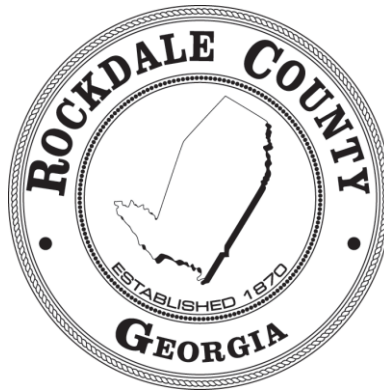


ROCKDALE COUNTY
DEPARTMENT OF PLANNING & DEVELOPMENT



SPECIAL USE PERMIT APPLICATION

UNIFIED DEVELOPMENT ORDINANCE
TITLE II, CHAPTER 218

DEPARTMENT OF
PLANNING AND DEVELOPMENT

958 Milstead Avenue
Conyers, Georgia 30012

Phone: 770-278-7100
Fax: 770-278-8940
www.rockdalecounty.org

DOCUMENTS REQUIRED

Purpose of the Request:

- Request Form (p.4):** Address the nature of your special use permit request and the circumstances surrounding it. The form may be handwritten or typed.
- Site Information (p.5):** General information on the property, services and utilities.
- Justification:** Address each of the Application Review Standards in sub-section 238-4(g)(2) of the Unified Development Code (see p.6). The justification may be handwritten or typed. The application is evaluated based upon this justification. Please provide complete and detailed answers.

Site:

- Survey plat:** Drawn to scale, showing all existing property improvements, signed and sealed by an architect, engineer, landscape architect or land surveyor. If the survey is no larger than 11" x 17" in size, only 1 legible copy is required. If larger than 11"x17" twelve (12) copies are required. A copy of the survey plat may be obtained at the Rockdale County courthouse in the Real Estate Records Room, located on the 1st floor of the courthouse.
- Site plan:** Drawn to scale, showing all existing property improvements, and all proposed improvements. If the site plan is no larger than 11" x 17" in size, only 1 legible copy is required. If larger than 11"x17" twelve copies are required.
- Legal description of the property:** This written description, found on the property deed, contains the metes & bounds of the site.

Legal Statements:

- Ownership Statement (p.7):** If the property is listed in the name of more than one individual or entity, each owner must sign all documents. Property owner(s) signature(s) must be notarized. If the property has been sold within the last 90 days, a copy of the deed with the new owner(s) name(s) is required. Ownership of property will be verified by staff.
- Owner's Campaign Contribution Disclosure Statement (p.7):** The owner(s) of the property is required to disclose political campaign contributions. Disclosures must be notarized.
- Agent Authorization Form and Campaign Disclosure Statement (optional - p.8):** If the owner of the property wishes to have someone represent his/her interest in all matters relating to a rezoning application, the notarized signatures of the owner(s) and agent are required. Agents are required to disclose political campaign contributions. Disclosures must be notarized.
- Attorney Authorization Form and Campaign Disclosure Statement (optional - p.9):** If the owner of the property wishes to have an attorney represent his/her interest in all matters relating to this application, the notarized signatures of the current owner(s) and attorney are required. Attorneys are required to disclose political campaign contributions. Disclosures must be notarized.

Payment:

- Payment:** The non-refundable filing fee is payable at the time of application. Payment may be made by cash (exact amount), check, credit card (VISA or Mastercard) or money order payable to Rockdale County.

APPLICATION PROCESSING

Filing:

Applications must be received by the first business day of the month to be considered at the following month's meeting of the Planning Commission. Applications must be complete with all the required documents and fees.

One application is required for each individually owned or recorded parcel of land.

Completed applications must be returned in person or by mail to the Department of Planning and Development:
958 Milstead Avenue, Conyers, Georgia 30012 (in person)
P.O. Box 289, Conyers, Georgia 30012 (by mail)

Only complete applications will be accepted. A pre-application review with the Zoning Administrator is encouraged.

Upon receipt, applications will be reviewed for compliance with all requirements. Applicants of incomplete applications will be notified and required to resubmit for the following month's deadline.

Hearing:

Upon acceptance, an application becomes public record. The subject property will be posted with a Public Notice sign and letters will be sent to adjoining property owners. The notification letters will provide information about the special use permit request and will provide the date and time of public hearings. The applicant will also receive written notification of the public hearings.

At the public hearings, an applicant will be allowed a total of ten (10) minutes to present his/her special use permit request. Speakers in opposition will also have a total of ten (10) minutes to present their arguments against a proposed request. Applicants may reserve a portion of the allowable 10 minutes for rebuttal after the opposition speaks.

The Planning Commission Public Hearing is held on the second Thursday of each month at 7:00 P.M. The Board of Commissioners Zoning Public Hearing is held on the fourth Tuesday of each month at 9:00 A.M. Both meetings are held at the Rockdale County Assembly Hall, 901 North Main Street, Conyers, Georgia.. Applicants or representatives should plan to attend both public hearings.



Filing date:	_____
Case number:	_____
Parcel number:	_____
Planning Commission date:	_____
BOC Public Hearing date:	_____

SPECIAL USE PERMIT REQUEST FORM

PROPERTY INFORMATION

Property location:	_____		
Subdivision:	_____		
Land Lot(s):	_____	District(s):	_____
Property size:	_____		
Current zoning district:	_____	Current land use designation:	_____
Are there conditions of zoning for the property? If so, please list:			
Special use permit requested and purpose:			

CONTACT INFORMATION

Property owner(s):	_____		
Owner's address:	_____		
Telephone:	_____	Email:	_____
Agent's Name:	_____		
Telephone:	_____	Email:	_____

I have read and understood the applicable sections of the Rockdale County Unified Development Code, as provided in annex of this application.

Name:	_____	Signature:	_____
Title:	_____	Date:	_____

SITE INFORMATION

ADJACENT ROADS: NORTH _____
 SOUTH _____
 EAST _____
 WEST _____

NEAREST SCHOOLS:	NAME	ENROLLMENT	CAPACITY
ELEMENTARY	_____	_____	_____
MIDDLE	_____	_____	_____
HIGH SCHOOL	_____	_____	_____

POTABLE WATER:

PUBLIC SYSTEM LOCATION OF NEAREST LINE _____
 DIAMETER OF LINE _____
 DISTANCE TO CLOSEST FIRE HYDRANT _____

WELL _____

WASTEWATER:

PUBLIC SEWER NEAREST TREATMENT PLANT _____
 MAXIMUM OPERATING CAPACITY OF PLANT _____
 LEVEL OF OPERATION _____

SEPTIC TANK EVALUATION BY SOIL SCIENTIST (DATE) _____
 APPROVAL BY ENVT'L HEALTH DPT (DATE) _____

STORMWATER:
 FIRM PANEL NO. _____

BODY OF WATER ON OR ADJACENT TO PROPERTY _____

PROPERTY WITHIN FLOOD PLAIN _____

GAS PROVIDER: _____

ELECTRICITY PROVIDER: _____

EASEMENT(S) ON PROPERTY _____

Useful contact information:
 Rockdale County Public Schools: 770-483-4713
 Rockdale Water Resources: 770-278-7400
 Rockdale County Transportation: 770-278-7100
 Rockdale County Stormwater Department: 770-278-7155

JUSTIFICATION OF THE REQUEST

In your own words, type or hand write the reason you believe a special use permit should be granted. Please address each the review standards (Sec. 238-6(m), as they are the basis for the evaluation of the request. Provide detailed and complete answers.

1. Does the proposed project meet all the zoning requirements, including parking, loading, setbacks and buffers?
2. Is the proposed project compatible with the land uses of neighboring properties, including size, scale and massing of proposed building?
3. Is the access to the property, including all buildings, structures and uses, adequate? Will the project impact traffic, or the capacity and safety on nearby public streets?
4. Is the project consistent with the county's wastewater system capacity? If an alternative wastewater treatment method is proposed, would this method have a detrimental impact on the environment?
5. Are other public facilities and services, such as stormwater management, schools, parks, sidewalks, and utilities, sufficient to serve the proposed project?
6. Would the proposed project have adverse impacts on nearby properties, including noise, smoke, odor, dust or vibration?
7. Would the project create adverse impact on nearby properties by its operations, including business hours?
8. Would the project create adverse impacts on the natural environment?

OWNERSHIP STATEMENT & OWNER'S CAMPAIGN DISCLOSURE STATEMENT

To be completed by each owner of the property as it appears on the Rockdale County Tax Records. Husband and wife or other individuals shall each sign individually. Make copies if needed.

As the current owner(s) of the subject property, I (We) respectfully request a variance(s) for the subject property.

Owner's name: _____

Owner's signature: _____ Date: _____

Owner's address: _____

<input type="checkbox"/>	No, I have not made, within two (2) years immediately preceding the filing of this application, campaign contributions or gifts of \$250.00 or more to a local government official of Rockdale County, Georgia.
<input type="checkbox"/>	Yes, I have made, within two (2) years immediately preceding the filing of this application, campaign contributions or gifts of \$250.00 or more to a local government official of Rockdale County, Georgia.

If yes, provide the name and official position of the local government official to whom the campaign contribution during the two years immediately preceding the filing of the application, the dollar amount, description of each contribution, and the date each contribution was made. Use the back of this sheet, and continue on a separate sheet if necessary, in the following format:

Name	Position	Amount	Description	Date

Notary's Seal:

Notary's Signature: _____

Commission expires: _____ Date: _____

APPLICANT AUTHORIZATION FORM

To be completed by the property owner, if they wish to have an agent represent them in all matters related to this application.

I hereby certify that the information provided in this application is true and correct and that I have authorized the following agent to make the request, claims and representation pursuing this application.

Applicant's name: _____
 Applicant's signature: _____ Date: _____

Owner's name: _____
 Owner's signature: _____ Date: _____

APPLICANT'S CAMPAIGN CONTRIBUTION DISCLOSURE STATEMENT

<input type="checkbox"/>	No, I have not made, within two (2) years immediately preceding the filing of this application, campaign contributions or gifts of \$250.00 or more to a local government official of Rockdale County, Georgia.
<input type="checkbox"/>	Yes, I have made, within two (2) years immediately preceding the filing of this application, campaign contributions or gifts of \$250.00 or more to a local government official of Rockdale County, Georgia.

Applicant's signature: _____ Date: _____

If yes, provide the name and official position of the local government official to whom the campaign contribution during the two years immediately preceding the filing of the application, the dollar amount, description of each contribution, and the date each contribution was made. Use the back of this sheet, and continue on a separate sheet if necessary, in the following format:

Name	Position	Amount	Description	Date

Notary's Seal:

Notary's Signature: _____
 Commission expires: _____ Date: _____

AGENT AUTHORIZATION FORM

To be completed by the property owner, if they wish to have an agent represent them in all matters related to this application.

I hereby certify that the information provided in this application is true and correct and that I have authorized the following agent to make the request, claims and representation pursuing this application.

Agent's name: _____

Agent's signature: _____ Date: _____

Owner's name: _____

Owner's signature: _____ Date: _____

AGENT'S CAMPAIGN CONTRIBUTION DISCLOSURE STATEMENT

<input type="checkbox"/>	No, I have not made, within two (2) years immediately preceding the filing of this application, campaign contributions or gifts of \$250.00 or more to a local government official of Rockdale County, Georgia.
<input type="checkbox"/>	Yes, I have made, within two (2) years immediately preceding the filing of this application, campaign contributions or gifts of \$250.00 or more to a local government official of Rockdale County, Georgia.

Agent's signature: _____ Date: _____

If yes, provide the name and official position of the local government official to whom the campaign contribution during the two years immediately preceding the filing of the application, the dollar amount, description of each contribution, and the date each contribution was made. Use the back of this sheet, and continue on a separate sheet if necessary, in the following format:

Name	Position	Amount	Description	Date

Notary's Seal:

Notary's Signature: _____

Commission expires: _____ Date: _____

ATTORNEY AUTHORIZATION FORM

To be completed by the property owner, if they wish to have an agent represent them in all matters related to this application.

I hereby certify that the information provided in this application is true and correct and that I have authorized the following attorney to make the request, claims and representation pursuing this application.

Attorney's name: _____

Name of Practice: _____

Attorney's signature: _____ Date: _____

Owner's name: _____

Owner's signature: _____ Date: _____

ATTORNEY'S CAMPAIGN CONTRIBUTION DISCLOSURE STATEMENT

<input type="checkbox"/>	No, I have not made, within two (2) years immediately preceding the filing of this application, campaign contributions or gifts of \$250.00 or more to a local government official of Rockdale County, Georgia.
<input type="checkbox"/>	Yes, I have made, within two (2) years immediately preceding the filing of this application, campaign contributions or gifts of \$250.00 or more to a local government official of Rockdale County, Georgia.

Attorney's signature: _____ Date: _____

If yes, provide the name and official position of the local government official to whom the campaign contribution during the two years immediately preceding the filing of the application, the dollar amount, description of each contribution, and the date each contribution was made. Use the back of this sheet, and continue on a separate sheet if necessary, in the following format:

Name	Position	Amount	Description	Date

Notary's Seal:

Notary's Signature: _____

Commission expires: _____ Date: _____

UNIFIED DEVELOPMENT ORDINANCE SEC. 238-6 SPECIAL USE PERMIT

(a) Purpose.

The purpose of this Section is to provide for uses that are generally compatible with the use characteristics of a zoning district but that require individual review of their location, design, intensity, configuration and public facility impact to determine the appropriateness of the use of any particular site in the district and compatibility with adjacent uses. A special use may not be approved in a given zoning district unless it is listed as a special use for the subject district in the Use Table in Section 218 of the Unified Development Ordinance (UDO).

(b) Authority.

The Board of Commissioners may, in accordance with the procedures, standards and limitations of the UDO, take final action on applications for Special Use Permits for those uses listed in each of the zoning districts in the Use Table in Section 218 of the UDO.

(c) Application Procedures.

- (1) Special Use Permit applications may be initiated upon application by the owner(s) of the subject property or the authorized agent of the owner(s).
- (2) Applications for Special Use Permits shall be made on forms published and provided by the Department and shall be filed with the Department.
- (3) Each applicant shall complete all questions and requested materials - contained within the required application form and shall provide all of the following information:
 - a. Survey plat of subject property, prepared within the last ten years by a professional engineer, landscape architect or land surveyor registered in the State of Georgia. Said survey plat shall:
 1. Indicate the complete boundaries of the subject property and all buildings and structures existing thereon.
 2. Include a notation as to whether or not any portion of the subject property is within the boundaries of the 100 year flood plain.
 3. Include a notation as to the total acreage or square footage of the subject property.
 4. Name, mailing address and phone number of all owners of the property which is the subject of the application for Special Use Permit;
 5. Signed and notarized affidavit of all owners of the subject property authorizing the filing of the application for Special Use Permit, and where applicable, the signed and notarized affidavit of the owner(s) of the subject property authorizing an applicant or agent to act on their behalf in the filing of the application for Special Use Permit. The application also shall contain the mailing address, email address, FAX number and phone number of any applicant or agent who is authorized to represent the owner(s) of the subject property;
 6. Written legal description of property.
 7. Statement of current zoning classification of property, the proposed use of the property.
 8. A written, documented analysis of the impact of the proposed Special Use Permit with respect to each of the criteria contained in subsection (m) of this Section and, where applicable to the use proposed, also the applicable supplemental regulations contained in Chapter 218, Article 3 of the UDO.
 9. Complete and detailed site plan of the proposed use prepared, signed and sealed by an architect, landscape architect or engineer licensed in the State of Georgia showing the following:
 - A. All buildings and structures proposed to be constructed and their location on the property;
 - B. Height of proposed building(s);
 - C. Proposed use of each portion of each building;
 - D. All driveways, parking areas, and loading areas;
 - E. Location of all trash and garbage disposal facilities;
 - F. Setback and buffer zones required in the district in which such use is proposed to be located;
 - G. Existing uses and current zoning of adjacent properties;
 - H. Landscaping plan for parking areas;
 - I. Method of wastewater treatment for the proposed use;
 - J. All other information necessary to demonstrate compliance with subsection (m) of this Section and Chapter 218, Article 3, as applicable.
 - K. A list of adjoining property owners names, property address, mailing address, parcel number and zoning

(4) Application Fees. Application fees shall be as established by ordinance by the Board of Commissioners.

(d) Staff Analysis, Findings of Fact, and Recommendations.

- (1) Applications shall be filed on forms provided by the Department and shall not be considered an authorized application unless complete in all respects.

Special Use Permit Application

- (2) The Department shall conduct a site inspection and shall prepare an analysis of each application for Special Use Permit and shall present its findings and recommendations in written form to the Planning Commission.
- (3) Staff recommendations on each application for Special Use Permit shall be based on the criteria contained in subsection (m) of this Section and in addition, where applicable to the use proposed, to the applicable supplemental regulations contained in Chapter 218, Article 3.

(e) Initiation of Ordinance

Prior to action by the Board of Commissioners, the Department shall prepare a proposed ordinance to effect the proposed Special Use Permit.

(f) Notice of Applications Filed

The Department shall provide to the Board of Commissioners, no later than 21 days following the monthly closing date for receipt of applications, a list of all applications for Special Use Permit. The listing of applications shall be reasonably made available to the public.

(g) Public Hearings Required

Before deciding on any Special Use Permit pursuant to the requirements set forth in this Section, the Board of Commissioners shall provide for public notice and a public hearing thereon. No application for a Special Use Permit shall be decided by the Board of Commissioners unless it has been submitted to the Planning Commission for public hearing and recommendation pursuant to the requirements of this Section.

(h) Notice of Public Hearings

Notice of public hearing on any proposed application for a Special Use Permit shall be provided as is required in Section 238-4(e) of this Chapter and shall, in addition to the information required in Section 238-4(e), indicate the special use requested for the subject property. This section requires notification of adjoining property owners and applicants.

(i) Withdrawal of Application

An incomplete application for an amendment to the Official Zoning Map or Comprehensive Plan, that is filed less than 5 days prior to the deadline for filing such amendment, may be withdrawn by the applicant with full refund of fees. An applicant also may withdraw his or her application with a full refund of fees within 10 days after the application deadline. However, no application shall be withdrawn after the required legal advertising shall have been submitted for publication in the legal organ of the County.

(j) Action by the Planning Commission

- (1) The Secretary shall provide the members of the Planning Commission complete information on each proposed application for Special Use Permit which the Commission considers including a copy of the application and all supporting materials, all communications and other writings either in support of or in opposition to the application, and the written report and recommendation of the Department applying the required criteria in subsection (m) and supplemental regulations of Chapter 218, Article 3, where applicable, to each application.
- (2) After public notice as required in subsection (h) of this Section, the Planning Commission, shall conduct a public hearing in a manner consistent with Section 238-4(f) of this Chapter. Prior to initiating a motion regarding its recommendation to the Board of Commissioners the Planning Commission shall review and consider each of the criteria contained in subsection (m) of this Section, and the supplemental regulations contained in Section 218, Article 3, where applicable to the use proposed use.
- (3) The Planning Commission recommendation on each application shall be based on a determination as to whether or not the applicant has met the criteria contained in subsection (m), the supplemental regulations contained in Section 218, Article 3, where applicable to the use proposed use, and the requirements of the Comprehensive Plan and zoning district in which such use is proposed to be located.
- (4) The Planning Commission may recommend the imposition of conditions based upon the facts in a particular case in accordance with Section 238-15.
- (5) The Planning Commission may recommend approval of the application, approval of the application with conditions, approval of the Special Use Permit for a lesser area, extent or intensity, or denial of the application. Failure of a motion to achieve a majority vote on such decision shall result in no recommendation to the Board of Commissioners on the matter.

(k) Action by the Board of Commissioners

- (1) The Board of Commissioners, after conducting the public hearing with public notice required by this Section, shall take one of the following actions:
 - a. Vote to approve the application.
 - b. Vote to approve the application with conditions.
 - c. Vote to approve the Special Use Permit for a lesser area, extent or intensity.
 - d. Vote to deny the application.
 - e. Vote to defer the application to its next regular meeting or special called meeting.
 - f. Vote to refer the matter back to the Planning Commission for reconsideration at their next regularly scheduled meeting or special called meeting, if such referral includes a public hearing, the matter shall be re-advertised in accordance with paragraphs (e)(1), (e)(2), and (e)(3) of Section 238-4.
- (2) The decision of the Board of Commissioners on each application for Special Use Permit shall be based on a determination as to whether or not the applicant has met the criteria contained in subsection (m) of this Section, the use standards contained in Chapter 218, Article 3 where applicable to the use proposed, the consistency of the application with the Comprehensive Plan,

Special Use Permit Application

and the requirements of the zoning district in which such use is proposed to be located.

- (3) The Board of Commissioners may impose conditions based upon the facts in a particular case in accordance with Section 238-15.

(1) Time Limits of Special Use Permits

- (1) The Board of Commissioners shall specify limits, if any, of the duration of each such Special Use Permit which is approved.
- (2) Subject to any limit in duration, the Special Use Permit shall become an integral part of the zoning applied to the subject property and shall be extended to all subsequent owners and interpreted and continually enforced by the Department in the same manner as any other provision of the UDO, subject to the limitations provided in subsections (0) and (q) of this Section.

(m) Special Use Permit Criteria to be applied

The following criteria shall be applied by the Department, the Planning Commission, and the Board of Commissioners in evaluating and deciding any application for a Special Use Permit. No application for a Special Use Permit shall be granted by the Board of Commissioners unless satisfactory provisions and arrangements have been made concerning each of the following criteria, all of which are applicable to each application:

- (1) Whether or not the proposed plan is consistent with all of the requirements of the zoning district in which the use is proposed to be located, including required parking, loading, setbacks and transitional buffers.
- (2) Compatibility of the proposed use with land uses on adjacent properties and other properties within the same zoning district, including the compatibility of the size, scale and massing of proposed buildings in relation to the size, scale and massing of adjacent and nearby lots and buildings.
- (3) Adequacy of the ingress and egress to the subject property, and to all proposed buildings, structures, and uses thereon, including the traffic impact of the proposed use on the capacity and safety of public streets providing access to the subject site.
- (4) Consistency with the county's wastewater treatment system, including the feasibility and impacts of serving the property with public wastewater treatment service and, if an alternative wastewater treatment method is proposed, whether such wastewater treatment method will have a detrimental impact on the environment.
- (5) Adequacy of other public facilities and services, including stormwater management, schools, parks, sidewalks, and utilities, to serve the proposed use.
- (6) Whether or not the proposed use will create adverse impacts upon any adjacent or nearby properties by reason of noise, smoke, odor, dust, or vibration, or by the character and volume of traffic generated by the proposed use.
- (7) Whether or not the proposed use will create adverse impacts upon any adjoining land use by reason of the manner of operation or the hours of operation of the proposed use.
- (8) Whether or not the proposed use will create adverse impacts upon any environmentally sensitive areas or natural resources.

(n) Development of an Approved Special Use

The issuance of a Special Use Permit shall only constitute approval of the proposed use, and development of the use shall not be carried out until the applicant has secured all other permits and approvals required.

(o) Expiration of a Special Use Permit

Unless a building permit or other required approvals is secured within 12 months, and construction subsequently undertaken pursuant to such building permit, the Special Use Permit shall expire automatically unless the permit is extended upon application to the Board of Commissioners in accordance with subsection (p) of this Section

(p) Time Extension of a Special Use Permit

The time limitations imposed on Special Use Permits by subsection (e)(1) and expiration date established pursuant to subsection (0) of this Section may be extended by the Board of Commissioners not more than once, and not for more than 12 months, upon written request by the applicant and approval of the Board of Commissioners.

(q) Limitations on Approvals for Special Use Permits

A Special Use Permit shall expire automatically and cease to be of any force or effect if such use shall, for any reason, be discontinued for a period of 12 months.

(r) Modifications to a Special Use Permit

Changes to an approved Special Use Permit, other than time extensions provided under subsection (P) of this Section, shall be subject to the same application, review and approval process as a new application, including the payment of relevant fees.

(s) Appeal of a Special Use Permit Decision

Any person, persons or entities jointly or severally aggrieved by any decision of the Board of Commissioners regarding a Special Use Permit application may take an appeal to the Superior Court of the county. The appeal shall be limited to the proceedings and record of the Board of Commissioners. Any appeal must be filed within 30 days of the decision of the Board of Commissioners, and upon failure of such appeal, the decision of the Board of Commissioners shall be final.