

**CITY OF MAGEE, MISSISSIPPI
APPLICATION FOR ZONING ACTION**

TYPE OF ZONING ACTION REQUESTED (Check one or more of the following choices):

- CONDITIONAL USE
- DIMENSIONAL VARIANCE
- AMENDMENT
- REZONING FROM _____ TO _____
- ADMINISTRATIVE REVIEW

Name of Applicant: _____

Telephone: _____

Address of Applicant: _____

Zip Code: _____

Name of Property Owner: _____

Telephone: _____

Property Address: _____

Name of Attorney or Representative: _____

Legal Description of Property: _____

DOES THE PROPERTY HAVE RESTRICTIVE COVENANTS? YES NO
(If YES, please attach a true copy of the restrictive covenants)

HAS ANY ZONING ACTION REQUEST FOR THIS PROPERTY EVER BEEN MADE BEFORE? YES NO
(If YES, please attach a true copy of all decisions of the Planning Commission and the Mayor and Board of Aldermen)

PLANNED USE OF PROPERTY: _____
(Attach plans showing property boundaries, relation to streets, ingress and egress to the facilities and off-street parking)

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1. **CONDITIONAL USE:**

The City of Magee Planning Commission shall hear and decide only such Conditional Use as the Mayor and Board of Aldermen are specifically authorized to approve by the terms of the City of Magee, Mississippi Zoning Ordinance, as amended.

The applicant for a Conditional Use must indicate below the section of the Zoning Ordinance under which the Conditional Use is sought and state the grounds upon which it is requested.

CONDITIONAL USE SOUGHT UNDER SECTION _____ OF THE
CITY OF MAGEE ZONING ORDINANCE.

GROUND(S) FOR REQUEST: (Attach Additional Pages, if necessary)

In granting any Conditional Use, the Mayor and Board of Aldermen may prescribe appropriate conditions and safeguards in conformity with the terms of the Zoning Ordinance.

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2. DIMENSIONAL VARIANCE:

A Dimensional Variance from the terms of the City of Magee Zoning Ordinance, as amended, shall not be granted by the Planning Commission until the Applicant has demonstrated that the following conditions are met:

- A. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings, in the same district.
- B. That literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Ordinance.
- C. 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 zoning district.

GROUNDINGS FOR REQUEST: (Attach Additional Pages, if necessary)

NOTE: The Applicant must address each of the conditions above in the space provided below and/or on 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 Dimensional Variance.

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3. AMENDMENT/REZONING:

For the purpose of establishing and maintaining sound stable and desirable development within the City of Magee, the Zoning Ordinance (as here used the term Ordinance shall be deemed to include the Official Zoning Map), shall not be amended except to correct a clerical or administrative error when the Ordinance was originally drafted, or that the character of the neighborhood has changed to such an extent as to justify reclassification, and that there is a public need for the rezoning.

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 Magee.

GROUND FOR REQUEST: (Attach Additional Pages, if necessary)

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4. ADMINISTRATIVE REVIEW:

The Planning Commission may hear and decide appeals where there is an alleged error in any order, requirement, decision or determination made by the Zoning Administrator in the enforcement of the Zoning Ordinance. The applicant for Administrative Review must provide, in the space below or attachments hereto, the section of Zoning Ordinance that is in question, the basis for the appeal and a copy of the Zoning Administrator's order, request, requirement, decision, or determination being appealed. Further, the applicant must file this request with the City Clerk at least one (1) week preceding any regularly scheduled meeting of the Planning Commission.

GROUNDS FOR REQUEST: (Attach Additional Pages, if necessary)

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By signing this application, it is understood and agreed that permission is given the City of Magee 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 Magee, 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 Zoning Administrator, 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 MISSISSIPPI
COUNTY OF _____

SWORN TO AND SUBSCRIBED BEFORE ME,

This the _____ day of _____, _____.

NOTARY PUBLIC