

File No.: _____ Date of Completed Submittal: _____ Reviewed by: _____



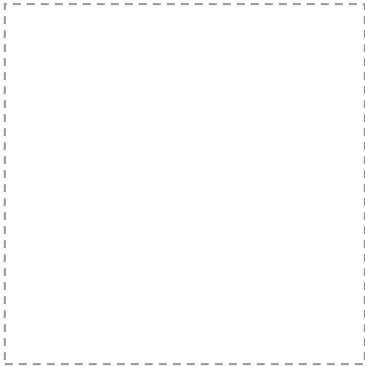
**APPLICATION FOR A SPECIAL ADMINISTRATIVE PERMIT (SAP)
For URBAN GARDENS (Residentially-Zoned Vacant Lots ONLY)**

City of Atlanta, Office of Zoning Administration (404/330-6145)

APPLICANT _____

(Name)

*Applications by mail or courier will not be accepted.



GARDEN NAME _____

COMPANY _____

ADDRESS _____

PHONE NO. _____

EMAIL _____

PROPERTY LANDOWNER _____

ADDRESS _____

PHONE NO. _____

EMAIL _____

ADDRESS OF PROPERTY _____

Zoning Classification _____ Land District _____ Land Lot _____ Council District _____ NPU _____

INSTRUCTIONS:

- Submission Requirements (refer to Section 16-29.001(83) of the Zoning Ordinance):
 - 1) **Project Summary/ Impact Analysis:** On a separate sheet of paper provide a description of the Urban Garden and complete the *Management Plan/Impact Analysis* section on the attached Zoning Requirements form.
 - 2) **Property Landowner Authorization:** Attached form with notarized property owner consent.
 - 3) **Notice to Applicant:** Attached form with signature and date.
 - 4) **Property Site Plan:** Drawn with dimensions showing the layout of the Urban Garden on property. Site plan should include property lines, adjacent public streets, sidewalks, accessory structure locations, parking and driveways as applicable to identify the location of the Urban Garden on a property.
 - 5) **Proposed Drawings or Photographs:** Illustrative drawings or photographs of proposed structures to be placed on the property.
 - 6) **Photographs of Existing Conditions:** Photographs of the property where the urban garden will be located.
- Additional Submission Requirements (as applicable):
 - 7) **Other Information:** Additional plans or documents may be required at the discretion of the Planning Director.
 - 8) **Additional Permits:** Additional permit reviews and approvals may be required from other City of Atlanta Departments.
- **FEES: \$30.00.** Payable to "City of Atlanta" in the form of cash, credit card, personal/cashier check, or money order.

I HEREBY AUTHORIZE CITY STAFF TO INSPECT PREMISES OF ABOVE DESCRIBED PROPERTY. I HEREBY DEPOSE THAT ALL STATEMENTS HEREIN ATTACHED & SUBMITTED ARE TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Date _____ Signature of Applicant _____

The City Code provides that Planning Director shall review each request for an SAP within 30 days of a filing of a **completed*** application. (Atlanta Code Chapter 16, Section 16-25).

(FOR OFFICE OF ZONING ADMINISTRATION USE ONLY)

The above request for a Special Administrative Permit (SAP) was **approved** or **denied** on _____

The SAP permit expires on _____

Signed for Director, Office of Zoning Administration _____ Staff Reviewer - Print Name

See attached **Special Administrative Permit Approval Form(s)** for detailed approval information.



SPECIAL ADMINISTRATIVE PERMIT (SAP) APPLICATION
Notarized authorization by property owner

SAP-_____

(Required only if applicant is not the owner of the property subject to the application)

TYPE OF APPLICATION: Special Administrative Permit for an Urban Garden.

I, _____ SWEAR THAT I AM THE **PROPERTY OWNER** OF
owner(s) name

THE PROPERTY LOCATED AT: _____

AS SHOWN IN THE RECORDS OF _____ COUNTY, GEORGIA WHICH IS THE
SUBJECT MATTER OF THE ATTACHED APPLICATION. I AUTHORIZE THE PERSON NAMED BELOW TO
ACT AS THE APPLICANT IN THE PURSUIT OF THIS APPLICATION.

NAME OF APPLICANT (PRINT CLEARLY):

ADDRESS: _____

TELEPHONE: _____ EMAIL: _____

Signature of Property Owner

Print Name of Property Owner

Personally Appeared
Before Me

Who Swears That The
Information Contained
In this Authorization
Is True and Correct
To The Best of His or Her
Knowledge and Belief.

Signature of Notary Public

Date



SPECIAL ADMINISTRATIVE PERMIT (SAP) APPLICATION Notice to Applicant Form

SAP- _____

The applicant hereby acknowledges notification that in the process of design review in connection with the issuance of a **Special Administrative Permit (SAP)**, the City of Atlanta Office of Planning (OOP) will only review such documents as are deemed necessary for the approval of an Urban Garden in compliance with the district regulations and **Sections 16-25.002(5) and 16-29.001(80)** set forth in the City of Atlanta Zoning Code. Such documents may include, without limitation, the elevations of the structures proposed and site plans specifying the arrangement of such structures and other features of the garden, but generally will not include a full set of construction drawings. This level of review is for the purpose of determining compliance with those sections of the Zoning Code applying to the district where the project is located or to be located and to allow the applicant the flexibility to receive approval for an Urban Garden without the requirement that a full set of construction drawings, that would otherwise be necessary to obtain a building permit, be prepared, presented and reviewed.

It is the applicant’s duty to ensure that all drawings or plans, that may be required for further permitting of the actual construction of the project and or layout out of an Urban Garden, will result in a finished project that complies with the site plan, elevations, and other plans on which the SAP was granted. The applicant is further notified that neither the Office of Buildings nor any of the other City of Atlanta agencies that review any other part of the overall project plans for compliance to building codes, zoning codes, the tree preservation, the riparian buffers ordinance, land disturbance regulations, drainage and sewer capacity or any other regulations in effect at the time of plan review have the authority to approve any changes to the exterior appearance of structures or site plans in a SAP.

It is the responsibility of the applicant to ensure that any changes required, requested, or allowed by any other City agency or any other agency reviewing the plans during any part of the building permit process will not alter the exterior appearance of any structure or cause the relocation, rearrangement and/or reorientation of any feature of the approved site plan. Therefore, it is important for the applicant to be aware that even changes which may be in compliance with other codes, including without limitation, an increase to the height of the structure, whether resulting from changes to the foundation plan or the grading plan of the site, alterations to the interior layout of the structure that affect the location or size of exterior doors or windows, or changes to the method of construction for any floor of a structure or the roof of any structure, may affect the exterior appearance in a manner which could cause the finished structure to be out of compliance with the elevations approved by the OOP.

The applicant is further put on notice that the location of any feature specified on the site plan is not to be changed from that location which is specified on the site plan approved by the OOP. This includes, without limitation, any such changes that might affect the setbacks of any permanent structure, the orientation of structures or features on the lot, including, without limitation, accessory buildings, the location and size of driveways, walkways, fences, parking pads, parking spaces, loading zones and service areas. It shall be the responsibility of the applicant to ensure that any changes required by any agency reviewing plans for the project remain consistent with the site plan and elevations approved by the OOP. It shall be the responsibility of the applicant, not the OOP, to monitor any plan changes during the permitting of the project to be sure that such changes do not affect the elevations and site plan approved by the OOP at the time of issuance of the SAP.

It is also the responsibility of the applicant to ensure that any changes made on site during the construction of the project, regardless of whether such changes are approved by a City building inspector, or representative of another City agency as being in compliance with the building codes or other applicable codes, do not result in a change to the exterior appearance of a structure or in a change to the site plan. The City of Atlanta Zoning Ordinance provides a process under which changes to the elevations and site plan in a SAP may be approved, however such approval is not guaranteed and the applicant is hereby notified that such changes are based on the application of the district regulations and not on the fact that a hardship, financial or otherwise may result if such permission is not given. The duty to adequately monitor the construction of the project to ensure compliance to the approved SAP and or any other City permit shall at all times be on the applicant, who assumes all risk of loss, financial or otherwise, from enforcement actions that result from the failure to comply with the SAP or any other City permit.

The applicant acknowledges that relief from any stop work order or other enforcement action, whether resulting from action taken by the OOP staff, the Office of Buildings staff or by the staff of any other City agency, must be appealed within the time and in the manner provided by the City Code. The applicant further acknowledges that the decision to apply to the OOP for permission to alter the approved plans is not an appeal of a stop work order or other enforcement action. The applicant acknowledges that it is solely within their own discretion to choose a process to resolve any dispute arising from the interpretation of any ordinance, the issuance of a stop work order or any other enforcement action and that the resolution of any such matter shall be made in compliance with the City Code and other applicable laws. The applicant further acknowledges that no written or oral representation of any City officer, employee, agent or elected official can waive or modify the City Code.

Applicant Printed Name

Applicant Signature

Date



In addition to the requirements specified in each zoning district pertaining to Urban Gardens, the following zoning code Sections are also applicable:

Chapter 25. Special Permits

Section 16-25.002. Special permits, general.

No building or occupancy permit shall be issued for any structure or use requiring any of the above special permits until such special permit has been obtained, and any such structure or use shall be in full accord with the requirements and limitations set forth in such special permit. No such permits shall be required or issued except in classifications specifically provided for in this part, or other than in accord with the procedures, standards and requirements set forth in connection therewith.

(5) *Special Administrative Permit (SAP) requirements for urban garden as principal use in a residential district.* Unless otherwise expressly noted in the district regulations, issuance of a special administrative permit, in the manner prescribed herein, is required to operate an urban garden as a principal use within any residential district. Said permit shall expire 12 months from issuance and such use shall thereafter only operate upon issuance of a new SAP in the manner prescribed herein. In addition to the requirements set forth in Section 16-25.004 or elsewhere in the Atlanta Zoning Ordinance, as part of the urban garden SAP application, the following items shall be submitted, and/or apply:

(a) Site plan, showing the following:

- i) exact lot dimensions,
- ii) adjoining street(s),
- iii) location and dimensions of structures,
- iv) the specific use/purpose of each structure, and
- v) any changes to be made to the site.

(b) **Management Plan/Impact Analysis**. The applicant shall provide a proposed Urban Garden management plan that addresses any probable impacts of the type described in this subsection and includes any proposed mitigation measures. The plan shall include, without limitation:

- (i) Description of the type of equipment necessary or intended for use and the frequency and duration of anticipated use. How and where will this equipment be stored?
- (ii) Disclosure of any intent to spray or otherwise apply agricultural chemicals or pesticides, frequency and duration of application, and the plants, diseases, pests or other purposes they are intended for.
- (iii) Proposed sediment and erosion control plan.
- (iv) Hours and days of the week during which the facility will be open.
- (v) Number of gardeners that will be growing at the site.
- (vi) Describe the existing or proposed buffering and screening for adjoining properties from any noise or odor-generating activities that might be generated from the facility. Where will composting activities be located and how will they be handled?
- (vii) Any special programs offered at the facility; if so, will they cause vehicles to park at or near the site?

(c) *Permit transfer:* Applications to transfer the SAP permit to another owner or business establishment shall include items (a) and (b) above and a notarized letter indicating no site layout changes to the originally approved SAP permit.

(d) *Duration of SAP permit:* A special administrative permit for an Urban Garden shall expire 365 days from the date of issuance. The permit for an Urban Garden may be renewed upon a showing in the same manner as required for initial issuance. An SAP for an Urban Garden may be transferred in the same manner as provided for in Section 16-25.002(2)(c) or as said subsection may hereafter be amended. Failure to comply with these standards or otherwise meet the definition of an Urban Garden after issuance of an SAP may result in the revocation of the special administrative permit by the office of planning.

(e) *Removal of structures:* Upon expiration and non-renewal or revocation of an Urban Garden SAP, all structures must be removed within ninety (90) days from the date of expiration or revocation.

(f) *Denial, revocation or suspension of SAP permit:*

- (1) An SAP application shall be denied if all relevant project information is not submitted or is not in compliance with the requirements of either Section 16-29.001(80), Section 16-25.002(5) or any other applicable Code provision.

The SAP permit is conditional at all times and may be revoked by the director of the office of planning if the permittee has been found guilty in Atlanta Municipal Court for violation of the zoning ordinance provisions regulating urban gardens. If revoked, the permittee may not apply for an urban garden SAP for six months from the date of revocation.