



MAP AMENDMENT (REZONING) AND CONDITIONAL USE PERMIT APPLICATION

For Application Procedures, See p. 7

APPLICATION MA- _____ APPLICATION CUP- _____

HEARING DATE _____ DATE OF APPLICATION _____

APPLICANT _____ OWNER _____
(If other than applicant)

ADDRESS _____ ADDRESS _____

ZIP CODE _____ PHONE _____ ZIP CODE _____ PHONE _____

EMAIL _____ 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
- ____ 1 LARGE COPY (22" x 34") OF SITE DEVELOPMENT PLAN BY REGISTERED SURVEYOR ____ 1 PDF COPY OF SITE DEVELOPMENT PLAN BY REGISTERED SURVEYOR
- ____ CAMPAIGN CONTRIBUTION DISCLOSURE STATEMENT (ATTACHMENT A)
- ____ ATTACHMENT B (CONDITIONAL USE PERMIT REQUESTS ONLY)
- ____ WATER/SEWER AVAILABILITY LETTER FROM CCWSA (CHEROKEE COUNTY WATER AND SEWERAGE AUTHORITY)

(APPLICANT DO NOT WRITE BELOW THIS LINE)

| | |
|--|-----------------------------------|
| <u>PLANNING COMMISSION RECOMMENDATION:</u> | <u>CITY COUNCIL DECISION:</u> |
| APPROVED _____ STIPULATIONS _____ | APPROVED _____ STIPULATIONS _____ |
| DISAPPROVED _____ | DISAPPROVED _____ |

FILING FEES _____ RECEIPT# _____ CHECK# _____

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? _____

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: _____

Must be completed by applicant, all owners, and any other person wishing to speak at the public hearing, i.e., engineer, surveyor, etc...

ATTACHMENT A

DISCLOSURE

Please answer the following questions.

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 contributions aggregating \$250.00 or more?

_____ YES _____ NO

If yes, in accordance with O.C.G.A. 36-67A-3, you are required to provide the following information at least five calendar days prior to the Public Hearing:

Public Official's Name: _____

Official Position: _____

Dollar Amount of Contribution: _____

Description of Contribution: _____

Date of Contribution: _____

If you have made more than one campaign contribution, please add an additional sheet which lists the above details of **each** campaign contribution.

DATE

NAME PRINTED

SIGNATURE

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

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)

For residential developments, gross density (units/ total acreage) and net density ((units/total acreage-0.75(buffer, floodplain, steep slopes, wetlands, or other unbuildable or sensitive lands))

e.g. ... Units = 100, Total Acreage = 20, Unbuildable Acreage = 4

Net Density = 100/ (20-.75(4)) = 100/17 = 5.88

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 website for 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 for both the City property taxes and the Cherokee County property taxes.
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. A site development plan drawn to scale and prepared by a Registered Surveyor, Engineer, Land Planner, or Architect. 1 22"x34" printed copy drawn to scale and 1 PDF copy must be submitted. See attached site plan requirements.
7. Notarized Campaign Contribution Disclosure Form (Attachment A) must be submitted for all property owners, applicants, as well as, any other party who may speak at the public hearing, i.e. engineer, surveyor, etc...
8. 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 fee schedule on the next page. **This fee is non-refundable.**
9. The applicant or representative for the application must be present at the Planning Commission public hearing and the City Council Work Session and Regular Session. 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/or Mayor and Council.
10. Any development that exceeds 100,000 net sq. ft. or 150 dwelling units requires a traffic impact study prepared by a registered engineer, 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.
11. The City will not accept applications unless complete, with required attachments and fees paid by the established deadline.
12. The Holly Springs Community Development reserves the right to request additional information on all applications for rezoning, conditional use permit, and telecommunication applications. Additional information may be requested by the Planning Commission and/or City Council.

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 application 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 Planning Commission is a decision-making body for variances, appeals, and special exceptions.**
- **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.**
- **Any disruptive outbursts or attempts to obstruct business shall not be tolerated and these actions will be considered Out of Order. You may be asked to leave the hearing or escorted out if deemed necessary.**
- **Any opponent making a campaign contribution aggregating \$250.00 or more to a local government official of the City of Holly Springs within two (2) years immediately preceding the filing of the rezoning case to be addressed, is required to file a disclosure form at least five (5) calendar days prior to the public hearing.**

Should questions concerning these procedural stipulations arise, please contact the Community Development Director at 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 14.6 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.