appointment and who shall continue to reside within the City corporate limits as long as they serve. At least one of the members of the Municipal Board of Zoning Appeals shall be a member of the Gallatin Municipal Planning Commission.

B. The Regional Board of Zoning Appeals shall have jurisdiction only outside the corporate limits of the City of Gallatin and within the Gallatin planning region and shall consist of five (5) members, three (3) of whom shall be residents of the Gallatin planning region and live outside the City corporate limits, and two (2) of whom shall be residents of the City of Gallatin within the corporate limits. All such residency requirements shall be met at the time of appointment and shall be required to continue as long as any member serves. At least one (1) of the members of the Regional Board of Zoning Appeals shall be a member of the Gallatin Regional Planning Commission.

C. All members of the Municipal Board of Zoning Appeals and Regional Board of Zoning Appeals shall be appointed by the Mayor within ten (10) days after notification to the Mayor of a vacancy on either Board and confirmed by a majority vote of the Aldermen by resolution.

15.04.021 Terms of Office

The members of the respective Boards of Zoning Appeals shall serve for five (5) year terms or until their respective successors are appointed and qualified, except that the Board first appointed shall serve respectively for the following terms:

One for one year, one for two years, one for three years, one for four years, and one for five years.

15.04.022 Quorum and Attendance

A. The presence of three (3) members shall constitute a quorum and the concurring vote of a majority of the members of the Board present shall be necessary to deny or grant any application before the Board. Any member who, voluntarily or involuntarily, is

absent for three (3) consecutive special and/or regular meetings shall forfeit said position as a member of the Board and be automatically terminated.

15.04.023 Advisory Opinion by Planning Commission

A. The Gallatin Municipal/Regional Planning Commission shall be permitted to submit an advisory opinion of any matter before the Board and such opinion shall be made a part of the record of such public hearing.

15.04.024 Powers of the Board

The Board is hereby vested with the powers to:

A. Hear and decide appeals from any order, requirement, decision, or determination made by the Zoning Administrator in carrying out the enforcement of this Ordinance, whereby it is alleged in writing that the Zoning Administrator is in error or has acted in an arbitrary manner;

B. Hear and act upon application for variances in accordance with Section 15.05 of this Article to alleviate hardships by virtue of the inability of the landowner to comply strictly with the provisions of this Ordinance by reasons of unique shape, topography, or physical features of the zone lot;

C. Hear and act upon applications for conditional use permits in the manner and subject to the standards set out in Section 15.05 of this Article;

D. Hear and decide all matters referred to it on which it is required to act under this Ordinance;

E. Within its budget appropriation and other funds at its disposal, enter into contracts for such services as it may require.

15.04.025 Election of Officers

The Board shall elect from its members its own chairman, vice-chairman, and secretary who shall serve for one (1) year and may upon reelection serve succeeding terms.

15.04.026 Conflict of Interest

Any members of the Board who shall have a direct or an indirect interest in any property which is the subject matter of or affected by, a decision of the Board shall be disqualified from participating in the discussion, decision, and proceedings of the Board in connection therewith. The burden for revealing any such conflict rests with individual members of the Board. Failure to reveal any such conflict shall constitute grounds for immediate removal from the Board for cause.

15.04.027 Meetings of the Board

Meetings shall be held at the call of the chairman and at such other times as the Board may determine. The chairman, or in his absence the acting chairman, may administer oaths and compel the attendance of witnesses. All meetings shall be open to the public and proper public notice of such meetings shall be given.

15.04.028 Rules and Proceedings of the Board

The Board shall adopt rules for the conduct of its meetings. Such rules shall at the minimum require that:

A. No action shall be taken by the Board on any case until after a public hearing and notice thereof. Said notice of public hearing shall be a legal notice published in a newspaper of general circulation in Gallatin at least ten (10) days before the date set for a public hearing and written notice of the hearing of an appeal be sent by mail to the appellant and all directly affected property owners at least ten (10) days before the hearing of an appeal. The notice to the appellant shall be sent by registered mail. No appeal shall be considered and heard by the Board unless such appeal shall have been filed at least fifteen (15) days prior to the meeting at which it is to be heard;

B. The Board may call upon any other office or agency of the city government for information in the performance of its duties and it shall be the duty of such other agencies to render such information to the Board as may be reasonably required;

C. The Gallatin Regional Planning Commission shall be permitted to submit an advisory opinion on any matter before the Board and such opinion shall be made part of the record of such public hearing;

D. Any officer, agency, or department of the City of Gallatin or other aggrieved party may appeal any decision of the Board to a court of competent jurisdiction as provided for by state law;

E. In any decision made by the Board on a variance the Board shall:

   1. Indicate the specific section of this Ordinance under which the variance is being considered, and shall state its findings beyond such generalities as "in the interest of public health, safety and general welfare".

   2. In cases pertaining to hardship, specifically identify the hardship warranting such action by the Board;

F. Any decision made by the Board on a conditional use permit shall indicate the specific section of this Ordinance under which the permit is being considered and shall state its findings beyond such generalities as "in the interest of public health, safety and general welfare", and shall state clearly the specific conditions imposed in granting such permit;

G. Appeals will be assigned for hearing in the order in which they appear on the calendar thereof, except that appeals may be advanced for hearing by order of the Board, good and sufficient cause being shown;

H. At the public hearing of the case before the Board, the appellant shall appear in his own behalf or be represented by counsel or agent. The appellant's side of the case shall be heard first and those in objection shall follow. To maintain orderly procedure, each side shall proceed without interruption from the other.

15.04.029 Stay of Proceedings

An appeal shall stay all proceedings in furtherance of the action appealed from, unless the Zoning Administrator certified to the Board, after such notice of appeal shall have been filed, that by reason of facts stated in the certificate such, stay would cause imminent peril to life or property. In such instance the proceedings shall not be stayed otherwise than by a restraining order, which may be granted by the Board or by a court of competent jurisdiction on application, on notice to the Zoning Administrator, and on due cause shown.

15.04.030 Liability of Board Members, Zoning Administrator and Employees

Any Board member, Zoning Administrator, or other employee charged with the enforcement of this Ordinance, acting for the City of Gallatin in the discharge of his duties, shall not thereby render himself liable personally, and he is hereby relieved from all personal liability and shall be held harmless by the City of Gallatin of any damage that may accrue to persons or property as the result of any act required or permitted in the proper discharge of their duties. Any suit brought against any Board member, Zoning Administrator or employee charged with the enforcement of any provision of this Ordinance shall be defended by legal representative furnished by the City of Gallatin until the final termination of such proceedings.

15.04.031 Right to Entry Upon Land

The Board, its members, and employees, in the performance of its work, may enter upon any land within -its jurisdiction and make examinations and surveys and place or remove public notices as required by this Ordinance.

15.05 Zoning Variances

The Board of Zoning Appeals may grant variances where it makes findings of fact based upon the standards prescribed in this section.

15.05.010 Application for Variances, Notice of Hearing, Fee

A written application for a variance shall be filed with the Board by the property owner or his designated agent on forms provided by the Board and the application shall contain information and exhibits as may be required under Section 15.03.020 D. No more than 60 days after the filing of the application, a hearing shall be held on the application, unless otherwise withdrawn or postponed by written request by the applicant. Notice of hearing shall be in accordance with Section 15.04.080. A fee of $25.00 payable to the City of Gallatin shall be charged to cover partial review and processing of each application for a variance, except that the fee shall be waived for a governmental agency.

15.05.020 Notice to Affected Property Owners

It shall be the general rule of the Board that reasonable efforts shall be made to contact and notify interested parties, who in the opinion of the Board, may be affected by any matter brought before the Board. In all cases all owners of record of adjoining property, including those separated by a public way from the premises in question shall be notified. The notification required to meet this provision shall be accomplished by direct mail addressed to the respective owners at the address given in the latest assessment roll.

15.05.030 Standards for Variances

The Board shall not grant a variance unless it makes findings based upon evidence presented to it as follows:

A. The particular physical surroundings, shape, topographic conditions of the specific property involved that would result in a particular hardship upon the owner as distinguished from a mere inconvenience, if the strict application of this Ordinance were carried out must be stated;

B. The conditions upon which the petition for a variance is based would not be applicable, generally, to other property within the same district;

C. The variance will not authorize activities in a zone district other than those permitted by this Ordinance;

D. Financial returns only shall not be considered as a basis for granting a variance;

E. The alleged difficulty or hardship has not been created by any person having an interest in the property after the effective date of this Ordinance;

F. That granting the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to other lands, structures, or buildings in the same districts;

G. The variance is the minimum variance that will make possible the reasonable use of the land, building, or structure;

H. The granting of the variance will not be detrimental to the public welfare or injurious to other property or improvements in the area in which the property is located; and

I. The proposed variance will not impair an adequate supply of light and air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, endanger the public safety, or substantially diminish or impair property values within the area.

15.05.040 Non-conformity Does Not Constitute Grounds for Granting of a Variance

No non-conforming use of neighboring lands, structures, or buildings in the same district, and no permitted or nonconforming use of lands, structures, or buildings in other districts shall be considered grounds for the issuance of a variance.

15.05.050 Prohibition of Use Variances

Under no circumstances shall the Board of Appeals grant a variance to allow a use not permissible under the terms of this Ordinance in the district involved, or any use expressly or by implication prohibited by the terms of this Ordinance in said district.

15.05.060 Conditions and Restrictions by the Board

The Board may impose such conditions and restrictions upon the premises benefited by a variance as may be necessary to comply with the provisions set out in Section 15.05.030 to reduce or minimize the injurious effect to such variation; upon surrounding property and better carry out the general intent of this Ordinance. The Board may establish expiration dates as a condition or as a part of the variances.

15.05.070 Board has Powers of Administrative Official on Appeals; Reversing Decision of Administrative Official

In exercising its powers, the Board of Appeals may, so long as such action is in conformity with the terms of this Ordinance, reverse or affirm, wholly or partly, or may modify the order, requirement, decision, or determination as ought to be made, and to that end shall have the powers of the administrative official from whom the appeal is taken.

15.05.080 Variance Appeals

Any person including any agency of the city government aggrieved by a decision of the Board on a variance may appeal by certiorari to a court of competent jurisdiction. The judgment and findings of the Board on all questions of fact that may be involved in any appeal, cause, hearing or proceeding under this Article shall be final and subject to review only for illegality or want of jurisdiction.

15.06 Conditional Use Permits

15.06.010 Conditional Uses

The Board of Appeals may hear and decide, in accordance with the provisions of this Ordinance, requests for conditional use permits. For the purposes of administration of this Ordinance, conditional uses shall be construed as synonymous with special exceptions, as controlled by Sections 13-706, Tennessee Code Annotated.

15.06.020 Application for Conditional Use Permit, Notice of Public Hearing

The application for a conditional use permit shall be made by the property owner or his designated agent and filed in writing with the Board on forms provided by the Board, and shall contain information and exhibits as may be required under Section 15.03.020 or in the case of buildings or other structures or uses to be located within floodplain districts, as may be required by Section 10.03. Not more than 60 days after filing such application, a hearing shall be held on the application, unless otherwise withdrawn or postponed upon written request by the applicant. Notice of hearing shall be held in accordance with Section 15.04.080 B. A fee of $25.00 payable to the City of Gallatin shall be charged to partially defray cost of review and processing for each application for a conditional use permit, except that the fee may be waived for any government agency.

15.06.030 Requirements for Conditional Use Permit

General requirements are hereby established which shall apply to all applications for conditional use permits, and specific standards listed shall apply to the issuance of a conditional use permit as appropriate. The Board may impose such other conditions and restrictions upon the premises benefited by a conditional use permit as may be necessary to comply with the provisions set out in Section 15.06.040 through 15.06.070 C in order to reduce or minimize the injurious effect of such conditional use upon and ensure compatibility with surrounding property and to better carry out the general intent of this Ordinance. The Board may establish expiration dates for the expiration of any conditional use permit as a condition of approval.

15.06.040 General Requirements

A conditional use permit shall be granted provided the Board finds that it:

A. Is so designed, located, and proposed to be operated so that the public health, safety and welfare will be protected;

B. Will not adversely affect other property in the area in which it is located;

C. Is within the provisions of "Conditional Uses" as set forth in this Ordinance; and

D. Conforms to all applicable provisions-of this Ordinance for the district in which it is to be located and is necessary for public convenience in that location.

15.06.050 Specific Standards for Community Facility Activities

In addition to the requirements of the applicable district and the general requirements set forth above, a conditional use permit shall be granted for the community facility activities specified in Sections 15.06.050 A through 15.06.050 G when the standards established are met as part of the condition for issuing the permit in the applicable zone districts.

A. Special Conditions for Limited Day Care Facility

1. In the CC, PGC, PNC, MRO, CS, MU, and CG Zoning Districts the lot size, setbacks, and lot coverage shall conform to those applicable to the Zoning District. In the Agricultural, R-40, R-20, R-15, R-10, and R-6 Zoning Districts no such facility shall be permitted on a zone lot unless it contains twice the lot area requirements of the Zoning District.

2. All other bulk regulations of the district shall be met.

3. One accessory off-street parking space for each five persons accommodated in the day care facility shall be provided.

4. Special passenger loading and unloading facilities shall be provided on the same zone lot for vehicles to pick-up or deliver passengers. Such facilities shall provide for driveways that do not require any back-up vehicle movements to enter or exit the zone lot.

5. All public utilities and sewage disposal shall be available to the site and shall be subject to approval by the Department of Water and Sewerage Services.

6. All regulations of the State of Tennessee that pertain to the use shall be met.

7. The facility shall be located so as to be compatible with the surrounding area and provide safety to those using the facility.

8. Fencing, screening, and landscaping shall be provided as appropriate to protect the surrounding area for such facility.

9. Upon the approval by the Board of Appeals, the site and architectural plans for such a facility shall be approved by the Planning Commission taking into account the above condition as well as any other pertinent factors.

B. Special Conditions for Nursing Homes

1. No such facility shall be permitted on a zone lot unless it contains a minimum of 10,000 square feet, or twice the lot area requirements of the zone district.

2. All bulk regulations of the district shall be met.

3. The requirements of the accessory off-street parking regulations of this Ordinance in Article 11.00 shall apply.

4. All regulations of the State of Tennessee shall be met.

5. All public utilities and sewage disposal shall be available to the site, and shall be subject to approval by the Department of Water and Sewerage Services. Upon approval by the Board of Appeals the site and architectural plans for such a facility shall be approved by the Planning Commission taking into account the above condition as well as any other pertinent factors.

C. <u>Special Conditions for Community Assembly</u>

1. No such facilities shall be permitted on a zone lot unless it contains twice the lot area requirements of the districts; provided, however, that if such community assembly includes outdoor activities the minimum lot area shall be four (4) acres.

2. All bulk regulations of the zone district shall apply.

3. Off-street parking;

   (a) For non-profit clubs, lodges, meeting halls and recreation centers, one space for each four (4) seats in an assembly area within the facility, or one (1) space for each 75 square feet of gross floor area, whichever is greater, shall be provided.

   (b) For temporary non-profit festivals, the required number of off-street parking spaces shall be determined by the Zoning Administrator, taking into account the traffic generation of such facility, the hours of other such factors as affect the need for off-street parking.

4. Except for temporary non-profit festivals, fencing, screening and landscaping shall be provided as appropriate for such facility, except that no landscaped screen shall be located closer than 15 feet of any vehicular entrance or exit to the property.

5. The location and operation of such community assembly facility shall be in keeping with the character of the surrounding area and shall not adversely affect the properties within the surrounding area.

6. All public utilities and sewage disposal shall be available to the site and shall be subject to approval by the Department of Water and Sewerage Services.

D. <u>Special Conditions for Non-assembly Cultural</u>

1. No such activity shall be permitted on a zone lot unless it contains twice the lot area requirements of the zone district.

2. All bulk regulations of the zone district shall apply.

3. The off-street parking requirements of this Ordinance in Article 11.00 shall apply.

4. Fencing, screening, landscaping shall be provided as appropriate to protect the surrounding area.

5. The location and operation of such facility shall be in keeping with the character of the surrounding area and shall not have an adverse affect on the properties within the surrounding area.

E. Special Conditions for Health Care

1. Minimum Lot Area

   (a) No health clinic shall be permitted on a zone lot unless it contains 10,000 square feet, or twice the lot area requirements of the district, whichever is greater.

   (b) No hospitals, or centers for observation or rehabilitation shall be permitted on a zone lot unless it contains a minimum of five (5) acres.

2. Hospitals, Centers for Observation or Rehabilitation

   The minimum side and rear yards for hospitals and centers for observation or rehabilitation shall be 50 feet for a one or two story building, increased by five (5) feet for each story above two (2).

3. All other regulations of the zone district shall apply.

4. There shall be provided along the entire site boundary fencing, screening, and landscaping as appropriate to protect the surrounding residential area.

5. The location and operation of such facility shall be in keeping with the character of the surrounding area and shall not have an adverse effect on the properties within the surrounding area.

6. All public utilities and sewage disposal shall be available to the site and shall be approved by the Department of Water and Sewage Service.

7. Upon approval of the Board of Appeals the site and/or architectural plans shall be reviewed and considered for approval by the Planning Commission.

8. The following activity classes and types may be permitted accessory to the Health Care Activities provided they appropriately complement the Health Care Activity, will not impose an adverse impact on the surrounding land use, and be subject to all other provisions of the zoning district:

Community Facility Activities
Commercial Activities
Convenience Sales and Services
Automotive Parking
Food Service
Medical Service

F. Special Conditions for Utility and Vehicular

1. The location of such facility shall be within a certain service area in order to provide the most efficient service to such area.

2. All of the bulk regulations of the zone district shall apply.

3. The location of such facility shall not materially increase traffic on surrounding streets.

4. The location of such facility shall not have an adverse effect on surrounding properties.

5. There shall be provided along the entire site boundary fencing, screening, and landscaping as appropriate to protect the surrounding residential area.

G. Special Conditions for Intermediate and Extensive Impact

1. The location, size, and design of such facilities shall be such that the proposed development shall be compatible with the surrounding area, thus reducing the impact upon the surrounding area.

2. The traffic generated by such facility shall be safely accommodated along major streets without traversing local minor streets.

3. The proposed facility shall provide a basic community function or essential service necessary for a convenient and functional living environment in order to be located on the proposed site.

4. The off-street parking requirements shall be based upon a recommendation from the Planning Commission.

H. Special Conditions for Place of Worship

1. No such facilities shall be permitted on a zone lot unless it contains twice the lot area requirements of the district except those facilities proposed in R40 and A districts where the minimum district lot size shall apply.

2. The location, size, and design of such facilities shall be situated so that the proposed facility shall be compatible with the development within the surrounding area thus reducing the impact upon such area.

3. Such facilities shall be located only on major or collector streets as shown on the official major thoroughfare plan.

4. All bulk regulations of the district shall be met.

5. The off-street parking requirements of this Ordinance in Article 11.00 shall apply.

I. <u>Special Conditions for Community Education</u>

1. No such facilities shall be permitted on a zone lot unless such lot contains the acreage recommended for such facilities by the appropriate state agency.

2. The traffic generated by such facility shall be safely accommodated along the streets which will provide access to the site.

3. The location and design of such facilities shall not have an adverse effect upon surrounding properties.

4. The off-street parking requirements of this Ordinance in Article 11.00 shall apply.

J. <u>Special Conditions for Animal Care Activities in Agricultural Districts</u>

1. The lot regulations of the district shall apply.

2. The operation of such facility shall not have an adverse effect on the properties in the surrounding area.

3. Insect, rodent, and odor control measures shall be provided to the satisfaction of the Board of Appeals.

4. Any outdoor pens or holding areas shall be appropriately screened.

5. The off-street parking requirements in this Ordinance in Article 11.00 shall apply.

15.06.060 Specific Standards for Commercial Activities

A conditional use permit shall not be granted for the commercial activities specified in Sections 15.06.060 A through 15.06.060 G unless the standards established therein are met as a part of the conditions for issuing such permit in the applicable districts.

A. Special Conditions for Automotive Parking in CC Districts

1. All parking shall be on the surface of the lot,
2. No structure shall be permitted other than a shelter for the attendant and accessory business signs as permitted under this Ordinance,
3. Such permit shall not be issued for a period exceeding five years, and

B. Special Conditions for Scrap Operation Activity in IG Districts

1. The location and topography of the site shall be situated so that fencing, screening, and landscaping can be provided as appropriate.
2. The bulk regulations and performance standards of this Ordinance shall apply.
3. Insect and rodent control measures shall be provided as approved by the County Health Department.
4. All required fences and landscaped screens shall be maintained in a neat and attractive manner.
5. The operation of such facility shall not have an adverse effect on the properties in the surrounding areas.
6. The operation and location of such facility shall not produce damaging pollution to surrounding streams.

C. Special Conditions for Group Assembly Limited and Extensive Activities

1. The location, size, and design of such facilities shall be situated so that the proposed development shall be compatible with the development within the surrounding area, thus reducing the impact upon the surrounding area,
2. The traffic generated by such facility shall be safely accommodated along major streets without traversing local minor streets,
3. The off-street parking requirements shall be based on a recommendation from the Planning Commission, and

D. <u>Special Conditions for Convenience Food Sales and Food Service in MPO Zones</u>
These uses shall be considered as incidental services to serve occupants and patrons of the permitted use only. Such activities shall be conducted in spaces which are designed as integral parts of the principal use.

E. <u>Special Conditions for Limited Warehousing</u>

1. The location, size, and design of such facility shall be compatible with development in the surrounding area.

2. There shall be provided along the entire site boundary fencing, screening, and landscaping, as appropriate to protect adjoining properties.

3. The use of buildings in which the exterior facade is comprised of metal construction or metal siding shall be prohibited. Buildings facades visible from a street or residential area shall be designed according to the provisions of Section 13.08 of this Ordinance, and shall be constructed primarily of brick~~,~~ or stone, or combinations thereof, or combinations of materials deemed acceptable by the Board. Building facades not visible from a street or residential area may be constructed of aluminum siding, vinyl siding, or fiber cement siding. Building materials used in the construction of the units shall not contain bright, vivid colors. The use of primary, secondary or other bright, bold colors on building facades, roofs, doors, window frames, or awnings shall be prohibited. Colors used in the development shall be subdued, with natural earth tones and colors compatible with surrounding development predominating.

4. The off-street parking requirements shall be based upon a recommendation from the Planning Commission. All parking areas and driveways shall be paved.

5. All buildings shall be separated by a minimum of thirty (30) feet.

6. The setback for such activities shall be 100 feet from a major thoroughfare.

F. <u>Special Conditions for Convenience Sales and Services Commercial Activities</u>

1. The location, size, and design of such facilities shall be situated such that the proposed development shall be compatible with the existing development of the surrounding area, thus reducing the impact upon the surrounding area. Convenience Sales and Service structures should be designed to be compatible with the character of residential structures in the surrounding area. Scale of materials and building forms are important elements of continuity.

2. In order to determine compatibility, the applicant shall provide information concerning building design and materials, including elevations of all sides of the proposed buildings and structures. The features shown in the elevations shall include information concerning building materials, heights, scale, door and window openings, façade offsets, roof pitch and colors.

3. The design of such facilities shall comply with the requirements of Section 13.08, Architectural Character and Compatibility Standards and shall be based on a recommendation of the Planning Commission. In addition, the following architectural standards shall apply:
    a. Building height and design shall be in keeping with the character and scale of the proposed development.
        i. Building colors should be subdued, with natural earth tones and colors compatible with surrounding development predominating.
        ii. Building rooflines and pitches should be comparable to typical residential roofline styles. To harmonize with residential structures, convenience sales and service structures should have roofs that are visible from the street, preferably with a pitch not less than 1-foot rise in 2-foot run. Roofs should be a dark earth tone in color.
    b. Canopy height and design shall be in keeping with the character and scale of the proposed development. The canopies should have pitched rooftops compatible with the design of the proposed building(s).
    c. Canopies over gas pumps shall use colors and materials that blend with proposed and surrounding building facades. The use of earth tones or dark colors is encouraged.
    d. The use of primary, secondary or other bright, bold colors on building facades, canopies and awnings should be avoided.
    e. Heating and cooling equipment, solid waste disposal equipment and facilities and mechanical equipment and facilities shall be adequately screened so as not to be visible from streets and adjacent properties. In addition, mechanical equipment placed on rooftops should be concealed from view from public streets and adjacent properties.

4. The number of gasoline pumps, if any, permitted with this use shall be based upon a recommendation from the Planning Commission. In making this determination the Planning Commission shall consider the location, size, and design of such facilities so that the proposed development will be compatible with the development within the surrounding area, thus reducing the impact upon the surrounding area.

5. The off-street parking requirements shall be based on a recommendation from the Planning Commission.

15.06.060 G **<u>Special Conditions for Automotive Repair and Cleaning and Automotive Servicing Commercial Activities</u>**

1. The location, size, and design of such facility shall be compatible with development in the surrounding area. Buildings shall be designed in accordance with Section 13.08 of this Ordinance.

2. There shall be provided along the entire site boundary fencing, screening, and landscaping, as appropriate to protect adjoining properties.

3. All of the bulk regulations of the zone district shall apply.

4. All activities associated with the use shall be conducted within completely enclosed buildings except for required parking, loading, exterior storage, and other accessory uses which by their nature must necessarily exist outside a building.

5. Outdoor storage of motor vehicles and other materials shall be screened from public view, and may be permitted in the side and rear of the principal building. The location, extent, and screening of the outdoor storage area shall be approved as a part of the site plan by the Planning Commission. The outdoor storage shall be screened from public view using a combination of appropriate fencing, walls, hedges, or landscaping materials, not exceeding ten (10) feet in height with the stored materials to be kept at least two (2) feet below the top of such screen.

6. The off-street parking requirements shall be based upon a recommendation from the Planning Commission.

15.06.070 <u>Specific Standards for Agricultural and Extractive Activities</u>

A conditional use permit shall not be granted for the agricultural and extractive activity specified in Section 15.06.070 A or 15.06.070 C unless the standards established therein are met as a part of the conditions for issuing such permit in the applicable zone districts.

A. **<u>Special Conditions for Plant Nursery in A Districts</u>** - The Board of Appeals shall prescribe the number of accessory off-street parking spaces that will adequately service the activity.

B. **<u>Special Conditions for Mining and Quarrying Activity</u>**

1. The location of such an activity shall be in an area sparsely developed during the length of time the mining or quarrying activity is anticipated,

2. Any permit issued hereunder shall be based on a site plan or other documents submitted with an application which shall provide for the following:

   (a) Existing contours of the site and up to 100 feet beyond the site boundary. Contour intervals shall be at 2 foot intervals.

   (b) Location of the area in which the proposed quarrying activity is to be conducted.

   (c) Location of all proposed buildings, crusher and screening equipment, roadways and other facilities proposed on the site.

   (d) Proposed method of drainage of the quarry area.

(e) Proposed fencing of the quarry area. Fencing shall be provided around all open excavations.

(f) Methods proposed for blasting. Open blasting commonly referred to as "pop shots" shall be prohibited.

(g) Methods proposed to control noise, vibration and other particulate matter in order to meet the performance standards as set out in this Ordinance.

(h) Finished contours of the site after the quarrying operation has been terminated. The site shall be graded and/or filled so as to be in substantial conformity with the topography of the surrounding lands. All fill material shall be non-toxic, nonflammable, and non-combustible solids. All areas that are back-filled shall be left so that adequate drainage is provided.

3. Approval for Mining and Quarrying Activity may also include accessory Concrete Batching Plants, Asphaltic Cement Mixing Plants and/or Rock Crushing activities on the same zone lot or adjoining zone lots which may have directly opposing frontages on the same public street. If such accessory activities are included on the quarry site, the total site must meet all the special condition requirements for Mining and Quarrying Activities; however, in conditions of multiple zone lots, the outer perimeter of the site shall be considered the lot line.

4. Before issuing a permit the Board shall require the owner of the quarry facility to execute a bond not less than six hundred ($600) or more than one thousand dollars ($1,000) per acre of active quarry throughout a five year period to restore the lands in the manner prescribed herein, including the removal of all structures and machinery.

5. Any permit issued hereunder shall not be for a period exceeding five years. After the expiration date of such special permit, the Board may review and grant an extension of time in the manner and procedure as prescribed for an original application, and

C. **Special Conditions for Commercial Storage of Explosives**

1. The location of such an activity is in an area likely to be sparsely developed for reason of topography, lack of existing or planned utilities, accessibility or for similar cause.

2. Such facility shall not be located on a site having an area of less than 50 acres.

3. All regulations of the State Fire Marshall and the Gallatin Fire Department relating to the storage of explosives shall be met.

4. Any special permit issued hereunder shall be for a period not exceeding 5 years. After the expiration date of such special permit, the Board may review and grant

an extension of time in the same manner and procedure as prescribed for an original application.

15.06.080 Specific Standards for Residential Activities

A conditional use permit shall not be granted for the residential activities specified below unless the standards established therein are met as a part of the conditions for issuing such permit in the applicable zone districts.

A. **Special Conditions for Multi-family Dwelling and Mobile Home Park Activities** - In addition to the standards contained in this Ordinance, for these type developments, the Board of Appeals shall specifically find that there will be no adverse impact upon adjoining properties or the neighborhood in which such use is proposed. In making this finding, the Board shall consider the effect upon traffic congestion, overcrowding of schools, availability of necessary public utilities, and suitability of the site for the use, and such other factors as the Board may deem necessary.

B. **Special Conditions for a Mobile Home** - A mobile home may be permitted on an individual lot where in the opinion of the Board such use would not be detrimental to other adjoining uses. In making this determination the Board shall consider the relative closeness of structures, the overall character of the neighborhood, and the type (e.g. single-wide, double-wide) and appearance of the mobile home. Any mobile home permitted shall be set upon concrete blocks or steel piers which are constructed upon a concrete footing, and each mobile home shall be anchored with approved anchors. Foundation plants and landscaping shall be required. Mobile homes shall be skirted and have permanent steps with handrails at each door.

No mobile home shall be permitted on a lot with another mobile home or conventional house.

C. **Special Conditions for Bed and Breakfast Homes**

1. Bed and Breakfast Home uses may be permitted in the R-10 and R-15 Zoning Districts only if they are located within a Historic District or the home itself is listed on National Register of Historic Homes.

2. If the Bed and Breakfast Home is a historic structure or is located in a historic district, then the proposed Bed and Breakfast Home must first receive approval from the local Historic District Commission.

3. Parking: Required parking shall be determined by the Board of Zoning Appeals. In making this determination, Board shall take into consideration the number of rooms or units, the type of street that fronts the Bed and Breakfast Home, the character of surrounding area and any other factors the Board may wish to consider.

4. No Bed and Breakfast Home is permitted within 1000 feet of another Bed and Breakfast Home or any similar use.

5. The Tennessee Department of Environment and Conservation and/or the Board of Zoning Appeals shall have the right to inspect the property at any time and either may revoke the license or conditional use permit if the site is found below standards set forth. Revocation of State license or permit shall be automatic revocation of conditional use permit.

6. Fire alarms and smoke detectors shall be installed in each sleeping unit.

7. The owner of a Bed and Breakfast Home shall register with the City Recorder's Office the owner's name, home address, business address and phone number.

8. The owner or managing agent of a Bed and Breakfast Home shall be required to reside on the premises of the Bed and Breakfast Home.

15.06.090 <u>Specific Standards for Floodway and Flood-Fringe Districts</u>

A conditional use permit shall not be granted for any use requiring such a permit until the Board of Appeals has:

A. Reviewed the contents of the plan required by Section 10.03;

B. Made such determinations as required by Section 10.03 where necessary;

C. Considered all relevant factors specified in Section 15.06.090 E below; and

D. Attached such conditions, as listed in Section 15.06.090 F, as it deems necessary for the protection of the public health, safety and welfare.

E. <u>Factors Upon Which the Decision of the Board shall be Based</u> - In its review of any conditional use proposed for location within any area subject to flood, the Board shall consider all relevant factors specified in Section 10.03 of this Ordinance, and;

1. The danger to life and property due to increased flood heights or velocities caused by encroachments.
2. The danger that materials may be swept on to other lands or downstream to the injury of others.
3. The proposed water supply and sanitation systems and the ability of these systems to prevent disease, contamination, and unsanitary conditions.
4. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owners.
5. The importance of the services provided by the proposed facility to the community.
6. The requirements of the facility for a waterfront location.

7. The availability of alternative locations not subject to flooding for the proposed use.
8. The compatibility of the proposed use with existing development and development anticipated in the foreseeable future.
9. The relationship of the proposed use to the comprehensive plan and floodplain management program for the area.
10. The safety of access to the property in times of flood for ordinary and emergency vehicles.
11. The expected heights, velocity, duration, rate of rise, and sediment transport of the flood water expected at the site.
12. Such other factors which are relevant to the purpose; of this Ordinance.

F. Conditions Attached to Conditional Uses - Upon consideration of any conditional use proposed for location within any area subject to flood, the Board may attach such conditions to the granting of such use as it deems necessary to further the purposes of this Ordinance. Among such conditions, without limitations because of specific enumeration, may be included:

1. Modification of waste disposal and water supply facilities.
2. Limitations of periods of use and operation.
3. Imposition of operations controls, sureties, and deed restrictions.
4. Requirements for construction of channel modifications, dikes, levees, and other protective measures.
5. Flood proofing measures such as those set forth in Section 10.03.

15.06.100 Conditional Use Permit Appeals

Any person or agency of the city government may appeal to a court of competent jurisdiction from the Board's decision as provided under statutes of the State of Tennessee. The judgment and findings of the Board on all questions of fact that may be involved in any appeal, cause, hearing or proceeding under this chapter shall be final, and subject to review only for illegality or want of jurisdiction.

15.06.101 Review and Recommendations by the Board of Appeals

The City Planner shall cause to be placed in a newspaper of general circulation in the city, notice of the date, time and place of the Board of Appeals meeting and a description of the property being considered. Such newspaper notice to be at least ten (10) days prior to the Board of Appeals meeting. The Board of Appeals shall conduct a public hearing at such meeting prior to making its decision.

ATTACHMENTS

- CHECKLISTS
- MEETING SCHEDULES
- BOARD OF ZONING APPEALS APPLICATION
- FEE SCHEDULE

CONDITIONAL USE PERMIT CHECKLIST	
Project Name:	Map #: Group: Parcel #:
Contact Person:	PC File Number:

The Conditional Use Permit (CUP) checklist is designed to assist applicants with identifying the information that must be included on all Boards of Zoning Appeals (BZA) applications. Initial submittals must include a completed BZA Application Form, a completed CUP checklist, and nine (9) folded copies of the CUP documents by 4:30 PM on the submittal deadline.

The BZA may grant conditional use permits where it makes findings of fact based upon the requirements outlined below. In addition, the Board may establish expiration dates for any conditional use permit and may impose additional conditions in order to reduce or minimize the effect of a conditional use permit on surrounding properties. Please provide a written description that explains how the conditional use permit being requested addresses the following requirements:

GENERAL REQUIREMENTS

- ❑ Is so designed, located, and proposed to be operated so that the public health, safety and welfare will be protected;
- ❑ Will not adversely affect other property in the area in which it is located;
- ❑ Is within the provisions of "Conditional Uses" as set forth in this Ordinance; and
- ❑ Conforms to all applicable provisions-of this Ordinance for the district in which it is to be located and is necessary for public convenience in that location.

SPECIAL CONDITIONS

- ❑ Provide a written description about how the proposed CUP will meet the specific standards and special conditions for the proposed use contained in Section 15.06.030, Requirements for Conditional Use Permit, in the Gallatin Zoning Ordinance.

VARIANCE CHECKLIST	
Project Name:	Map #: Group: Parcel #:
Contact Person:	PC File Number:

The Variance checklist is designed to assist applicants with identifying the information that must be included on all Boards of Zoning Appeals (BZA) applications. Initial submittals must include a completed BZA Application Form, a completed Variance checklist, and nine (9) folded copies of the Variance documents by 4:30 PM on the submittal deadline.

The Municipal and Regional Boards of Zoning Appeals may grant variances where it makes findings of fact based upon the standards outlined below. Please provide a written description that explains how the variance being requested addresses the following nine standards for variances:

- ❑ **The particular physical surroundings, shape, topographic conditions of the specific property involved that would result in a particular hardship upon the owner as distinguished from a mere inconvenience, if the strict application of this Ordinance were carried out must be stated;**

- ❑ **The conditions upon which the petition for a variance is based would not be applicable, generally, to other property within the same district;**

- ❑ **The variance will not authorize activities in a zone district other than those permitted by this Ordinance;**

- ❑ **Financial returns only shall not be considered as a basis for granting a variance;**

- ❑ **The alleged difficulty or hardship has not been created by any person having an interest in the property after the effective date of this Ordinance;**

VARIANCE CHECKLIST	
Project Name:	Map #: Group: Parcel #:
Contact Person:	PC File Number:

- ❑ **That granting the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to other lands, structures, or buildings in the same districts;**

- ❑ **The variance is the minimum variance that will make possible the reasonable use of the land, building, or structure;**

- ❑ **The granting of the variance will not be detrimental to the public welfare or injurious to other property or improvements in the area in which the property is located; and**

- ❑ **The proposed variance will not impair an adequate supply of light and air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, endanger the public safety, or substantially diminish or impair property values within the area.**

ADMINISTRATIVE APPEAL CHECKLIST	
Project Name:	Map #: Group: Parcel #:
Contact Person:	PC File Number:

The Administrative Appeal checklist is designed to assist applicants with identifying the information that must be included on all Boards of Zoning Appeals (BZA) applications. Initial submittals must include a completed BZA Application Form, a completed Administrative Appeal checklist, and nine (9) folded copies of the Administrative Appeal documents by 4:30 PM on the submittal deadline.

The Board of Appeals is authorized to hear and decide appeals from any order, requirement, decision, or determination made by the Zoning Administrator in carrying out the enforcement of this Ordinance, whereby it is alleged in writing that the Zoning Administrator is in error or has acted in an arbitrary manner. The Board may reverse or affirm, wholly or partly, or may modify the order, requirement, decision, or determination as ought to be made, and to that end shall have the powers of the administrative official from whom the appeal is taken. Please provide a written description that summarizes the reasons the Administrative Appeal is being requested.

2010 SUBMITTAL AND RESUBMITTAL DEADLINES

GALLATIN BOARDS OF ZONING APPEALS

Submittal Deadline	Resubmittal Deadline	Meeting Date
Monday, January 4, 2010	Thursday, January 14, 2010	Thursday, January 28, 2010
Wednesday, January 27	Thursday, February 11	Thursday, February 25
Wednesday, February 24	Thursday, March 11	Thursday, March 25
Wednesday, March 24	Thursday, April 15	Thursday, April 29
Wednesday, April 28	Thursday, May 13	Thursday, May 27
Wednesday, May 26	Wednesday, June 16*	Thursday, June 24*
Wednesday, June 30*	Thursday, July 15	Thursday, July 29
Wednesday, July 28	Thursday, August 12	Thursday, August 26
Wednesday, August 25	Thursday, September 16	Thursday, September 30
Wednesday, September 29	Thursday, October 14	Thursday, October 28
Wednesday, October 27	Wednesday, November 10*	Thursday, November 18*
Wednesday, November 17*	Monday, December 2*	Thursday, December 16*
Wednesday, December 29, 2010	Thursday, January 13, 2011	Thursday, January 27, 2011

* Denotes deviation from normal scheduling

Pre-Application Meeting Required - Most applications require the applicant to have a pre-application meeting with Staff prior to submitting documents for consideration by the Planning Commission. Please contact the Gallatin Codes/Planning Department at (615) 451-5796 to determine whether your application requires a pre-application conference. Applications will not be accepted without a required pre-application conference.

Initial Submittal Information - Initial submittals must include a completed Application Form, a completed checklist, and nine (9) folded copies of the required application documents by 4:30 p.m. on the published submittal deadline.

Resubmittal Information - Resubmittal documents submitted to the Gallatin Codes/Planning Department in response to the staff review comments must be turned in to the Gallatin Codes/Planning Department by 4:30 p.m. on the published resubmittal deadline. Resubmittals must include the following information in order to be considered a complete resubmittal: 16 corrected, folded copies of the resubmittal documents and any supporting information, a detailed response letter addressing all departmental review comments, the original "Checkprint", and a corrected digital file unless otherwise specified in the review comments.

Staff Review - City Staff will review properly submitted applications during the week immediately following the application deadline. Review comments will be sent to the designated Applicant/Agent for each project by Friday of staff review week.

GALLATIN MUNICIPAL-REGIONAL PLANNING COMMISSION – BOARDS OF ZONING APPEALS APPLICATION

Please fill out all information. An answer of N/A is required for questions not applicable to your project for it to be considered a complete application. Projects with incomplete applications and/or documents will not be placed on the Planning Commission agenda.

Date Submitted	File Number

Project Information

Project Name:				☐ Check if you have had a pre-app meeting.	
Project Location:					
List All Tax Map/Group/Parcel #'s _____/_____/_____ _____/_____/_____					
Phase	Section	#Lots	#Dwelling Units	Site Acreage	Site Square Footage if under 1 acre
Current Zone	Requested Zone	Existing Non-Residential Building Square Footage		Requested Non-Residential Building Square Footage	
Zoning of Surrounding Properties: North_____ South_____ East_____ West_____					

Applicant

Organization:	Contact Name:	Title:
Street Address		
City	State	Zip Code
Phone	Alt. Phone	
Fax	Email	

Owner ☐ Same as applicant

Owner:	Contact Name:	Title:
Street Address		
City	State	Zip Code
Phone	Alt. Phone	
Fax	Email	

Contractor

Business Name:	Contact Name:	Title:
Street Address		
City	State	Zip Code
Phone	Alt. Phone	
Fax	Email	

Purpose (Describe the reason for this application)

_____

_____

_____

_____

Type of Application (Please check one as well as type of plan or approval if applicable)

1	____Major Subdivision Plat ☐ Sketch ☐ Preliminary ☐ Final
2	____ Minor Subdivision Plat (5 lots or less) ☐ Staff Approval (2 lots or less) ☐ Planning Commission Approval
3a	____Rezoning without Preliminary Master Development Plan (Written request, legal description, and scale drawing required)
3b	____Rezoning with Preliminary Master Development Plan (Written request, legal description, and master development plan required)
3c	____Ordinance Text Change (Written request required)
4	____Master Development Plan Revision (Written request and preliminary master development plan required)
5	____Right-of-way Acquisition/Street Acceptance
6	____Annexation (Written request, legal description, and scale drawing required)
7	____Discussion / Interpretation / General Development / Plan Amendment Request
8a	____Site Plan ☐ Change of Use ☐ In-House Staff Approval ☐ Planning Commission Approval
8b	____Final Master Development Plan
B	____Board of Zoning Appeals ☐ Conditional Use Permit ☐ Variance ☐ Administrative Appeals ☐ Municipal ☐ Regional
E	____Engineering Construction Plan Review
S	____Special Called Meeting ☐ Boards of Zoning Appeals ☐ Planning Commission

Copy of completed checklist is required to be submitted with application.

Notice of Bond Requirement: Pursuant to Zoning Ordinance Section 15.03.080, a Performance Bond will be required for site improvements. Such bond must be posted prior to issuance of permit for construction and may be in the form of cash, certified check, certified letter of credit, surety bond, or contractual agreement with the City.

Notice of Public Disclosure: All documents, including, but not limited to applications, plans, drawings, designs, and all other written materials filed with the City of Gallatin Building Codes, Engineering, and/or Planning Divisions shall be available to the general public for inspection and copy, in accordance with the Tennessee Open Records Law.

Signature: _____ **Print Name:**_____

The signature is that of the: ☐ **Owner** ☐ **Owner's Agent**

*If owner's agent signs application, an agent letter will be required as proof of authorization to act on owner's behalf.
*If owner is not owner of record, proof of ownership is required: Purchase Contract, Deed, etc.

Fees Due (See attached fee schedule) $_____	**Paid by:** ☐ **Cash**	☐ **Check #**_____
Received by: _____	**Receipt #**_____	**Account #32650-110**_____

PLANNING AND ZONING FEES
Authorized by Section 2-154 of the Gallatin Municipal Code

TYPE	FEE
Sketch Plat	$100
Preliminary Plat	$150 + $3.50 per lot over 10
Final Plat	$50 + $5.00 per lot
Minor Subdivision	$50
Engineering Construction Plan Review	$250 – up to 25 acres $400 – 25 - 50 acres $500 – 50 - 100 acres $600 – 100+ acres
Site Plan	$75 – up to 10,000 sq. ft. (bldg. area) + .05 per sq. ft. thereafter to a maximum of $500
Change of Use/In-House Site Plan	$50
Final Master Development Plan	$150 + $5.00 per acre over 5 acres up to $750 maximum
Master Development Plan Revision	$100
Rezoning Request with Preliminary Master Development Plan	$250 + $5.00 per acre over 5 acres
Rezoning Request without Preliminary Master Development Plan	$75 – up to 1 acre $175 – 1 – 15 acres $275 – 16 – 50 acres $375 – 51 – 100 acres $475 – 100 acres +
Discussion / Interpretation / General Development Plan Amendment Request	$75 – up to 1 acre $175 – 1 – 15 acres $275 – 16 – 50 acres $375 – 51 – 100 acres $475 – 100 acres +
Boards of Zoning Appeals – Variance Request, Conditional Use Permit, Administrative Appeal	$25
Special-Called Meeting Fee • Boards of Zoning Appeals • Planning Commission	 $125 $175

Updated 1/7/2010