

Certificate of Nonconformity Application

What is a Nonconformity?

A nonconformity is any use of land, building or structure, including an accessory use, which does not comply with the Zoning Code regulations of the zoning district in which a property is located, unless granted a Variance. Nonconforming uses are often referred to as grandfathered uses. For more info, consult **Article 1 § 1.22 Nonconformities** of the Columbia Zoning Ordinance.

What is the Purpose of a Certificate of Nonconformity?

The Certificate of Nonconformity shall establish the legality of a nonconformity; included intensity, vacancy or percentage of damage, or shall be used to assess the proposed re-occupancy or reuse of any nonconforming use of land, building or structure. **The burden of proof for establishing a nonconformity is, in all cases, upon the applicant. The failure to provide sufficient evidence for approval of nonconformity will result in a denial of the Certificate of Nonconformity.**

How is a Certificate of Nonconformity Application Submitted?

If not associated with a permit request, then applications **must** be submitted to the Planning Division of Development Services, City Hall, 1st Floor.

Required Short Term Rental Submittals (STR):

- Proof of occupancy tax paid for at least 6 months over the last 12 months**

Required General Submittals (Non-STR):

- Floor Plans (labeled and drawn to scale)**
- Letter of Zoning Violation (if applicable)**
- Survey Map of Site Plan**
- Photos (interior/exterior, labeled)**
- Intensity of Use:** **Affidavits, sworn to/notarized**, describing both the proposed and the previous uses indicating: (a) Size of operation (sq. ft.) (b) Hours and days operation (c) Volume and type of sales (d) Processing activities (e) Nature and location of storage (f) Transportation needs by volume & type (g) Parking & loading needs (h) Noise, smoke, odor, glare, vibration, radiation, & fumes.
- Vacancy/Discontinuance:** **Affidavits, sworn to/notarized**, by persons who have been familiar with, but who have no financial interest in, the property and its use, establishing: (a) The name, phone number, & address of the person making the affidavit; (b) An acknowledgment that the purpose of the affidavit is to legalize the use of the structure; (c) The affiant's relationship to the property and length of time familiar with it; (d) The prior and the proposed uses of the property; (e) The manner in which the property was known to have been used; (f) How long the proposed and the prior uses may have occupied the property; (g) Any known periods of use; or vacancy and discontinued use, of the property.
- Other documents to support this application such as rental receipts, utility records, tax records, receipts from contractors, receipts from associated businesses, etc.



Applicant

Name		Phone	
Address		Email	

Interest in Property: **Owner** **Lessee** **Other**

Owner of Record

Name		Phone	
Address		Email	

Site information

Address/location			
	Tax map:	Group:	Parcel:
Summary of Request (provide complete and accurate description)			

- Does the requested use currently exist? Yes No
- If "Yes", when did the use commence? _____
- How is the property currently occupied and used? (show floor plan and survey map, Non-STR)

- Describe prior uses of the property and the location of those uses within the structure/premises:

- If applicable, describe when, where, and why the property vacancy occurred:



CITY OF
COLUMBIA
TENNESSEE

DEVELOPMENT SERVICES
700 NORTH GARDEN STREET
COLUMBIA, TN 38401
PHONE: (931) 560-1560

Applicant: I certify that the information supplied on this application is complete and accurate, and that the activity described, if approved, will be completed and/or conducted in accordance with the conditions and terms of that approval.

Signature: _____ Date: _____

Owner (if other than above): I have read and familiarized myself with the contents of this application and do hereby consent to its submission for approval.

Signature: _____ Date: _____

For Office Use Only

Case Information	Case #:	Date Filed:	Fee:

APPROVED

NOT APPROVED

Reviewer Signature: _____ Date: _____