

REQUEST FOR REZONING APPROVAL APPLICATION CITY OF HOGANSVILLE, GEORGIA

ATTACHED PLEASE FIND THE FOLLOWING INFORMATION:

- Materials Necessary for a Rezoning Request
- Application for Rezoning Request
- Authorization by Property Owner
- Property Owner's Disclosure of Campaign Contributions
- Agent's Disclosure of Campaign Contributions
- Property and Financial Disclosure
- Site plan requirements
- Application Deadline Dates

THE FOLLOWING IS A GENERAL DESCRIPTION OF THE PROCEDURES USED FOR THE PROCESSING OF AN APPLICATION FOR A REZONING REQUEST.

BOARD OF ZONING APPEALS

After receipt and acceptance of the zoning petition, Staff reviews the requests and develops a recommendation which is forwarded to the Board of Zoning Appeals for review and recommendation. The Board of Zoning meets on the 2nd Wednesday of each month at 4:00 p.m. at City Hall. It is important for the petitioner to attend these meetings to answer questions that may arise from board members. After hearing interested citizens and after reviewing the request, the Board of Zoning Appeals votes to recommend APPROVAL, APPROVAL WITH CONDITIONS, DENIAL, OR TABLING of the request. This recommendation is forwarded to Mayor and Council.

MAYOR AND COUNCIL MEETING

The Mayor and Council will hear a report on the request and determine if the request is reasonable. If the request is deemed to be reasonable, Mayor and Council will place the request on the agenda. Public support in favor or opposition to the request will be received by the Mayor and Council. Mayor and Council will vote on the request.

If you have any questions regarding the application or procedures, please call City Hall.

**MATERIALS NECESSARY FOR A REQUEST
FOR REZONING APPLICATION**

CITY OF HOGANSVILLE, GEORGIA

- A. One (1) copy of this application, completed in full.
 - B. A written request to Mayor and Council, signed by the owner and dated, explaining the nature of the rezoning request.
 - C. Property Owner's Disclosure of Campaign Contributions
 - D. Agent's Disclosure of Campaign Contributions.
 - E. Authorization by Property Owner
 - F. Property and Financial Disclosure
 - G. Two (2) copies of site plan.
 - H. Full payment of \$250.00 (NON-REFUNDABLE) application fee.
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REQUEST FOR REZONING

City of Hogansville

This is a written request from _____
the legal owner of Property: _____, Hogansville,
Troup County, Georgia. At this time we are requesting that the said
property be rezoned from _____ to
_____.

The request is made on the behalf of placing a _____
on said property.

Signature

DATE

APPLICANTS REZONING DISCLOSURE STATEMENT

(O.C.G.A. 36-67A-1 eg seq.)

Property/Financial Disclosure

Does any member of the Board of Commissioners; or Planning Commission; or family member of a member of the Board of Commissioners; or Planning Commission have a financial or property interest in the subject property requested for zoning change or in a corporation, partnership, firm, trust, or association which has a property interest in the subject property?

If so, describe the nature and extent of such interest: _____

Campaign Contribution Disclosure

Has the applicant made, with two (2) years immediately preceding the filing of this application for rezoning, campaign contributions aggregating \$250 or more, or made gifts having a combined value of \$250 or more to a member or members of the Board of Commissioners or Planning Commission?

If so, give the name of the member(s) to whom the campaign contribution or gifts were made, the dollar amount of each campaign contribution, and an enumeration and description of each gift: _____

I certify that the foregoing information is true and correct, this _____ day of _____, 20____.

Applicant's Signature

APPLICATION FOR REZONING

HOGANSVILLE, GEORGIA

Application Number _____ Application Date _____

Property Owner _____

Address _____

City, State, Zip: _____

Telephone: _____

Authorized Agent _____

Address _____

City, State, Zip: _____

Telephone: _____

Property Address _____

City, State, Zip: _____

Tax Parcel Number _____

Nearest Road Intersection _____

Current Zoning _____

Proposed Zoning _____

Current Use _____

Proposed Use _____

If rezoned, when will proposed use start? _____

Size of Property _____ () Acres or () Square Feet

Is Subject Property Vacant? _____

Do you request annexation of the subject property? _____

I hereby attest that the information I have provided in this application is true and accurate to the best of my knowledge. I also agree to cooperate with the City of Hogansville, in responding promptly to any reasonable request for additional information that may rise during the review process.

Signature of Owner or Authorized Agent

Date

AUTHORIZED BY PROPERTY OWNER

CITY OF HOGANSVILLE, GEORGIA

I swear that I am the owner of the property located at (property address) _____

which is subject matter of the attached application, as shown in the records of the Troup County, GEORGIA.

I authorize the person named below to act as applicant in the pursuit of the rezoning of this property.

Name of Applicant or Agent _____

Address _____

City, State, Zip Code: _____

Telephone #: _____

Name of Applicant: _____

Subject Property: _____

Council Member: _____

CITY OF HOGANSVILLE, GEORGIA

Pursuit to Section 36-67A-1 eg.seq. of the Georgia Code Annotated, adopted by the Georgia General Assembly, effective July 1, 1986, the following disclosure is mandatory. When any applicant for rezoning action has been, within two years immediately preceding the filing of that applicant's application for the rezoning action, campaign contributions aggregating \$250.00 or more to a local government official, it shall be the duty of the applicant and the agent representing the applicant to file a disclosure report with the governing authority of the respective local government.

Any applicant for rezoning action knowingly failing to make a disclosure as required by Code Section 36-67A-1 et.seq. shall be guilty of a misdemeanor.

A. Name of local government official to whom the campaign contribution or gift was made:

B. The dollar amount 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:

Amount: \$ _____

Date of Contribution: _____

C. Enumeration and description of each gift having a value of \$250.00 or more made by the application to the local government official during the two years immediately preceding the filing of this application for rezoning.

Signature of Owner _____

Date: _____

Subject Property: _____ Case# _____

Name: _____ Phone: _____

Address: _____

**PROPOSERS/OPPONENTS
DISCLOSURE OF CAMPAIGN CONTRIBUTIONS
CITY OF HOGANSVILLE, GEORGIA**

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Amount: \$ _____

Date of Contribution: _____

C. Enumeration and description of each gift having a value of \$250.00 or more made by the application to the local government official during the two years immediately preceding the filing of this application for rezoning.

Signature of Owner _____

Date: _____

SITE PLAN REQUIREMENTS

Site Plans shall contain the following information:

1. Property owner and address
2. Street address of subject property
3. Total property acreage
4. Tax Map and Lot Number
5. Date prepared, Map Scale and North Arrow
6. Location of all property lines on neighboring properties and streets or alleys located 50 feet from subject property.
7. Boundaries of all current zoning districts on the subject properties and all neighboring properties shown on the map. Each zoning district must be labeled.
8. Special markings (shading, cross hatching, or heavy outline) to identify the areas intended to be rezoned.
9. The general location of all existing structures or buildings on the subject property.

----- THE SKETCH PLAN DOES NOT HAVE TO BE DRAWN TO EXACT SCALE OR
PREPARED BY A PROFESSIONAL, BUT IT MUST BE NEAT AND PREPARED IN INK. -----

BOARD OF ZONING APPEALS

Sec. Established.

The board of zoning appeals shall consist of five (5) members, who shall be appointed by the mayor and council for a term of four (4) years, and who may be removed from office at any time by the mayor and council with or without cause. Appointment of the members shall be such that the terms of no more than two (2) members expire concurrently. The establishment of terms required by the modification of the number of members on the board shall be filled for the unexpired term, in the same manner of the initial appointment. Members shall serve without pay but may be reimbursed for any expenses incurred while representing the board.

Sec. Jurisdiction; decisions.

- (a) Each of the five (5) members appointed to the board of zoning appeals shall be residents and citizens of the city and shall so remain as residents during the tenure of their service on the board of zoning appeals.
- (b) On all appeals, applications and other matters brought before the board of zoning appeals, said board shall inform in writing all parties involved of its decision.

Sec. Proceedings generally.

The board of zoning appeals shall elect a chairman and a vice chairman from its members who shall each serve for one (1) year or until reelected or until their successors are elected. The board shall appoint a secretary. The board shall adopt rules and bylaws in accordance with the provisions of this chapter. Meetings of the board shall be held at the call of the chairman, and at such other times as the board may determine. The chairman or in his absence, the vice chairman may administer oaths and compel the attendance of witnesses by subpoena. All meetings of the board shall be open to the public.

Sec. Authority of board.

The board of zoning appeals shall have the authority to perform the functions of the city in the area of planning contemplated by the Constitution and laws of the State of Georgia and shall have the authority conferred by this section, the zoning laws and ordinances of the city and the general laws and Constitution of the State of Georgia. Any action of the board of zoning appeals relating to planning and to zoning other than as relates to zoning appeals as contemplated by this article, shall be in the nature of the city and shall not be binding upon such governing authority.

- (a) Appeals to the board of zoning appeals may be taken by any person aggrieved or by any officer, department, board or bureau of the city affected by any decisions of the building official or other city official based on this chapter. Such appeal shall

be taken within a reasonable time, as provided by the rules of the board, by filing with the building official and with the board of zoning appeals a written notice of appeals specifying the grounds thereof. All papers constituting the record upon which the action appealed from was taken and shall forthwith be transmitted to the board of zoning appeals by the appropriate city official.

- (b) The board of zoning appeals shall fix a reasonable time for the hearing of appeals or other matters referred to it and shall give public notice thereof at least ten (10) days prior to the date of such hearing to the parties in interest and shall decide the same within a reasonable time. At such hearing, any party may appeal in person or by his agent or his attorney.
- (c) In addition thereof, the secretary of the board of zoning appeals shall at least ten (10) days prior to the date fixed for the hearing place on the property for which a variance or conditional use is sought a sign giving notice that a variance is sought for the property upon which the sign is located and shall give a telephone number with the city to call in the event further information is desired.
- (d) A sign giving notice of the proposed conditional use or variance of real estate located within the city, placed upon property proposed for conditional use or variance, shall not be removed by any person from such property until at least twenty-four (24) hours have expired after the scheduled date for the public hearing, or if the public hearing is postponed or rescheduled, not less than twenty-four (24) hours after the rescheduled date of such public hearing, and then such board of zoning appeals or his authorized designee. It shall be unlawful for any person to demolish, tear down, obliterate or remove a sign placed upon a property in the city for the purpose of giving notice of a public hearing on a proposed conditional use or variance by any person other than the secretary of the board of zoning appeals or his authorized designee. Any person who shall violate the provisions of this section shall, upon conviction, be punished by the recorder.

Sec. Stay of proceedings.

An appeal to the board of zoning appeals stays all legal proceedings in furtherance of the action appealed from, unless the building official certifies to the board of zoning appeals, after the notice of appeal shall have been filed with him, that by reason of facts stated in the certificate a stay would, in his opinion, cause imminent peril to life and property. In such case, proceedings shall not be stayed otherwise than by a restraining order granted by court of record on application on notice to the building official and on due cause shown.

Sec. Powers and duties.

As pertains to appeals to the board of zoning appeals authorized by the provisions hereof, the board shall have the following powers and duties:

1. Administrative review. To hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination made by the building official in the enforcement of this chapter.
2. Special exceptions. To hear and decide special exceptions or conditional uses to the terms of this chapter upon which the board of zoning appeals is required to pass under this chapter and
3. Variances. To authorize upon appeal in specific cases such variance from the terms of this chapter as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this chapter will, in an individual case, result in unnecessary hardship, so that the spirit of this chapter shall be observed, public safety and welfare secured and substantial justice done. The existence of a nonconforming use of neighboring land, buildings or structures in the same district or of permitted or nonconforming uses in other districts shall not constitute a basis for the granting of a variance. A variance may be granted in an individual case of unnecessary hardship upon finding by the board of zoning appeals that the following conditions exist:
 - a. There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography.
 - b. The application of this chapter to this particular piece of property would create an unnecessary hardship.
 - c. Such conditions are peculiar to the particular piece of property involved and
 - d. Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of this chapter, provided, however, that no variance may be granted for a use of land or building or structure that is prohibited by this chapter.