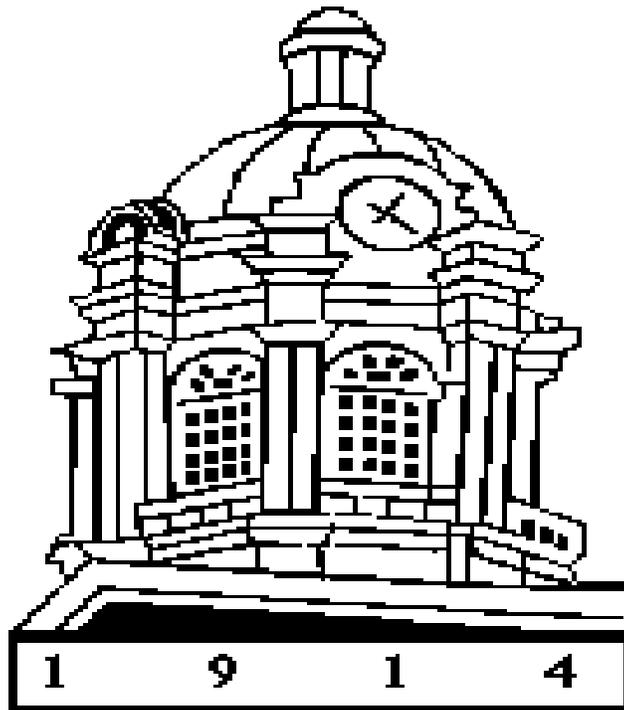


BARROW COUNTY, GEORGIA



Application

For

Rezoning, Special Use,
and
Change in Conditions



**BARROW COUNTY
DEPARTMENT OF PLANNING AND DEVELOPMENT**

30 North Broad Street
Winder, Georgia 30680
770-307-3034

APPLICATION FOR:

Date Received: _____

- Rezoning
- Special Use
- Change in Conditions

Fee Received: _____

Case # RZ: _____

Note to Applicant: All applications must be typed or printed legibly in black ink only and all entries must be completed on all the required application forms. If you are uncertain to the applicability of an item, contact the Planning and Development Department. Incomplete applications or applications submitted after the deadline *will not be accepted*.

Name of Applicant _____

Mailing Address _____

Telephone _____

Applicant is the: _____ Owner's Agent _____ Property Owner _____ Contract Purchaser

Property Owner(s) _____

Mailing Address _____

Telephone _____

Contact Person _____

Mailing Address _____

Telephone _____

Address/Location of Property _____

Tax Map No. _____ Tax Parcel No. _____

Acreage of Entire Parcel _____ Acreage to be Rezoned (if not entire parcel) _____

Present Zoning District (s) _____ Proposed Zoning District _____

Proposed Development _____

TAX COMMISSIONER'S OFFICE USE ONLY

VERIFICATION OF CURRENT PAID PROPERTY TAXES FOR REZONING

The undersigned certifies that all Barrow County taxes billed to date for the parcel listed below have been verified as paid current to the Tax Commissioner of Barrow County, Georgia and confirmed by the signature below. In no case shall an application or re-application for zoning action be processed without such property verification (Note: A separate application and verification form must be completed for each tax parcel included in the rezoning request.)

PARCEL I.D. NUMBER: _____ - _____
Map Parcel

Name _____ Title _____ Date _____



Barrow County, Georgia Application Process and Requirements

- 1) An application is submitted, along with the appropriate filing fees, to the Planning and Development Department according to the set deadline schedule (see attached schedule).
- 2) The Planning and Development Department shall review the application for completeness within five days of submission. Incomplete or improper applications will be returned to the applicant.
- 3) If the application is considered complete and proper then the planning staff will further review the application and make a written recommendation. The written recommendation is available to the applicant approximately five days before the Planning Commission's public hearing. Copies of the report may be obtained from the Planning and Development Department.
- 4) Legal notice is required to be printed in a newspaper of general circulation in Barrow County. This notice appears in the Barrow County News at least 15 days before public hearings in the legal notice section.
- 5) A public hearing sign is erected on the property at least 15 days before the public hearing. This sign will be erected by the applicant and is field-checked by the Planning staff.
- 6) The Planning Commission reviews the facts in the case at its scheduled meeting. A recommendation is decided upon following the public hearing. This recommendation is forwarded to the Board of Commissioners. The Planning Commission meets the third Thursday of each month. Meetings are held at 7:00 P.M. at the County Historic Courthouse Building, Commissioners Meeting Room, Winder, Georgia.
- 7) The Board of Commissioners meets on the fourth Tuesday of each month to consider request heard by the Planning Commission. This meeting is held at 7:00 PM at the County Historic Courthouse Building, Commissioners Meeting Room, Winder, Georgia.
- 8) Once an application is made, the applicant may withdraw the application without prejudice only before legal advertisement of a public hearing is placed in a newspaper of general circulation in Barrow County. Written notification of withdrawal is required. A withdrawal of an application after the legal advertisement shall not receive a refund.
- 9) If an application is withdrawn before placement of the legal advertisement, a refund of the application fee will be made.
- 10) No application or re-application affecting the same land shall be acted upon within 12 months from the date of last action of the Board of Commissioners unless waived by the Board of Commissioners. A request to consider such a waiver must be submitted to the Planning and Development Department. In no case shall an application or re-application be acted upon in less than 6 months from the date of last action by the Board of Commissioner.

- 11) A change in the conditions of zoning or special use permit approval will be processed as a new rezoning or special use permit application and will be subject to the required waiting period. All application filing deadlines, requirements and fees will apply to a request for a change in conditions.
- 12) After an approval has been granted by the Board of Commissioners for rezoning, the applicant, agent or property owner has 24 months to vest the rezoning approval. To vest a rezoning approval and forego its expiration, the applicant must record a final subdivision plat, receive project approval of a preliminary plat or site plan, obtain a building permit or lawfully initiate the use, whichever occurs first. If the applicant, agent, or property owner fails to vest the rezoning approval, the Board of Commissioners may initiate a rezoning application to revert the property to the previously zoned condition. Such a reversionary action shall proceed in accordance with provisions of this Article pertaining to rezoning approvals. The owner of the property will be notified of the reversionary action and afforded an opportunity to appear before the Board of Commissioners to show just cause why the reversionary action should not be taken.

All applicants, their attorneys, and representatives, must submit information as required by the Official Code of Georgia Section 36-67A-1, et. seq., Disclosure of Campaign Contributions and Gifts (Attachment A).

The items listed below are necessary to process a Rezoning, Special Use, or Change in Zoning Condition request. Please see the attached schedule of filing deadlines and meeting dates. A pre-application conference with Planning Staff to discuss the proposal is recommended, but is not required.

Any amendments to an application must be submitted to the Planning and Development Department for staff review prior to the Planning Commission hearing.

REQUIRED ITEMS

1) **APPLICATION FORM:**

One (1) copy of the appropriate Application form with all required attachments and additional information must be submitted. Separate applications will be required for each, individual parcel and a separate application will be required for each zoning classification requested (R-1 and M-1 for example, would required two applications) even if properties are contiguous.

2) **APPLICATION FEE:**

See attached "Fee Schedule". A cashier's check or personal check is the preferred method of payment. Make checks payable to Barrow County.

3) **LETTER OF INTENT:**

- a. One (1) copy of a Letter of Intent (must be typed).
- b. The Letter of Intent must give details of the proposed use of the property and should include at least the following information:
 - 1) A statement as to what the property is to be used for;
 - 2) The acreage or size of the tract;
 - 3) The zoning classification requested;
 - 4) The number of lots and number of dwelling units or number of buildings proposed;
 - 5) Building size(s) proposed;
 - 6) The density in terms of gross square footage per acre (for proposed commercial, office and industrial use);
 - 7) The number of parking spaces;
 - 8) The height of buildings
 - 9) Any requested change in buffers.

(4) LEGAL DESCRIPTION:

The legal description must be a “metes and bounds” description. It must establish a point of beginning and from the point of beginning give each dimension bounding the property, calling the directions (such as north, northeasterly, southerly, etc.) that the boundary follows around the property returning to the point of beginning. If there are multiple property owners, all properties must be combined into one legal description. If the properties are not contiguous, a separate application and legal description must be submitted for each property. For requests for multiple zoning districts, a separate application and legal description must be submitted for each district requested.

(5) BOUNDARY SURVEY:

Ten (10) copies, one (1) 8 ½ x 11 reduction, of a boundary survey to scale for the subject property, displaying all metes and bounds. This is not necessary if the Concept Plan (next item) includes this information.

6) REZONING CONCEPT PLAN:

- An application for a rezoning shall be accompanied by a concept plan if any new construction is proposed or alteration of the site is required under the site or development design standards of this Development Code.
- A concept plan may be prepared by the applicant, a professional engineer, a registered land surveyor, a landscape architect, a land planner or any other person familiar with land development activities.
- The concept plan shall be drawn to approximate scale on a boundary survey of the tract or on a property map showing the approximate location of the boundaries and dimensions of the tract.

One (1) 8 ½ x 11 legible reduction, of a Concept Plan to scale. This Plan must show:

- a. Zoning district classification of the subject property and all adjacent properties, and zoning district boundaries if they cross the property.
- b. Man-made features within and adjacent to the property, including existing streets and names, city and county political boundary lines, and other significant information such as location of bridges, utility lines, existing buildings to remain, and other features as appropriate to the nature of the request.
- c. Proposed use of the property.
- d. The proposed project layout including:
 1. For residential subdivisions, and office or industrial parks, approximate lot lines and street right-of-way lines, along with the front building setback line on each lot.
 2. For multi-family and nonresidential development projects, the approximate outline and location of all buildings, and the location of all minimum building setback lines, outdoor storage areas, buffers, parking areas and driveways.

The Concept Plan shall also indicate:

- a. Name and address of the property owner.
- b. Name, address, and telephone number of the applicant (if different than the owner)
- c. If drawn on a boundary survey: date of survey and source of datum.

- d. Date of plan drawing, and revision dates, as appropriate.
- e. North point and approximate scale of the drawing.
- f. Location (Land District and Land Lot) and size of the property in acres (or in square feet if less than an acre).
- g. Location sketch of the property in relation to the surrounding area with regard to well-known landmarks such as arterial streets or railroads. Sketches may be drawn in freehand and at a scale sufficient to show clearly the information required, but not less than 1 inch equal to 2,000 feet. US. Geological Survey maps may be used as a reference guide for the location concept.
- h. A statement as to the source of domestic water supply.
- i. A statement as to the provision for sanitary sewage disposal.
- j. The approximate location of proposed storm water detention facilities.
- k. The approximate location of proposed access to the County road system.
- l. Such additional information as may be useful to permit an understanding of the proposed use and development of the property.

7) NOTARIZED SIGNATURES:

The application form must have notarized signatures on the application as well as all attachments.

8) ATTACHMENTS:

All attachments must be included in order for the application to be considered complete

- Attachment A – “Disclosure of Campaign Contributions”
- Attachment B – “Proffered Conditions”
- Attachment C – “Standards”
- Attachment D – “Rezoning Checklist”

9) AVAILABILITY OF WATER/SEWER UTILITIES:

A completed utility availability letter shall be required for all rezoning and special use permits that propose new or additional development. The standard form letter confirming utility availability must be obtained from the Barrow County Water Authority or appropriate municipal department.

10) ADDITIONAL EXHIBITS (If Required)

TRAFFIC STUDY:

A traffic study will be required for an application that meets any of the following criteria:

- (A) An application for a proposed development that is capable of generating 1,000 average daily vehicle trips or more, shall be accompanied by a traffic study, prepared by professional engineers registered in Georgia, under guidelines available from the Transportation & Public Works Department. Anticipated vehicle trips may be based upon the latest edition of *Trip Generation* published by the Institute of Transportation Engineers. The Public Works Director may waive this requirement when conditions warrant.
- (B) A traffic study prepared by professional engineers registered in Georgia, shall also be required for a proposed modification to a previously approved rezoning if the average daily vehicle trips will increase by 10% or more than calculated for the original rezoning approval, or average daily vehicle trips will exceed 1,000 for the first time. The Public Works Director may waive this requirement when conditions warrant.

- (C) For a proposed development that will generate fewer than 1,000 average daily vehicle trips or an increase of less than 10%, a traffic study, prepared by professional engineers registered in Georgia, may be required by the Public Works Director. Determination of such requirements will be made within five working days of receipt of the application for rezoning and must be submitted to the Public Works and Planning & Development Directors at least five working days prior to the first public hearing.

- (D) A traffic study and other studies of the impact of the proposed development may be required by the Planning Commission or the Board of Commissioners as deemed necessary for adequate consideration and a fully-informed decision on the rezoning request, relative to the standards for rezoning consideration contained in Section 1205 (e) of the UDC.



Barrow County, Georgia

Attachment A

Disclosure of Campaign Contributions & Gifts

Application filed on _____, 20__ for action by the Planning Commission and Board of Commissioners for zoning action requiring a public hearing on property described as follows:

The undersigned below, making application for a zoning action, has complied with O.C.G.A. Section 36-67A-1, et. seq., Conflict of Interest in Zoning Actions, and has submitted or attached the required information on this form as provided.

All individuals, business entities, or other organizations¹ having a property or other interest in said property subject of this application are as follows:

Have you as applicant, agent for applicant, or anyone associated with this application or property, within the two (2) years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a member of the Barrow County Board of Commissioners or Barrow County Planning Commission? YES NO

If YES, please complete the following section (attach additional sheets if necessary):

Name and Official Position of Government Official	Contributions (List all which aggregate to \$250 or more)	Date of Contribution (Within last 2 years)

I do hereby certify the information provided herein is both complete and accurate to the best of my knowledge.

Signature of Applicant

Type or Print Name and Title

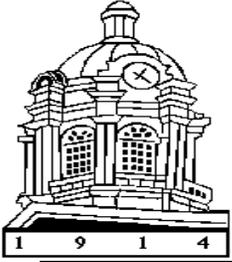
Signature of Applicant's Representative

Type or Print Name and Title

Signature of Notary Public Date

(Affix Raised Seal Here)

¹ Business entity may be a corporation, partnership, limited partnership, firm, enterprise, franchise, association, trade organization, or trust while other organization means non-profit organization, labor union, lobbyist or other industry or casual representative, church, foundation, club, charitable organization, or educational organization.



Barrow County, Georgia
 Attachment B
Proffered Conditions

As part of an application for any zoning action, a property owner may proffer, in writing, proposed conditions to apply and be part of the rezoning being requested by the applicant. Proffered conditions may include written statements, development plans, profiles, elevations, or other demonstrative materials.

Please list any written proffered conditions below:

Any development plans, profiles, elevations, or other demonstrative materials presented as proffered conditions shall be referenced below and attached to this application:

I do hereby submit these proffered conditions as an attachment to my application and request that they be considered along with same.

 Signature of Applicant

 Type or Print Name and Title

 Signature of Applicant's Representative

 Type or Print Name and Title

 Signature of Notary Public

 Date

(Affix raised seal here)



Barrow County, Georgia

Attachment C1

Standards for Rezoning Consideration

*** This Attachment not required for Special Use Applications**

The Planning Commission and the Board of Commissioners shall consider the following standards in considering any rezoning proposal, giving due weight or priority to those factors that are appropriate to the circumstances of each proposal.

Please respond to the following standards in the space provided or you may use an attachment as necessary:

(A) Is the proposed use consistent with the stated purpose of the zoning district that is being requested?

(B) Is the proposed use suitable in view of the zoning and development of adjacent and nearby property?

(C) Will the proposed use not adversely affect the existing use or usability of adjacent or nearby property?

(D) Is the proposed use compatible with the goals, objectives, purpose, and intent of the Comprehensive Plan?

(E) Are there substantial reasons why the property cannot or should not be used as currently zoned?

(F) Will the proposed use not cause an excessive or burdensome use of public facilities or services, including but not limited to streets, schools, water or sewer facilities, and police and fire protection?

(G) Is the proposed use supported by new or changing conditions not anticipated by the Comprehensive Plan or reflected in the existing zoning on the property or surrounding properties?

(H) Does the proposed use reflect a reasonable balance between the promotion of the public health, safety, morality, or general welfare and the right to unrestricted use of property?



Barrow County, Georgia

Attachment C2

Standards for Special Use Consideration

*** This Attachment not required for Rezoning Applications**

A special use otherwise permitted within a zoning district shall be considered to be compatible with other uses permitted in the district, provided that due consideration is given to the following objective criteria. Emphasis may be placed on those criteria most applicable to the specific use proposed:

Please respond to the following standards in the space provided or you may use an attachment as necessary:

- (A) Will the proposed special use be consistent with the stated purpose of the zoning district in which it will be located?

- (B) Is the proposed use compatible with the goals, objectives, purpose, and intent of the Comprehensive Plan?

- (C) Will the establishment of the special use impede the normal and orderly development of surrounding property for uses predominate in the area?

- (D) Is the location and character of the proposed special use consistent with a desirable pattern of development for the locality in general?

- (E) Is or will the type of street providing access to the use be adequate to serve the proposed special use?

- (F) Is or will access into and out of the property be adequate to provide for traffic and pedestrian safety, the anticipated volume of traffic flow, and access by emergency vehicles?



Barrow County, Georgia

Attachment C2

Standards for Special Use Consideration (Page 2)

- (G) Are or will public facilities such as schools, water or sewer utilities, and police or fire protection be adequate to serve the special use?

- (H) Are or will refuse, service, parking and loading areas on the property be located or screened to protect other properties in the area from such adverse effects as noise, light, glare, or odor?

- (I) Will the hours and manner of operation of the special use have no adverse effects on other properties in the area?

- (J) Will the height, size, or location of the buildings or other structures on the property be compatible with the height, size, or location of buildings or other structures on neighboring properties?



Barrow County, Georgia

Attachment D

Checklist for

- Rezoning**
- Special Conditions**
- Change in Conditions**

The following is a checklist of information required for submission of a rezoning application. Incomplete applications or applications submitted after the deadline will **not be accepted** by the Planning and Development Department.

- _____ Completed application form with all applicable attachments
- _____ Property Tax Statement
- _____ Letter of intent
- _____ A copy of the recorded plat (from Clerk of Superior Court Office)
- _____ Legal Description
- _____ Boundary survey
- _____ Concept Plan (one (1) 8 ½ x 11 legible reduction)
- _____ Water Letter (Water Availability)
- _____ Sewer Letter
- _____ Traffic Study (if required – determined by staff)
- _____ DRI Forms 1 and 2 (if required – determined by staff)
- _____ Filing fee (see attached fee schedule) There is a \$50.00 non-refundable application fee included.

THIS CHECKLIST MUST BE SUBMITTED ALONG WITH THE APPLICATION