

PLANNING AND DEVELOPMENT DEPARTMENT
 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504
 MAILING ADDRESS: PO BOX 1435, GAINESVILLE, GA 30503
 t: 770-531-6809 | f: 770-531-3902



CONDITIONAL USE APPLICATION

Applicant (Name & Mailing Address)

Property Owner (Name & Mailing Address)

Phone _____ Phone _____

Email Address _____ Email Address _____

Proposed Use _____

Contact Person (Name & Mailing Address)

Status of Applicant

Requested Action

- Owner
- Option to Purchase
- Area Resident
- Other

Permissive Use:
 HCPC HCC
 Fee:\$ _____
 Receipt #: _____
 Check #: _____

Phone _____

Email Address _____

Tax Parcel Number _____

Acreage _____

Location Address _____

I hereby certify that the above information and all attached information are true and correct.

Sign _____ Date: _____

Applicant must complete all information above. Failure to complete this section will result in the refusal of the application. The Planning Department has 15 days to review all applications and will set the dates for each application. If the application is found insufficient, an agenda date will not be set until the required information is submitted. Please note that the Planning Commission and County Commission dates are tentative.

Application Withdrawal: I hereby **withdraw** the application.

Sign _____ Date: _____

Staff Use Only

Application Date: _____ Taken by: _____

Tentative Planning Commission Date: _____ Tentative County Commission Date: _____

County Commission District: _____

CAMPAIGN CONTRIBUTIONS DISCLOSURE FORM

This form must be completed by the applicant and property owner, or person representing the property owner, for all zoning actions.

OCGA § 36-67A-3[C] Disclosure of campaign contributions:

(b) When any applicant for zoning action has made, within two years immediately preceding the filing of the applicant's application for the zoning action, campaign contributions aggregating \$250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing:

(3) The name and official position of the local government official to whom the campaign contribution was made; and

(4) The dollar amount and description 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 the rezoning action and the date of each such contribution.

(b) The disclosures required by subsection (a) of this Code section shall be filed within ten days after the application for the zoning action is first filed. (Code 1981, Section OCGA § 36-67A-3[C], enacted by GA L. 1986, page 1269, Section 1, GA L. 1991, page 1365, Section 1).

I hereby certify that I have read the above and that:

I have** _____ I have not _____

within the two years immediately preceding this date, made any contribution(s) aggregating \$250.00 or more to any local government official involved in the review or consideration of this application.

****If you have made such contributions, you must provide the data required below within ten (10) days of filing this application.**

Name of Official(s): _____

Office: _____

Dollar Amount: _____

Date of Contribution: _____

Applicant's/Owner's Signature: _____

Date: _____

Applicant's/Owner's Name (Printed): _____

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AUTHORIZATION OF PROPERTY OWNERS

Note: If the applicant is the property owner, please disregard this form.

Name of owner(s) _____

Address _____

Phone Number _____

Name of applicant(s) _____

Address _____

Phone Number _____

I swear that I am the owner of the property which is the subject matter of the attached applications as shown in the records of Hall County, Georgia.

I authorize the person named above to act as applicant in the pursuit of a rezoning, permissive use, or variance of this property.

Signature of Owner(s)

Personally appeared before me

who swears that the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

Notary Public

Date

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Name of Official(s): _____

Office: _____

Dollar Amount: _____

Date of Contribution: _____

Applicant's/Owner's Signature: _____

Date: _____

Applicant's/Owner's Name (Printed): _____

PUBLIC NOTICE REQUIREMENTS

Zoning regulations require that public notice must be given prior to all zoning hearings as follows:

1. The Planning Department shall publish a legal advertisement no less than fifteen (15) days and no more than forty-five (45) days prior to the public hearing.
2. The Planning Department shall send notification by letter of all other property owners within a 500-foot radius of the applicant's property is standard administrative policy of the Planning Department.
3. The applicant/property owner shall place the public notice sign in a conspicuous location on the property not less than fifteen (15) days and not more than forty-five (45) days prior to the public hearing.

The Planning Department shall post the legal advertisement and notify property owners within a 500ft radius to the subject property.

The applicant is required to post the public notice sign and ensure that it remains in place during the entire zoning proceeding. A photo of the sign placed at the location is required and must be sent to the Planning Department.

If it is determined at any time during the zoning proceeding that the sign has not been properly posted on the site, the Board must table or delay the request.

Multiple sign postings on a site may be required as determined by the Planning Department. The sign must be in a location where it is clearly visible from the roadway. The sign cannot be obstructed in any manner, placed too far from the road, or placed in such manner as would cause it to blend into the landscape.

The sign must remain posted during the entire proceeding. Should you find the sign missing or vandalized in any manner, contact the Planning Department. When the proceeding is complete and final Board action has occurred, the sign shall then be removed from the property by the applicant.

THE ZONING SIGN MUST BE POSTED NO EARLIER THAN _____ AND NO LATER THAN _____.

THE ORIGINAL SIGNED AFFIDAVIT MUST BE AND RETURNED TO THE PLANNING DEPARTMENT NO LATER THAN _____ ALONG WITH A MINIMUM OF ONE PHOTO SHOWING THE SIGN POSTED AT THE SUBJECT PROPERTY.

Failure to comply will result in a delay of the application.

AFFIDAVIT

By my signature, I, _____, hereby acknowledge that I have
Please Print Name
read and understand the sign posting requirements. I further certify that the required
public notice sign was posted on _____ for _____.
Date (Name application filed as)

Signature _____
(The original document is required)

APPLICATION WITHDRAWAL

Zoning applications may be withdrawn prior to the public notification.

Request for withdrawal after this notification requires planning commission consent if requested prior to planning commission action or board of commission consent if requested prior to action of the county board of commissioners.

APPLICATION PROCESS

- At a preliminary meeting with a planner, the application process is discussed to determine what items are to be provided by the applicant.
- Requirements for the application and applicable fees are listed elsewhere in this publication. Additional requirements may include plan approval by the Health Department, Engineering Department, Water Department, and/or the Department of Transportation.
- The application is filed in the Planning Department and must be made at least 30 working days prior to the Planning Commission meeting.
- A legal advertisement is published at least 15 days prior to both the Planning Commission and Board of Commissioners public hearings.
- A sign with the dates and times of the Planning Commission and Board of Commissioners meetings is posted on the subject property by the applicant at least 15 days prior to the public hearing.
- Property owners adjacent to the subject property are notified by mail of the request and meeting date and time (must be postmarked no less than five days before the public hearing).
- A location map and staff report are prepared and delivered to Planning Commission members along with any information submitted by the applicant.
- The Planning Commission holds a public hearing on the request. The meeting is held at 5:15 p.m. on the first and third Monday of each month at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, GA.* The applicant and any other citizens concerned with the request are given an opportunity to speak during the hearing. After all comments are heard, the Planning Commission makes its decision. They can approve, approve with conditions, table, deny a request, or recommend a specific action to the Board of Commissioners, depending on the type of application.
- Any final decision of the Planning Commission may be appealed to the Board of Commissioners within five working days following the action.

- The Planning Commission's recommendation, with all information received at the public hearing (staff report, maps, etc.), are forwarded to the Board of Commissioners.

- The County Commission holds a public hearing on the request. The meeting times are 6:00 p.m. on the second and fourth Thursday of each month. All meetings are held at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, GA.* The hearing is conducted under the same format as the Planning Commission's public hearing. After all comments are heard, the Board of Commissioners makes its decision. The Board can approve, approve with conditions, table, refer back to the Planning Commission, or deny the request. Their decision is final unless appealed to the Superior Court of Hall County within 30 days following Commission action.
- A final action letter is mailed to the applicant by the Clerk of Commission. Normally, the entire process, from the time the applicant submits the application until the final decision is made, takes six to eight weeks.

**Unless public notice is given of some other time and/or location.*

ZONING DISTRICTS

For the purpose of regulating development, Hall County has divided its jurisdictional area into the following zoning districts:

Vacation Cottage (V-C)	Office and Institutional (O-I)
Residential-I (R-I)	Suburban Shopping (S-S)
Residential-II (R-II)	Highway Business (H-B)
Residential-Two-Family (R-TF)	Parkway Commercial (P-C)
Residential-Multi-Family (R-MF)	Light Industrial (I-I)
Agricultural Residential-III (AR-III)	Heavy Industrial (I-II)
Agricultural Residential-IV (AR-IV)	Planned Development
Mobile Home Park (MHP)	(PRD, POD, PCD, PID and PCFD)

Each zoning district differs from all the other districts in which land uses are allowed, what standards and restrictions apply, and what approvals are necessary. The Hall County Zoning Regulations provide a description of land uses permitted and other requirements (minimum lot size, setbacks, frontage, etc.) of each district. You can obtain a full description of the permitted land uses and requirements from the Hall County Planning Department (telephone: 770 531-6809) located at the Hall County Government Center, 2875 Browns Bridge Road, Third Floor, Gainesville, Georgia. The requirements and permitted uses are subject to change with new amendments to the regulations, so always make sure you have the latest version of the requirements and permitted land uses.

Hall County ZONING



Hall County Planning Department

P. O. Box 1435

Gainesville, Georgia 30503

(770) 531-6809

Fax (770) 531-3902

ZONING APPLICATIONS ARE NOT CONSIDERED COMPLETE FOR STAFF REVIEW AND SCHEDULING FOR CONSIDERATION BY THE PLANNING COMMISSION UNTIL ALL DATA, DRAWINGS, NARRATIVES, AND OTHER SUPPORTING DOCUMENTATION ARE RECEIVED.

H A L L C O U N T Y Z O N I N G A P P L I C A T I O N S

APPLICATION REQUIREMENTS

Applicant

Zoning applications may be filed by any individual, firm or organization or their duly appointed agent or attorney, board of commissioners, or the county planning commission. When the applicant is not the property owner, a letter from the property owner authorizing the application is required.

Minimum Size and Area

The minimum area considered for rezoning must be at least one acre except when the tract abuts a nonresidential zoning district or abuts a district with the same zoning classification as is being requested.

Application Deadline

Zoning applications (including all required documentation) must be submitted to the planning department office at least 30 working days in advance of the next regular meeting of the planning commission.

Required Documentation

Applications requesting a change in the official zoning map or use subject to approval of the planning commission or county commission shall file an application, together with payment of fees set forth to cover administrative and advertising costs, in the planning department office. All applications shall include:

1. A plat of the property giving the complete legal description of the area being considered in the application.
2. A written report fully describing the existing and proposed use of the property. The report should include where applicable:
 - a. A general description of the proposed use. (Description should fully describe the proposed use including such items as type of business, operating hours, etc.)
 - b. Proposed standards for development including restrictions on use of the property, density (lot size), and setback requirements.
 - c. Proposed signs and specifications.
 - d. Proposed lighting of site.
 - e. Provisions for water and sewer. (For public water/sewer systems, include letter of commitment from agency providing the service.)

- f. Plans for protection of abutting properties (buffers).

3. A site plan* drawn to scale identifying:

- a. The area covered by the application.
- b. Existing and proposed buildings and uses.
- c. Any other significant site improvements proposed to accommodate the proposed use or buffer adjacent uses.
- d. Location and number of parking spaces.
- e. Proposed access from a public street. (Include DOT letter of commitment for access to state routes.)
- f. Location of proposed signs.
- g. Location of proposed buffers.
- h. Adjacent existing land uses.

APPLICATION FEES

Rezoning and uses subject to County Commission approval.

Acreage	Rezoning and Uses Subject to County Commission approval in V-C, R-I, R-II, R-III, AR-III, & AR-IV	Rezoning and Uses Subject to County Commission approval in R-TF, R-MF, O-I, S-S, H-B, H-I, H-II, PRD, POD, PCD, PID, P-C, & MHP
0-5	\$300	\$450
>5-10	\$400	\$550
>10-20	\$600	\$750
>20-100	\$1,000	\$1,500
>100+	\$1,000 + \$30 per acre or part thereof, not to exceed a maximum of \$2,500.	\$1,500 + \$40 per acre or part thereof, not to exceed a maximum of \$3,000.

Conditional uses and uses permitted subject to Planning Commission approval.

Acreage	All Uses Subject to Planning Commission approval in V-C, R-I, R-II, R-III, & AR-IV zones.	All Uses Subject to Planning Commission approval in R-TF, R-MF, O-I, S-S, H-B, H-I, H-II, PRD, POD, PCD, PID, P-C, & MHP zones.
0-5	\$250	\$350
>5-10	\$350	\$450
>10-20	\$500	\$650
>20-100	\$750	\$1,000
>100+	\$750 + \$25 per acre or part thereof, not to exceed a max. of \$2,000.	\$1,000 + \$30 per acre or part thereof, not to exceed a maximum of \$2,500.

Variances and Hardship Mobile Homes

Acreage (N/A)	Variances V-C, R-I, R-II, R-III, AR-III and AR-IV \$350	Hardship Mobile Home \$200
(N/A)	Vary the setbacks in V-C, R-I, R-II, R-III, AR-III and AR-IV \$350	Vary the setbacks in R-TF, R-MF, O-I, S-S, H-B, H-I, H-II, PRD, POD, PCD, PID, P-C and MHP \$400

APPEALS TO COUNTY BOARD OF COMMISSIONERS: \$200

***All applicants seeking to make application for zoning actions must first have their site plan and proposal reviewed by the Hall County Engineering Department.**

The Engineering Department will either approve the plan submitted, or require changes they deem necessary. The zoning request may not proceed until the Engineering Department approved the plan. Once the plan is approved, the application will be processed by the Planning Department

•See zoning requirements for additional size and submittal requirements for Planned Development applications.

CAMPAIGN CONTRIBUTION DISCLOSURE

All zoning applicants are required to sign a campaign disclosure form indicating whether they have, or have not, made campaign contributions aggregating \$250.00 or more within the past two years to a local government official who will consider the application. When disclosures are required, the name, official position, dollar amount, and description of each contribution must be disclosed within ten days of filing the zoning application.