

# Town of Loxley

P. O. Box 9  
Loxley, Alabama 36551  
Phone: (251) 964-5162 \* Fax: (251) 964-5371

## Board of Adjustments Request for Special Exception Permit

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### NOTICE TO APPLICANTS

A Special Exception Permit, sometimes referred to as a “special use”, is a refining mechanism to the Board of Adjustment.

The Zoning Ordinance provides for the division of the Town into districts in which there are other uses which are compatible. In addition to these permitted uses, there are other uses which may be necessary or desirable to allow on certain locations in certain districts, but because of their actual or potential impact on neighboring uses need to be regulated with respect to their location. Such uses, on account of their peculiar locational need or the nature of the service offered, may have to be established in a district in which they cannot be reasonably allowed as a permitted use. Such uses are generally specified in the district requirements under “Uses Permitted on Appeal”.

Under the provisions of Section 781, Title 37, Code of Alabama, the Board of Adjustments is empowered “in appropriate cases and subject to appropriate conditions and safeguards, (to) make special exceptions to the terms of the ordinance in harmony with its general purpose and interest and in accordance with general or specific rules therein contained”.

No Special Exception may be granted which would adversely affect surrounding property or the general neighborhood. All Special Exception Permits must be in harmony with the intent and purpose of the Zoning Ordinance.

Name of applicant(s): \_\_\_\_\_

Address(es): \_\_\_\_\_

Phone #(s): \_\_\_\_\_

Property interest of applicant(s): \_\_\_\_\_

*(Owner, Contractor, Purchaser, Etc.)*

Name of owner(s): \_\_\_\_\_

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Special Exception Permit is requested in conformity with the powers vested in the Board to permit

\_\_\_\_\_ *(insert use or construction proposed on the property described below)*

Location: \_\_\_\_\_

Lot dimension: \_\_\_\_\_

Present use: \_\_\_\_\_

Present zone: \_\_\_\_\_

A site plan shall be attached to this application showing the location of the property; all property lines; set backs; location of buildings (existing or proposed) and areas to be used for parking.

**RESTRICTIVE COVENANTS:** A copy of the restrictive covenants (if applicable) on this property as recorded on the plat filed in the county courthouse must be submitted with this application.

In order for the Board of Adjustments to determine whether the proposed use will be in harmony with Ordinance and not detrimental to adjoining land uses, it is necessary to determine the precise nature and impact of the proposed use. The following questions should be answered as explicitly as and precisely as possible. If a particular question is inapplicable, please state so and explain why in the space provided. Failure to provide the appropriate information will force the Board of Adjustments to delay action until the appropriate information can be secured.

Proposed use: \_\_\_\_\_

Is the proposed use explicitly identified as a “use on appeal” in the Zoning Ordinance?

Yes       No

If no, why do you believe this use should be considered a use on appeal?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Proposed hours of operation: \_\_\_\_\_ AM      \_\_\_\_\_ PM

Proposed days of operation:  S    M    T    W    TH    F    S

Will the use involve the employment of individuals?  Yes  No

If yes, estimate the maximum number of employees: \_\_\_\_\_

Estimate maximum number of visitors/day: \_\_\_\_\_

Have provisions been provided for off-street parking?  Yes  No

Number of parking places? \_\_\_\_\_

Condition of parking surface?  Paved  Unpaved

Describe all processes or operations to be undertaken with this use. Any processes involving the utilization of equipment or operations which would generate excessive noise, odors, air pollution or any detrimental characteristics should be identified.

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Please attach a separate sheet listing all of the surrounding property owners and their addresses as they appear upon the plats in the County Tax Assessor's Office in the Baldwin County Courthouse in Bay Minette, Alabama.

The fee for submitting this request is \$100.00. This covers the application process and the Board of Adjustments meeting. There is also a mailing fee for all certified letters sent out on behalf of this variance. That postal fee will be considered the current cost the United States Postal Service charges for the disposition of certified mail. At the present time that mailing cost is \$5.21 per certified letter. That cost is subject to change without notice.

I (we) certify that that all of the above statements and the statements contained in any papers or plans submitted are true to the best of my (our) knowledge and belief. I (we) further certify that I (we) are aware that in granting Special Exception Permits, the Board of Adjustments is authorized to require appropriate conditions and safeguards. Failure to comply with these conditions will result in the voiding of the Special Exception Permit.

\_\_\_\_\_  
Applicant

\_\_\_\_\_  
Date

\_\_\_\_\_  
Applicant

\_\_\_\_\_  
Date