



ZONING MODIFICATION APPLICATION PACKAGE



ZONING MODIFICATION APPLICATION CHECKLIST

DOCUMENTS AND QUANTITIES REQUIRED

**ALL PERTINENT ITEMS ARE DUE AT THE TIME OF FILING.
NO INCOMPLETE APPLICATION WILL BE ACCEPTED.**

ITEM #	REQUIRED ITEM	NUMBER OF COPIES	CHECK ✓
1.	PRE-APPLICATION REVIEW FORM	1 Copy	
2.	APPLICATION FORM	3 Copies	
3.	LEGAL DESCRIPTIONS	3 Copies	
4.	SITE PLAN	9 Copies	
5.	LETTERS OF INTENT	9 Copies	
6.	PUBLIC PARTICIPATION PLAN	1 Copy	
7.	ADJACENT PROPERTY OWNERS/NEIGHBORHOOD ASSOCIATION LETTERS	2 Copies	
8.	DEPARTMENTAL SIGN-OFF LETTERS	2 Copies	
9.	DISCLOSURE FORM	2 Copies	
10.	JUMP / THUMB DRIVE (Containing Application)	1 Drive	



PROCEDURES AND INFORMATION FOR FILING A MODIFICATION & ADMINISTRATIVE MODIFICATION

ALL application forms are obtained from Community Development & Regulatory Affairs, 5440 Fulton Industrial Boulevard, Atlanta, Georgia, 30336 or at

www.cityofsouthfultonga.gov. **PLEASE READ ALL INSTRUCTIONS BEFORE FILING. NO FAXED COPIES NOR COPIES OF FAXED MATERIAL WILL BE ACCEPTED AS PART OF THIS APPLICATION PACKET.**

TYPES OF MODIFICATION:

1. **ADMINISTRATIVE MODIFICATION:** A modification of conditions to a Zoning or Use Permit that do not require a public hearing. A decision will be made by the Director of Community Development Services and will be confirmed by the City of South Fulton Councilmembers.
2. **ZONING MODIFICATION:** A modification of conditions to a Zoning or Use Permit, where public interest has been determined. This requires a public hearing by the City of South Fulton Councilmembers. Community Development Services will make a recommendation to the Council.

FILING REQUIREMENTS:

*Applications will not be accepted **after 3:00 PM, Monday - Friday.***

1. **PRE-APPLICATION MEETING AND REVIEW FORM:** Prior to submitting a rezoning request, you are required to meet with Staff to review your proposal and issue a pre-application review form, which becomes part of your application packet. **At least 10 business days before your goal due date, email Dana Gray (dana.gray@cityofsouthfultonga.gov) with your conceptual site plan and letter of intent attached to make an appointment.**
2. **APPLICATION FORMS: Three (3) copies are required.** ALL application forms must have the original signature(s) of the property owner, or attach a Power-of-Attorney, or documents showing an option to purchase the property.
3. **LEGAL DESCRIPTIONS: Three (3) copies are required.** The legal description must be a metes and bounds description of the property that establishes a point of beginning and gives directions (bounds) and distances (metes) of property lines. If the property consists of more than one parcel, all parcels must be combined into one legal description.
4. **SITE PLAN: Nine (9) copies are required,** one of which must be 8½" x 11". The site plan must illustrate the requested modification(s). Site plans must be folded, drawn to scale and must not exceed 24" x 36". The required number is subject to change.
5. **LETTERS OF INTENT: Nine (9) copies are required.** The letter of intent must explain the circumstances upon which the requested change of condition is based. Include the reason why development or use of the property cannot be accomplished without modification of a condition and identify the zoning/use permit case number and specific condition(s) being addressed.
6. **PUBLIC PARTICIPATION PLAN:** The Public Participation Plan is to ensure that applicants pursue early and effective public participation in conjunction with their petitions, ensure that the citizens of City of South Fulton have an adequate opportunity to learn about petitions that may affect them, and to ensure ongoing communication between applicants, adjoining property owners, environmentally stressed communities, community associations and other organizations, elected officials and City staff.

Applicants are required to submit a Public Participation Plan (Form D) at the time of the filing of the modification application. (See pages 9-11)

7. **PUBLIC PARTICIPATION PLAN REPORT:** A Public Participation Plan Report must be completed on Form E and filed no later than 7 days before the City Council hearing. (See page 12)
8. **ADJACENT PROPERTY OWNERS/NEIGHBORHOOD ASSOCIATION LETTERS: Two (2) copies are required** at the time of filing.
9. **DEPARTMENTAL SIGN-OFF LETTERS: Two (2) copies are required.** If a request for an ADMINISTRATIVE MODIFICATION requires a sign-off by a City of South Fulton department or staff person, such as the Traffic Engineer or the Arborist, this letter is required at the time of filing.
10. **DISCLOSURE FORM:** If the owner, applicant and/or applicant's representative has made a campaign contribution to any member of the City Council for \$250.00 or more within the past 2 years, Sections 1 through 4 of the Disclosure Form (Form C) must be completed. If no contributions have been made, No should be circled, Section 4 of the form completed. Provide Two (2) copies.
11. **FEES: Make check payable to CITY OF SOUTH FULTON, GEORGIA.** The policy for refunds of application fees will be as per Sec. 22.13.5 of the City of South Fulton Zoning Resolution.
12. **JUMP/THUMB DRIVE:** Provide a jump/thumb drive containing the completed application documents along with the hard copy of the application at the time of submittal.

FEES

MODIFICATION BASE FEE:
\$300 PLUS \$100 FOR EACH ADDITIONAL MODIFICATION REQUEST ON THE SAME PROPERTY
REVISIONS:
\$50 PER REVISION

(ALL CHECKS PAYABLE TO THE CITY OF SOUTH FULTON)

MEETING AND PUBLIC HEARINGS:

- **SCHEDULE:** A schedule with deadlines and public hearing dates for Zoning Modifications is obtainable from Community Development Services or on our website at www.cityofsouthfultonga.gov/fcpcsd-home
- **COMMUNITY ZONING INFORMATION MEETING (CZIM):** The CZIM is not a public hearing but rather an informal meeting held on the second Thursday of each month (unless otherwise noted in the schedule) prior to the Board of Commissioners public hearing the following month. The meeting runs from 6:00 p.m. until 7:30 p.m., at the **City of South Fulton on Fulton Industrial Boulevard, 5440 Fulton Industrial Boulevard, Atlanta, GA 30336**. This meeting is open to all interested citizens and applicants are strongly encouraged to attend.
- **CITY COUNCIL MEETING:** The City Council holds a public hearing on the fourth Tuesday of each month at 7:00 p.m. at the **South Fulton Arts Center, 4645 Butner Road, College Park, GA 30349**.

POSTING OF SIGNS:

- **COMMUNITY ZONING INFORMATION MEETING (CZIM) SIGN:** White and orange signs posted along the frontages of properties subject to zoning and/or use permit modifications that notify area residents of the CZIM.
- **CITY COUNCIL PUBLIC HEARING NOTICE SIGN:** White and green signs posted along the frontages of properties subject to zoning modifications that notify area residents of the City Council public hearing. Applicants are required to post sign(s) in conspicuous places along the property's public street frontage(s) no later than 20 days before the City Council hearing. Failure to post the signs properly, in accordance with instructions given to applicants at the time of filing, will result in delaying action on the petition until the next available appropriate hearing date. *THERE ARE NO EXCEPTIONS TO THE PROPER POSTING OF THESE SIGNS.*
- If the sign is mutilated and/or removed, it is the applicant's responsibility to obtain and re-post a new sign(s).

NOTIFICATION FOR ZONING MODIFICATION:

- Notice is mailed (via U.S. Mail) by City of South Fulton to all property owners within a quarter mile of the subject property. Said notice is mailed no later than 15 days prior to the public hearing to property owners of record as shown on the real estate tax records of Fulton County as retrieved by the County's Geographic Information Systems.
- **PUBLIC PARTICIPATION PLAN.** Required for applications. (See pages 9-11)
- A published notice in a newspaper of general circulation is done by the City of South Fulton no later than 15 days prior to the public hearing. The published notice contains the time, place, purpose of the hearing and the location of the property.



APPLICATION FOR ADMINISTRATIVE OR ZONING MODIFICATIONS

The undersigned, having an interest in the property herein described respectfully request:

SECTION I

MODIFICATION #: _____

(To be assigned by the City of South Fulton)

[] A. **ADMINISTRATIVE MODIFICATION:** A modification of a condition(s) of zoning or Use Permit that does not require a public hearing. A decision will be made by the Director of Community Development & Regulatory Affairs.

[] B. **ZONING MODIFICATION:** A modification of a condition(s) of zoning or Use Permit where public interest has been determined. This requires a public hearing by the City of South Fulton Councilmembers.

If "A" was denied, list previous case number: #M _____

- 1) Planner who determined the type of Modification you should file: _____
- 2) Identify the specific condition(s) being modified as provided by the Planner. State the condition number(s) and letter(s) (e.g. 2-b, 2-e). _____; _____; _____; _____; _____; _____.
- 3) Petition number of the Zoning or Use Permit to which this application applies _____
Current zoning district _____
- 4) Attach a copy of Legal Description [must be metes and bounds] or complete the following information if the property is within a recorded subdivision.

SUBDIVISION NAME: _____ UNIT/PHASE: _____

LOT NUMBER: _____ BLOCK DESIGNATION: _____ LAND LOT(S): _____

DISTRICT/SECTION: ____/____ RECORDED IN PLAT BOOK: _____ PAGE: _____

ROAD NAME: _____

NOTICE: Sections III or IV below **MUST** be signed and notarized when application is submitted. If Section III is signed and notarized, applicant need only complete Section IV as "Applicant", notarization of Section IV is not necessary.

SECTION III: Owner states under oath that he/she is the owner of property described in the attached legal description, which is made part of this application for a Modification.

TYPE OR PRINT OWNER'S NAME

Sworn to and subscribed before me this
_____ day of _____ 20____

ADDRESS

NOTARY PUBLIC

CITY & STATE ZIP CODE

OWNER OF PROPERTY (SIGNATURE)

PHONE NUMBER

EMAIL ADDRESS

SECTION IV: Applicant, if different from the Owner, states under oath that:

- 1) Applicant is the executor or attorney-in-fact under a Power-of-Attorney for the Owner. Attach copy of Power-of-Attorney and type name of Owner as indicated in Section III; *or*
- 2) Applicant has an option to purchase said property conditioned upon the property being granted a modification. Attach copy of contract and type name of Owner as indicated in Section III; *or*
- 3) Applicant has an estate for years which permits the applicant to apply for a modification. Attach a copy of lease and type name of Owner as indicated in Section III.

APPLICANT (SIGNATURE)

Sworn to and subscribed before me this
_____ day of _____ 20____

TYPE/PRINT NAME OF APPLICANT

ADDRESS

NOTARY PUBLIC

CITY & STATE ZIP CODE

PHONE NUMBER

EMAIL ADDRESS

Indicate which of the above is applicable: 1 _____ 2 _____ or 3 _____

SECTION V: Attorney or Agent, if different from the applicant and/or owner

SIGNATURE OF ATTORNEY/AGENT
AGENT

CHECK ONE: [_____] ATTORNEY [_____]

ADDRESS

CITY & STATE ZIP CODE

PHONE NUMBER



DISCLOSURE REPORT FORM C

Office use only:
 REZONING PETITION #: _____ CITY COUNCIL MEETING DATE: _____

- **Within the (2) years immediately preceding the filing of this zoning petition have you, as the applicant, owner and/or opponent for the rezoning petition, or an attorney or agent of the applicant or opponent for the rezoning petition, made any campaign contributions aggregating \$250.00 or more or made gifts having an aggregate value of \$250.00 to a member of the City Council.**

CIRCLE ONE: YES NO

If the answer is *YES*, proceed to sections 1 through 4.
 If the answer is *NO*, complete only section 4.

1. **CIRCLE ONE:** Party to Petition In Opposition to Petition

If party to petition, complete sections 2, 3, and 4 below.
 If in opposition, proceed to sections 3 and 4 below.

2. List all individuals or business entities which have an ownership interest in the property which is the subject of this rezoning petition: _____

3. CAMPAIGN CONTRIBUTIONS:

Name of Government Official	Total Dollar Amount	Date of Contribution	Enumeration and Description of Gift Valued at \$250.00 or more

4. The undersigned acknowledges that this disclosure is made in accordance with the Official Code of Georgia, Section 36-67A-1 et. seq. Conflict of interest in zoning actions, and that the information set forth herein is true to the undersigned's best knowledge, information and belief.

Name (print) _____

Signature: _____ Date: _____



PUBLIC PARTICIPATION PROGRAM

The Public Participation Program consists of a two-part process designed to enhance dialogue between applicants and communities which may be impacted by a proposed development.

Part 1 of the process is the Public Participation Plan (Form D) which is required for all modification applications. The plan must be filed simultaneously with the application and implemented before the first public hearing. The minimum standards for the plan are as follows:

- Identification of all property owners within a quarter mile of the site and area homeowners' associations, environmentally stressed communities, political jurisdictions, and any other public agencies or organizations which may be affected by an application as determined by the applicant and the current planner at the time of the pre-application review.
- Explanation of how interested parties will be informed of modification applications.
- Methods for providing opportunities for discussion with interested parties before public hearings are held. Applicants are required to schedule at least one meeting at a convenient location and time and notify all interested parties, as identified above of the purpose, place and time of the meeting.
- Applicant's schedule for completion of the Public Participation Plan

Part 2 of the Public Participation Program is the Public Participation Report (Form E) which is due per the attached schedule. The minimum standards for the Report are as follows:

- Provide a list of all parties that were contacted, the methods of notification that were used, and copies of all notification letters.
- Provide dates and locations of all community and/or other meetings that were attended by the applicant to discuss an application. (Attach meeting notices, letters, etc.)
- Provide the number of people who participated in meetings held to discuss an application. (Attach sign-in sheets)
- A summary of concerns and issues expressed by interested parties.
- A summary of the applicant's response to concerns and issues.



**PUBLIC PARTICIPATION PLAN
FORM D**

Applicant: _____

1. The following individuals (property owners within a quarter mile of the property), homeowner’s associations, political jurisdictions, other public agencies, etc., will be notified in accordance with the requirements of Article 28.4.7 of the Fulton County Zoning Resolution:

2. The individuals and others listed in 1. above will be notified of the requested modification using the following method(s): (e.g., letters, meeting notices, telephone calls, e-mails, etc.)

3. Individuals and others listed in 1. above will be allowed to participate in the following manner: (At least one meeting at a convenient time and location is required.)

Attach additional sheets as needed.



PUBLIC PARTICIPATION PLAN REPORT FORM E

Applicant: _____ Petition No. _____

Date: _____

1. The following parties were notified of the requested modification:

2. The following meetings were held regarding this petition:
(Include the date, time and meeting location.)

3. The following issues and concerns were expressed:

4. The applicant's response to issues and concerns was as follows:

5. Applicants are required to attach copies of sign-in sheets from meetings as well as meeting announcements, i.e., notices, flyers, letters, and any other documentation which supports the opportunity for public input.

Attach additional sheets as needed.

PRE-APPLICATION REVIEW FORM

Office use only:

I hereby certify that I have completed a preliminary review of the site plan for this project and determined that it meets the minimum standards specified by Article 28.5.2 of the Fulton County Zoning Resolution.

Staff signature: _____ Date: _____

Planning Division
Community Development & Regulatory Affairs

Staff printed name: _____

The undersigned acknowledges that the site plan is submitted in accordance with Article 28.5.2 of the Fulton County Zoning Resolution and failure to comply shall render my application incomplete which may result in delay in the process of this application.

Applicant signature: _____ Date: _____

Applicant printed name: _____