
Sec. 52-6. Sign permit application; procedure for obtaining permit.

- (a) Applications for sign permits shall be submitted to the code enforcement department on forms provided for that purpose by the city. Each application shall be accompanied by plans and drawings showing the sign area, size of supports, height, method of attachment intended for use, vertical and horizontal distances between such sign and the finished grade at site of location, and horizontal distances between such sign and controlling right-of-way lines. The application shall include a photograph or line drawing of the sign depicting precisely the size and shape of the sign face. The city manager shall have 30 days to complete a review of the application and make a determination as to whether the permit shall issue.
- (1) The city manager shall issue a sign construction permit for each application that meets the requirements of this chapter within the time frame provided by subsection (a). After such sign is constructed and in place, the applicant shall notify the city manager within five working days that the sign is ready for final inspection. Final approval shall be issued within five working days, provided the sign has been constructed and located according to the provisions of this chapter and applicable construction and electrical codes. Final approval converts the construction permit into a sign permit without further action of the applicant or city.
- (2) Sign applications that are incomplete, fail to meet the minimum requirements of this chapter, or which do not include payment of required fees, shall be returned to the applicant within 15 days of receipt of an application; the 30-day period for review shall recommence when a completed application is submitted. Should the city manager fail to take action within the mandated 30 days for application review, the permit shall be considered approved; provided further that issuance of a permit caused by delay in review shall not legalize any violation of this chapter or vest any rights to a sign that is prohibited in whole or in part, by this chapter.
- (3) Any applicant who is dissatisfied by a decision of the code enforcement department may appeal such decision to the hearing officer. Such appeal must be in writing and shall be filed within ten business days of the decision being appealed. The city manager will schedule the matter for hearing within 30 days. Final decision on an appeal by a sign applicant shall be made no later than 45 days from the date of filing the appeal. Should the hearing officer fail to take action within the mandated time, the decision under appeal shall be considered overruled.
- (b) In hearing an appeal under this section, the hearing officer shall be bound by the standards contained in this chapter. At the hearing the appellant shall have the right to introduce evidence, may testify, may be represented by counsel, and may cross-examine witnesses. The burden of supporting the decision rests with the city manager. The city clerk will record the appeal proceedings. The appellant has the right to supply a court reporter at his or her own expense, if desired. The hearing officer shall reach a decision within 14 calendar days after hearing. If no decision is made within 45 days of appeal filing, the appeal will be deemed to overrule the city manager's decision. Decisions of the hearing officer to affirm the decision of the city manager or to overrule the decision of the city manager shall be reduced to writing and be served upon the applicant in the same manner as the original decision.
- (c) In the event an applicant whose permit has been denied or a permit holder whose permit has been revoked is dissatisfied with the decision of the city manager, such applicant or permit holder may petition for writ of certiorari to the superior court.

(Ord. No. 17-05, 11-6-2017)

The purpose of this section is to authorize variance from the terms of this chapter as will not be contrary to the public interest so that the spirit of this chapter shall be observed, public safety and welfare secured, and substantial justice done. Only the owner of the property of which a variance is desired, or his agent may submit an application for a variance.

- (1) Variance application shall be filled with the code enforcer on forms provided by the City of Senoia.
- (2) Any communication relative to a variance request will be guarded as information only until a proper application is made in the form required.
- (3) Upon receiving an application, the zoning administrator shall schedule a public hearing on the request before the city council within 45 days after receipt.
- (4) A sign displaying the hearing date and the nature of the hearing shall be placed in a conspicuous location on the property not less than 15 days prior to the hearing date.
- (5) A notice of the public hearing date and the nature of the hearing shall be published in the newspaper of general circulation, which serves as the legal organ for the city. The newspaper notice shall appear at least 15 days prior to the date of the hearing date.
- (6) At the public hearing before the city council, the applicant may appear in person or be represented by an agent of attorney.
- (7) Variance from the provisions of this chapter may be approved by the city council if it is determined that they will not cause substantial detriment to other parties or impair the purpose of intent of this chapter; provided, however that no variance can be granted for a use that is specifically prohibited by this chapter within the zoning in which the property is located.
- (10) In making a determination on a variance request, the city council shall consider the following factors:
 - a. Whether or not the special circumstances contributing to the request are peculiar to the property involved;
 - b. Whether or not the situation for which the request is being made poses an unnecessary hardship for the applicant; and
 - c. Whether or not the request is due to an intentional action of the applicant to violate the requirement of this chapter.

(Ord. of 7-1-2002, § 1202)