

CITY OF DAPHNE COMMUNITY DEVELOPMENT DEPARTMENT
SCHEDULE OF SUBMITTAL DEADLINES
(Regular Meeting held on the 1st Thursday of each month)

ARTICLE XXIV
THE SCHEDULE OF FEES

34-1 SCHEDULE OF FEES. The schedule of fees assessed by the City of Daphne with regard to the administration of the Land use and Development Ordinance for the Board of Zoning Adjustment:

BOARD OF ZONING ADJUSTMENT

DESCRIPTION	FEE
Administrative Review	\$150.00
Special Exception	\$150.00
Variance	\$150.00
Advertisement fee	\$ 4.75 per letter

AN APPLICATION SHALL BY SUBMITTED TO THE COMMUNITY DEVELOPMENT DEPARTMENT BY THE 1ST DAY OF THE MONTH FOR PRESENTATION AT THE MEETING HELD ON THE FIRST THURSDAY OF THE FOLLOWING MONTH, PER (ARTICLE XXI OF THE DAPHNE LAND USE & DEVELOPMENT ORDINANCE).

...SUPPLEMENTAL SUBMITTAL INFORMATION...

Applications to be considered by the City of Daphne Community Development Department shall be accompanied by the appropriate documents as outlined on the supplemental list(s) below:

1. Survey of the subject property
2. Application
3. Adjacent property owner's list
4. Check
5. Recorded warranty deed of the subject property
6. Letter of authorization (authorization of the agent/representative to act on the owner's behalf)

NOTICE OF APPEAL
FOR
ADMINISTRATIVE REVIEW

BOARD OF ZONING ADJUSTMENT

Mailing Address

Board of Zoning Adjustment
P.O. Box 400
Daphne, Alabama 36526
Phone: (251) 621-3184

Location

City of Daphne
Community Development Dept.
Planning/Zoning
1705 Main Street

General Information:

The applicant and the agent (if an agent is authorized) must be present at the hearing.

Filing Instructions:

The application must be completely filled out and accompanied by all documents to be utilized supporting the applicants position.

Applications shall be submitted between 8:00 a.m. and 5:00 p.m. to the Community Development Department by the 1st day of the month for presentation at the meeting held on the first Thursday of the following month.

A copy of the application must be filed with the Secretary of the Board of Zoning Adjustment, City of Daphne Community Development Department, 1705 Main Street, Daphne, Alabama 36526.

**BOARD OF ZONING ADJUSTMENT
REQUEST FOR ADMINISTRATIVE REVIEW**

Notice to Applicants

A **Administrative Review** is a refining mechanism available to the Board of Zoning Adjustment to review and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by the Director of Planning/Zoning, Zoning Enforcement Officer, Code Enforcement Officer, or other administrative official involved in the enforcement of this Ordinance .

DATA ON APPLICANT AND/OR OWNER

Name of Applicant(s) _____

Address of Applicant (s) _____
(Street Address)

(City) (State) (Zip Code) (Phone Number)

Name of Owner(s) _____

DESCRIPTION, USE, AND ZONING OF PROPERTY

Location _____

Lot Size _____ X _____ ft. = _____ Sq. Ft.

Present Use _____
(Vacant, Residence, Grocery, Factory, Etc.)

Present Zoning _____

The undersigned, hereby petitions the Board of Zoning Adjustment to hear and determine the appeal for Administrative Review of the following decision:

Made by: _____ Director of Planning/Zoning
_____ Code Enforcement Officer
_____ Building Official
_____ Other Administrative Official

Date of Decision: _____

Applicable Section of the City of Daphne Land Use and Development Ordinance, under the provisions of Title II, Chapter 52, Article 4, of the Code of Alabama, 1975.

This Section of the Land Use and Development Ordinance provides for the following:

What are the facts which cause you to conclude the Administrator decision was in error?

(I/we) hereby certify that all the above statements and the statements contained in any papers or plans submitted are true to the best of (my/our) knowledge and belief.

Signature of Applicant

Date

Signature of Owner

Date

**CITY OF DAPHNE
BOARD OF ZONING ADJUSTMENT**

PERMISSION :

I hereby give permission for Daphne Planning Department Personnel to go on my property for the purpose of making photographs.

By: _____

Address: _____

The board of adjustment shall consist of five members, each to be appointed for a term of three years, except that in the first instance one member shall be appointed for a term of three years, two for a term of two years and two for a term of one year, and thereafter each member appointed shall serve for a term of three years or until his successor is duly appointed; provided, that in all cities having a population of not less than 175,000 nor more than 275,000 according to the most recent federal decennial census, all members of the board, including any alternate member provided for in this subsection, shall be bona fide residents and qualified electors of such cities; provided further, that the members of boards of adjustment created shall serve out their terms, and thereafter the members of such boards shall be appointed in the manner prescribed in this subsection for boards created after August 26, 1971. In addition to the five regular members provided for in this subsection two supernumerary members shall be appointed to serve on such board at the call of the chairman only in the absence of regular members and while so serving shall have and exercise the power and authority of regular members. Such supernumerary members shall be appointed to serve for three year terms and shall be eligible for reappointment. Appointed members may be removable for cause by the appointing authority upon written charges and after public hearing. Vacancies shall be filled for the unexpired term of any member whose term becomes vacant.

(b) The board shall adopt rules in accordance with the provisions of any ordinance adopted pursuant to this article. Meetings of the board shall be held at the call of the chairman and at such other times as the board may determine; provided that, in cities having populations of not less than 175,000 nor more than 275,000, the board shall meet regularly once a month on a day determined by the board. Such chairman or, in his absence, the acting chairman may administer oaths and compel the attendance of witnesses. All meetings of the board shall be open to the public. The board shall keep minutes of its proceedings, showing the vote of each member upon each question or, if absent or failing to vote, indicating such fact, and shall keep records of its examinations and of other official actions, all of which shall immediately be filed in the office of the board and shall be a public record.

(c) Appeals to the board of adjustment may be taken by any person aggrieved or by any officer, department, board or bureau of the municipality affected by any decision of the administrative officer. Such appeal shall be taken within a reasonable time, as provided by the rules of the board, by filing with the officer from whom the appeal is taken and with the board of adjustment a notice of appeal specifying the grounds thereof. The officer from whom the appeal is taken shall transmit forthwith to the board all papers constituting the record upon which the action appealed was taken. An appeal stays all proceedings in furtherance of the action appealed from unless the officer from whom the appeal is taken certifies to the board of adjustment after the notice of appeal shall have been filed with him that by reason of facts stated in the certificate a stay would in his opinion cause imminent peril to life or property. Such proceedings shall not be stayed otherwise than by a restraining order which may be granted by

*Recommend 90 days
as reasonable time
for an Administrative review.*