



MAP AMENDMENT (REZONING) AND CONDITIONAL USE PERMIT APPLICATION

Adopted by Mayor and Council on February 23, 2006

For Application Procedures, See p. 8



APPLICATION MA-_____

APPLICATION CUP-_____

HEARING DATE_____

DATE OF APPLICATION_____

APPLICANT_____

OWNER_____

(If other than applicant)

ADDRESS_____

ADDRESS_____

ZIP CODE_____PHONE_____

ZIP CODE_____PHONE_____

EMAIL_____

SIGNATURE_____

SIGNATURE_____

APPLICANT OR REPRESENTATIVE MUST ATTEND MEETING OR APPLICATION WILL NOT BE CONSIDERED

PRESENT ZONING DISTRICT(S)_____

REQUESTED ZONING DISTRICT_____

REQUESTED CONDITIONAL USE(S)_____

PROPERTY LOCATION/ADDRESS_____

MAP NUMBER_____

PARCEL NUMBER(S)_____

LAND LOT(S)_____

DISTRICT(S)_____SECTION(S)_____

ACREAGE_____ SEWAGE DISPOSAL TYPE_____ UTILITIES AVAILABLE_____

DESCRIPTION OF PROPOSED DEVELOPMENT AND/OR CONDITIONAL USE REQUEST:_____

(COMPLETE ON ATTACHED PAPER IF NECESSARY)

The following information must be provided with completed application:

- ___ WARRANTY DEED
- ___ TAX DOCUMENTATION
- ___ SURVEY PLAT BY REGISTERED SURVEYOR
- ___ 10 COPIES OF SITE DEVELOPMENT PLAN BY REGISTERED SURVEYOR INDIVIDUAL FOLDED TO 8.5"x11" (SEE p.7 FOR REQUIREMENTS)
- ___ CAMPAIGN CONTRIBUTION DISCLOSURE STATEMENT (ATTACHMENT A)
- ___ FOR CONDITIONAL USE REQUESTS, COMPLIANCE WITH SECTION 5.4
- ___ FOR CONDITIONAL USE REQUESTS, COMPLETE ATTACHMENT B
- ___ FILING FEES\$_____ RECEIPT#_____ CHECK#_____

(APPLICANT DO NOT WRITE BELOW THIS LINE)

PLANNING COMMISSION RECOMMENDATION:		CITY COUNCIL DECISION:	
APPROVED _____	STIPULATIONS _____	APPROVED _____	STIPULATIONS _____
DISAPPROVED _____	TABLED _____	DISAPPROVED _____	TABLED _____

Application Information

Please print or type answers, using additional paper or a separate sheet of paper, if necessary.

(1) Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property? _____

(2) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property? _____

(3) Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned? _____

(4) Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, public safety, or schools? _____

(5) Whether the zoning proposal is in conformity with the policy and intent of the adopted Future Development Map (FDM) and Future Land Use Map (FLUM)? _____

(6) Whether the zoning proposal is in conformity with the policies, objectives, and vision set forth by the Community Agenda (Comprehensive Plan) and other adopted policy documents? _____

(7) Whether an impact is expected on the environment, including, but not limited to, drainage, soil erosion, and sedimentation, flooding, air quality, and water quality and quantity?

(8) Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal? _____

Per 14.5-7 of the City of Holly Springs Zoning Ordinance, **Applicant Report for Rezoning and Conditional Use Permit Requests**, as relevant and determined by the Zoning Administrator, all applicants must submit the following in addition to any standing requirements for requests for zoning changes*:

1. A plan of the general location of the proposed buildings by reference to a plan or drawing and an indication of the use to be made of each and every building;
2. Architectural, façade and materials to be utilized as compared to the zoning requirements for the current and proposed zoning district;
3. The percentage of development maintained as open space and/or recreation areas and impervious surfaces;
4. If application exceeds 150 residential units and/or exceeds 100,000 square feet of commercial area, the applicant is required to submit a transportation impact study to be designed by an appropriate transportation professional;
5. Preliminary tree protection plan and buffer standards;
6. Preliminary storm water retention plan.

*Per 14.5-8 of the City of Holly Springs Zoning Ordinance, **Application Submittal Requirements Waived**, When determined by the Community Development Director to be unnecessary or irrelevant to the application submitted, the requirements listed in this section may be waived; however, if determined to be of significant importance to the decision process at any time after the application has been accepted, the Community Development Director, Planning Commission, or City Council may request the submission of these items or other information as deemed relevant during the decision making process.

Complete the following section, if applicable.

Residential

Minimum house size: _____ sq. ft.

Exterior façade: _____

Maximum number of units: _____

Anticipated start date: _____

Anticipated completion date: _____

Commercial

Number of buildings: _____

Maximum square footage: _____ sq. ft.

Number of stories: _____

Total number of employees: _____

Exterior façade: _____

Anticipated start date: _____

Anticipated completion date: _____

ATTACHMENT A

DISCLOSURE

Please answer the following questions. If the answer to any of the following questions is “yes”, you may be required under O.C.G.A. 36-67A, to provide further information.

A.) Are you, or anyone else with a property interest in the property, a member of the City of Holly Springs Planning and Zoning Commission or City of Holly Springs Council?

_____ YES _____ NO

B.) Does an official of such public bodies have any financial interest in any business entity, which has a property interest in the subject property?

_____ YES _____ NO

C.) Does a member of the family of such official have an interest in the subject property as described in (A) and (B)?

_____ YES _____ NO

D.) Within two (2) years immediately preceding this application, have you made campaign contribution (s) or given gifts to public officials aggregating \$250.00 or more?

_____ YES _____ NO

DATE APPLICANT NAME PRINTED APPLICANT SIGNATURE

NOTARY

Seal:

ATTACHMENT B

For Conditional Use Permit Requests, please answer the following questions on a separate sheet of paper.

1. Please verify that the proposed use complies with all of the additional stipulations by use, if any, as set forth by Section 5.4, Article 5.
2. State the proposed business name, brand, flag, and/or franchise.
3. Explain in detail what services the proposed conditional use business will provide.
4. Has a business plan or model been completed for this proposed conditional use business?
5. Why was this specific location chosen for this proposed establishment?
6. What is the projected date that the proposed conditional use business will open?
7. How many employees are expected to work at the proposed conditional use business?
8. What are the expected hours of operation for the proposed conditional use business?
9. What licensing requirements, if any, are mandated by the state for this business to operate? Do the proprietors of this business already possess these credentials?
10. Does the proposed conditional use business conform with the nearby uses already in existence?
11. Was a feasibility study conducted that provides evidence that the local market demands such a business use? Or is such a study available?
12. Will the proposed conditional use business create a nuisance or disturbance to nearby or adjacent properties?
13. Is the proposed conditional use business a service that is similar or will overlap a nearby establishment already in existence?
14. Will the services provided by the proposed conditional use business complement and correspondent well with the intended character of the respective zoning district area?
15. Will the business have adequate facilities and parking to accommodate the proposed use?
16. If in the Neighborhood Commercial District (NC), could nearby neighborhood residents and local pedestrians be expected to frequent this proposed business establishment without the use of an automobile?

HOLLY SPRINGS REZONING APPLICATION SITE PLAN REQUIREMENTS

Site Development Plan prepared by a registered surveyor, engineer, land planner, or architect (with profession seal affixed) drawn to scale of the subject property.

Exact size and location of all buildings

State proposed use of property(s) within the requested zoning classification

State the proposed density

Show N/F property(s) adjacent to the subject property.

Required or proposed setbacks and buffers

Parking areas number of spaces, including (access points)

In both directions, show distances from the access point to the nearest curb cuts on both sides of the road.

Location/Vicinity map

North arrow

Land lots/District/City of County boundary line

Adjoining and proposed streets (paving and right-of-way widths)

Total acreage

Topography at 10-foot contour intervals

Show creeks, streams, flood plain, etc., with required stream bank buffers

Limits of the 100-year flood plain and acreage of flood plain

Detention/Retention areas

Utility easements, cemeteries, architectural or archeological landmarks (if applicable)

PROCEDURES FOR APPLICATIONS

1. Any application for a Map Amendment (rezoning), Conditional Use Permit or request for the installation of a telecommunications tower, shall meet the requirements listed below at the time of filing.
2. All materials relating to the application must be given to the Zoning Administrator by the filing deadline as established by the City. See attached filing deadline dates.
3. The owner and/or applicant must submit a completed and signed application form to the City and must furnish a copy of the warranty deed or other proof of ownership of the property in question.
4. A copy of the paid tax receipt of the subject property, or a statement signed by an official of the Cherokee County Tax Commissioner's office must be provided.
5. Applicant must furnish to the City a survey plat of the property prepared by a Registered Surveyor in accordance with applicable state laws.
6. The applicant must furnish to the City a site development plan drawn to scale and prepared by a Registered Surveyor, Engineer, Land Planner, or Architect. 10 copies drawn to scale and folded to 8.5"X11". See attached site plan requirements.
7. The applicant must furnish the names and mailing addresses of all adjoining property owners, including the owners across the road and to the rear. Please provide tax parcel ID numbers.
8. Notarized Campaign Contribution Disclosure Form (Attachment A).
9. The filing fee is an amount set by the Holly Springs Mayor and Council and shall be paid at the time of filing. Please see the fees schedule on the next page. **This fee is non-refundable.**
10. The applicant shall post signs on the subject property in clear view of the road. Signs are provided by the City. As required by State Law, signs must be posted on the property a minimum of 15 days prior to the date of the public hearing.
11. The applicant or representative for the application must be present at the zoning public hearing. Failure to attend may result in a dismissal with prejudice, rejection of the application, or continuance of the hearing at the discretion of the Planning and Zoning Commission and Mayor and Council.
12. Any development that exceeds 100,000 net sq. ft. or 150 dwelling units require a traffic impact study prepared by a registered engineer, a hydrology study, and a water and septic tank review with the zoning application. Any developments that are less than 100,000 net sq. ft. or 150 dwelling units may be required to submit one or all of the above studies upon request by the City. A final decision by the Mayor and Council might be delayed until these studies are received with the zoning application.

13. The City will not accept applications unless complete, with required attachments and fees paid by the established deadline.
14. The Holly Springs Zoning Administrator reserves the right to request additional information on all applications for rezoning, conditional use permit, and telecommunication applications.
15. After the final decision by Mayor and Council, applicant(s) shall remove the public notice sign within two (2) weeks.

Fee Schedule¹

Rezoning

Acres	SFR	MFR	Commercial	Industrial
0-5	\$500	\$1,000	\$500	\$500
6-10	\$500 plus \$10 per acre	\$1,000 plus \$17 per acre	\$500 plus \$15 per acre	\$500 plus \$15 per acre
11- 50	\$500 plus \$20 per acre	\$1,000 plus \$32 per acre	\$500 plus \$20 per acre	\$500 plus \$20 per acre
51 +	\$500 plus \$30 per acre	\$1,000 plus \$48 per acre	\$500 plus \$25 per acre	\$500 plus \$25 per acre
Maximum Fee Not Exceed \$12,500				

Conditional Use

SFR	MFR	Commercial	Industrial
\$500	\$500	\$500	\$500

Annexation Fee

Acres	SFR	MFR	Commercial	Industrial
0-5	\$350	\$500	\$350*	\$350*
6-50	\$550	\$1,050	\$550*	\$550*
51 +	\$2,500 plus \$10 per acre over 50**	\$3,500 plus \$16 per acre over 50**	\$1,500 plus \$10 per acre	\$1,500 plus \$10 per acre

*waived if accompanied by rezoning application

** waived if application includes fiscal impact study with methodology approved by staff

¹ Adopted by Mayor and Council on February 23, 2006

Public Hearing Rules

➤ *Please carefully read the procedural rules of the public hearing below:*

- **Only one (1) public hearing is conducted for each rezoning petition filed. This hearing is before the Planning Commission.**
- **The Planning Commission (PC) is a recommending body, studying rezoning requests and zoning text amendments, forwarding their recommendations to the Mayor & Council, who make a final and binding decision.**
- **The applicant and all proponents of the petition may use a combined period of not more than ten (10) minutes to present the case.**
- **The opponents of the petition may use a period of not more than ten (10) minutes to present their counter proposal.**
- **The Planning Commission may grant additional time, although this decision is solely at their discretion.**

Should questions concerning these procedural stipulations arise, please contact the City Planner, 770-345-5536.

14.8: Public Hearing – A public hearing on a proposed amendment to the Holly Springs Zoning Ordinance properly initiated shall be held before the Planning and Zoning Commission, which Commission is delegated the duty to conduct such public hearing as is required by The Zoning Procedures Law” (Title 36, Chapter 66 of the Official Code of Georgia Annotated). A public hearing on any proposed amendment to the Holly Springs Zoning Ordinance properly initiated shall be conducted at the time and place specified by the Planning and Zoning Commission and as set forth in the public notice described in Section 14.5 of this Ordinance. The purpose of such hearing shall be to present to the public the proposed zoning amendment and to receive comments thereon from the public. The Planning and Zoning Commission shall consider the proceedings and comments of such hearing in making its recommendation to the Mayor and Council of the City of Holly Springs on any zoning decision on the proposed zoning amendment. The Planning and Zoning Commission shall prescribe the rules of order for its deliberations on matters with which it is charged to advise the Mayor and Council of the City of Holly Springs under this Ordinance and said rules of order shall be consistent with the general requirements and purposes set forth by the Planning and Zoning Commission and other general laws of the State of Georgia concerning conduct of proceedings of public commissions, bodies and governmental units. Where no other rules are adopted, Robert’s Rules of Order apply.



City of Holly Springs

SYSTEMATIC ALIEN VERIFICATION FOR ENTITLEMENTS (SAVE)

Affidavit of Compliance with O.C.G.A. 50-36-1 “Verification of Lawful Presence within the United States.”

O.C.G.A. 50-36-1 requires that applicants applying for such things as licenses for public benefits complete a signed and sworn affidavit verifying the applicant’s lawful presence in the United States. Therefore, the applicant must answer the following questions:

The applicant is a U. S. citizen or legal permanent resident at least eighteen (18) years old.

 YES NO or IF NOT:

The applicant is a qualified alien or nonimmigrant under the federal Immigration and Nationality Act, Title 8 U.S.C., as amended, at least eighteen (18) years old, and is lawfully present in the United States. **A photo static copy of the applicant’s alien card issued by the Department of Homeland Security or other federal immigration agency must be included with this document.***

O.C.G.A. 50-36-1 states that “Any person who knowingly and willfully makes a false, fictitious, or fraudulent statement of representation in an affidavit executed pursuant to this Code section shall be guilty of a violation of Code Section 16-10-20.”

I declare, under penalty of law, that this affidavit has been completed by me and is true and correct.

Signature

Date

Title

Legal Company Name

Company Address

(Must be signed by applicant. If the applicant is a corporation, must be signed by an officer of the corporation. **A STAMPED SIGNATURE IS NOT ACCEPTABLE.**)

I hereby certify that _____ is personally known, or verified by me, that the applicant signed this application after stating to me his or her personal knowledge and understanding of all statements and, under oath actually administered by me, has sworn that the statements and answers contained in this affidavit are true.

SUBSCRIBED AND SWORN BEFORE ME ON THIS
_____ DAY OF _____, 201__

Notary Public

AFFIX SEAL

*All applicants must attach a copy of a secure and verifiable document as defined in O.C.G.A. 50-36-2.