



CITY OF ST. MARYS

Community Development Department

Sign & Installation Permit

Please take care to insure that the information for each checkbox below is sufficiently provided. **The City of St. Marys does not accept incomplete applications.** The application will be processed within 32 business days of the receipt of a completed application and all required documents.

Completed Application

List of adjacent property owners

Proof of owners of property or proof of legal authorization from owner

Aerial imagery/survey/lot inspection report

Other Attachments: _____

If you have any questions or concerns, or would like to schedule a meeting, please contact Community Development at 912-510-4032 or email planneroftheday@stmarysga.gov



CITY OF ST. MARYS, GEORGIA

SP

SPECIAL USE PERMIT APPLICATION

Community Development Department
418 Osborne Street - (912) 510-4032

THIS APPLICATION MUST BE FILED WITH THE COMMUNITY DEVELOPMENT DEPARTMENT 32 DAYS BEFORE THE PLANNING COMMISSION MEETING AT WHICH IT WILL BE HEARD. THE ST. MARYS PLANNING COMMISSION WILL HOLD AT LEAST ONE PUBLIC HEARING AND MAKE A RECOMMENDATION ABOUT YOUR REQUEST WITHIN 45 DAYS OF THE DATE YOU FILE A COMPLETE APPLICATION. THE CITY COUNCIL WILL THEN ISSURE OR DENY THE PERMIT. YOU ARE ENCOURAGED TO READ SECTION 110-145 OF THE ZONING ORDINANCE REGARDING SPECIAL USE PERMITS. A **\$650 FEE** IS REQUIRED FOR THE APPLICATION TO BE CONSIDERED COMPLETE. AN **ANNUAL RENEWAL FEE OF \$75** WILL BE REQUIRED EACH YEAR.

TO BE COMPLETED BY THE APPLICANT

- YOUR NAME _____ PHONE NUMBER _____
ADDRESS _____
- THE PLANNING DIRECTOR INFORMED ME THAT A SPECIAL USE PERMIT IS REQUIRED AT THE TIME I APPLIED FOR: CHECK ONE () BUILDING PERMIT () A ZONING AMENDMENT (REZONING)
- STREET ADDRESS _____
PARCEL NO. _____ Lot No. _____ ZONING MAP NO. _____
- PRESENT ZONING _____
- OWNER OF PROPERTY, IF NOT YOU: NAME _____
ADDRESS _____ PHONE _____
- PROPOSED USE OF PROPERTY _____
- PLEASE ATTACH A SIMPLE MAP SHOWS THE NAMES OF ALL ADJACENT PROPERTY OWNERS AND THE TYPES OF EXISTING LAND USES WITHIN 300 FEET OF YOUR PROPERTY.

SIGNATURE

DATE

TO BE COMPLETED BY THE COMMUNITY DEVELOPMENT DIRECTOR/ASST. DIRECTOR

- HAS THE CORRECT FEE BEEN PAID? () YES () NO AMOUNT \$ _____
- DATE COMPLETE APPLICATION WAS FILED: _____
- LIST ATTACHMENTS:
() SIMPLE MAP WITH ADJACENT PROPERTY OWNERS' NAMES AND EXISTING USES
() SITE PLAN
- PUBLIC HEARING
DATE APPLICANT WAS NOTIFIED: _____
DATE HEARING WAS ADVERTISED: _____
DATE HEARING WAS HELD: _____
- PLANNING COMMISSION RECOMMENDED: () APPROVAL () DENIAL
CONDITIONS OF APPROVAL OR REASONS FOR DENIAL: _____
- CITY COUNCIL: () APPROVAL () DENIAL
CONDITIONS OF APPROVAL OR REASONS FOR DENIAL: _____
- DATE APPLICANT WAS NOTIFIED OF FINAL ACTION: _____

Sec. 110-145. - Special permit uses.

The uses listed under the various land use districts (article II, division 2) as "special permit uses" are so classified because they more intensely dominate the area in which they are located than do other uses which are called permitted uses. Special permit uses are uses which would not normally be appropriate in a district unless strictly controlled as to size, lot coverage, impact on public services, visibility, traffic and other such characteristics. The following procedure is established to integrate the special permit uses with other land uses located in the district. These uses shall be reviewed and authorized or rejected under the following procedure:

- (1) When applying for a building permit, the applicant shall be informed by the planning and zoning director that the proposed use is a special permit use. The matter will then be referred to the planning commission.
- (2) An application for special permit use shall be filed with the planning and zoning director at least 30 days prior to the next regularly scheduled meeting of the city planning commission. Such application shall contain all information requested thereon and any other material or information pertinent to the request which the planning commission may require.
- (3) Public hearings, public hearing procedures, and standards for special use permits.
 - a. *Required public hearings.* No official action shall be taken on any proposed special permit unless one public hearing has been held. The public hearing shall be conducted by the planning commission.
 - b. *Procedure for calling a public hearing.*
 1. Prior to scheduling required public hearings, applicants shall complete all submission requirements provided by the planning and zoning director (e.g., forms, fees, deeds, maps, etc.)
 2. The planning and zoning director shall then notify the applicant of the date, time, and place of the required public hearing.
 3. At least 16, but not more than 44 days prior to scheduled public hearings, the planning and zoning director shall publish in the newspaper of general circulation, notice of the date, time, place, and purpose of the public hearing.
 4. Not less than 15 days prior to the date of a public hearing, the planning and zoning director shall post in a conspicuous location on the property in question a sign which shall contain information regarding the proposed special permit; specifically the date, time, place, and purpose of the public hearing.
 5. The primary goal of conducting public hearings on proposed special permits shall be to solicit pertinent factual information which will be beneficial in helping the planning commission judge the merits of each specific proposed special permit.
 - (i) *Notice to property owners.* The planning and zoning director shall give notice of the date, time, place, and purpose of public hearings to be held by the planning commission on proposed special permits or supplements by mail to the owners of all properties abutting any part of the property proposed to be changed. The failure to notify as provided in this section, shall not invalidate any recommendations or action adopted hereunder.
 - (ii) *Action of planning commission.* The planning commission may recommend approval of the application, as submitted, to city council; or it may require conditions for approval before recommendation of approval is made to city council; or it may recommend denial of the application. These recommendations shall then be certified to the city council.
 - (iii) *Action of the city council.* The city council shall consider the recommendations of the planning commission, and vote on the special permit. If the proposed special permit is not recommended by the planning commission, the favorable vote of a majority of the city council shall be required to approve the special permit. The applicant and others so requesting shall receive notice of the decision of the city council through the planning and zoning director.
 - (iv) *Denial of special permits.* If the decision of the city council is to deny the special permit, then the same property may not again be considered for a special permit until the expiration of at least six months immediately following the defeat of the special permit by the city council.
 - (v) *Appeals of decision.* Decisions of the city council may be appealed to the Superior Court as described in section 110-165 of this chapter. A written appeal must be submitted to the court within 30 days after the city council decision otherwise, its decision is final.
 - c. *Procedure for conducting a public hearing.* Public hearings on special permits shall be conducted in the same manner as described in section 110-165 for zoning amendments.
 - d. *Standards for special use permits.* A special use permit recommendation for approval may be granted by the planning commission only if the applicant establishes to the satisfaction of the planning commission that:
 1. Neither the proposed use, nor the proposed site upon which the use will be located is of such a character that the use will have significant adverse impact upon the value or quiet possession of surrounding properties greater than would normally occur from generally permitted uses in the zoning district. In reaching a determination on this standard, the planning commission or city council shall consider:
 - (i) The size of the proposed use compared with the surrounding uses;
 - (ii) The intensity of the proposed use, including amount of noise to be generated, hours of operation, expanse of pavement, and similar measures of intensity of use, compared with surrounding uses;
 - (iii) The potential generation of noise, dust, odor, vibration, glare, smoke, litter and other nuisances;
 - (iv) Unusual physical characteristics of the site, including size of the lot, shape of the lot, topography, and soils, which may tend to aggravate adverse impacts upon surrounding properties;
 - (v) The degree to which landscaping, fencing and other design elements have been incorporated to mitigate adverse impacts on surrounding properties.
 2. City or other facilities serving the proposed use will not be overburdened or hazards created because of inadequate facilities. In reaching a determination on this standard, the commission shall consider:

- (i) The ability of the traffic to safely move into and out of the site at the proposed location;
 - (ii) The presence of facilities to assure the safety of pedestrians passing by or through the site;
 - (iii) The capacity of the street network to accommodate the proposed use;
 - (iv) The capacity of the sewerage and water supply systems to accommodate the proposed use;
 - (v) The capacity of the storm drainage system to accommodate the proposed use;
 - (vi) The ability of the fire department to provide necessary protection services to the site and development.
3. The natural characteristics of the site, including topography, drainage, and relationship to ground and surface waters and floodplain, shall not be such that the proposed use when placed on the site will cause undue harm to the environment or to neighboring properties.
- e. *Conditions of special exceptions.* Upon consideration of the standards listed in subsection (3)d. above, the planning commission and/or the city council may require, such conditions, in addition to those required by other provisions of this chapter, as it finds necessary to insure compliance with those standards and all other applicable requirements of this chapter. Violation of any of those conditions shall be a violation of this chapter. Such conditions may include, but are not limited to, specifications for: Type of landscaping/vegetation, increased setbacks and yards, specified sewage disposal and water supply facilities, hours of operation, operational controls, professional inspection and maintenance, sureties, location of piers, docks, parking and signs, and types of construction.
- (4) Where the city council authorizes the issuance of a special permit use for the use of land or building, as listed in article II, "Land Use Districts", that special permit shall be issued only to the applicant/entity requesting the special permit use and only for the specific use presented at the public hearing. No special permit use shall be transferable or assignable, even if the use is unchanged.
- (5) All special use permits shall be licensed by the city. All initial applications for a special use permit shall be accompanied with an application fee of \$500.00. If approved, the special use permits will be effective from July 1 through June 30 of each calendar year. If the special use permit application is denied, \$250.00 of the initial application shall be refunded to the applicant. All existing special use permits shall expire on September 1, 2003, unless renewed pursuant to the provisions of this amended section. Thereafter, all special use permits are required to be renewed each July 1, at a cost of \$75.00.
- (6) Electronic game promotions. Performance standards and development criteria. It is the intent of the City of St. Marys that these supplementary regulation standards and criteria be in addition to, rather than in lieu of, any other requirement in this chapter. The following uses, whether permitted or permissible by exception, must meet the criteria listed under each use as a prerequisite for further consideration under this Zoning Code:
- (a) Any game promotions or sweepstakes utilizing electronic equipment and drawings by chance conducted in connection with the sale of a consumer product or service utilizing electronic equipment.
 - (b) Distance limitations. Such establishments shall not operate within 750 feet of the perimeter property line of a church or school, and 3,000 feet of the perimeter property line of a military installation. With respect to the distance between such an establishment and an established church, school, or military installation the distance shall be measured by following a straight line from the nearest point of the building or portion of the building used as part of the proposed location to the nearest point of the grounds (property line) used as part of the church, school facilities, or military installation. The applicant for such an establishment which involves a change in location or a new location shall provide the planning department with a map of the proposed location and vicinity. The map shall show existing zoning and all locations of schools, churches and military installations within a radius of 750 feet for schools and churches and 3,000 feet for military installations of the proposed location and the actual distances thereto from the proposed location measured as required herein. The map shall include a certificate that all distance requirements as required herein as it relates to the proposed location have been met and both the map and certificate shall be prepared and executed by a land surveyor registered in the State of Georgia.
 - (c) Where an establishment for game promotions or sweepstakes utilizing electronic equipment and nonconforming drawings by chance conducted in connection with the sale of a consumer product or service utilizing electronic equipment exists lawfully in any zoning district prior to the passage of this provision, such use may be continued on such property as a nonconforming use subject to all restrictions, limitations and requirements set forth in chapter 22, article VII, "Electronic Game Promotions", and all other applicable provisions of the Code of Ordinances for continuance of a nonconforming use.

(Ord. of 9-12-94, § 905; Ord. of 6-26-03; Ord. of 7-18-11(2))