

CITY OF HARTWELL

PLANNING AND ZONING DEPARTMENT

456 E. HOWELL STREET

HARTWELL, GA 30643

PETITION FOR ANNEXATION/ORDINANCE AMENDMENT/MAP AMENDMENT/REZONE/VARIANCE REQUEST/SPECIAL EXCEPTION

Incomplete applications will not be processed.

Persons interested in submitting a petition for land use updates in the City of Hartwell must adhere to the following procedure and information required for requesting official map amendments. Prior to processing any such application, the applicant shall be required to file the necessary documentation and follow the procedures set forth in Section 42 of the City of Hartwell Code of Ordinances.

A petition shall be made in writing to the Planning and Zoning Department on forms provided by the department. Each application shall include the signatures of the applicant and property owner. It shall affirm the owner is in fact the current owner of record. The letter of agency form shall be notarized.

No petition will be considered to have been made until such form(s), as described in Section 42-526, have been completed and submitted to the Planning and Zoning Department with the established fees as established by the City Council and supporting materials as required.

Any communication relative to a petition for a change will be regarded as informational only until a proper and complete petition is accepted by the Director of the Planning and Zoning Department or designee. The Planning and Zoning Department shall review the petition for completeness within 5 workdays following the submission deadline. Incomplete or improper petition will be returned to the applicant with a list of deficiencies and signed by the Director. The application submission deadline shall be the last Thursday of every month, unless said day is a holiday, as may be established by City Council, then the deadline shall be the day before.

Deadline for Submission – Petitioners for land use change must be filed with the Planning and Zoning Department by the last Thursday of the month. An accepted petition will be heard by the Planning and Zoning Board on the fourth Thursday of the second month following the application deadline in City Hall, 456 E. Howell St., Hartwell, GA 30643. (Example: Petition due last Thursday of May; Scheduled Public Hearing in July).

Petition forms are available at City Hall or online at www.hartwellga.gov under the forms section.

**2023 Meeting Dates, Times, and Location**

**4th Thursday\* 6:00 PM City Hall**

**January 26, 2023**

**February 23, 2023**

**March 23th, 2023**

**April 27, 2023**

**May 25, 2023**

**June 22, 2023**

**July 27, 2023**

**August 24, 2023**

**September 28, 2023**

**October 26, 2023**

**November 16, 2023**

**December 21, 2023**

**\*Planning and Zoning Commission meetings will be held on the 3rd Thursday in November and December due to Holidays. Meetings may be cancelled if no case is to be heard before the commission.**

PETITION FOR ANNEXATION/ORDINANCE AMENDMENT/MAP AMENDMENT/REZONE/VARIANCE REQUEST/SPECIAL EXCEPTION

1. Applicant Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
2. Owner Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
3. Mailing Address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
4. Email Address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
5. Phone: (home)\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_(office)\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_(cell)\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Change Requested:

* Annexation (Zoning Assignment) Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
* Ordinance Amendment
* Map Amendment (Rezoning)
* Variance Request
* Special Exception
* Subdivision
* Conditional Use

Tax Parcel(s): ­­­­­­­­­\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Address (if designated): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Current Zoning: \_\_\_\_\_\_\_\_\_\_\_\_\_\_ (If annexation is selected fill in NA)

Current Zoning of adjacent properties: North \_\_\_\_\_ South \_\_\_\_\_ East: \_\_\_\_\_ West: \_\_\_\_\_

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

The Comprehensive Plan Character Map category in which the property will be located. (See Zoning Administrator for a copy of the Comprehensive Plan) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Area of land proposed to be changed (stated in square feet if less than one acre): \_\_\_\_\_\_\_\_\_\_\_\_

Present Use of Property \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Desired Use of Property \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Please provide the following additional information:

1. Copy of warranty deed for proof of ownership and if not owned by applicant, please complete attachment 1 demonstrating agency of applicant from each property owner for all property and have notarized.
2. Application Fee: $300
3. Legal description and recent plat of the property or Tax Assessor Map
4. Letter of intent describing proposed property development. See applicable code section(s) 42-528, 42- 529 or 42-530 of the City of Hartwell Code of Ordinances
5. A detailed description of the existing land use.
6. Disclosure statement which is required by O.C.G.A 36-67A must be submitted.
7. Proof the property taxes for the parcel(s) in question have been paid.
8. Impact Analysis – An impact analysis is required for all petitions for land use changes. A traffic study is included for all residential subdivisions resulting in more than six (6) single-family residential units, multifamily petitions, annexation requests, commercial and industrial developments
9. If applicable, complete the subdivision form included.
10. Site plan containing the following information shall be submitted:
    1. Title of proposed development and name, address, and telephone number of property owner.
    2. Name, address, and telephone number of the architect, engineer, or other designer of proposed development.
    3. Scale, date, and general location map showing relationship of the side to streets or natural landmarks.
    4. For residential subdivision, commercial or industrial applications, boundaries with meets and bounds, and street pavement widths; buildings; water courses; parking and loading areas, and other physical characteristics of the property and proposed development, along with front building setback line on each lot.
    5. For multi-family and nonresidential development projects, the approximate outline and location of all buildings, and the location of all minimum building setback lines, outdoor storage areas, dumpsters, zoning buffers, parking areas, loading stations, storm water detention facilities, and driveway entrances and exits.
    6. Such additional information as may be useful to permit an understanding of the proposed use and development of the property particularly with respect to the compatibility of the proposed use with adjacent properties.

THE ABOVE STATEMENTS AND ACCOMPANYING MATERIALS ARE COMPLETE AND ACCURATE. PETITIONER HEREBY GRANTS PERMISSION FOR PLANNING AND ZONING PERSONEL OR ANY LEGAL REPRESENTATIVE OF THE CITY OF HARTWELL TO ENTER UPON AND INSPECT THE PROPERTY FOR ALL PURPOSES ALLOWED AND REQUIRED BY THE CITY OF HARTWELL CODE OF ORDINANCES.

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

Printed Name Signature Date

OFFICE USE

Paid: $ \_\_\_\_\_\_\_\_\_\_\_\_ (cash) \_\_\_\_\_ (check) \_\_\_\_\_ (credit card) \_\_\_\_\_\_

Date Paid: \_\_\_\_\_\_\_\_\_\_\_\_

Date Application Received: \_\_\_\_\_\_\_\_\_\_\_

Reviewed for completeness by: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date of Planning and Zoning Hearing: \_\_\_\_\_\_\_\_\_\_\_\_\_

Date submitted to newspaper: \_\_\_\_\_\_\_\_\_\_

Date sign posted on property: \_\_\_\_\_\_\_\_\_\_­

Attachment 1

(Complete only if applicant is different from the property owner)

AUTHORIZATION BY PROPERTY OWNER

PETITION FOR ANNEXATION/ORDINANCE AMENDMENT/MAP AMENDMENT/VARIANCE REQUEST/SPECIAL EXCEPTION

I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, swear that I am the Owner of the Property which is the subject matter of the attached petition, as is shown in the Records of Hart County, Georgia.

I authorize the person named below to act as Applicant in the pursuit of the subject of this petition for this property:

Name of Applicant \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Address \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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

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

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

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

Signature(s) of Owner

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

Public Notary Seal Signature of Public Notary

Date\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

CONFLICT OF INTEREST IN ZONING ACTIONS

36-67A-3. Disclosure of campaign contributions

* + - * 1. When any applicant for rezoning action has made, within two years immediately preceding the filing of the applicant’s application for the rezoning 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 for the rezoning action and the date of each such contribution.
   * + - 1. The disclosures required by subsection (a) of this Code section shall be filed within ten days after the application for the rezoning action is first filed.
         2. When any opponent of a rezoning action has made, within two years immediately preceding the filing of the rezoning action being opposed, campaign contributions aggregating $250.00 or more to a local government official of the local government which will consider the application, it shall be the duty of the opponent to file a disclosure with the governing authority of the respective local government showing:

The name and official position of the local government official to whom the campaign contribution was made; and

The dollar amount and description of each campaign contribution made by the applicant to the local government for the rezoning action and the date of each such contribution.

* + - * 1. The disclosures required by subsection (c) of this Code section shall be filed within ten days after the application for the rezoning action is first filed.

36-67A-4. Penalties

Any person knowingly failing to comply with the requirements of this chapter or violating the provisions of this chapter shall be guilty of a misdemeanor.

Disclosure of Petitioner’s Campaign Contribution

1. Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
2. Address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
3. Have you given contributions that aggregated $250.00 or more within two years immediately preceding the filing of the attached application to a candidate that will hear the proposed petition? Yes \_\_\_\_\_\_\_\_ No \_\_\_\_\_\_\_. If yes, who did you make the contributions to? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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

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

Attachment 2

City of Hartwell

Application for subdivision and Land Development Approval

Name of Development \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Check one: Sketch Plan \_\_\_\_\_\_\_\_ Preliminary Plan \_\_\_\_\_\_\_\_\_ Final Plan \_\_\_\_\_\_\_\_\_\_

General Information:

Owner \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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

Applicant(s) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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

Engineer or Surveyor \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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

Development Data:

Location \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Existing Zoning (if annexation is requested leave blank) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Proposed Use (if annexation indicate requested zoning classification) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Number of Lots \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Total Acreage \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Minimum Lot Size \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Lineal Feet of New Streets \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Water Supply: Public System \_\_\_\_\_\_\_\_\_\_\_\_ On Lot System \_\_\_\_\_\_\_\_\_\_\_\_

Sewerage System: Public System \_\_\_\_\_\_\_\_\_\_\_\_ On Lot System \_\_\_\_\_\_\_\_\_\_\_\_

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

Signature of Owner

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

Date

Impact Analysis

An impact analysis is required for all applications. The impact analysis shall be prepared by a professional engineer, a registered surveyor, a landscape architect, a land planner or any other person professionally involved in and familiar with land development activities.

Proposed property to be changed \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

The following criteria are to be used to evaluate the proposed change in the Zoning of a lot or parcel of land.

1. The existing uses and zoning of nearby property and whether the proposed zoning will adversely affect the existing use or usability of nearby property. \_\_\_\_\_\_\_\_\_\_\_
2. The extent to which property values are diminished by the particular zoning restrictions. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
3. The extent to which the destruction of property values promotes the health, safety, morals or general welfare of the public. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
4. The relative gain to the public, as compared to the hardship imposed upon the individual property owner. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
5. The physical suitability of the subject property for development as presently zoned and under the proposed zoning district. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
6. The length of time the property has been vacant, considered in the context of land development in the area in the vicinity of the property, and whether there are existing or changed conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the rezoning request. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
7. The zoning history of the subject property. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
8. The extent to which the proposed zoning will result in a use which will or could cause excessive or burdensome use of existing streets, transportation facilities, utilities, schools, parks or other public facilities. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
9. Whether the zoning proposal is in conformity with the policy and intent of the comprehensive plan, land use plan or other adopted plans. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
10. The possible creation of an isolated district unrelated to adjacent and nearby districts. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_