



RZ #: \_\_\_\_\_

CV #: \_\_\_\_\_

CU #: \_\_\_\_\_

## UDC ZONING APPLICATION

### TYPE OF REQUEST :

- Rezoning
- Concurrent Variance
- Conditional Use
- Text Amendment
- Other (Explain)

Present Zoning \_\_\_\_\_

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

Proposed Use \_\_\_\_\_

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

### PROJECT

Name of Project \_\_\_\_\_

Property Address/Location \_\_\_\_\_ Suite/Apt. # \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Land Lot \_\_\_\_\_ District \_\_\_\_\_ Section \_\_\_\_\_ Property ID \_\_\_\_\_

### APPLICANT/OWNER

Applicant \_\_\_\_\_

Company \_\_\_\_\_

Mailing Address \_\_\_\_\_ Suite/Apt. # \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Phone \_\_\_\_\_ Cell Phone \_\_\_\_\_ Fax Phone \_\_\_\_\_ E-mail \_\_\_\_\_

### REPRESENTATIVE

Contact Name and Company (Owner's Agent or Attorney) \_\_\_\_\_

Contact Mailing Address \_\_\_\_\_ Suite/Apt. # \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Phone \_\_\_\_\_ Cell Phone \_\_\_\_\_ Fax Phone \_\_\_\_\_ E-mail \_\_\_\_\_

*I hereby certify that all information provided herein is true and correct*

Applicant Signature: Property Owner or Owner's Representative \_\_\_\_\_

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

OFFICE USE Fee: \$ \_\_\_\_\_  Cash  Check # \_\_\_\_\_  CC - Visa/ MC \_\_\_\_\_ Date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

Approved  Denied By: \_\_\_\_\_ Date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

TYPE

PROJECT

APPLICANT

REPRESENTATIVE



## Analysis Requirements

**REZONING APPLICATIONS:** Applicants are required to respond to criteria 1 through 10 pursuant to the Unified Development Code, section 13.4.7, letter B.

**CONCURRENT VARIANCE APPLICATIONS:** Please Complete the Concurrent Variance Justification, questions 1 – 8 pursuant to the Unified Development Code, section 13.4.8.

**CONDITIONAL USE APPLICATIONS:** Applicants are required to respond to the 5 questions listed specifically for a Conditional Use, pursuant to the Unified Development Code, section 13.4.7, letter C.

**CONDITIONAL USE FOR ADDITIONAL HEIGHT:** Applicants are required to respond to the 2 questions specifically listed for the request for additional height, pursuant to the Unified Development Code, letter D.

### REZONING QUESTIONS

1. The zoning map corrects an error or meets the challenge of some changing condition, trend or fact.
2. The zoning map amendment substantially conforms with the Comprehensive Plan.
3. The zoning map amendment substantially conforms with the stated purpose and intent of this UDC.
4. The zoning map amendment will reinforce the existing or planned character of the area.





#### CONDITIONAL USE QUESTIONS

1. The use is allowed as a conditional use in the respective zoning district (see Articles 3 through 7).
2. The use complies with the applicable specific use standard listed in Article 9, if any, without the granting of any variance.
3. The use is compatible with adjacent uses in terms of location, scale, site design, hours of operation, and operating characteristics.
4. Any adverse impacts resulting from the proposed use in the affected area will be effectively mitigated or offset.
5. The City and other service providers will be able to provide sufficient public facilities and services including schools, roads, recreation facilities, wastewater treatment, water supply and stormwater facilities, police, fire and emergency medical services, while maintaining sufficient levels of service to existing development.

#### CONDITIONAL USE FOR ADDITIONAL HEIGHT QUESTIONS

1. The project design is superior to that permitted under the base regulations.
2. Additional public benefits that mitigate the increased height have been offered.



### Concurrent Variance Justification If Required

An applicant requesting consideration of a Concurrent Variance to any provision of the Unified Development Code shall provide written justification that there are extraordinary and exceptional conditions or practical difficulties pertaining to the particular piece of property in question because of its size, shape, topography that are not applicable to other lands or structures in the same district. In making this determination, the City Council shall consider all of the following criteria:

1. A literal interpretation of the provisions of this UDC would effectively deprive the applicant of rights commonly enjoyed by other properties of the zoning district in which this property is located.
2. Granting the requested variance will not confer upon the property of the applicant any special privileges that are denied to other properties of the zoning district in which the property is located.
3. The requested variance will be in harmony with the purpose of the intent of this UDC and will not be injurious to the neighborhood or to the general welfare.
4. The special circumstances are not the result of the actions of the applicant.
5. The variance requested is the minimum variance that will make possible the proposed use of the land, building, or structure.
6. The variance does not permit a use of land, buildings, or structures, which is not permitted by right in the zoning district.
7. The variance does not reduce the lot size below the minimum lot size allowed in the zoning district.
8. The variance does not increase the maximum allocation of sign area or the maximum area of an allowed sign.



**Application Signature Page**

Please complete this **Property Owner Signature Page** for ALL applications. **READ CAREFULLY BEFORE SIGNING.**

- I understand that failure to supply all required information (per the relevant Applicant Checklists and requirements of the Unified Development Code) will result in REJECTION OF THE APPLICATION.
- I understand that preliminary approval of my design plan does not authorize final approval of my zoning or signage request. I agree to arrange sign permitting separately, after approval is obtained.
- I understand that representation associated with this application on behalf of the property owner, project coordinator, potential property owner, agent or such other representative shall be binding.
- I have read the provisions of the Georgia Code Section 36-67A-3 as required regarding Campaign Disclosures. My signed Campaign Disclosure Statement is included with this Application (required for rezoning only).
- I understand that due to a sewer allocation system controlled by Fulton County, sewerage capacity may not be available. I agree to arrange sewer service separately from this application. The method of sewage disposal that is planned for this property is:
 

Check one:	<input type="checkbox"/> Sanitary Sewer
	<input type="checkbox"/> Septic Tank

*I respectfully petition that this property be considered as described in this application*

From Use District: \_\_\_\_\_ To Use District: \_\_\_\_\_

Wherefore, applicant prays that the procedures incident to the presentation of this petition be taken, and the property be considered accordingly. Additionally, applicant further acknowledges and fully understands all above statements made by the City of Roswell.

**PROPERTY OWNER SIGNATURE (REQUIRED FOR ALL APPLICATIONS)**

*I hereby certify that all information provided herein is true and correct.*

Owner of Property (Signature)	_____ / _____ / _____ Date
Street Address, City, State, Zip	_____ Phone

**NOTARY**

Personally appeared before me the above Owner named \_\_\_\_\_ who on oath says that he/she is the Applicant for the foregoing, and that all the above statements are true to the best of his/her knowledge.

Notary Public (Signature)	_____ / _____ / _____ Date	_____ / _____ / _____ Date Commission Expires
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**ATTORNEY / AGENT (IF APPLICABLE)**

Attorney/Agent (Signature)	_____ / _____ / _____ Date
Street Address, City, State, Zip	_____ Phone



## Campaign Disclosure Ordinance

Please read the law and complete the **Campaign Disclosure Statement** on the following page if you are requesting a **Rezoning, Concurrent Variance, or Conditional Use**.

GA Citation/Title

GA Code 36-67A-3, Disclosure of campaign contributions

\*38069 Code, 36-67A-3

### CODE OF GEORGIA TITLE 36. LOCAL GOVERNMENT PROVISIONS APPLICABLE TO COUNTIES AND MUNICIPAL CORPORATIONS CHAPTER 67A. CONFLICT OF INTEREST IN ZONING ACTIONS (Current through 2000 General Assembly)

36-67A-3 Disclosure of campaign contributions.

- a) When any applicant for rezoning action has made, 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 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 official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.
- b) 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.
- c) 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 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 opponent 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.
- d) The disclosure required by subsection (c) of this Code section shall be filed at least five calendar days prior to the first hearing by the local government of any of its agencies on the rezoning application.

(Code 1981, 36-67A-3, enacted by Ga. L. 1986, p. 1269, 1; Ga. L. 1991, p. 1365, 1; Ga. L. 1993, p. 91, 36.)

*Official Code of Georgia Annotated Copyright 1982 - 2000 State of Georgia.*







# CHECKLIST

REZONING  
 CONCURRENT VARIANCE  
 CONDITIONAL USE

**A pre-application conference is required before submitting an application per Section 13.4.4 of the Unified Development Code.**

Zoning: Existing \_\_\_\_\_ Requested \_\_\_\_\_ Location: \_\_\_\_\_

LL: \_\_\_\_\_ Acres \_\_\_\_\_ District \_\_\_\_\_

Completed application form:

- Rezoning
- Concurrent Variance
- Conditional Use

One (1) original application including signed and notarized signature of property owner, plus copies of all materials and information as specified in this checklist is required. Zoning application requirements are covered in Article 13 of the *Roswell Unified Development Code*.

Surveys/Plans: Three (3) large sets, sheet size not to exceed 36 x 42 inches; plus 7 (7) 11 x 17 sets. Plans should be folded, not rolled.

Flash drive or CD with each item as a separate PDF.

Application fee(s) payable to the City of Roswell; see Fee Schedule.

Written analysis of how the proposed action compares to the decision criteria specified for deciding on the subject type of application. See Analysis Requirements questions in the Zoning application. Complete Concurrent Variance Justification, if required, for Concurrent Variance.

Signed Applicant Campaign Disclosure Statement;

Legal description of subject property;

Letter of intent describing the proposed use of the property or other action requested;

A Traffic Impact Study may be required, if determined to be required, it must be a part of the application at the time of submittal

Steep Slopes Analysis, if required; if determined to be required, it must be a part of the application at the time of submittal;

Proof of Stormwater Concept Meeting - this must be submitted with the application at the time of submittal;

Survey plat of property sealed by the surveyor showing ALL of the following:

- Property bearings and distances;
- Abutting property owners including across streets;
- The zoning of abutting property;
- The current zoning of subject property;
- The change in zoning requested;
- The proposed use of property;
- Special conditions made part of the request;
- Other information as required by the Planning & Zoning Director



<b>CHECKLIST</b> REZONING CONCURRENT VARIANCE CONDITIONAL USE	
<p>Site Plan of the property drawn at an appropriate engineering scale with information on the proposed use and improvements including ALL of the following:</p> <p> <input type="checkbox"/> Property lines; Existing and proposed buildings and structures;  <input type="checkbox"/> Parking and internal circulation;  <input type="checkbox"/> Screening walls, fences and easements;  <input type="checkbox"/> Landscaping and buffers, including tree survey and tree protection;  <input type="checkbox"/> Preliminary grading and drainage (conceptual);  <input type="checkbox"/> Proposed locations of retaining walls and estimated wall height;  <input type="checkbox"/> Provisions for outdoor lighting (See Article 18);  <input type="checkbox"/> Other information as required by the Zoning Director         </p>	<p>●</p> <p>3 large sets plus 7 11x17 sets</p>
<p>A Development Statistics Summary Chart with percent (%) coverage including:</p> <p> <input type="checkbox"/> Maximum and proposed height of any structure;  <input type="checkbox"/> Maximum and proposed gross sq. footage of the building area (non-residential only);  <input type="checkbox"/> Maximum and proposed number of dwelling units, and minimum; and proposed square footage of heated floor area for any dwelling unit (residential only);  <input type="checkbox"/> Area of site (total acres or sq. feet = 100%);  <input type="checkbox"/> Proposed lot coverage of building area (square feet and %);  <input type="checkbox"/> Proposed square footage of landscaped area (square feet and %);  <input type="checkbox"/> Proposed impervious surface (square feet and %);  <input type="checkbox"/> Existing and proposed parking spaces (number and %);  <input type="checkbox"/> Flood plain (sq. feet and %);  <input type="checkbox"/> Undeveloped and/or open space (sq. feet and %);  <input type="checkbox"/> Provision of the Zoning Ordinance requested to be varied and amount of variances requested.         </p>	<p>●</p> <p>On Site Plan</p>
<p><input type="checkbox"/> Archaeological Report/Study, if required</p>	<p>●</p>
<p>Tree protection measures. Required elements:</p> <p> <input type="checkbox"/> Tree Protection Plan;  <input type="checkbox"/> Tree Survey;  <input type="checkbox"/> Tree Replacement Plan;         </p> <p><b>The applicant must address all of sections 12.13, Letter B and indicate the justification for this section on the plans or as part of the application letter of intent.</b></p>	<p>●</p> <p>3 large sets plus 7 11x17 sets</p>
<p>The below signature acknowledges that the Unified Development Code has been made available for review. This signature acknowledges that I have had the mandatory pre-application meeting and that all of the items that are required must be submitted or the application is deemed incomplete and rejected.</p> <p>_____ / ____ / ____</p> <p>Signature of Applicant                      Date</p> <p>_____ / ____ / ____</p> <p>Signature of Staff                              Date</p>	<p>●</p>



**Planning & Zoning Director Acceptance Stamp**

- Rezoning
- Concurrent Variance
- Conditional Use



## ZONING, CONCURRENT VARIANCE, CONDITIONAL USE 2018 CALENDAR

Submission Deadline	DRB Meeting or HPC Meeting	Neighborhood Meeting	PC	M & CC	
1/2/18	2/6/18	2/14/18	2/14/18	3/20/18	4/12/18
2/5/18	3/6/18	3/14/18	3/8/18	4/17/18	5/14/18
3/5/18	4/12/18	4/11/18	4/12/18	5/15/18	6/11/18
4/2/18	5/8/18	5/9/18	5/10/18	6/19/18	7/9/18
5/7/18	6/5/18	6/13/18	6/14/18	7/17/18	8/13/18
6/4/18	7/3/18*	7/11/18	7/12/18	8/21/18	9/10/18*
7/2/18	8/7/18	8/8/18	8/9/18	9/18/18	10/8/18
8/6/18	9/4/18*	9/12/18*	9/13/18	10/16/18	11/12/18
9/4/18	10/2/18	10/10/18	10/11/18	11/20/18	12/10/18
10/1/18	11/7/18	11/14/18	11/8/18	1/15/19	2/11/19
<b>No applications accepted in November</b>					
12/3/18	1/2/18*	1/9/19	1/10/19	2/19/19	3/11/19
1/2/19	2/5/19	2/13/19	2/7/19	3/19/19	4/8/19

### Note

**Neighborhood Meetings** are held in Room 220 at 7:00 p.m. on the 2nd Thursday of each month.

The **Planning Commission (PC)** meets in the City Council Chambers at 7:00 p.m. on the 3<sup>rd</sup> Tuesday of each month. **(There is no December meeting for Planning Commission).**

The **Mayor and City Council (M & CC)** meet in the City Council Chambers at 7:00 p.m. on the 2<sup>nd</sup> Monday of each month to consider rezoning requests and related items.

Both Council Chambers and Room 220 are located on the 2nd floor of Roswell City Hall at 38 Hill Street.

\* indicates that dates have been changed due to a holiday



## Pre-Application Meetings and City Contact Information

**Pre-application meetings are required before an application can be submitted\*.** These meetings are held at City Hall on Tuesday Mornings with staff from several city departments. It is advised that your pre-application meeting is held at least several weeks before the rezoning and conditional use deadline so that there is time to make any necessary revisions to the plans before submittal. Please contact staff to schedule your pre-application meeting.

The following is city staff contact information.

Ringo McCollum, Chief Building Official, Community Development  
770.594.6279, [RMcCollum@roswellgov.com](mailto:RMcCollum@roswellgov.com)

Lenor Bromberg, City Engineer, Community Development  
770.594.6196, [lbromberg@roswellgov.com](mailto:lbromberg@roswellgov.com)

Andy Pittner, City Arborist, Community Development  
770.594.6293, [apittner@roswellgov.com](mailto:apittner@roswellgov.com)

Matthew Zaki, Stormwater Plans Reviewer, Community Development  
770.594.6169, [mzaki@roswellgov.com](mailto:mzaki@roswellgov.com)

Chris Boyd, Water Distribution Superintendent, Environmental/Public Works  
678.639.7565, [cboyd@roswellgov.com](mailto:cboyd@roswellgov.com)

Serge Osse, Engineering Coordinator, Transportation  
770.594.6428, [sosse@roswellgov.com](mailto:sosse@roswellgov.com)

Clyde Stricklin, Land Development Manager, Transportation  
770.594.6172, [cstricklin@roswellgov.com](mailto:cstricklin@roswellgov.com)

Charlie Vacca, Deputy Fire Chief, Fire  
770.594.6223, [CVacca@roswellgov.com](mailto:CVacca@roswellgov.com)



## CITY OF ROSWELL FEE SCHEDULE

City of Roswell applications and resources are available at the front desk of the Community Development Department, or can be downloaded at no charge from the City of Roswell web site at [www.roswellgov.com](http://www.roswellgov.com). Fees are payable to the City of Roswell by cash, check or credit card (MasterCard/Visa).

Zoning	
_____ Application for Rezoning Base fee for first five (5) acres Additional for properties five (5) acres or more	\$1,000 \$100 per acre, max. \$5,000
_____ Application for Concurrent Variance Non-residential Residential Each Additional	\$350 for first \$250 for first \$50 each additional
_____ Application for Conditional Use Permit	\$500