

Instructions for Applicant:

Complete this form and the appropriate attachments in order to apply for a Special Use on a property. Refer to Section 11-3 of the Unified Land Development Code for more detail.

Fill in the top boxes and have your signature notarized. Deliver the original of the application and all attachments to the Community Development Department at the City Hall Annex, 4488 Pineview Drive, Powder Springs 30127. You can reach the Community Development Department at 770-943-1666 during normal working hours to discuss your application or if you have any questions.

NOTE: If your application qualifies as a "Development of Regional Impact" (see Section 11-12 of the Code) then you must follow additional procedures BEFORE your application can be considered. The Community Development Department will assist you with the DRI process, which is mandated by State and GRTA requirements.

- Fill in your name, address, telephone number, the property's location and Land Lot in which the property is located.
- Check the appropriate box as to whether you are the property owner, an attorney representing the property owner, or someone else representing the owner.
- If you do not personally own a majority interest in the property, have the owner(s) prepare an Owner's Authorization giving you permission to file the application, and attach it to the application (see the Owner's Authorization Form that is in this application package).
- Indicate the current zoning district of the property.
- Check the appropriate box showing what you are applying for: a Special Use (list the specific special use from Table 2-3 of the Code for the zoning district you have), or a change in a stipulation that was imposed by the Mayor and City Council when the property previously had a Special Use approved.

NOTE: File a separate application for each Special Use request naming a different zoning district. A Rezoning request can be combined with a Special Use request on the same property by separate application.

- Check the boxes for all of the items that you have attached:
 - Application fee: attach a check or money order for the appropriate fee made out to the City of Powder Springs. DO NOT ATTACH CASH.
 - Attach a legal description of the property accurately describing the boundary of the property for which the change is requested. You may find this on your deed or from a boundary survey made for the property.
 - Fill out a Review Checklist for your Special Use request and attach to the application (see the form included in this application package).
 - Attach a Sketch Plan if what you are proposing will involve any new construction or alteration of the site. A Plan Review Checklist for a Sketch Plan is included in this application package for your information.
 - Attach a completed Campaign Contribution Disclosure form, listing ALL owners of the property. Also indicate contributions or gifts you or your attorney have made over the past two years that in the aggregate total \$250 or more to any Powder Springs elected official or Planning Commissioner.
 - Attach any impact studies required by Section 11-3(c) of the Code. This applies to any project that will have 500,000 square feet of nonresidential floor area or 350 dwelling units, or more.

Public Notice Requirements:

The Code requires public notice of your Special Use request. The Community Development Department will tell you when and where the Planning Commission will hold their public hearing on your application.

- The City will publish a legal notice in the newspaper regarding your application and announcing the time and place of the public hearing.
- At least 15 days before the Planning Commission's public hearing on your application, the Community Development Department will give you a sign to post in a conspicuous location along each street frontage of the property. (If the property has no street frontage, the sign is to be placed on each street where you will have access to the property.)
 - The signs must remain posted until a final decision by the City has been rendered on your rezoning.
 - It is your responsibility to post the signs and to maintain the signs during the posting period. Failure to post and maintain the signs continuously may prohibit consideration of the application at any scheduled public hearing. In the event the signs are not posted continuously, the City, in its sole discretion, may require the reposting and readvertising prior to any future public hearing, for which the applicant shall pay an additional readvertising fee. The City may also in its sole discretion, continue, hold, approve, or dismiss the application. Any dismissal under the provisions of this paragraph shall be with prejudice unless specifically noted as being without prejudice by the City.
- At least 15 days before the Planning Commission's public hearing, you are to mail a notice to all persons owning property within 200 feet of the property that is the subject matter of the Special Use. The Code says:
 - The written notice is to be mailed by "certified mail—return receipt requested" to the property owners as such names and addresses appear on the County's current ad valorem tax records.
 - At least 15 days before the Planning Commission's public hearing, you must also submit an affidavit with a copy of the notice to the Planning Director listing the property owners and certifying the date that the notices were mailed.
 - The notice is to state the time, place and purpose of the hearings, and include a page size copy of the sketch plan submitted with the application.

City Actions:

The Planning Director will date your application when it is received. The Planning Director has 5 working days in which to determine that your application is complete or to return it to you for additional information. The application will not be scheduled for public hearing until it is complete.

The Planning Commission's public hearing will be held at the time advertised. At the public hearing, you will be allowed to speak first in order to present the application. Others in support of the application may then speak, followed by those in opposition to the application. You may then be allowed time for rebuttal if adequate time remains. Rebuttal must be limited to points or issues raised by opponents to the application at the hearing.

After the Planning Commission has made their recommendation, the Mayor and City Council will consider approval or denial of the application for Special Use at their own public hearing. You are encouraged to attend the meeting, and make a presentation following the same procedure as the Planning Commission hearing.

The final action taken by the Mayor and City Council will be indicated on the application form, along with any stipulations that they impose on the property if approved, and a copy will be given to you as official notice of their final action.

If the application is withdrawn (see Section 11-3(f) for details), it will be noted on the application form and a copy will be given to you for your records.

NOTE: Applications for Special Use on the same property may not be considered more often than once every 12 months, unless the Mayor and City Council reduces the waiting period to 6 months. See Code Section 11-3(a)(4) for details.

FEE SCHEDULE

Design Review	\$25.00
Certificate of Appropriateness	\$25.00
Land Use or Zoning Map (11" x 17")	\$5.00
Land Use or Zoning Map (22" x 36")	\$10.00
Unified Development Code	\$65.00
Unified Development Code (CD)	\$5.00
Copies	\$0.25 per page
Zoning Verification	\$10.00

	Residential	Commercial
Variance	\$250	\$450
Special Use	\$250	\$250
Appeal of Administrative Decision	\$25	\$25
Administrative Variance Application	\$100	\$100

Rezoning Application Fees

Acres/ Square Footage	Single Family Residential	Medium/High Density Residential	Commercial, Office, Industrial
0-5 acres	\$250	\$700	\$900
5-10 acres	\$700	\$1,200	\$1,500
10-20 acres	\$1,000	\$1,500	\$1,800
20-100 acres	\$1,500	\$2,000	\$2,200
100+ acres	\$1,500 + \$30/acre	\$2,000 + \$40/acre	\$2,200 + \$50/acre
0-20,000 sf		\$700	\$900
20,001 - 50,000 sf		\$1,200	\$1,500
50,001 - 100,000 sf		\$1,500	\$1,800
100,001- 500,000 sf		\$2,000	\$2,200
500,001 + sf		\$2000 + \$90/100,000 sf	\$2,200 + \$115/100,000 sf

The fee for high/medium density, commercial, or office rezoning applications will be based on the total number of acres being rezoned or the total square footage of the proposed building(s) buildings on the proposed rezoning site, whichever fee is greater.

Powder Springs Application Form

SPECIAL USE

Applicant: _____ Telephone No.: _____

Applicant's Address: _____

Property Location: _____ Land Lot No.: _____

Applicant is: Property Owner Other: Attorney for Property Owner (Attach Owner's Authorization)

Other Representative of the Owner (Attach Owner's Authorization)

Current Zoning: _____

Type of Application

Special Use: _____

Change in Stipulations of Approval

Attachments

Application Fee Review Checklist

Boundary Description Other: _____

Sketch Plan (Not Required) _____

Impact Studies (Not Required) _____

Campaign Contribution Form _____

I attest that this Application and its attachments are accurate to the best of my knowledge.

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

Signature of Applicant (to be notarized)

Notary Public

----- **DO NOT WRITE IN THE BOXES BELOW** -----

DRI Forms filed with ARC/DCA/GRTA on: _____ Final determination received on: _____

Application Received Date: _____

Scheduled for Public Hearing on:

Planning Commission Date: _____

Mayor & City Council Date: _____

Signs Provided Date: _____

Newspaper Ad Date: _____

Affidavit Received Date: _____

Notes: _____

Planning Commission

Public Hearing: Date: _____

Tabled Until: Date: _____

Recommendation

Approval

Approval with Stipulations

Denial

No Recommendation

Mayor & Council

Public Hearing: Date: _____

Tabled Until: Date: _____

Returned to P.C. Date: _____

Final Action

Approved

Approved with Stipulations

Denied

Stipulations Attached



Application Withdrawn

By Planning Director

By P.C. or Mayor & Council

Date: _____

Without time restriction

Restriction: Cannot be refiled for _____ months

Applicant: _____ **Current Zoning:** _____ **Proposed Sp. Use:** _____

Property Location: _____ **Land Lot No.** _____

Standards for special use consideration

A special use otherwise permitted within a zoning district shall be considered to be compatible with other uses permitted in the district, provided that due consideration is given to the following objective criteria. Emphasis may be placed on those criteria most applicable to the specific use proposed:

Standard	YES	NO	Comments
a. Will the proposed special use be consistent with the stated purpose of the zoning district in which it will be located?	<input type="checkbox"/>	<input type="checkbox"/>	
b. Will the establishment of the special use not impede the normal and orderly development of surrounding property for uses predominate in the area?	<input type="checkbox"/>	<input type="checkbox"/>	
c. Is the location and character of the proposed special use consistent with a desirable pattern of development in general?	<input type="checkbox"/>	<input type="checkbox"/>	
d. Is or will the type of street providing access to the use be adequate to serve the proposed special use?	<input type="checkbox"/>	<input type="checkbox"/>	
e. Is or will access into and out of the property be adequate to provide for traffic and pedestrian safety, the anticipated volume of traffic flow, and access by emergency vehicles?	<input type="checkbox"/>	<input type="checkbox"/>	
f. Are or will public facilities such as schools, water or sewer utilities, and police or fire protection be adequate to serve the special use?	<input type="checkbox"/>	<input type="checkbox"/>	
g. Are or will refuse, service, parking and loading areas on the property be located or screened to protect other properties in the area from such adverse effects as noise, light, glare or odor?	<input type="checkbox"/>	<input type="checkbox"/>	
h. Will the hours and manner of operation of the special use have no adverse effects on other properties in the area?	<input type="checkbox"/>	<input type="checkbox"/>	
i. Will the height, size or location of the buildings or other structures on the property be compatible with the height, size or location of buildings or other structures on neighboring properties?	<input type="checkbox"/>	<input type="checkbox"/>	

Prepared ... Date: _____, 20__ for _____ Applicant
 Date: _____, 20__ by _____ Powder Springs Staff
 Date: _____, 20__ by Other: _____

Powder Springs

OWNER'S AUTHORIZATION

This is to certify that (I am we are I am the Corporate Secretary of a Corporation that is) the owner of a majority interest in the property that is the subject of the attached application.

By execution of this form, this is to authorize the person named as "applicant" below, acting on behalf of the owner, to file for and pursue a request for approval of the following:

(Check each that applies and cross out each that does not apply)

- Rezoning
- Special Use
- Appeal from Administrative Decision
- Special Exception
- Hardship Variance
- Flood Protection Variance

Applicant: _____

Applicant's Address: _____

Date this Authorization becomes null and void: _____, 20 _____. (Not applicable)

Signature of Owner (Notarized)

Signature of Owner (Notarized)

Signature of Owner (Notarized)

Signature of Owner

Attach additional sheets as needed

Corporations – attach copy of corporate resolution approving authorization

Applicant:

Applicant's Address:

Applicant's Attorney:

Attorney's Address:

The following information is provided in accordance with the Georgia Conflict of Interest in Zoning Actions Act, O.C.G.A. 36-67A-1 *et seq.*

The property that is the subject of the attached application is owned by:

- Individual(s)
- Corporation
- Partnership
- Limited Partnership
- Joint Venture

All persons, corporations, partners, limited partners, or joint venturers party to ownership of the property that is the subject of the attached application are listed below:

APPLICANT: Within the two years preceding the date of the attached application, **the applicant** has made campaign contributions or gifts aggregating \$250 or more to the Mayor, to members of the Powder Springs City Council, or to members of the Planning Commission, as follows:

Name of Official	Amount of Contribution or Gift	Date of Contribution or Gift

ATTORNEY: Within the two years preceding the date of the attached application, **the attorney representing the applicant** has made campaign contributions or gifts aggregating \$250 or more to the Mayor, to members of the Powder Springs City Council, or to members of the Planning Commission, as follows:

Name of Official	Amount of Contribution or Gift	Date of Contribution or Gift

Attach additional sheets as needed

Applicant: _____ Current Zoning: _____ Proposed Sp. Use: _____

Property Location: _____ Land Lot No. _____

A sketch plan must accompany any application for special use approval if any new construction or alteration of the site is proposed.

The sketch plan may be prepared by the applicant, a professional engineer, a registered land surveyor, a landscape architect, a land planner or any other person familiar with land development activities.

The sketch plan must be drawn to approximate scale on a boundary survey of the tract or on a property map showing the approximate location of the boundaries and dimensions of the tract.

The sketch plan must show the following:

- Name and address of the property owner.
- Name, address, and telephone number of the applicant (if different than the owner).
- If drawn on a boundary survey: date of survey and source of datum,
- Date of plan drawing, and revision dates, as appropriate.
- North point and approximate scale of the drawing.
- Location (Land District and Land Lot) and size of the property in acres (or in square feet if less than an acre).
- Location sketch of the property in relation to the surrounding area with regard to well known landmarks such as arterial streets or railroads. Sketches may be drawn in freehand and at a scale sufficient to show clearly the information required, but not less than 1 inch equal to 2,000 feet. US. Geological Survey maps may be used as a reference guide for the location sketch.
- Zoning district classification of the subject property and all adjacent properties, and current zoning district boundaries if they cross the property.
- Man-made features within and adjacent to the property, including existing streets and names, city limit lines, and other significant information such as location of bridges, utility lines, existing buildings to remain, and other features as appropriate to the nature of the request.
- Proposed use of the property, including such pertinent operating characteristics as hours of operation, outdoor activities and lighting.
- The proposed project layout, including the approximate outline and location of all buildings, and the location of all minimum building setback lines, outdoor storage areas, buffers, parking areas and driveways.
- A statement as to the source of domestic water supply.
- A statement as to the provision for sanitary sewage disposal.
- The approximate location of proposed storm water detention facilities.
- Such additional information as may be useful to permit an understanding of the proposed use and development of the property.