

CITY OF HOSCHTON



**Application
For
Rezoning, Variances
And
Changes in Conditions**

**CITY OF HOSCHTON
DEPARTMENT OF PLANNING AND DEVELOPMENT**

79 City Square
Hoschton, Georgia 30548
706-654-3034

APPLICATION FOR:

Date Received: _____

Rezoning

Fee Received: _____

Change in Conditions

Case No. RZ _____

Note to Applicant: All applications must be typed 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 _____

Map # _____ Parcel # _____ Acreage: _____

Present Zoning District(s) _____ Proposed Zoning District _____

Proposed Development _____

TAX COMMISSIONER'S OFFICE USE ONLY

VERIFICATION OF CURRENT PAID PROPERTY TAXES

The undersigned certifies that all Jackson County taxes billed to date for the parcel listed below have been verified as paid current to the Tax Commissioner of Jackson 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 _____

City of Hoschton

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 (5) 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 Committee'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 Jackson County. This notice appears in the Jackson Herald 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 Mayor and City Council. The Planning Commission meets the third Monday of each month. Meetings are held at 7:00 PM at Hoschton City Hall.
- 7) Hoschton City Council meets on the first Monday of each month to consider request heard by the Planning Commission. This meeting is held at 7:00 PM at Hoschton City Hall.
- 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 Jackson County. No application may be withdrawn under any circumstances after the legal advertisement of a public hearing had been placed. All applications advertised shall receive final action by the Hoschton City Council. Written notification of withdrawal is required.
- 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 6 months from the date of last action of the Hoschton City Council. In no case shall an application or re-application be acted upon in less than 6 months from the date of last action by Hoschton City Council.
- 11) A change in the conditions of zoning approval will be processed as a new rezoning 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) 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 or Change in Zoning Condition request. Please see the attached schedule of filing deadlines and meeting dates. A pre-application conference with the 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 Hoschton Planning Commission hearing.

City of Hoschton
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, 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 City of Hoschton.

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 the proposed use of the property
 - 2) The size of the tract expressed as acres or square feet
 - 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**

The application shall include Ten (10) copies, and at least one (1) 8 ½ X 11 reduction, of a boundary survey, drawn to scale, for the subject property, displaying all metes and bounds. This is not necessary if the Site Plan (next item) includes the information.

6) REZONING CONCEPT PLAN

An application for a rezoning shall be accompanied by a **Concept Plan** if any new construction is proposed, or if any alteration of the site is required.

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 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.

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 date, 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. U.S. 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.

Application shall include ten (10) copies, and one (1) 8 ½ X 11 reduction, of a **Site Plan** drawn to scale. This Site 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.

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 – “Rezoning Checklist”
- Attachment D – “Standards”

9) AVAILABILITY OF WATER/SEWER UTILITIES

A completed utility availability letter shall be required for all rezonings that propose new or additional development. The standard form letter confirming utility availability must be obtained from the Hoschton Water/Sewage Department.

10) ADDITIONAL EXHIBITS (If required)

Traffic and Hydrology Studies

A Traffic Study and a Hydrology Study shall 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 and a hydrology 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 and a hydrology 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 and a hydrology study, prepared by professional engineers registered in Georgia, may be required by the Public Works Director. Determination of such requirements will be made within 5 working days of receipt of the application for rezoning and must be submitted to the Public Works and Planning & Development Directors at least 5 working days prior to the first public hearing.
- d) A traffic study, a hydrology study and other studies of the impact of the proposed development may be required by the Planning Commission or the City Council as deemed necessary for adequate consideration and a fully-informed decision on the rezoning request, relative to the standards for rezoning consideration contained in Hoschton Zoning Ordinance.

City of Hoschton
Attachment – “A”
Disclosure of Campaign Contributions & Gifts

Application filed on _____, 20____ for action by the Planning Commission and Hoschton Mayor and Council 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 organization¹ 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 Hoschton City Council or Hoschton 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 \$250.00 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 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.

City of Hoschton
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 Seal Here)

City of Hoschton
Attachment – “C”
Checklist For Zoning Submissions

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

- _____ Letter of Intent

- _____ A copy of the recorded Plat (from Clerk of Superior Court Office)

- _____ Legal Description

- _____ Boundary Survey

- _____ Site Plan (10 copies and 1 8 ½ X 11 reduction)

- _____ Water/Sewer Letter

- _____ Traffic Study (if required)

- _____ Filing Fee (see attached schedule)

THIS CHECKLIST MUST BE SUBMITTED ALONG WITH THE APPLICATION

City of Hoschton
Attachment – “D”
Standards for Rezoning Consideration

The Planning Commission and the Hoschton City Council 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, and intent of the Comprehensive Plan?

(E) Are the 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?

City of Hoschton
PLANNING AND DEVELOPMENT
FEE SCHEDULE
As of March 23, 2006

REZONING	\$250.00
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VARIANCE	\$250.00
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SUBDIVISIONS PRELIMINARY	
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