

Greene County Building and Zoning



CONDITIONAL USE APPLICATION

Chuck Wooley Building Official

1034 Silver Drive, Suite 103, Greensboro, Georgia 30642 - Telephone (706) 453-3333 - Fax (706) 453-2579 www.greencountyga.gov/zoning

Applicant Information

Name: _____
Address: _____
City: _____ State: _____ Zip: _____
Phone: _____ Cell: _____
Email: _____
Status: _____ Owner _____ Authorized Agent
Signature: _____

Property Owner Information

Property Owner: _____
Address: _____
City: _____ State: _____ Zip: _____

Property Information

Address: _____
Parcel Number: _____ Acreage: _____ Zoning: _____
Current Use: _____
Proposed Use: _____

If the Applicant is NOT the property owner, this section must be completed AND notarized.

I/we swear that I am/we are all of the owner(s) of the property, which is the subject matter of the attached application, as is shown in the records of Greene County, Georgia. I/we authorize the person named above to act as Applicant in the pursuit of the requested action. (ALL property owners on record must sign.)

Sworn to and subscribed before me this _____ day of _____, 20_____.

Notary Public: _____

My Commission Expires: _____

Authorized Agent

Property Owner Signature

Property Owner Signature



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DISCLOSURE OF CAMPAIGN CONTRIBUTION AND GIFTS

**Chuck Wooley
Building Official**

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All applicants, their attorneys, and/or representatives, must submit a Disclosure of Campaign Contributions and Gifts Form as required by the Official Code of Georgia Section 36-67A-1, et. Seq.

Reference: Application filed on _____ for zoning action of real property described as follows:

All individuals and business entities having a property interest in above said property are as follows:

Within the two years preceding the above filing date, the applicant has made campaign contributions aggregating \$ 250. 00 or more or made gifts having the aggregate value of \$250. 00 or more to each member of the Planning Commission or the Greene County Board of Commissioners listed below.

List below (1) the name of the Commission or Commission Member, (2) dollar amount and date of each such campaign contribution, and (3) an enumeration and description of each such gift having a value of \$ 250.00 or more.

I hereby depose and say that all statements herein are true, correct and complete to the best of my knowledge and belief.

Signature

Sworn to and subscribed before me this ____ day of _____, _____

Notary Public, _____ County.

Notary Signature



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**AUTHORIZATION OF PROPERTY OWNER(S)
APPLICATION FOR ZONING ACTION**

**Chuck Wooley
Building Official**

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I swear (I am) (we are) the owner(s) of the property which is the subject matter of the attached application, as is shown in the records of Greene County, Georgia.

I/we authorize the person named below to act as applicant for the zoning action of this property.

Name of the **Owner(s)** * as recorded on deed : _____

Address/Addresses: _____

Telephone Number(s): _____

Email Address/Addresses: _____

Name of **Applicant** Authorized to Apply on my/our Behalf:

Signature of Owner

Signature of Owner

Sworn to and subscribed before me this _____ day of _____, _____

Notary Public, _____ County, GA.

Notary Signature: _____

Notary Seal



Greene County Building and Zoning

**WITHDRAWAL OF A
CONDITIONAL USE, VARIANCE OR ZONING
APPLICATION**

Chuck Wooley
Director of Building, Zoning and Project Management

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www.greencountyga.gov/zoning

13.3.6.1 Withdrawal. If an application is withdrawn in writing by the applicant at any time **after** the publication of the newspaper notice and posting of the required sign, but **prior to** the public hearing, then no application for action on the same property may be considered by the Planning and Zoning Commission until the expiration of **at least sixty (60) days** immediately following the withdrawal of the rezoning application. The withdrawal must be in writing and signed by the applicant.

The application will be considered to have been withdrawn if the applicant, his/her authorized agent or his/her attorney fails to appear at the Planning and Zoning Commission hearing. By withdrawing in this manner, no application for action on the same property may be considered by the Planning Commission until the expiration of **at least sixty (60) days** from the date of the scheduled public hearing for which the applicant failed to appear.

I have read and understand Greene County's policy on withdrawing an application.

Print Name of Applicant

Signature of Applicant

Date



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DOCUMENTS NEEDED FOR CONDITIONAL USE APPLICATION

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Building Official**

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1. Completed Conditional Use Application.
2. Filing fee of \$600.00 payable to the Greene County Board of Commissioners
3. Three (3) copies of a written description of the proposal designed to inform the County, in detail, about all aspects of the proposed use and its anticipated impact on the community. The description should include, when pertinent, information on the hours of operation, number of employees, number of dwelling units, vehicle trip ends, noise, water usage, sanitary waste treatment and any other relevant concerns identified by the County or applicant.
4. Eight (8) copies of preliminary building and site plans drawn to scale showing the following information:
 - a. Eight (8) copies of surveyed plat signed by a registered surveyor
 - b. Project name
 - c. Project owner
 - d. Date, scale, and north arrow
 - e. Vicinity map
 - f. Use of adjacent property
 - g. Exterior dimensions of the site
 - h. Total project acreage
 - i. Location, name, and width of all existing or proposed streets
 - j. Location of all proposed structures
 - k. Location of all off-street parking and driveway serving the project
 - l. Proposed buffers and/or screening
 - m. Location, height, fixture type and wattage of site lighting
 - n. Dumpster locations
 - o. Rough floor plans, including gross floor area

Additional Documents

The documents described above are the bare minimum required by Greene County. You may submit any additional information that you wish to have included in your application. Application materials will be copied and distributed to the Planning and Zoning Commission and Board of Commissioners members. Anything included in the application is available to be viewed by the public under open record laws at the Greene County Planning and Zoning Office.

Note

Submission of inaccurate or incomplete information may be cause for denial of the request, or if said discrepancies are realized after the approval for the petition or issuance of the relevant local permits, cause for the revocation of the approval and any related permits by the Board of Commissioners.

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APPLICATION PROCEDURES FOR CONDITIONAL USE APPLICATION

Chuck Wooley
Building Official

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Conditional Use Application Procedures

1. Submission of application, required documents, and applicable fees is required by the deadline to be placed on the agenda.
2. A legal advertisement will be run in The Herald Journal no less than 15 days and no more than 45 days prior to the public hearing announcing the public hearing to receive comments concerning the Conditional Use request.
3. The applicant or their representative should be present at the meeting when their petition is heard.
4. The Planning and Zoning Commission makes a recommendation to the Board of Commissioners, and the Board of Commissioners shall issue its findings within forty days of the receipt of the Planning and Zoning Commission recommendation.

Standards for Conditional Use Approval

In determining the compatibility of a conditional use with adjacent properties and the overall community, the Board of Commissioners must make the following findings if the use is to be approved or approved with conditions:

1. Adequate provision is made by the applicant to reduce any adverse environmental impacts of the proposed use to an acceptable level.
2. Vehicular traffic and pedestrian movement on adjacent streets will not be substantially hindered or endangered.
3. Off-street parking and loading, and the entrance to and exit from such parking and loading, will be adequate in terms of location, amount and design to service the use.
4. Public facilities and utilities are capable of adequately serving the proposed use.
5. Granting the request would not be an illogical extension of a use which would intrude a damaging volume of agricultural, commercial, industrial, or high density apartment use into a stable neighborhood of well-maintained single-family homes, and likely lead to decreasing surrounding property values, neighborhood deterioration, spreading of blight, and additional requests of a similar nature which would expand the problem.
6. Granting the request would not lead to congestion, noise and traffic hazards or overload public facilities current or planned.
7. Granting this request would conform to the general expectations for the area population growth and distribution according to the Comprehensive Land Use Plan.
8. Granting this request would not lead to a major negative change in existing levels of public service, government employees or fiscal stability.
9. Granting this request would not have a "domino effect," in that it becomes the opening wedge for further rapid growth, urbanization or other land-use change beyond what is indicated in the Comprehensive Land Use Plan.

Unless otherwise noted, the site plan submitted in support of an approved conditional use shall be considered part of the approval and must be followed.

Approval of a proposed use by the County Commission does not constitute an approval for future expansion of or additions or changes to the initially approved operation. Any future phases or changes that are considered significant by the County Zoning Administrator and not included in the original approval are subject to the provisions of this Article and the review of new detailed plans and reports for said alterations by the governing authority. The applicant for a conditional use must obtain a construction and building permit, if applicable, within one year. The County Building Official may approve two separate one year extensions. At the end of three years, the conditional use permit will expire and the applicant must reapply

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ARTICLE XI. - CONDITIONAL USES AND VARIANCES

Sec. 11.1. - Conditional use and variance procedures.

The property owner or its authorized agent may initiate an application for a conditional use permit and a variance. When an agent is authorized to act on behalf of an owner, such certificate of authorization shall be notarized on the application. All petitions for conditional use or variance approval shall be submitted to the Zoning Administrator at least thirty (30) days prior to a regularly scheduled Planning Commission Meeting on application forms supplied by the Zoning Administrator along with a fee as determined by the Board of Commissioners. Incomplete applications will not be placed on the agenda. Applications for conditional uses or variance must be accompanied by the following information:

Sec. 11.2. - Conditional use.

11.2.1 Eight (8) copies of a written description of the proposal designed to inform the County, in detail, about all aspects of the proposed use and its anticipated impact on the community. The description should include, when pertinent, information on the hours of operation, number of employees, number of dwelling units, vehicle trip ends, noise, water usage, sanitary waste treatment and any other relevant concerns identified by the County or applicant.

11.2.2 Eight (8) copies of preliminary building and site plans drawn to scale showing the following information:

11.2.2.1 Eight (8) copies of surveyed plat signed by a registered surveyor.

11.2.2.2 Project name.

11.2.2.3 Project owner.

11.2.2.4 Date, scale, and north arrow.

11.2.2.5 Vicinity map.

11.2.2.6 Use of adjacent property.

11.2.2.7 Exterior dimensions of the site.

11.2.2.8 Total project acreage.

11.2.2.9 Location, name and width of all existing or proposed streets.

11.2.2.10 Location of all proposed structures.

11.2.2.11 Location of all off-street parking and driveway serving the project.

11.2.2.12 Proposed buffers and/or screening.

11.2.2.13 Location, height, fixture type and wattage of site lighting.

11.2.2.14 Dumpster locations.

11.2.2.15 Rough floor plans, including gross floor area.

Sec. 11.3. - Variance.

11.3.1 Eight (8) copies of building and/or site plans drawn to scale showing the following information:

11.3.1.1 Property owner.

11.3.1.2 Date, scale and north arrow.

11.3.1.3 Use of adjacent property. 11.3

.1.4 Exterior dimensions of the site. 11.

3.1.5 Proposed buffers or screening.

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- 11.3.1.6 Exact dimensions of the requested variance with result indicated on the plat.
- 11.3.1.7 Correspondence from affected adjacent property owners stating their approval is recommended.
- 11.3.1.8 Building height.
- 11.3.1.9 The submittal of inaccurate or incomplete information may be cause for denial of the request, or, if said discrepancies are realized after approval of the petition or issuance of the relevant local permits, cause for the revocation of the approval and any related permits by the Board of Commissioners.

Sec. 11.4. - Procedures.

- 11.4.1 The Zoning Administrator shall prepare information regarding the petition for consideration by the Planning Commission at its regularly scheduled meeting.
- 11.4.2 The Planning Commission shall hold one public hearing on the proposed use in accordance with the hearing provisions governing zoning amendment set forth in Article XIII at Section 13.3.9 and 13.3.10. The Planning Commission shall then review the report and conduct a comprehensive review of the proposed use or variance request and forward a recommendation to the Board of Commissioners. Said recommendation may be to approve, approve with condition, or deny the request.
 - 11.4.2.1 Not less than (15) days, and not more than forty-five (45) days prior to the date of the public hearing, the Zoning Administrator shall advertise the date, time, place and purpose of the public hearing in a newspaper of general circulation in Greene County. The notice shall also include the location of the property, the conditional use sought if the petition seeks a conditional use and the nature of the variance sought if the petition seeks a variance.
- 11.4.3 The Board of Commissioners shall issue its findings within 100 days of the first regularly scheduled meeting following the Planning Commission meeting in which the Planning Commission made the recommendation. The Board of Commissioners may return the application to the Planning Commission or the department, or both, for further study or it may approve the application. In addition, the board may approve the application with conditions or it may deny the application. Further, the board may allow the application to be withdrawn with or without prejudice. All actions of the Board of Commissioners shall be deemed to be effective as of the date of the action.
- 11.4.4 In determining the compatibility of a conditional use with adjacent properties and the overall community, the Board of Commissioners must make the following findings if the use is to be approved or approved with conditions:
 - 11.4.4.1 Adequate provision is made by the applicant to reduce any adverse environmental impacts of the proposed use to an acceptable level;
 - 11.4.4.2 Vehicular traffic and pedestrian movement on adjacent streets will not be substantially hindered or endangered;
 - 11.4.4.3 Off-street parking and loading, and the entrance to and exit from such parking and loading, will be adequate in terms of location, amount and design to service the use;
 - 11.4.4.4 Public facilities and utilities are capable of adequately serving the proposed use;
 - 11.4.4.5 Granting the request would not be an illogical extension of a use which would intrude a damaging volume of agricultural, commercial, industrial, or high density apartment use into a stable neighborhood of well-maintained single-family homes, and likely lead to decreasing surrounding property values, neighborhood deterioration, spreading of blight, and additional requests of a similar nature which would expand the problem;
 - 11.4.4.6 Granting the request would not lead to congestion, noise and traffic hazards or overload public facilities current or planned;

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- 11.4.4.7 Granting this request would conform to the general expectations for the area population growth and distribution according to the Comprehensive Land Use Plan;
- 11.4.4.8 Granting this request would not lead to a major negative change in existing levels of public service, government employees or fiscal stability; and
- 11.4.4.9 Granting this request would not have a "domino effect," in that it becomes the opening wedge for further rapid growth, urbanization or other land-use change beyond what is indicated in the Comprehensive Land Use Plan.

- 11.4.4.10 A variance may be authorized for specific individual cases where the literal enforcement of the provisions of this ordinance will result in unnecessary hardship as long as the variance, if granted, is not contrary to the public interest, and public safety and welfare remain secured.

Variations may be granted in such individual cases of practical difficulty or unnecessary hardship only upon a finding by the Planning and Zoning Board that all of the following conditions exist:

- 11.4.4.10.1 There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography;
 - 11.4.4.10.2 The application of this ordinance to this particular piece of property would create an unnecessary hardship;
 - 11.4.4.10.3 Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of this ordinance; and
 - 11.4.4.10.4 The special circumstances surrounding the request for a variance are not the result of known acts by the applicant.
- 11.4.4.11 Unless otherwise noted, the site plan submitted in support of an approved conditional use or variance shall be considered part of the approval and must be followed.

Approval of a proposed use by the County Commission does not constitute an approval for future expansion of or additions or changes to the initially approved operation. Any future phases or changes that are considered significant by the County Zoning Administrator and not included in the original approval are subject to the provisions of this Article and the review of new detailed plans and reports for said alterations by the governing authority. The applicant for a conditional use must obtain a construction and building permit, if applicable, within one year. The County Building Official may approve two separate one year extensions. At the end of three years, the conditional use permit will expire and the applicant must reapply.

- 11.4.4.12 Building permits will not be issued without verification of the variance being recorded. The variance plat must be recorded within 30 days of the date of approval by the Board of Commissioners.