



City of Petal Building Department
101 W. Eighth Avenue
P. O. Box 564
Petal, Mississippi 39465
Phone: (601) 544-6048
Email: building@cityofpetal.com

INSTRUCTIONS ZONING ACTION APPLICATION

All zoning action applications must be filed with the Petal Building Department in order to be heard by the Planning Commission on one of their regularly scheduled meetings of the following month. The Planning Commission meets on the 2nd and 4th Tuesday of each month at 6:00 p.m.

All zoning requests must be submitted on this form. All information requested by this form must be supplied in the space provided or attached to the form.

The following fees, **plus advertising costs**, must be attached to this application:

- Special Exception - \$50.00 filing fee.
- Conditional Use Permits - \$50.00 filing fee.
- Use Permits for Communications Tower - \$500.00 and \$200.00 annual renewal fee.
- Communication Attachment Permit - \$100.00 application fee.
- Variance - \$50.00 filing fee for each variance requested.
- Amendment (REZONING) and use permit - \$300.00 filing fee.
- Planned Unit Development (P.U.D.) - \$500.00 filing fee.

A survey and/or site plan of the property must be attached to the application. Such survey or plan should indicate property lines, relation to streets, off street parking, and ingress and egress to the facilities. All applications for re-zoning must be accompanied by a plat with a metes and bounds description.

The applicant or his representative may appear before the Planning Commission to explain the request and answer any questions. Meetings are scheduled at the date and time approved by the Mayor and Board of Alderman.

A legal advertisement notifying the public of the proposed hearing will be prepared and published for the applicant by the Building Department Director. The Building Department will notify all applicants of the proposed hearing date.

All data submitted becomes property of the City as a part of the permanent file.

A postponement fee of \$50.00 shall be paid at the time of requesting a postponement. The requested hearing will not be scheduled until the payment is made.

Hearing Date: _____

Public Notice: _____

Letters to Adjoining: _____

Signs Posted: _____

**CITY OF PETAL
ZONING ACTION APPLICATION**

Select one or more of the following zoning requests by indicating with an "X".

_____ Special Exception
_____ Variance
_____ Amendment
_____ Re-zoning from _____ to _____
_____ Conditional Use
_____ Mayor and Board of Alderman Review

Address of proposed zoning request _____

Name of Applicant _____

Address of Applicant _____

Contact Person _____

Phone No. _____ **Fax No.** _____

Name of Property Owner _____

Address of Property Owner _____

Phone No. _____ **Fax No.** _____

Name of Attorney _____

Address of Attorney _____

Phone No. _____ **FaxNo.** _____

Address of property proposed for zoning request or Legal Description of property and plat:

Current Zoning Classification _____

Does this property have restrictive covenants? _____ (If yes, please attach a true copy of the restrictive covenants).

Has any zoning action request for this property ever been made before? _____ (If yes, please attach a true copy of all decisions of the Planning Commission and of the Board of Mayor and Aldermen).

Planned use of property: _____

(Attach plans showing property boundaries, relation to streets, ingress and egress to the facilities and off street parking).

SPECIAL EXCEPTION

A Special Exception is a use that is permitted in a zoning district provided certain conditions, as stated in the ordinance, are met and a permit is granted by the Mayor and Board of Alderman. The Planning Commission shall hear and make recommendations only such Special Exceptions as the Mayor and Board of Alderman has specifically authorized to pass on by the terms of Ordinance 1979 (42) as amended.

The applicant for a Special Exception must indicate the section of Ordinance 1979 (42) as amended under which the Special Exception is sought and state the grounds upon which it is requested.

Section _____ of Ordinance 1979 (42) as amended.

Grounds for request: (Attach additional pages, if necessary).

In granting any Special Exception, the Mayor and Board of Alderman may prescribe appropriate conditions and safeguards in conformity with the terms of the Ordinance.

VARIANCE

A variance is a modification from the literal provisions of this ordinance granted when strict enforcement would cause undue hardship owing to circumstances unique to the individual property on which the variance is granted and are dimensional in nature.

A Variance hearing from the terms of Ordinance 1979 (42) as amended shall not be granted by the Mayor and Board of Alderman until the applicant has demonstrated that all of the following conditions exist:

- a. There are extraordinary and exceptional conditions pertaining to the particular property, building, or structure in question because of its size, shape, and topography, and
- b. The literal applications of the provisions of this ordinance to the particular property, structure, or building would create an unnecessary hardship, and
- c. Such conditions are peculiar to the particular property building or structure, and not to other such property in the district, and
- d. Relief, if granted, would not cause substantial detriment to the public welfare, or impair the purposes and intent of the ordinance, provided, however, that no variance be granted for use of such property, building, or structure prohibited by this ordinance, and
- e. Such conditions be not caused by action, or inaction, of the owner or previous owner of the property, building or structure in question, and
- f. The existence of non-conforming uses of neighboring property, buildings or structures in the same districts shall not constitute reason for a request for variance.

NOTE: The applicant must address each of the conditions above in the space provided below and/or attached pages. Non-conforming use of neighboring lands, structures or buildings in the same zone or permitted use of lands, structures or buildings in other zones shall not be considered grounds for the issuance of a Variance.

Grounds for request: (Attach additional pages, if necessary).

AMENDMENT/REZONING

For the purpose of establishing and maintaining sound, stable and desirable development within the City of Petal, the Zoning Ordinance, 1979 (42) as amended, (as here used the term Ordinance shall be deemed to include the Official Zoning Map), shall not be amended except to correct a manifest error in the Ordinance or, because of changed or changing conditions in a particular area, to rezone an area or to extend the boundary of an existing zone, or to change the regulations and restrictions thereof, only as reasonably necessary for the promotion of public health, safety or general welfare.

The applicant for an Amendment or Rezoning must, in writing below, state the purpose for the request, the grounds upon which the request is based, and the relationship of the request to the promotion of the public health, safety or general welfare of the City of Petal.

Grounds for request: (Attach additional pages, if necessary).

CONDITIONAL USE

A conditional use permit allows the Mayor and Board of Alderman of the City of Petal to consider special uses which may be essential or desirable to our community, but which are not allowed as a matter of right within a particular zoning district. The Planning Commission shall hear and make recommendations only such Conditional Use as the Mayor and Board of Alderman has specifically authorized to pass on by the terms of Ordinance 1979 (42) as amended.

The applicant for a Conditional Use Permit must, in writing below, state the purpose for the request, the grounds upon which the request is based, and must indicate the section of Ordinance 1979 (42) as amended under which the Conditional Use is sought..

Section _____ of Ordinance 1979 (42) as amended.

Grounds for request: (Attach additional pages, if necessary).

ADMINISTRATIVE REVIEW

The Mayor and Board of Alderman may review and provide written interpretation of any section of Ordinance 1979 (42) as amended upon submission of an appropriate application request.

The applicant for Administrative Review must provide, in the space below or attachments hereto, the section of Ordinance 1979 (42) as amended that is in question and the basis for the request.

Section _____ of Ordinance 1979 (42) as amended.

Ground for request: (Attach additional pages, if necessary).

By signing this application, it is understood and agreed that permission is given the City of Petal to place a sign on said property, giving notice to the public that said property is being considered for zoning action. It is further understood that after a hearing has been held or a determination made, that said sign may be removed from the owner's property by the City of Petal, or it may remain until the case is finalized, if deemed necessary. Be it further understood by the applicant that removal of the sign before the hearing will constitute a withdrawal by the petitioner, and the case will not be heard.

It is further understood and agreed upon by the applicant, and permission is hereby granted to the Mayor and Board of Alderman, to call for inspections, investigations and/or evaluation reports pertaining to said property to be made by the appropriate agencies. In the event such investigations, etc., disclose this property does not meet the requirements for the proposed usage, then this request will be held in abeyance until such time as those requirements are met and/or evidence of such is submitted.

By signing this application, I acknowledge that the above information is true, correct and complete to the best of my knowledge.

Applicant

Property Owner

STATE OF _____
COUNTY OF _____

Personally appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named _____, who acknowledged that _____ signed and delivered the above and foregoing instrument of writing on the day and year therein mentioned.

GIVEN under my hand and official seal, this the _____ day of _____, 202__.

NOTARY PUBLIC

My Commission Expires:
