



# CHEROKEE COUNTY

## Application for Public Hearing

### Important Notes:

1. Please check all information supplied on the following pages to ensure your application is complete and accurate before signing this form. This page should be the first page of your completed application package.
2. All required documents for this application shall be submitted at the same time as the application. An application for a Public Hearing will not be scheduled unless and until it is *complete*.
3. Please contact the Planning and Land Use Department at 678-493-6103 if you have questions regarding your application or the public hearing process.
4. Applicant, or representative for applicant, must attend the Zoning Hearings. Failure to attend may result in dismissal with prejudice, rejection of the application or continuance of the hearing at the Board's sole discretion. If continued due to failure to appear at hearing, applicant will be responsible for all costs associated for re-advertising and notice for public hearing.

### SECTION I

Contact Person: \_\_\_\_\_ Phone: \_\_\_\_\_

Email: \_\_\_\_\_

### Applicant's Information:

Name: \_\_\_\_\_

Address: \_\_\_\_\_ Phone: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Property Owner's Information:  same as above  see attached authorization forms (multiple properties)

Name: \_\_\_\_\_

Address: \_\_\_\_\_ Phone: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

### Requested Public Hearing (check all that apply):

Rezoning

Amendment / Modification of Zoning

Variance

Other: \_\_\_\_\_

#### STAFF USE ONLY:

Commission District: \_\_\_\_\_

Case: \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

CityView # \_\_\_\_\_

Fee \$: \_\_\_\_\_

Date Paid: \_\_\_\_\_

# of Signs: \_\_\_\_\_

#### PUBLIC HEARING SCHEDULE:

Public Participation Meeting: \_\_\_\_\_

PC Work Session Date: \_\_\_\_\_

Planning Commission Hearing: \_\_\_\_\_

Board of Commissioners: \_\_\_\_\_

Zoning Board of Appeals: \_\_\_\_\_

Other: \_\_\_\_\_

**SECTION II**

**Property Information:**

Location: \_\_\_\_\_

Current Zoning: \_\_\_\_\_ Proposed Zoning: \_\_\_\_\_ Total Acreage: \_\_\_\_\_

Tax Map #: \_\_\_\_\_ N \_\_\_\_\_ Parcel #: \_\_\_\_\_ Land Lot(s): \_\_\_\_\_ District: \_\_\_\_\_

Future Development Map Designation: \_\_\_\_\_

Adjacent Zonings: North \_\_\_\_\_ South \_\_\_\_\_ East \_\_\_\_\_ West \_\_\_\_\_

Applicant's Request (Itemize the Proposal, including code sections for Variance requests):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Section(s) of the Code to be appealed for Variance Requests:

\_\_\_\_\_

Proposed Use(s) of Property:

\_\_\_\_\_  
\_\_\_\_\_

**Applicant Affidavit:**

Upon receipt of the completed application package, the Planning and Land Use Department shall notify the applicant of scheduled date, times, and locations of the public meetings/hearings. The applicant or a representative must be present to answer any questions that may be asked. In the event that an application is not complete, the case may be delayed or postponed at the discretion of the department.

This form is to be executed under oath. I, \_\_\_\_\_, do solemnly swear and attest, subject to criminal penalties for false swearing, that the information provided in this Application for Public Hearing is true and correct and contains no misleading information.

This \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

Print Name \_\_\_\_\_.

Applicant Signature \_\_\_\_\_.

**SECTION III**

**Infrastructure Information:**

Is water available to this site?  Yes  No      Jurisdiction: \_\_\_\_\_

How is sewage from this site to be managed?  
 \_\_\_\_\_  
 \_\_\_\_\_

Will this proposal result in an increase in school enrollment?  Yes  No

If yes, what is the projected increase? \_\_\_\_\_ students

Proposed Use(s)	# of units	Multiplier	Number of Students
Single Family (Detached) Home		0.725	
Multi Family (Attached) Home		0.287	

**Traffic Generation:**

A traffic impact study prepared by a registered engineer will be required if the proposed subdivision exceeds 250 dwelling units; the non-residential development contains more than 25,000 square feet of floor area; or at the discretion of the County Engineer. If a traffic study is not required as part of this application, complete the following charts to estimate traffic generated by the proposal. Information for additional residential and all commercial/industrial development shall follow the summary of ITE Trip Generation Rates published in the Transportation Planning Handbook by the Institute of Transportation Engineers.

What is the estimated number of trips generated? \_\_\_\_\_ trips

Code	Land Use(s)	# of units or sqft*	Daily Trip Ends <sup>+</sup>	Number of Trips
210	Single Family Home/ Townhome		9.57	
220	Apartment		6.63	

Notes:

\* Residential land uses are calculated based on the number of residential units. Commercial and industrial land uses are typically calculated based on square feet (sqft) of floor area for the use.

+ Residential daily trip ends per unit are shown. Contact Planning and Land Use staff about rates for other land uses.

**CAMPAIGN DISCLOSURE STATEMENT**

Nothing in Chapter 36 of OCGA shall be construed to prohibit a local government official from voting on a zoning decision when the local government is adopting a zoning ordinance for the first time or when a local government is voting upon a revision of the zoning ordinance initiated by the local government pursuant to a comprehensive plan as defined in Chapter 70 of this title.

\_\_\_ No, I have not made any campaign contribution to County Officials voting on this application exceeding \$250 in the past two years.

\_\_\_ Yes, I have made campaign contributions to County Officials voting on this application exceeding \$250 in the past two years.

To Whom: \_\_\_\_\_

Value of Contribution: \_\_\_\_\_

Date of Contribution: \_\_\_\_\_

Signature of Applicant: \_\_\_\_\_ Date: \_\_\_\_\_

Print Name: \_\_\_\_\_

Sworn to and subscribed before me this: \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

Notary Signature: \_\_\_\_\_

(Notary Seal)

**SECTION IV**

**CONFLICT OF INTEREST CERTIFICATION**

The undersigned below, making application for a zone change has complied with the O.C.G.A. § 36-67A, et. Seq., Conflict of Interest in Zoning Actions, and has submitted or attached the required information on the forms provided. Title 36 relates to disclosure of financial interests, campaign contributions, and penalties for violating O.C.G.A.

Signature of Applicant: \_\_\_\_\_ Date: \_\_\_\_\_

Print Name: \_\_\_\_\_

Signature of Applicant's Attorney: \_\_\_\_\_ Date: \_\_\_\_\_

Print Name: \_\_\_\_\_ Title: \_\_\_\_\_

Sworn to and subscribed before me this: \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

Notary Signature: \_\_\_\_\_

(Notary Seal)

**AUTHORIZATON OF PROPERTY OWNER(S)**

I, \_\_\_\_\_, being duly sworn upon his/her oath, being of sound mind and legal age deposes and states; that he/she is the owner of the property which is subject matter of the attached application, as is shown in the records of Cherokee County/Cherokee County, Georgia.

He/She authorizes the person named below to act as applicant in the pursuit of a request for:

\_\_\_ Rezoning

\_\_\_ Amendment / Modification of Zoning Conditions

\_\_\_ Variance / Appeal

\_\_\_ Other: \_\_\_\_\_

I hereby authorize the staff of the Cherokee County, Department of Planning and Land Use to inspect the premises which are subject of the application.

**Applicant’s Information:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_ Phone: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

**Property Owner’s Information:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_ Phone: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Signature of Owner: \_\_\_\_\_ Date: \_\_\_\_\_

Print Name: \_\_\_\_\_

Signature of Owner: \_\_\_\_\_ Date: \_\_\_\_\_

Print Name: \_\_\_\_\_

Sworn to and subscribed before me this: \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Notary Signature: \_\_\_\_\_

(Notary Seal)

## SECTION V

### APPLICANT RESPONSE STATEMENT - REZONINGS AND AMENDMENTS / MODIFICATIONS TO ZONING CONDITIONS

The applicant finds that the following standards are relevant in balancing the interest in promoting the public health, safety, morality, or general welfare against the right to unrestricted use of property and shall govern the exercise of the zoning power.

If this application is in response to an annexation and/or rezoning, please respond to the following standards in the form of a written narrative:

1. Explain the intent of the requested zoning.
2. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.
3. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.
4. Whether the property to be affected by a proposed zoning has a reasonable economic use as currently zoned.
5. Whether the proposed zoning will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.
6. Whether the proposed zoning is in conformity with the policy and interest of the land use plan.
7. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approved or disapproval of the proposed zoning.

## SECTION VI

### APPLICANT RESPONSE STATEMENT- VARIANCES

The applicant finds that the following standards are relevant in balancing the interest in promoting the public health, safety, morality, or general welfare against the right to unrestricted use of property and shall govern the exercise of the zoning power.

If this application is in response to a variance, please respond to the following standards in the form of a written narrative. In the case of concurrent variances, a response to the standards below should be provided for each variance requested.

1. Explain requested variance.
2. There are exceptional and extraordinary conditions pertaining to the particular piece of property in question, due to its size, shape or topography.
3. The application of these regulations to this particular piece of property would create a practical difficulty or unnecessary hardship.
4. Such conditions are peculiar to the particular piece of property involved.
5. A literal interpretation of this ordinance would deprive the applicants of any rights that others in the same district are allowed.
6. Relief, if granted, would not cause substantial detriment to the public good, or impair the purposes and intent of this ordinance.
7. Special circumstances or conditions applying to the building or land or building and land in question are peculiar to such premises and do not apply generally to other land or buildings in the vicinity.
8. Granting of the application is necessary for the preservation and enjoyment of a property right and not merely to serve as a convenience to the applicant.
9. The condition from which relief or a variance is sought did not result from willful action by the applicant
10. Authorizing the variance will not impair adequate supply of light and air to adjacent property or unreasonably increase the congestion of public streets, increase the danger of fire, imperil the public safety, unreasonably diminish or impair established property values within the surrounding areas or in any other respect impair the health, safety, comfort, morals or general welfare of the inhabitants of the County.



## APPLICATION PACKAGE CHECKLIST:

### *Required Sections for Rezoning Application*

- Section I Applicant's Information  
Property Owner's Information  
Requested Public Hearing
- Section II Property Information  
Applicant Affidavit
- Section III Infrastructure Information  
Traffic Generation
- Section IV Conflict of Interest Certification  
Authorization of Property Owners
- Section V Application Response Statement – Rezoning and Amendments /  
Modifications to Zoning Conditions

### *Required Sections for Modification of Zoning Conditions Application*

- Section I Applicant's Information  
Property Owner's Information  
Requested Public Hearing
- Section II Property Information  
Applicant Affidavit
- Section IV Conflict of Interest Certification  
Authorization of Property Owners
- Section V Application Response Statement – Rezoning and Amendments /  
Modifications to Zoning Conditions

### *Required Sections for Variance / Appeal Application*

- Section VI Application Response Statement – Variances

Submit the following additional items to be attached and made a part of this application:

- \_\_\_ Vesting Deed
- \_\_\_ Legal Description(s) (applications containing a part of a parcel)
- \_\_\_ Existing Site Resources Map (if required) (no larger than 11" X 17")
- \_\_\_ Site Plan (no larger than 11"x17")
- \_\_\_ Traffic Study (if required)
- \_\_\_ Public Participation Plan and Report