

PART I. MINOR DEVELOPMENT PROJECTS: PLAN REVIEW AND APPROVAL PROCEDURES

Overview: The purpose of these procedures is to clarify requirements and process by which minor development projects are reviewed and approved by the City of Lookout Mountain, Georgia. Construction, development, zoning, environmental and other requirements are set forth in the ordinances of the City of Lookout Mountain and applicable state laws and regulations, all of which are binding on property owners, contractors and developers. *Minor development is defined as projects that involve construction of a foundation and are not subject to the Soil Erosion, Sedimentation and Pollution Control Ordinance (land disturbance within 200 feet of a state water or greater than one acre) or Post Development Stormwater Management Ordinances (greater than or equal to 5000 square feet impervious surface or the State Stream Buffer Ordinance and/or identified as an area of concern due to downstream flooding) but still require a Building Permit.* These procedures may be modified at any time to ensure compliance with current local regulations and community goals.

CONCEPT PLANNING AND ZONING

Step 1. Meeting with City Manager or his designee – The Applicant will meet with the City Manager or his designee to officially notify the City of his/her intentions to modify a specific property within the City limits and obtain guidance on development procedures and requirements. Residents and business owners wishing to make only minor alterations and/or restorations on their properties (e.g., new decks, room additions, etc.) are encouraged to discuss their plans with the City to determine if and how their plans may be affected by City ordinances and regulations.

Step 2. Concept Plan – The complexity of the project determines the level of detail required in the concept plan to be submitted for review. In general, a concept plan should illustrate the layout of the project, adjacent land uses, current zoning, location of nearby streams, steep slopes, etc. as appropriate. Building plans should include items identified in the notes section on the last page of this document. The City Manager or his designee will meet with the applicant to review the Concept Plan and identify any potential environmental, engineering and/or zoning issues of concern that should be addressed to ensure project success. A site visit may be included in this meeting to better illustrate the proposed project. If the City Manager determines that the proposed project does not have sewer or water capacity, additional engineering measures may need to be considered. Additional review of the architectural drawings and associated plumbing and electrical plans may also be completed at the discretion of the City Manager or his designee based on the complexity of the project. **If the project requires rezoning, approval cannot be given until the rezoning is obtained.** Requests to rezone property require detailed review by the City of Lookout Mountain’s Municipal Planning Commission which may hold a public hearing and which makes a report and recommendation to the City Council. The City Council must then hold a public hearing on any rezoning request. If the request is approved by the City Council, the rezoning is effected by the adoption of a City ordinance after two readings. Variances from certain zoning requirements may be requested only under very limited circumstances described in Step 4. *This step requires submittal of a concept plan and payment of concept plan review fees.*

Step 3. Planning Commission Review and Approval – The applicant will prepare and submit a minimum of two copies of the Concept Plan to the City for use by the Municipal Planning Commission. If there are no identified issues of concern, architectural drawings that include items listed in the notes section of this guidance may also be submitted at this time. Materials should be submitted at least 7 days prior to the scheduled meeting to allow time for plan review by Commission Members and public notification.

All application fees and property taxes must be paid prior to scheduling on the Planning Commission meeting calendar. The applicant will present the Concept Plan to the Planning Commission which will evaluate the project including but not limited to: dimensions; setbacks, topography, the natural features of the site; proper erosion and sediment control provisions; and a determination of the proposed use in accordance with local laws and regulations (including zoning). The Planning Commission will vote for approval/denial (with or without conditions), and results will be noted in meeting minutes. Minor plans that are determined not to meet City requirements may be modified and resubmitted. *The applicant must submit a minimum of two copies of the Concept Plan and pay the appropriate fees. All approvals or denials shall be documented in the minutes of the Planning Commission meeting.*

Step 4. Appeal to Board of Zoning Appeals (if needed) - Under limited circumstances described in the City of Lookout Mountain's Ordinance No. 116, the applicant may appeal the decision of the Planning Commission to the City of Lookout Mountain's Board of Zoning Appeals. In general, such appeals are only permitted in individual cases of unnecessary hardship when (a) there are extraordinary and exceptional conditions pertaining to the particular piece of property because of its size, shape or topography; (b) the application of the zoning ordinance to particular piece of property would create an unnecessary hardship; (c) such conditions are peculiar to the particular piece of property involved; and (d) relief if granted would not cause substantial detriment to the public good or impair the purposes and intent of the zoning ordinance. Appeals to the Board of Zoning Appeals are also permitted if there is an alleged error in the Planning Commission's interpretation or enforcement of the zoning ordinance and in other limited cases where the Board of Zoning Appeals is required to make determinations under the zoning ordinance. **Variations may not be granted for uses which are prohibited by the zoning ordinance.**

The Concept Plan should be submitted at least 7 days prior to the scheduled meeting of the Board of Zoning Appeals to allow time for plan review and for public notification. All application fees and property taxes must be paid prior to scheduling on the meeting calendar. The applicant will present the Concept Plan to the Board of Zoning Appeals for consideration and must demonstrate that special circumstances justifying a variance exist. Any variances granted shall not establish a precedent for any future case. Applicants are encouraged to seek support from neighbors for variance requests. Letters written by adjacent property may be considered by the Board of Zoning Appeals but are not determinative. Variations may only be granted if the applicant demonstrates that the conditions and requirements set forth in Ordinance No. 116 exist and have been satisfied. *The applicant must submit a minimum of two copies of the Concept Plan and pay the appropriate fees. All approvals or denials shall be documented in the minutes of the Planning Commission meeting.*

Step 5. Issue Building Permit – Once the Planning Commission approves the Concept Plan/Construction Drawings and all remaining fees are paid, the City Manager or his designee will issue the Building Permit and summary of requirements with respect to demolition, stormwater best management practices, building inspections, permits, fees, etc. *The City will only issue a Building Permit after payment of all applicable fees.*

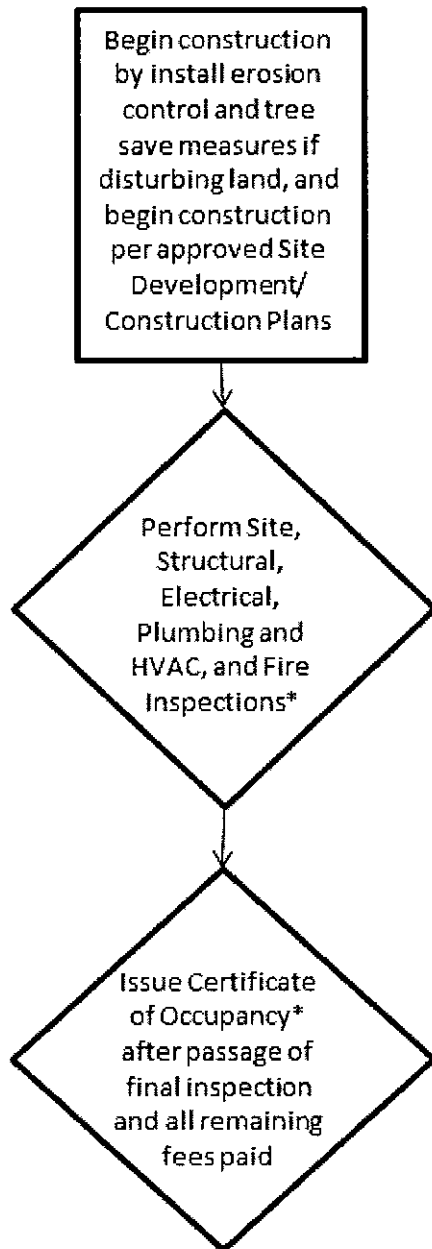
PART II. MINOR DEVELOPMENT PROJECTS: CONSTRUCTION SITE INSPECTION AND APPROVAL PROCEDURES

Please refer to the Construction Site Inspection and Approval Flowchart for a schematic of the following process.

BUILDING ACTIVITIES

- Step 6. Site Development/Building Construction** – If the minor development involves land disturbance, the applicant is required to install and maintain all erosion and sediment control best management practices (e.g., silt fence) prior to and during all construction activities. The City Manager or his designee or his designee will conduct regular inspections at the site during all phases of the project. If the City Manager or his designee observes poor installation, inadequate maintenance, mud in the road or stream, and/or if the erosion and sediment plan is not being followed, the City may issue a Notice to Comply, Notice of Violation or Stop Work, as appropriate. Site inspections are included in the building fee. *City will document each site inspection on appropriate form and photographs.*
- Step 7. Building Inspections** - The City Manager or his designee will conduct regular inspections at the site during all phases of the project to ensure compliance with the latest edition of the Building Codes and other local, state and federal laws. Required inspections include: temporary electrical power; footing; dry-in; electrical; plumbing; HVAC; insulation; and final inspection. *Building inspection fees must be paid prior to inspections. All building inspections and results are documented and posted on site.*
- Step 8. Obtain Occupancy Permit** – A Certificate of Occupancy will be issued by the City Manager or his designee after all final site and building inspections have been completed and all fees have been paid. *The City will only issue a Certificate of Occupancy after the applicant pays all appropriate fees.*

**MINOR DEVELOPMENT
SITE INSPECTION AND APPROVAL FLOW CHART**
** PAYMENT OF FEES REQUIRED*



Version: 4/10/15

ADDITIONAL NOTES ON MINOR DEVELOPMENT/CONSTRUCTION PROJECTS

Land Development Permit Requirements

- a. In most cases, no federal or state permit is required for land development activities for minor projects as defined in this document (final determination is the responsibility of the developer/builder/property owner and not the City of Lookout Mountain).
- b. A local Land Disturbance Permit is required for any project disturbing greater than 400 square feet.
- c. Stream buffers may not be disturbed within 25 feet of state waters (perennial and intermittent streams) unless a variance is issued by GA EPD and the City of Lookout Mountain.

All development/construction projects within the City regardless of size must ensure that no pollutants and/or trash enter the City's storm sewer system, roads or nearby streams.

Concept Plan Requirements

- a. The Property Owner shall provide a minimum of two sets of all of the following information: Owner's name, address and phone number; address of the proposed project; General Contractor's name, address, phone number, Georgia Contractor's license number and expiration number; and proof of insurance coverage by the Contractor for this specific project.
- b. Unless required by law, it is not necessary for drawings to be provided by a registered Architect. However, the drawings must be to scale, clearly legible, and complete enough for the Building Official and the Planning Commission members to make an educated assessment of compliance with Zoning and Building Code regulations.
- c. Unclear or incomplete drawings will not be accepted. The Property Owner will be required to resubmit drawings that meet acceptable standards.
- d. At the very minimum a site plan, floor plans, exterior elevations, a foundation and framing plans for each level, a roof plan, and a clear description of exterior materials to be used must be submitted as follows.
- e. A site plan showing the location of the proposed project in reference to all property lines and indicating compliance with City Building Setback requirements. All existing and new structures and fences shall be shown and located by dimension in reference to existing property lines. This drawing may be a plat from the Owner's deed documents, with notes as needed to clearly and convincingly show compliance with setback requirements. In cases where the Owner is proposing a structure that is very close to or in violation of required setbacks, a boundary survey by a registered Surveyor should be provided.
- f. Floor plans of each level showing new and existing work, dimensions, and notes needed to clearly describe the scope of the work to be performed, the materials used, and the appearance of finishes.
- g. Exterior Elevations showing existing and new work. Indicate materials to be used.
- h. A Foundation Plan showing location of all footings around and within the structure. In most cases it must be prepared by a Registered Structural Engineer, especially in cases where retaining walls are required due to site conditions. (Please contact the Building Official for verification).
- i. Typical Wall Sections showing materials, structural members, heights, etc. as needed to describe the work being performed.
- j. Where plans are purchased through a Plan Service or Magazine or other generic source are used to construct a structure, the Property Owner is required to provide "Site Specific" information, including a Site Plan, Engineered Specific Foundation Plan, and other documents that may be necessary to show to adaptability of the stock plan to the specific location. Absence of such information will require rejection by the Building Official.

- k. One set of this information shall be returned to the Owner for his records, and one set retained by the Building Official for the City's records.

Building Setback Requirements

- a. No structure may be located closer to the property line than indicated below. In many cases lots are large enough that there is no real concern with building over the setback line. In these cases, it is not necessary for the Owner to provide a survey of the property, or stake the corners for verification. However, in those cases where the new work may encroach, the Owner shall, at the Building Official's discretion, provide proof that the setback lines are not violated.
- b. The total amount of impervious surfaces on a given property shall not exceed 25% of the property area.
- c. Accessory buildings. Pools, storage buildings and any other structures (as defined in the Zoning Ordinance) shall not encroach over the building setback lines.
- d. Building setback lines shall be as follows (proof may be required):
 - Front Setback: 30 feet.
 - Rear Setback: 25 feet.
 - Side Setbacks: 15 feet.
 - Corner lot Front Setbacks: 35 feet on each street.
 - Through Lots: 35 feet at each end facing a street.

Fence Requirements

- a. All proposed fences require a Building Permit, regardless of location on the property, type, or size.
- b. Property Owners are encouraged to seek support from neighbors for proposed fences. Letters written by adjacent property owners in support of or in opposition to proposed fences are given significant consideration by the Planning Commission but are not determinative.
- c. Property Owners are required to obtain a copy of the City's fence ordinance prior to submittal of documents for approval.
- d. Property Owners must prove that the proposed fence does not pose a public nuisance by blocking sight lines to oncoming traffic, etc.
- e. All swimming pools shall be enclosed with a fence that is a minimum of four feet tall with an automatic latch. There are other specifics to pool fences that must be met. Regulations are available on the City's web site or at City Hall.