

Forsyth County

Application for Rezoning/CUP

Communication Towers

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NOTICE TO APPLICANTS

INCOMPLETE APPLICATIONS, INCOMPLETE SITE PLANS OR APPLICATIONS WITHOUT ALL REQUIRED ATTACHMENTS **WILL BE REJECTED.**

ALL APPLICATIONS INVOLVING COMMUNICATIONS TOWERS SHALL BE FORWARDED TO A THIRD PARTY REVIEWER. THE REVIEW SHOULD BE COMPLETED WITHIN 21 DAYS OF RECEIPT BY THE THIRD PARTY REVIEWER.

PUBLIC PARTICIPATION PLANS **MUST** BE SUBMITTED WITH THE REZONING APPLICATION. APPLICATIONS SUBMITTED WITHOUT A PUBLIC PARTICIPATION PLAN WILL BE CONSIDERED INCOMPLETE AND **WILL BE REJECTED.** PUBLIC PARTICIPATION PLANS ARE ONLY REQUIRED FOR A REZONING APPLICATION. CONDITIONAL USE PERMITS DO NOT REQUIRE A PUBLIC PARTICIPATION PLAN.

PUBLIC PARTICIPATION REPORTS **MUST** BE SUBMITTED ONE WEEK PRIOR TO THE PLANNING COMMISSION PUBLIC HEARING, BY 12:00 NOON. FAILURE TO SUBMIT BY THIS DEADLINE MAY RESULT IN POSTPONEMENT OF THE PUBLIC HEARING.

FORSYTH COUNTY REZONING/CUP APPLICATION FOR COMMUNICATION TOWERS

ZA/CUP _____ Date _____ Time _____ am pm Rec'd. by _____

APPLICANT INFORMATION

Name _____

Address _____

Phone _____

Contact Name _____

Phone _____

Email _____

Status Owner Authorized Agent Lessee Option to purchase

PROPERTY OWNER INFORMATION

Name _____

Address _____

Phone _____

PROPERTY INFORMATION

Parcel Identification Number (PIN) _____ Acreage _____

Land Lots _____ District _____, _____ Section

Current Zoning _____ Current Use _____

REQUESTED ACTION & DETAILS OF PROPOSED USE

Conditional Use Permit requested _____

Rezoning to _____ (If applicable)

Specify any variance(s) being requested, including the appropriate UDC chapter and section number. _____

Proposed Road Access: _____

OTHER INFORMATION AND NOTICES

Does the subject property lie within or adjacent to the city limits of the City of Cumming?
 Yes No

NOTICE: If this proposed development will affect or include possible wetlands, then you should be aware of Section 404 of the Federal Clean Water Act. These requirements could affect your development plans and failure to comply could result in serious economic consequences. If you suspect possible wetlands, then you should contact the United States Army Corps of Engineers Office – (770) 363-5191.

APPLICANT CERTIFICATION

I hereby request the action contained within this application relative to the property shown on the attached plats and site plan and further request that this item be placed on the Planning Commission agenda for a public hearing.

I understand that the Director of Planning & Development or his designee may either accept or reject my request upon review. My request will be rejected if all the necessary data is not presented.

I understand that I have the obligation to present all data necessary and required by statute to enable the Planning Commission and Board of Commissioners to make an informed determination on my request. I will seek the advice of an attorney if I am not familiar with the zoning and land use requirements.

I understand that my request will be acted upon at the Planning Commission hearing and that I am required to be present or to be represented by someone able to present all facts. I understand that failure to appear at a public hearing may result in the postponement or denial of my rezoning application. I further understand that it is my responsibility to be aware of relevant public hearing dates and times regardless of notification from Forsyth County.

I hereby certify that I have read the above and that the above information as well as the attached information is true and correct.

Date _____

Signature _____

Notary Public _____

WITHDRAWAL

I hereby withdraw the above application.

Date _____

Signature _____

Notice: This section only to be completed if application is being withdrawn.

TREE STATEMENT

The Forsyth County Tree Preservation and Replacement Ordinance requires that all zoning applications submitted to the Department of Planning and Development after July 27, 1998, include the following sworn statement:

State of Georgia
County of Forsyth

1. Personally appeared before me, a Notary Public, the undersigned states and says upon oath that the property shown on the attached plats and site plan has not been clear cut after July 27, 1998 or three years prior to the zoning application date, whichever is later. Clear cut is defined as a timber harvest performed in one cutting operation with any remaining trees having no merchantable value or forestry management purpose.

I understand that any property that has been clear cut after July 27, 1998 or three years from the date of application, whichever is later, shall not be eligible for rezoning for a period of three years from the date said property was clear cut.

Date: _____ Applicant Signature: _____

Printed Name: _____

Sworn to and subscribed before me this _____ day of _____, _____.

Notary Public: _____ My commission expires: _____

POSTING OF ZONING SIGNS

The Unified Development Code of Forsyth County requires the landowner and/or applicant for rezoning/CUP to place a public notice sign in a conspicuous location on the property to be rezoned.

In order to insure that the correct information is included on the public notice sign, the Department of Planning and Development will prepare the sign for the applicant and present the sign and stake in the Zoning Review meeting.

It is the applicant's responsibility to insure that the public notice sign is posted correctly, in a timely fashion, and maintained for the duration of the zoning process. Public notice signs that have been posted incorrectly run the risk of postponement.

Person responsible for posting and maintaining public notice sign:

Printed Name: _____ Phone Number: _____

DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

**APPLICATION FOR REZONING/CUP
FORSYTH COUNTY, GEORGIA**

A. Name of local government official to whom the campaign contribution or gift was made:

B. The dollar amount of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for rezoning and the date of each such contribution:

Amount: \$ _____

Date: _____

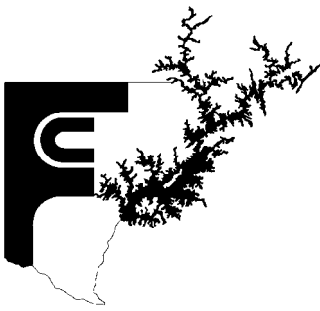
C. Enumeration and description of each gift having a value of \$100.00 or more made by the applicant to the local government official during the two years immediately preceding the filing of this application for rezoning.

Signature of Applicant:

Date:

Notary Public:

State of Georgia }
 :
County of Forsyth }



FORSYTH COUNTY PROPERTY TAX AFFIDAVIT

Before me, the undersigned authority, personally appeared _____, Zoning Applicant, and after being duly sworn affirms, under oath, that there are no past due taxes due and owing on real property which is the **subject of this zoning application nor any other property taxes owed by the applicant.**

Please list all properties owned by applicant by indicating a parcel identification number and street address (if known). Attach additional sheet(s) if needed. Provide evidence of taxes having been paid by attaching either a tax bill or an affidavit from the Tax Commissioners office.

Parcel Identification Number

Street Address

Dated this _____ day of _____, 20_____.

Applicant/Affiant

Sworn to and subscribed before me
this _____ day of _____, 20_____.

Notary Public

My commission expires: _____

PROPERTY OWNER AUTHORIZATION FORM

**APPLICATION FOR REZONING/CUP
FORSYTH COUNTY, GEORGIA**

I hereby swear that I am the owner of property located at (property address) _____

as shown in the deed records of Forsyth County, Georgia, which is the subject matter of the attached application for rezoning.

I hereby authorize the person named below to act as applicant or agent in the pursuit of the Rezoning of this property. I realize any zoning conditions placed on the property will be binding upon the property regardless of ownership.

Name of Applicant or Agent:

Address:

City, State, Zip Code:

Telephone Number:

Signature of Owner

Date

Notary Public

FOR STAFF USE ONLY

ZA/CUP #

COMPREHENSIVE PLAN: Conforms Does Not Conform

Comment: _____

LOCATION: Distance from Cumming: _____ miles Direction: _____ BOC Dist: _____

LOCATION DESCRIPTION:

SURROUNDING ZONING:

North _____ South _____

East _____ West _____

APPLICATION PROCESSING

Application Fee: \$ _____ Rec'd. By: _____ Date: _____

- | | | |
|--------------------------|--|----------------|
| <input type="checkbox"/> | City of Cumming Notified (HB 489) | Date: _____ |
| <input type="checkbox"/> | Forwarded to third party reviewer | Date: _____ |
| <input type="checkbox"/> | Report received from 3rd party reviewer | Date: _____ |
| <input type="checkbox"/> | Adjacent Property Owner Notices Mailed | Date: _____ |
| <input type="checkbox"/> | Public Notice Signs on Property Verified | Date: _____ |
| <input type="checkbox"/> | Legal Advertisement Published | Ad Date: _____ |
| <input type="checkbox"/> | Planning Commission Rec. Mailed to Applicant | Date: _____ |
| <input type="checkbox"/> | Zoning Map Amended | Date: _____ |
| <input type="checkbox"/> | Applicant Notified of Final Action | Date: _____ |

Planning Commission & Board of Commissioners Actions

PC Recommendation Date: _____ Approval Appd. w/cond. Denial
PC Recommendation on Variance Approval Appd. w/cond. Denial
BOC Decision Date: _____ Approval Appd. w/cond. Denial

2007 SCHEDULE OF HEARING DATES FOR ZONING/CUP APPLICATIONS

<u>SUBMITTAL DEADLINE</u>	<u>ZONING REVIEW</u>	<u>HEARING DATE*** PLANNING COMMISSION</u>	<u>DECISION DATE*** BOARD OF COMMISSIONERS</u>
January 19, 2007	February 28, 2007	March 27, 2007	April 19, 2007
February 21, 2007	March 28, 2007	April 24, 2007	May 17, 2007
March 21, 2007	April 25, 2007	May 22, 2007	June 21, 2007
April 18, 2007	May 23, 2007	June 26, 2007	July 19, 2007
May 16, 2007	June 27, 2007	July 24, 2007	August 16, 2007
June 20, 2007	July 25, 2007	August 28, 2007	September 20, 2007
July 18, 2007	August 29, 2007	September 25, 2007	October 18, 2007
August 22, 2007	September 26, 2007	October 23, 2007	November 15, 2007
September 19, 2007	October 24, 2007	November 27, 2007	December 20, 2007
October 17, 2007	November 28, 2007	December 18, 2007	January 17, 2008
November 21, 2007 (5:00 p.m.)	December 19, 2007	January 22, 2008	February 21, 2008
December 12, 2007 (5:00 p.m.)	January 23, 2008	February 26, 2008	March 20, 2008

***NOTES

1. **Dates are subject to change, please call to confirm prior to scheduled meeting date.** It is the applicant's responsibility to keep up with the meeting dates and times, regardless of notification from Forsyth County. The Planning Commission public hearing starts at 6:30 p.m. The Board of Commissioners meeting begins at 5:00 p.m. unless otherwise stated. Please contact the Department of Planning and Development to confirm the hearing/decision meeting dates and times (770-781-2115).
2. Deadline for submittal is 12:00 noon on the dates listed above.
3. Zoning Review Meetings will be held in the Department of Planning & Development's Conference Room, Suite 100, in the Forsyth County Administration Building. The meeting is held on the above listed dates. A specific meeting time is scheduled upon the submission of an application.
4. Zoning review may be postponed if the report by the third party reviewer is not received at least one week before the scheduled Zoning Review. The Planning Department will confirm the Zoning Review date with the applicant.



FORSYTH COUNTY COMMISSION DISTRICTS Contact Information

District	Board of Commissioners	Title	Telephone	Email
1	Charles L. Laughinghouse	Chairman	(770) 886-2810	cclaughinghouse@forsythco.com
2	Brian R. Tam	Member	(678) 513-5882	brtam@forsythco.com
3	Jim Harrell	Secretary	(678) 513-5883	jwharrell@forsythco.com
4	David W. Richard	Vice-Chairman	(678) 513-5884	dwrichard@forsythco.com
5	Linda K. Ledbetter	Member	(678) 513-5885	lkledbetter@forsythco.com

District	Planning Commission Members	Title	Telephone	Email
1	Brant Meadows	Member	(770) 367-7529	brant@home-hunters.com
2	Pam Livesay	Chairman	(770) 889-1586	plivesay@bellsouth.net
3	Barry Russell	Member	(678) 795-1211	barry.russell@adelphia.net
4	Bettina Hammond	Secretary	(770) 887-4851	bhamm2715@adelphia.net
5	Mary Helen McGruder	Vice-Chairman	(678) 936-0308	maryhelen1@aol.com

District	Zoning Board of Appeals Members	Title	Telephone	Email
1	John Mobley	Secretary	Office (770) 518-9776	
2	Fred Kerr	Vice-Chairman	Home (770) 889-3635	fkerr@bellsouth.net
3	Joseph Staffieri	Member	Office (770) 888-8300	
4	Jim Kinsey	Member	Office (706) 216-1644	
5	Debra Bradley	Member	Home (770) 889-2814	debra.Bradley@coldwellbanker.atlanta.com

SUMMARY OF APPLICATION REQUIREMENTS

Requirement	Type of Application					
	Amend Text of This Code	Amend Official Zoning Map (less than ten acres)*	Amend Official Zoning Map (ten acres or more)*	Conditional Use Permit (less than ten acres)	Conditional Use Permit (ten acres or more)	Variance (Appeals Board)
Application Form	Required	Required	Required	Required	Required	Required
Fee	Required	Required	Required	Required	Required	Required
Legal Description	Required	Required	Required	Required	Required	Required
Boundary Survey (10 copies plus one copy reduced to 8.5" x 11")		Required	Required	Required	Required	Required (5)
Site Plan (10 copies plus one copy reduced to 8.5" x 11")		Required	Required	Required	Required	Required (1)
Written Evaluation			Required		Required	
Sewage Disposal information (UDC 8-2.6)		Required	Required			
Public Participation Plan		Required	Required			
Public Participation Report		Required	Required			
Title of Insurance		Required	Required	Required	Required	
Disclosure of Campaign Contributions	Required	Required	Required	Required	Required	

Conditional Use Permits in the M2 zoning classification require an impact statement. (UDC Section 14-2.5)

SITE PLAN REQUIREMENTS FOR COMMUNICATION TOWERS

All applications for rezoning/conditional use permit for a communication tower to be located in the unincorporated areas of Forsyth County must be accompanied by a suitable scaled site plan drawing displaying information on the following items:

1. If the proposed site is part of a larger tract of land, the boundary survey must show the specific portion to be utilized for a communication tower.
2. Lot or tract dimensions with required setbacks shown.
3. Buffers and natural areas proposed.
4. Buffer fences where appropriate.
5. Areas reserved for future construction.
6. Proposed structures with dimensions and square footages.
7. Labeling of all proposed uses for each structure
8. Current zoning district of the subject property and abutting property, and the proposed zoning district, as applicable.
9. Location and use of all structures on abutting property.
10. Right-of-way locations and dimensions and names of all roads and streets bounding the property in question.
11. Driveways and parking areas with number of parking spaces shown.
12. Storm drainage and structures where appropriate.
13. Topographical information, elevation view and other supporting drawings, calculations and documentation.
14. Distance to all residences and schools, including daycare and nursery schools within 1000 feet

Additionally, the Applicant must provide the following information:

1. Documentation of radio frequency range, coverage area, and tower height requirements
2. Location and height of all existing towers owned by the applicant inside of and within one mile of the boundary of Forsyth County.

3. All information showing why existing towers and buildings cannot be utilized or are insufficient or cost prohibitive.
4. A formal agreement exists by a wireless service provider to locate at the proposed site
5. All documentation showing the geographical boundaries of the proposed service area cannot technologically be bifurcated to avoid the necessity for a freestanding tower/antenna



Forsyth County Schedule of Fees
Effective April 10, 2000

Type of Application or Permit	Fees
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BUILDING PERMIT FEES - \$15 MINIMUM CHARGE

Building Permits (other than commercial)	Total Valuation	Fee
	\$1,000 and less	No fee, unless inspection is required, in which case a \$15 fee for each inspection shall be charged
	\$ 1,001 to \$ 50,000	\$ 15 for the first \$ 1,000 plus \$ 5 for each additional thousand or fraction thereof
	\$ 50,001 to \$ 100,000	\$ 260 for the first \$50,000 plus \$ 4 for each additional thousand or fraction thereof
	\$ 100,001 to \$ 500,000	\$ 460 for the first \$ 100,000 plus \$ 3 for each additional thousand or fraction thereof
	\$ 500,001 and up	\$ 1,660 for the first \$500,000 plus \$ 2 for each additional thousand or fraction thereof
HVAC, Plumbing & Electrical Permits (Residential)	Chg. each trade	
	0-1,000 ft ²	\$ 30
	1k-2k ft ²	\$ 40
	2k-3k ft ²	\$ 50
	3k ft ² +	\$ 60
Commercial	0.12 per ft ² enclosed area 0.06 per ft ² open area	
Commercial Plan Review	10,000 sq ft or less =\$100.00 Over 10,000 sq ft = 1.5 ¢ per square foot	
Building Permit Renewal <i>(when only final insp. is remaining and no more than 90 days beyond expiration)</i>	\$ 100	
Building Permit Renewal <i>(when inspections in addition to final insp. are remaining or permit has been expired for more than 90 days)</i>	Full Building Permit Fee	
Mobile Home Permits (HUD)	\$ 75	
Mobile Home Permits (non-HUD)	\$ 100	
Certificate of Occupancy	\$ 50 when no permit is needed	
Tenant Change Occupancy	\$ 15	



FORSYTH COUNTY SCHEDULE OF FEES

Effective April 10, 2000

Type of Application or Permit	Fees
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DEVELOPMENT PERMIT FEES

Land Disturbance Permit (LDP) (Residential, Clearing, Miscellaneous)	\$ 250
Commercial / Industrial LDP	\$ 30 / acre; \$ 250 min.
Subdivision Plans Review (Road Construction)	\$ 250 + \$ 25 per lot
Revised Plat Review	\$ 250
MRPA (Local Fee)	\$ 300
Sketch Plat Review/Revision	\$ 250
Road Name Change (1 sign)	\$ 300
Road Name Change (2+ signs)	\$ 300 + \$ 30 per sign
Historic Structures Demolition Permit	\$ 0

REZONING FEES

RES 1, RES 2, RES 3	\$ 20 per ac.; \$ 300 min.
RES 4, RES 6, MHP	\$ 30 per ac.; \$ 300 min.
NS, UV, HB, CBD, HC, BP, O&I, OR, OCMS	\$ 40 per ac.; \$ 400 min.
M1	\$ 40 per ac.; \$ 500 min.
M2, MINE	\$ 50 per ac.; \$ 2,500 min.
CR1, PUD, MPD	\$ 30 per ac.; \$ 500 min.
Variance request with residential rezoning	\$ 250 per UDC section
Variance request with commercial or industrial rezoning	\$ 350 per UDC section

BOARD OF APPEALS FEES

<u>Initial Appeal:</u>	
Residential	\$ 250; Double charge if work has begun
Commercial	\$ 350; Double charge if work has begun
<u>Appeal to BOC:</u>	
Residential	\$ 250; Non Refundable
Commercial	\$ 350; Non Refundable

MISCELLANEOUS FEES

Airport, Limited	\$ 5,000
Airport, General	\$ 25,000
Helicopter Land Facility	\$ 500
Sanitary, Construction or Inert landfill	\$ 3,500
Home Occupation Permit	\$ 300
Professional Home Office Permit	\$ 25
Conditional Use Permit (Other than Communication Tower)	\$ 400
Conditional Use Permit for Communication Tower	\$ 400 minimum + \$3,500 for 3rd Party Review
Building Permit for Communication Tower	\$ 200
Zoning Condition Amendment	\$ 300
Unified Development Code Text Amendment	\$ 300
Color Map -- 8.5" x 11"	\$ 2
Color Map -- Plotted 36" x 50"	\$ 40
Minor Subdivision Plat Approval	\$ 5