

Forsyth County *Application for Rezoning*

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NOTICE TO APPLICANTS

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

ALL ZONING APPLICATIONS SHALL INCLUDE A SWORN STATEMENT INDICATING THAT THE PROPERTY TO BE ZONED HAS NOT BEEN “CLEAR CUT” AFTER JULY 27, 1998, OR THREE YEARS PRIOR TO THE ZONING APPLICATION, WHICHEVER IS LATER.

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.**

FORSYTH COUNTY ZONING APPLICATION

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

APPLICANT INFORMATION

Name _____

Address _____

Phone _____

Contact Name _____

Phone _____

Status Owner Authorized Agent Lessee Option to purchase

Notice: If applicant is other than owner, a Property Owner Authorization form must be attached.

PROPERTY OWNER INFORMATION

Name _____

Address _____

Phone _____

PROPERTY INFORMATION

Parcel Identification Number (PIN) _____ Acreage _____

Land Lots _____ District _____, 1st Section

Current Zoning _____ Current Use _____

REQUESTED ACTION & DETAILS OF PROPOSED USE

NOTICE TO APPLICANT: Any applicant interested in rezoning to **MPD** must also submit a supplemental application called “Rezoning Application—MPD Supplement.” The supplemental application can be picked up at Planning & Development or on our website at the same location with all of our other Current Planning applications.

Rezoning to _____

Proposed Use _____

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

Existing Utilities: Water Sewer Gas Electric

Proposed Utilities: Water Sewer Gas Electric

What is the proposed method of sewage disposal? _____

What is the approximate distance and direction to the nearest access point to for either Public Sewer or an Existing Private Sewage Treatment Plant? _____

*(Note: This question **must** be answered, even if on septic. All proposed developments within 5000 feet of sewer are not permitted to utilize septic tanks. (UDC 18-5.18))*

Is a sewer variance being requested with this rezoning application? _____

If this development will be utilizing an Existing Private Sewage Treatment Plant, identify the facility _____. Do you have a formal agreement to use this facility? _____

Proposed Road Access: _____

RESIDENTIAL

No. Lots _____ Min. Lot Size _____ Min. Heated Floor Area _____

No. Units _____ Density/Acre _____ Type: Single family detached Apt.
 Cond. Townhs. Other

COMMERCIAL & INDUSTRIAL

Building area _____ No. Parking Spaces _____

OTHER INFORMATION AND NOTICES

Does the subject property lie within or adjacent to the city limits of the City of Cumming?

Yes No

Will the proposed development exceed the threshold that triggers the need for a Development of Regional Impact (DRI) review?

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 – (678) 422-2735.

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/REMOVAL OF ZONING SIGNS

The Unified Development Code of Forsyth County requires the landowner and/or applicant for rezoning 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 at 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. Once the rezoning process is completed, all rezoning signs must be removed within 3 days of the final decision on the application. (UDC 8-4-4(D)(5)).

Person responsible for posting and maintaining public notice sign(s) and subsequent removal:

Printed Name: _____ Phone Number: _____

DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

**APPLICATION FOR REZONING
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
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 _____

Owner's Name (Print) _____

Date

Notary Public

DEVELOPMENT OF REGIONAL IMPACT
Initial DRI Information

This form provides basic project information that will allow the RDC to determine if the project meets or exceeds applicable DRI thresholds. Refer to 'Table II – Development of Regional Impact Thresholds – Effective January 1, 2002' to determine if your project qualifies as a DRI. Only projects that exceed the thresholds in Table II are required to complete this form. Please answer all questions with as much detail as possible. Use additional sheets if necessary.

- .1 Name of Proposed Project: _____

- .2 Description of Project (development type and size): _____

- .3 Developer / Applicant and Mailing Address: _____

- .4 Telephone: _____
- .5 Fax: _____
- .6 Email: _____
- .7 Name of property owner(s) if different from developer/applicant: _____

- .8 Provide land-lot and district number: _____

- .9 What are the principal streets or roads providing vehicular access to the site: _____

- .10 Provide name of nearest street(s) or intersection: _____

- .11 Is the proposed project entirely located within Forsyth County: _____
- .12 How close is the boundary of the nearest other local government: _____

- .13 In what additional jurisdictions is the project located: _____

- .14 In which jurisdiction is the majority of the project located? (give percent of project): _____

- .15 Is the current proposal a continuation or expansion of a previous DRI: _____
If yes, provide the following information:
Name: _____
Project ID: _____
App #: _____
- .16 The initial action being requested of the local government by the applicant is: _____

- .17 What is the name of the water supplier for this site: _____

- .18 What is the name of the wastewater treatment supplier for this site: _____

- .19 Is this project a phase or part of a larger overall project: _____
If yes, what percent of the overall project does this project/phase represent: _____

- .20 Estimated Completion Dates:
This project/phase: _____

Overall project: _____

- .21 Are land transportation or access improvements planned or needed to support the proposed project: _____

If yes, how have these improvements been identified:
Included in local government Comprehensive Plan or Short Term Work Program: _____
Included in other local government plans (e.g. SPLOST/LOST Projects, etc.): _____
Included in an official Transportation Improvement Plan (TIP): _____
Developer/Applicant has identified needed improvements: _____

Table II - Developments of Regional Impact Thresholds - Effective January 1, 2002

Type of Development	Metropolitan Regions Thresholds
(1) Office	Greater than 400,000 gross square feet
(2) Commercial	Greater than 300,000 gross square feet
(3) Wholesale & Distribution	Greater than 500,000 gross square feet
(4) Hospitals and Health Care Facilities	Greater than 300 new beds; or generating more than 375 peak hour vehicle trips per day
(5) Housing	Greater than 400 new lots or units
(6) Industrial	Greater than 500,000 gross square feet; or employing more than 1,600 workers; or covering more than 400 acres
(7) Hotels	Greater than 400 rooms
(8) Mixed Use	Total gross square feet greater than 400,000; or covering more than 120 acres
(9) Airports	All new airports, runways and runway extensions
(10) Attractions & Recreational Facilities	Greater than 1,500 parking spaces or a seating capacity of more than 6,000
(11) Post-Secondary School	New school with a capacity of more than 2,400 students, or expansion by at least 25 percent of capacity
(12) Waste Handling Facilities	New facility or expansion of use of an existing facility by 50 percent or more; and located within one-half mile of a jurisdictional boundary
(13) Quarries, Asphalt & Cement Plants	New facility or expansion of existing facility by more than 50 percent; and located within one-half mile of a jurisdictional boundary
(14) Wastewater Treatment Facilities	New facility or expansion of existing facility by more than 50 percent; and located within one-half mile of a jurisdictional boundary
(15) Petroleum Storage Facilities	Storage greater than 50,000 barrels if within 1,000 feet of any water supply; otherwise, storage capacity greater than 200,000 barrels; and located within one-half mile of a jurisdictional boundary
(16) Water Supply Intakes/Reservoirs	New Facilities
(17) Intermodal Terminals	New Facilities
(18) Truck Stops	A new facility with more than three (3) diesel fuel pumps; or containing a half acre of truck parking or 10 truck parking spaces.
(19) Any other development types not identified above (includes parking facilities)	1000 parking spaces

FOR STAFF USE ONLY

ZA #

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

LOCATION DESCRIPTION:

SURROUNDING ZONING:

North _____ South _____

East _____ West _____

APPLICATION PROCESSING

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

- City of Cumming Notified (HB 489)
Date: _____
- School Board Notified
Date: _____
- Georgia Mountains Notified (DRI)
Date: _____
- Adjacent Property Owner Notices Mailed
Date: _____
- Public Notice Signs on Property Verified
Date: _____
- Legal Advertisement Published Ad Date: _____
- Planning Commission Recommendation Mailed to Applicant
Date: _____
- Zoning Map Amended
Date: _____
- 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

BOC Decision on Variance Approval Appd. w/cond.
Denial

**2007 SCHEDULE OF HEARING DATES
FOR ZONING APPLICATIONS**

<u>SUBMITTAL DEADLINE-5:00 P.M</u>	<u>ZONING REVIEW</u>	<u>PLANNING COMMISSION</u>	<u>BOARD OF COMMISSIONERS</u>
January 19, 2007 (1:00 P.M.) February 21, 2007	February 28, 2007	March 27, 2007	April 19, 2007
March 21, 2007	March 28, 2007	April 24, 2007	May 17, 2007
April 18, 2007	April 25, 2007	May 22,2007	June 21, 2007
May 16, 2007	May 23, 2007	June 26, 2007	July 19, 2007
June 20, 2007	June 27, 2007	July 24, 2007	August 16, 2007
July 18, 2007	July 25, 2007	August 28, 2007	September 20, 2007
August 22, 2007	August 29, 2007	September 25, 2007	October 18, 2007
September 19, 2007	September 26, 2007	October 23, 2007	November 15, 2007
October 17, 2007	October 24, 2007	November 27, 2007	December 20, 2007
November 21, 2007	November 28, 2007	December 18, 2007	January 17, 2008
December 12, 2007	December 19, 2007	January 22, 2008	February 21, 2008
	January 23, 2008	February 26, 2008	March 20, 2008

*****NOTES**

- 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).
- 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 notice of the specific meeting time will be mailed to 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@bellsouth.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

Revised 2/19/07

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 Insurance		Required	Required	Required	Required	
Disclosure of Campaign Contributions	Required	Required	Required	Required	Required	
Traffic Study or Waiver from Engineering Department (150 lots or more)		Required	Required			

RES 3 additional requirements (UDC Section 11-3.4):

Public service impact statement
Improvement standards

RES 4 additional requirements (UDC Section 11-4.4):

Proof of availability of adequate sewer capacity

RES 6 additional requirements (UDC Section 11-5.4):

Proof of availability of adequate sewer capacity

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

SITE PLAN REQUIREMENTS FOR REZONING

All applications for rezoning of property 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. Proposed layout of streets and lots.
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 (except for single family subdivisions).
7. Labeling of all proposed uses for each structure (i.e. retail sales, offices, light industrial, manufacturing, storage, automotive services or other planned uses of 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. Loading and unloading facilities where appropriate.
13. Storm drainage and structures where appropriate.
14. Water, gas and electric utility lines preliminary locations plus points of utility access.
15. Wastewater facilities including preliminary areas reserved for drain fields and septic tanks or point of access to public sewer where appropriate.



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.
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

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