



Forsyth County Department of
Planning and Development



APPLICATION FOR AN APPEAL OF AN ADMINISTRATIVE DECISION

NOTICE TO APPLICANT: The following items are **REQUIRED** to process an application for appealing an administrative decision. All required items **MUST** be received by the Planning & Development (P&D) Department by the submittal deadline in order to be scheduled for the next **AVAILABLE** Zoning Board of Appeals public hearing (See page 4). After P&D Staff determine an application is complete, they will inform the applicant as to which public hearing date the applicant will need to appear in front of the Zoning Board of Appeals. Incomplete applications **WILL NOT** be accepted.

- (1) A CHECK OR MONEY ORDER MADE OUT TO FORSYTH COUNTY PLANNING AND DEVELOPMENT (\$250 RESIDENTIAL, \$350 COMMERCIAL). FEES WILL BE DOUBLED IF WORK HAS STARTED PRIOR TO APPLICATION.
- (2) COMPLETED APPLICATION FORM (ALL QUESTIONS MUST BE ANSWERED).
- (3) A LEGAL DESCRIPTION (INCLUDING METES AND BOUNDS).
- (4) BOUNDARY SURVEY PREPARED BY REGISTERED LAND SURVEYOR (5 COPIES).
- (5) A WRITTEN LETTER JUSTIFYING THE GROUNDS FOR WHICH SUCH APPEAL IS REQUESTED AND SHOULD BE GRANTED.
- (6) ANY OTHER INFORMATION DEEMED APPLICABLE TO THE APPEAL.

AN APPEAL OF AN ADMINISTRATIVE DECISION OR ORDINANCE DECISION IS DEFINED AS FOLLOWS:

Administrative Appeal: Appeals to the Zoning Board of Appeals may be taken by any person aggrieved by any decision of the Director or other official, including but not limited to the Directors of Engineering and Water and Sewer, in the administration or interpretation of this Code or other County ordinances granting jurisdiction of the ZBA (Forsyth County Unified Development Code (UDC), Section 6-4.1).

Notice to Applicant: The Zoning Board of Appeals can not grant a variance or an appeal for any requirement created by the Board of Commissioners (i.e. via a zoning condition) during the rezoning process. Any application for a variance or an appeal that includes a change to an approved zoning condition can only be granted by the Board of Commissioners through the Zoning Condition Amendment process.

The Forsyth County Unified Development Code (UDC) can be found on the County website at:

<http://www.forsythco.com>. Use the "Quick Links" pull-down menu and choose "Unified Development Code."

It is understood by the Applicant that this application is to be heard by the Board of Appeals under the provisions of the regulations of Forsyth County and that it is the responsibility of the Applicant to present sufficient evidence to justify overruling a Department of Planning and Development decision or other administrative decision made by a County official as provided for in Chapter 6 of the UDC. IF THE APPLICANT OR HIS/HER REPRESENTATIVE DOES NOT APPEAR AT THE HEARING, THE APPLICANT'S APPLICATION WILL BE DENIED. A POSTPONEMENT MUST BE REQUESTED AT LEAST 24 HOURS BEFORE THE SCHEDULED HEARING.

APPLICATION FOR APPEALING AN ADMINISTRATIVE DECISION

For Staff Use Only:

AB# _____ DATE _____ TIME _____ REC'D BY _____
COMMISSION DISTRICT _____

(Please Type or Print)

APPLICANT NAME _____

ADDRESS _____

PHONE # _____ DATE _____

SIGNATURE _____

PROPERTY INFORMATION

ADDRESS OF PROPERTY _____

SUBDIVISION NAME _____ LOT # _____

TAX MAP/PARCEL (PIN) # _____ ZONING DESIGNATION _____

LAND LOT(S) _____ DISTRICT _____ 1ST SECTION

ZA# _____

REQUESTED ACTION

I am requesting an appeal to:

- Ordinance 73: Soil Erosion and Sedimentation Control
- Ordinance 87: Unified Development Code (UDC)
- Other

Please indicate the specific Article, Section, and Paragraph of the applicable ordinance that is under appeal (e.g. Ordinance 73, Section VII, B, 1. Stop-Work Orders).

REQUESTED ACTION--Continued

Complete the following paragraphs. Applicant must provide as much information as possible. Attach additional sheets if more space is necessary. Failure to provide adequate information will result in the application being not accepted.

(1) Briefly explain the administrative decision being appealed.

(2) Identify the requested relief, e.g., overturn a fine, release a stop work, etc.

(3) Was a fine imposed? _____ If so, what is the total amount of fine? _____

(4) Describe the grounds for reversing the administrative decision at issue.

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 Zoning Board of Appeals' 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 my request will be acted upon at the Zoning Board of Appeals' public 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 the public hearing may result in the postponement or denial of my 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 understand that approval of my variance application shall be valid for a period of one (1) year measured from the date of approval by the Zoning Board of Appeals, Planning Commission or Board of Commissioners. If an application for development approval or building permit is not made within the specified variance approval period, the variance approval shall expire and become null and void. (Forsyth County Unified Development Code, Article V, Section 8-5.7)

I understand that the findings and decisions of the Zoning Board of Appeals shall be final unless a person aggrieved shall, within ten (10) days of such decision, petition the Board of Commissioners of Forsyth County to review the decision. At the end of this ten (10) day period, it shall be your responsibility as the applicant to check with the Department of Planning and Development to confirm whether or not such an appeal has been filed. (Forsyth County Unified Development Code, Article VI, Section 8-6.1)

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

Applicant Name (Printed): _____ Notary Public: _____

Applicant Signature: _____

Date: _____

PROPERTY OWNER AUTHORIZATION

NOTICE TO APPLICANT: All owners listed on the deed of record MUST sign this form. Only the owner or authorized representative may speak on behalf of this application at the public hearing. If anyone else appears, the hearing WILL be postponed unless a new authorization form is submitted prior to the hearing or brought to the hearing.

The undersigned hereby swear that he/she/they is/are the owner(s) of the property located at (address or tax map and parcel #) _____

as shown in the deed records of Forsyth County, Georgia, which will be affected by this variance request.

I (We) hereby authorize the person named below to act as the applicant or agent in pursuit of the variance requested on this property. I (We) realize that any variance granted and/or 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: _____

Name of Owner #1: _____ Notary Public: _____

Signature of Owner: _____

Date: _____

Name of Owner #2: _____ Notary Public: _____

Signature of Owner: _____

Date: _____

ZONING BOARD OF APPEALS PUBLIC HEARING SCHEDULE

NOTICE TO APPLICANT: The Zoning Board of Appeals (ZBA) will process only fifteen (15) new variance applications, and five (5) new appeal applications per month. The ZBA shall consolidate and hear all applications submitted by a single applicant, even if the total number of applications exceed the 15/5 rule. Any application that is submitted by the deadline, but exceeds the 15/5 deadline, will automatically be deferred and processed for the next available month. Deferred applications shall have priority over all new applications submitted for the next month. Any applications postponed from the previous meeting will also not count towards the 15/5 rule.

All applications are due by 5:00 p.m. on the submittal deadline. Planning & Development Staff will review the application and make a determination as to whether the application is complete. Once an application is complete, Staff will inform applicants of the Public Hearing date where they will need to appear before the ZBA.

A ZBA work session is held at 6:30 p.m. prior to the Public Hearing. This session is held in the Planning Department's conference room, Suite 100. Although the public may attend this work session, they are not allowed to speak or ask questions. The Public Hearing begins at 7:00 p.m. and is held in the Commissioners Meeting Room on the 2nd Floor of the Forsyth County Administration Building, unless otherwise noted.

SUBMITTAL DEADLINE	MEETING DATE
December 21, 2006 Thursday	February 6, 2007
January 29, 2007	March 6, 2007
February 26, 2007	April 3, 2007
March 26, 2007	May 1, 2007
April 23, 2007	June 5, 2007
May 25, 2007 Friday	July 11, 2007
June 25, 2007	August 7, 2007
July 30, 2007	September 4, 2007
August 27, 2007	October 2, 2007
September 24, 2007	November 7, 2007 Wednesday
October 29, 2007	December 4, 2007
November 26, 2007	January 2, 2008 Wednesday

*Dates are subject to change, please call 770-781-2115 to confirm.



FORSYTH COUNTY COMMISSION DISTRICTS **Contact Information**

District	Board of Commissioners	Title	Telephone	Email
1	Charles L. Laughinghouse	Chairman	(770) 886-2810	cilaughinghouse@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	Chairman	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	Secretary	Home (770) 889-2814	debra.Bradley@coldwellbanker.atlanta.com