



## PLANNING AND DEVELOPMENT DEPARTMENT CONDITIONAL USE APPLICATION

Note: The applicant must complete this and all attached forms. Failure to complete them will result in the refusal of the application. The Planning Department has up to five (5) working days to review all applications submitted for sufficiency. If the application is found insufficient, an agenda date will not be set until the required information is submitted.

Applicant

Property Owner

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Phone: \_\_\_\_\_

Phone: \_\_\_\_\_

E-Mail: \_\_\_\_\_

E-Mail: \_\_\_\_\_

Existing Zoning District: \_\_\_\_\_

Proposed Zoning District: \_\_\_\_\_

Existing Use of Property: \_\_\_\_\_

Proposed Use: \_\_\_\_\_

Tax Map/Parcel Number \_\_\_\_\_ Acreage: \_\_\_\_\_

Location of Property (for legal ad): \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

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

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Application Withdraw:

I hereby withdraw the application. Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Staff Use Only

Application Date: \_\_\_\_\_ Taken by: \_\_\_\_\_

\_\_\_\_\_

Tentative Planning Commission Date: \_\_\_\_\_ Tentative City Council Date: \_\_\_\_\_

Date Applicant posts signs: \_\_\_\_\_ Fee: \_\_\_\_\_

**CONDITIONAL USE DECISION CRITERIA**

The Land Use Management Code specifies that the following criteria may be applicable to the decision to approve or deny an application for conditional use. Please complete information on this page or within the letter of intent as to which of these criteria you believe apply to your case, and provide information and facts that you believe are relevant and support your case:

<b>CONDITIONAL USE DECISION CRITERIA</b>	<b>APPLICANT'S RESPONSE</b>
1. Whether the proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property (existing land use).	
2. Whether the proposal will adversely affect the existing use or usability of adjacent or nearby property.	
3. Whether the property to be affected by the proposal has a reasonable economic use as currently zoned.	
4. Whether the proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.	
5. Whether the proposal is in conformity with the policy and intent of the comprehensive plan including land use element.	
6. 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 proposal.	
7. Existing use(s) and zoning of subject property.	
8. Existing zoning of nearby property.	
9. Suitability of the subject property under the existing zoning district and/or overlay district classification for the proposed use.	
10. Possible effects of the change in zoning or overlay district map, or change in use, on the character of a zoning district or overlay district.	
11. Whether a proposed zoning map amendment or conditional use approval will be a deterrent to the value or improvement of development of adjacent property in accordance with existing regulations.	
12. The possible impact on the environment, including but not limited to, drainage, soil erosion and sedimentation, flooding, air quality and water quality.	
13. The relation that the proposed map amendment or conditional use bears to the purpose of the overall zoning scheme, with due consideration given to whether or not the proposed change will help carry out the purposes of these zoning regulations.	

<p>14. The consideration of the preservation of the integrity of residential neighborhoods shall be considered to carry great weight. In those instances in which property fronts on a major thoroughfare and also adjoins an established residential neighborhood, the factor of preservation of the residential area shall be considered to carry great weight.</p>	
<p>15. The extent to which the proposed rezoning or conditional use will contribute to or detract from the community with regard to greenspace, architectural design, and landscaping.</p>	

**CAMPAIGN CONTRIBUTIONS DISCLOSURE FORM  
REQUIRED FOR ALL ZONING ACTIONS**

**Applicant, or person representing property owner**

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

- (a) 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:
  - (1) The name and official position of the local government official to whom the campaign contribution was made; and
  - (2) 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 (10) 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).

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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.

\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
Date

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

**AUTHORIZATION OF PROPERTY OWNER**

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

**Name of Owner(s)** \_\_\_\_\_

**Address** \_\_\_\_\_

\_\_\_\_\_

**Telephone Number** \_\_\_\_\_

**Signature of Owner(s)** \_\_\_\_\_

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

**Name of Applicant(s)** \_\_\_\_\_

**Address** \_\_\_\_\_

\_\_\_\_\_

**Telephone Number** \_\_\_\_\_

Personally appeared before me

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

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Date

**PLANNING & DEVELOPMENT CITY OF STATHAM**  
327 Jefferson Street  
Statham, GA 30666

**PUBLIC NOTICE REQUIREMENTS**

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

- 1) A legal advertisement shall be published not less than 15 days and not more than 45 days prior to the public hearing.
- 2) A public notice sign shall be placed in a conspicuous location on the property not less than 15 days and not more than 45 days prior to the public hearing.

As the applicant, you are required to post the sign and ensure that it remains in place during the entire zoning proceeding. The sign must be placed on the property **within the specified time and in a conspicuous location. Failure to comply will result in a delay of your request.**

The purpose of the sign is to inform the public that an application has been filed. Legally, the Commission/Council cannot consider a request until all public notice requirements have been met. If it is determined at any time during the zoning proceeding that the sign has not been properly posted on the site, the Commission/Council must table or delay the request. Commission/Council members and planning staff often visit the site and will look for the sign. Additionally, local citizens often report when a sign has not been posted.

Multiple sign postings on a site may be required as determined by the planning department. The sign must be conspicuous, and in a location where it is clearly visible. The sign cannot be obstructed in any manner, placed too far from the road, or placed in such manner that 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 so the sign can be replaced. When the proceeding is complete and final Council action has occurred, the sign must then be removed from the property by the applicant.

**THIS SIGN MUST BE POSTED NO LATER THAN \_\_\_\_\_.**

**THIS AFFIDAVIT MUST BE SIGNED BY THE APPLICANT, DATED WITH THE DATE THE SIGN WAS CORRECTLY POSTED ON THE PROPERTY, AND RETURNED TO THE PLANNING DEPARTMENT NO LATER THAN \_\_\_\_\_.**

If the affidavit is returned by mail, the envelope must be postmarked no later than the above-noted return date.

Conditional Use Application # \_\_\_\_\_

**AFFIDAVIT**

By my signature I, \_\_\_\_\_, hereby acknowledge that I have read and understand the sign posting requirements. I further certify that the required Public Notice Sign was posted on (date) \_\_\_\_\_.

Signed \_\_\_\_\_  
(Signature)