

# APPLICATION TO AMEND THE ZONING MAP OF THE CITY OF CORNELIA, GEORGIA

★ **Please Note: THIS APPLICATION CAN NOT BE ACCEPTED UNLESS IT IS ACCOMPANIED BY ALL REQUESTED INFORMATION!** ★

Name of Applicant: \_\_\_\_\_ Phone: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Name of Property Owner: \_\_\_\_\_ Phone: \_\_\_\_\_  
(USE ATTACHED PAGE IF MORE THAN ONE OWNER)

Mailing Address: \_\_\_\_\_

 **Location of Property** 

Physical Address (911 #): \_\_\_\_\_

Map & Parcel Number(s): \_\_\_\_\_ Land Lot(s): \_\_\_\_\_

Road providing access to property: \_\_\_\_\_

## **General Information**

Is the request to annex the listed property into the City limits?  Yes  -or- No

Present Zoning or Land Use Classification: \_\_\_\_\_

Present use of the Property: \_\_\_\_\_

Requested Zoning: \_\_\_\_\_

Intended use of Property: \_\_\_\_\_

Will a Development of Regional Impact Review (D.R.I.) be Required?  Yes  -or- No   
{Refer to the attached "Thresholds Chart" to see if a D.R.I. will be required for your project. All D.R.I.'s MUST BE COMPLETED PRIOR to advertisement.}

★ **IN ADDITION TO THE INFORMATION REQUESTED ABOVE, ALL ITEMS, LISTED BELOW, MUST BE COMPLETE AND SUBMITTED TO THE CORNELIA PLANNING DEPARTMENT PRIOR TO THE APPLICATION DEADLINE TO ENSURE PROPER NOTIFICATION & ADVERTISEMENT IN ACCORDANCE WITH THE ZONING PROCEDURES ACT. THE PLANNING DEPARTMENT CANNOT ACCEPT INCOMPLETE APPLICATIONS:**

- \_\_\_\_\_ ① FILING FEE MADE PAYABLE TO THE CITY OF CORNELIA {Refer to Zoning Fee Schedule for appropriate fee(s)} \$ \_\_\_\_\_
- \_\_\_\_\_ ② PROPERTY DEED WITH WRITTEN LEGAL DESCRIPTION OF PROPERTY **{A Detailed Metes & Bounds Description is Required}**
- \_\_\_\_\_ ③ RECORDED SURVEY PLAT OF PROPERTY {if property is being annexed into the City, the Plat will need to indicate the area in which the property is contiguous to the City Limits and indicate how many linear feet it is contiguous with the City Limit Boundary}  
{Submit one copy if Plat is less than 11"x17". If Plat is larger, submit 16 copies, split Plats are not acceptable.}
- \_\_\_\_\_ ④ LETTER OF INTENT DESCRIBING THE PROPOSED USE OR OTHER ACTION REQUESTED
- \_\_\_\_\_ ⑤ WRITTEN ANALYSES {Refer to the attached Article 13, Table 13.4 "Analysis Requirements"}
- \_\_\_\_\_ ⑥ SITE PLAN OF PROPERTY {Refer to the attached Article 13, Table 13.2 "Plan Requirements"}
- \_\_\_\_\_ ⑦ STATISTICS REGARDING THE PROPOSED DEVELOPMENT {Refer to the attached Article 13, Table 13.3 "Development Statistics Required"}
- \_\_\_\_\_ ⑧ DESCRIPTION OF ANY SPECIAL CONDITIONS VOLUNTARILY MADE A PART OF THE REQUEST
- \_\_\_\_\_ ⑨ AUTHORIZATION OF PROPERTY OWNER FORM and/or AUTHORIZATION OF ATTORNEY FORM {if applicable}
- \_\_\_\_\_ ⑩ CAMPAIGN CONTRIBUTION DISCLOSURE FORM and/or DISCLOSURE OF FINANCIAL INTEREST FORM {if applicable}

I hereby authorize the staff of the City of Cornelia to inspect the premises of the above-described property. Furthermore, I hereby depose and say that all statements herein and attached statements submitted are true and correct to the best of my knowledge and belief.

\_\_\_\_\_  
Signature of Applicant

Sworn to and Subscribed before me this \_\_\_\_\_  
day of \_\_\_\_\_ and year of \_\_\_\_\_.

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

**DISCLOSURE OF CAMPAIGN CONTRIBUTIONS AND GIFTS**

(Required by Title 36, Chapter 67A, Official Code of Georgia Annotated)

**Reference:** Application filed on \_\_\_\_\_, 2\_\_\_\_\_, to zone or rezone real property described as follows:

All individuals and business entities<sup>1</sup> having a property interest<sup>2</sup> in said property are as follows:

Within the two (2) years preceding the above filing date, the applicant has made campaign contributions aggregating \$250.00 or more or made gifts having in the aggregate a value of \$250.00 or more to each member of the Planning Commission or the City Commission of the City of Cornelia listed below. List the following: 1) Name of Planning Commission or City Commission Member, 2) Dollar amount and date of each such campaign contribution and 3) Enumeration and description of each such gift having a value of \$250.00 or more.

Note <sup>1</sup> = **Business Entity:** Corporation, Partnership, Limited Partnership, Firm, Enterprise, Franchise, Association or Trust.

Note <sup>2</sup> = **Property Interest:** Direct or Indirect Ownership, including any percentage of Ownership less than total Ownership.

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

\_\_\_\_\_  
Signature of Applicant

Sworn to and Subscribed before me

This \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_\_.

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

**DISCLOSURE OF FINANCIAL INTERESTS**

(Required by **Title 36, Chapter 67A, Official Code of Georgia Annotated**)

**Reference:** Application filed on \_\_\_\_\_, 2\_\_\_\_\_, to zone or rezone real property described as follows:

The undersigned Official of the City of Cornelia has a property interest<sup>2</sup> in said property as follows:

The undersigned Official of the City of Cornelia has a financial interest<sup>3</sup> in a business entity<sup>1</sup> which has a property interest in said property, which financial interest is as follows:

The undersigned Official of the City of Cornelia has a member of the family<sup>4</sup> having a property interest in said property or a financial interest in a business entity which has a property interest in said property, which family member and property interest or financial interest is as follows:

Note <sup>1</sup> = **Business Entity:** Corporation, Partnership, Limited Partnership, Firm, Enterprise, Franchise, Association or Trust.

Note <sup>2</sup> = **Property Interest:** Direct or Indirect Ownership, including any percentage of Ownership less than total Ownership.

Note <sup>3</sup> = **Financial Interest:** All Direct Ownership interests of the total assets or capital stock of a business entity where such Ownership interest is ten percent (10%) or more.

Note <sup>4</sup> = **Member of the Family:** Spouse, Mother, Father, Brother, Sister, Son or Daughter.

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

\_\_\_\_\_  
Signature of City Official

Sworn to and Subscribed before me

This \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_\_.

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

*If Applicable*

**AUTHORIZATION OF ATTORNEY**

Application for Annexation, Zoning, Rezoning or Variance

I swear or affirm that as an Attorney at Law, the Owner has authorized me to file the attached application.

\_\_\_\_\_  
Signature of Attorney

\_\_\_\_\_  
Mailing Address

\_\_\_\_\_  
Name *(Please Print)*

\_\_\_\_\_

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

\_\_\_\_\_  
City State Zip Code

\_\_\_\_\_  
Signature of Owner

*If Applicable*

**AUTHORIZATION OF PROPERTY OWNER**

Application for Annexation, Zoning, Rezoning or Variance

I swear or affirm that I am the Owner of the property which is the subject matter of the attached application, as is shown in the records of Habersham County, Georgia.

I authorize the person named below to act as applicant in the pursuit of a Variance or for the Annexation, Zoning or Rezoning of the mentioned property.

**OWNER OF PROPERTY**

\_\_\_\_\_  
Name of Owner *(Please Print)*

\_\_\_\_\_  
Mailing Address

\_\_\_\_\_  
Signature of Owner

\_\_\_\_\_

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

\_\_\_\_\_  
City State Zip Code

**APPLICANT**

\_\_\_\_\_  
Name of Applicant *(Please Print)*

\_\_\_\_\_  
Mailing Address

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_

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

\_\_\_\_\_  
City State Zip Code

Personally appeared before me, \_\_\_\_\_ who swears that the information in this authorization is true and correct to the best of his or her knowledge and belief.

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

\_\_\_\_\_  
Date

This Chart can be used to determine if a D.R.I. review will be required for your project. Please remember, if a D.R.I. is required, no public hearings can be held until the Georgia Mountains R.D.C has submitted a final review.

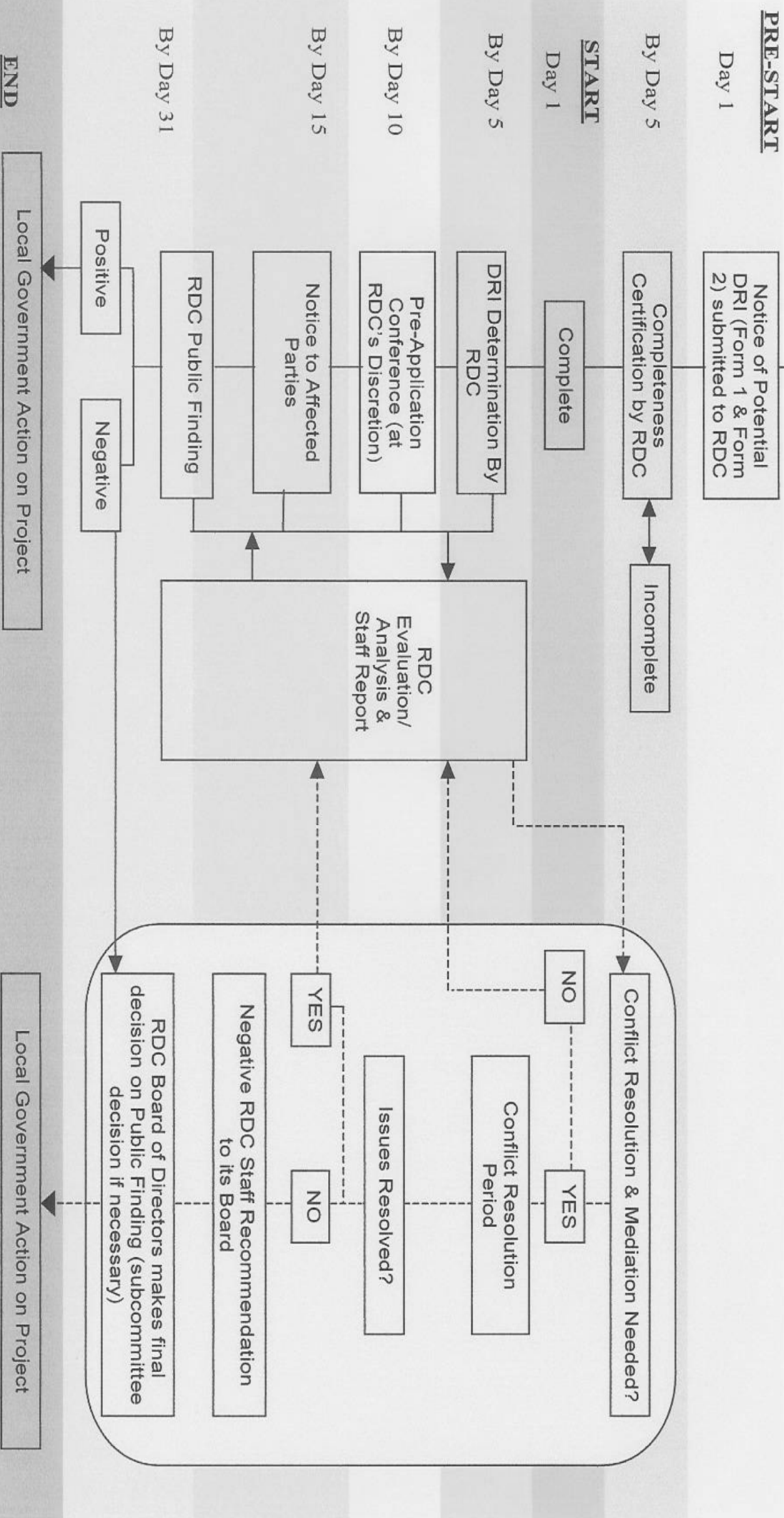
**Table II  
Developments of Regional Impact  
Tiers and Development Thresholds  
Effective January 1, 2002**

Type of Development	Nonmetropolitan Regions
(1) Office	Greater than 125,000 gross square feet
(2) Commercial	Greater than 175,000 gross square feet
(3) Wholesale & Distribution	Greater than 175,000 gross square feet
(4) Hospitals and Health Care Facilities	Greater than 200 new beds; or generating more than 250 peak hour vehicle trips per day
(5) Housing	Greater than 125 new lots or units
(6) Industrial	Greater than 175,000 gross square feet; or employing more than 500 workers; or covering more than 125 acres
(7) Hotels	Greater than 250 rooms
(8) Mixed Use	Total gross square feet greater than 125,000; or covering more than 40 acres
(9) Airports	Any new airport with a paved runway; or runway additions of more than 25% of existing runway length
(10) Attractions & Recreational Facilities	Greater than 1,500 parking spaces or a seating capacity of more than 6,000
(11) Post-Secondary School	New school with a capacity of more than 750 students, or expansion by at least 25 percent of capacity
(12) Waste Handling Facilities	New facility or expansion of use of an existing facility by 50 percent or more; and located within one-half mile of a jurisdictional boundary
(13) Quarries, Asphalt & Cement Plants	New facility or expansion of existing facility by more than 50 percent; and located within one-half mile of a jurisdictional boundary
(14) Wastewater Treatment Facilities	New facility or expansion of existing facility by more than 50 percent; and located within one-half mile of a jurisdictional boundary
(15) Petroleum Storage Facilities	Storage greater than 50,000 barrels if within 1,000 feet of any water supply; otherwise, storage capacity greater than 200,000 barrels; and located within one-half mile of a jurisdictional boundary
(16) Water Supply Intakes/Reservoirs	New Facilities
(17) Intermodal Terminals	New Facilities
(18) Truck Stops	A new facility with more than three (3) diesel fuel pumps; or containing a half acre of truck parking or 10 truck parking spaces.
(19) Any other development types not identified above (includes parking facilities)	1000 parking spaces

**For more information regarding the rules and regulations concerning the D.R.I., please go to [www.georgiaplanning.com](http://www.georgiaplanning.com) and click on the DRI Application Icon.**

## DRI Review Procedures for Projects NOT Located in GRTA's Jurisdictional Area

Request for a Local Government Action (e.g. rezoning)



## **Article 13: Amendments and Procedures**

Excerpts specified in the Zoning Ordinance of the City of Cornelia, Georgia

### Section 1305. Application Compliance and Completeness.

No application described in this Article shall be processed by the Zoning Administrator unless it complies with the procedural requirements of this Article and is found to be complete with regard to application materials, payment of fees, supportive materials, and any other application requirements specified by this Article. If an application described and regulated by this Article does not comply with all provisions of this Article, the Zoning Administrator may reject the application and refuse to process it.

### Section 1306. Application Requirements.

Applications to amend the text of this ordinance shall require submittal of an application fee, application form, and proposed text amendment in a form approved in advance by the Zoning Administrator. The Zoning Administrator shall waive the application fee required by this Section when an application is initiated by the Governing Body.

No application specified in this Article shall be processed by the Zoning Administrator unless it meets the requirements of this Article, including the specific requirements of Table 13.1. In cases where more than one application (rezoning, conditional use, concurrent variance) pertaining to a particular piece of property is filed simultaneously, the applicant must prepare separate applications and meet all application requirements for each application filed; provided, however, that the Zoning Administrator may waive separate site plan or letter of intent filing requirements when they would be unnecessarily duplicative.

### Section 1307. Plan Requirements.

Applications required by this Article to include a site plan (see Table 13.1) shall at minimum include on the site plan information specified in Table 13.2. The Zoning Administrator may waive one or more of the requirements of this Article in individual cases when he/she determines that one or more elements of the required information specified in Table 13.2 are not essential to the review process.

### Section 1308. Development Statistics Required.

Applications required by this Article to submit development statistics and specifications shall at minimum include on the site plan or in written form the information specified in Table 13.3. The Zoning Administrator may waive one or more of the requirements of this Article in individual cases when he/she determines that one or more elements of the required information specified in Table 13.3 are not essential to the review process.

### Section 1309. Analysis Requirements for Map Amendments and Conditional Uses.

On the application form supplied by the city, or in a separate written document, applications to amend the official zoning map and applications for conditional uses shall provide a written analysis comparing the proposed action with the criteria in Table 13.4. A zoning map amendment or conditional use application may be justified only if it bears a reasonable relationship to the public health, safety, morality, or general welfare, and after consideration of the analysis requirements which may in individual cases be considered criteria relevant to staff and the Planning Board in making recommendations and by the Governing Body in the decision-making process.

Each applicant for an amendment to the text of this ordinance, an amendment to the official zoning map, or an application for conditional use, and each person speaking at a public hearing on such a matter, except the Governing Body or Planning Board, is responsible for complying with O.C.G.A. 36-67-1, "Conflict of Interest in Zoning Actions." The city assumes no responsibility for enforcing state law or informing applicants or speakers of the need to comply with said state law.

### Section 1319. Withdrawal of Application.

Any application for an amendment to the text of this zoning ordinance may be withdrawn at any time at the discretion of the person or agency initiating such a request, upon written notice to the Zoning Administrator.

Any application regulated by this Article, other than a text amendment, may be withdrawn at the discretion of the applicant in accordance with this Section. When any application is withdrawn not later than ten (10) calendar days from the date of approval for initiation by the Zoning Administrator, one half (1/2) of the entire application fee paid by the applicant shall be refunded to the applicant. The City shall refund that portion of the application fee within thirty (30) calendar days of the date of withdrawal of the application. No portion of a required application fee shall be refunded on any

application withdrawn by an applicant later than ten (10) calendar days from the date of approval for initiation by the Zoning Administrator. Any application that is withdrawn by the applicant after a public hearing has been held on the matter shall be withdrawn “with prejudice” and shall be subject to the limitations on the frequency of filing and consideration established in this Article.

#### Section 1320. Limitations on the Frequency of Filing Applications.

No application regulated by this Article and affecting the same or any portion of property which was denied by the Governing Body shall be accepted for filing by a property owner until twelve (12) months shall have elapsed from the date said application was denied by the Governing Body.

The same or any portion of property previously considered in a zoning map amendment or conditional use application which was denied by the Governing Body may not again be initiated by the Governing Body until the expiration of at least six (6) months immediately following the final decision rendered on the application by the Governing Body.

#### Section 1321. Site Plan Revisions.

For any application specified in this Article which requires a site plan, the site plan that is the subject of such application may be revised and resubmitted by the applicant, but in no event shall a revised site plan submitted by an applicant be accepted or considered less than seven (7) calendar days prior to the public hearing by the Governing Body; provided, however; the Governing Body may direct an applicant to submit a revised site plan to the Zoning Administrator for its consideration, in which case, the revised site plan shall be submitted to the Zoning Administrator at least seven (7) calendar days prior to any final action being taken on the proposed zoning amendment or conditional use by the Governing Body. At its discretion the Governing Body may refer the site plan back to the Planning Board for additional study and recommendation, subject to the time initiations established in this Article.

The Governing Body may require, as a condition of approving a zoning map amendment or conditional use, a revised site plan to be approved at a later date by the Governing Body or the Zoning Administrator. Unless otherwise specified in the approval, the site plan submitted as a part of the application shall be considered “binding” on the property owner.

#### Section 1326. Incorporation Clause.

This Chapter is intended to comply with the provisions of the Georgia Zoning Procedures Act, O.C.G.A. § 36-66 et. seq., which Act is incorporated by reference in its entirety into this ordinance. Where any provision of this Article is in conflict with any provision of the Act, the Act shall control. Or where this Article is incomplete in having failed to incorporate a provision necessarily required for the implementation of the Act, such provision of the Act, so as to meet the mandate of the Act, shall be fully complied with.