

Brooklet Planning and Zoning

Application Procedures and Requirements

Where do I file for a Rezone, Special Exception, Variance or Appeal?

Brooklet City Hall
104 Church Street
Brooklet, GA 30415
(912) 842-2137
Email: lori.phillips@brookletga.us

What information is required to file for a Rezone, Special Exception, Variance, or Appeal?

1. A completed Application Form.
 - a. Signed by the property owner.
 - b. Signed by the agent (if applicable).
 - c. Map and Parcel # (found on tax notice).
2. Recorded copy of the warranty deed.
3. A scaled plat showing dimensions, acreage, location of the tract(s) and utility easements prepared by a licensed architect/surveyor. Submit one copy if 11' x 17' or smaller, 10 copies if larger.
4. Details of the specific proposed use(s) of the property. **Applications for speculative zoning without specific uses will not be accepted.**
5. Filing fee (see City Fee Schedule). Make checks payable to the City of Brooklet.

EITHER THE APPLICANT OR THE AGENT MUST BE PRESENT AT THE PLANNING & ZONING MEETING & THE CITY COUNCIL MEETING TO PRESENT THE REQUEST AND ANSWER QUESTIONS. WE ENCOURAGE MEETINGS BETWEEN THE STAFF & DEVELOPERS PRIOR TO SUBMISSION OF APPLICATIONS.

Rezoning

A Rezoning is a change in the classification of a piece of property.

1. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property;
2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property;
3. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned;
4. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools;
5. If the local government has an adopted land use plan, whether the zoning proposal is in conformity with the policy and intent of the land use plan; and,
6. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.

Special Exception

A special exception is a use, which within certain districts specified by this ordinance is not permitted as a matter of right but may be permitted within these districts. The decision to grant or deny a special exception is a decision reserved solely to city council as any amendment to zoning.

1. Whether the special exception request will permit a use that is suitable in view of the use and development of adjacent and nearby property;
2. Whether the special exception request will adversely affect the existing use or usability of adjacent or nearby property;
3. Whether the property to be affected by the special exception request has a reasonable economic use as currently zoned; Whether the special exception request will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools;

4. If the local government has an adopted land use plan, whether the special exception request is in conformity with the policy and intent of the land use plan; and,
5. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the special exception request.

Variance

A variance is a relaxation of the development standards of the zoning ordinance, not a change in a zoning district, where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the actions of the applicant, a literal enforcement of the regulations would result in unnecessary and undue hardship. A hardship cannot be self-created, such as:

1. A lot purchased with the knowledge of an existing restriction.
2. A claim of hardship in terms of prospective sales.
3. An expressed economic need requiring a variance, when such a need can be met in other ways which would not require a variance.

In no case shall a variance be granted for: a reduction of minimum lot size or a change in a zoning condition imposed by the city council.

Standards Used by the Planning and Zoning Commission and the City Council to Make Decisions

What are the public notification procedures?

1. Upon receipt of the application and filing fee, Zoning Department staff will place a sign on the property no less than 15 days prior to the public hearing.
2. Zoning staff will place a legal ad in the newspaper advertising the request at least 15 days prior to the public hearing.
3. Zoning staff will notify applicant (and adjacent property owners as required in the Zoning Ordinance) concerning the request. The notification will include the dates the request will be heard at the public hearing(s).

What happens at the public hearing?

1. Zoning staff present a brief report that will explain the request, describe adjacent land uses, and give the zoning classification of the requested property and surrounding property.
 2. The applicant and others who sign up in support of the request are permitted time to present their comments.
 3. Citizens who sign up in opposition to the request are permitted time to present their comments.
 4. Planning and Zoning or City Council may ask for additional information before voting on the request.
- * **Either the applicant or the agent must be present at the Planning and Zoning meeting and the City Council meeting to present the request and answer questions.**

Will I be notified of the decision?

Zoning Department staff will notify the applicant concerning the decision.

What is an appeal?

1. Process by which an individual can contest a Zoning Administrator or Building Official decision.
2. Appeals are heard by the Planning and Zoning Commission.
3. All construction activity must stop during an appeal, unless the Building Official determines that stopping construction or other activity authorized by the appealed action will cause imminent peril to life or property. In such cases, the construction or other activity authorized by the appealed action is allowed to continue unless the construction is halted by the Planning and Zoning Commission or a restraining order is granted by a court of competent jurisdiction.
4. Planning and Zoning Commission decision may be appealed to the City Council.

Brooklet Planning and Zoning

Rezone Request, Special Exception, and Variance Application Form

For Office Use Only

Fee Paid \$ _____
Date _____
Time _____
App. # _____

Name of Owner: _____ Phone #: _____
Address of Owner: _____ Cell #: _____ Fax #: _____
City: _____ State: _____ Zip: _____
Owner email: _____
Name of Agent: _____ Phone #: _____
Address of Agent: _____ Cell #: _____ Fax #: _____
City: _____ State: _____ Zip: _____
Agent email: _____

THE APPLICANT NAMED ABOVE AFFIRMS THAT THEY ARE THE OWNER OR AGENT OF THE OWNER OF THE PROPERTY DESCRIBED BELOW AND REQUESTS: (please check the type of request and fill all applicable information legibly and completely).

If application is made by Planning Commission or Mayor and City Council, please choose appropriate choice:

Application made by Planning Commission: ___ Yes or ___ No

Application made by Mayor and City Council: ___ Yes or ___ No

Rezone Request ___ **Special Exception** ___ **Variance** ___

Map and Parcel #: _____ **Zone Classification: Present:** _____ **Requested:** _____

Plat Attached _____ Yes or _____ No

Plat Reference: _____ OR

Legal Description Attached _____ Yes or _____ No

(by metes and bonds or bearings
and distances)

- The area in which the lot proposed to be reclassified is to be located and the street number, if any, or if none, the location with respect to nearby public streets in common use:

- The type and size of structure(s) to be constructed and the specific use of the structure(s):

- The area of the land proposed to be reclassified stated in square feet if less than one acre, and in acres if one or more:

- Action taken on all prior applications filed for the reclassification of the whole part of the land proposed to be reclassified:

- Please state whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property: Yes _____ or No _____
- Please state whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property: Yes _____ or No _____
- Please state whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned: Yes _____ or No _____
- Please state whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools: Yes _____ or No _____
- Please state if the local government has an adopted land use plan, whether the zoning proposal is in conformity with the policy and intent of the land use plan: Yes _____ or No _____
- Please state whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal: Yes _____ or No _____ if yes, please state supporting grounds:

Note: Applicant may supplement responses on separate sheet and attached to this application.

Signature of Owner(s)

Printed Name of Owner(s)

Signature of Owner(s)

Printed Name of Owner(s)

**RECOMMENDATION OF PLANNING COMMISSION
REGARDING**

APPLICATION #: _____

Name of Owner: _____ Phone #: _____
Address of Owner: _____ Cell #: _____ Fax #: _____
City: _____ State: _____ Zip: _____
Owner email: _____
Name of Agent: _____ Phone #: _____
Address of Agent: _____ Cell #: _____ Fax #: _____
City: _____ State: _____ Zip: _____
Agent email: _____

THE APPLICANT NAMED ABOVE AFFIRMS THAT THEY ARE THE OWNER OR AGENT OF THE OWNER OF THE PROPERTY DESCRIBED BELOW AND REQUESTS: (please check the type of request and fill all applicable information legibly and completely).

If application is made by Planning Commission or Mayor and City Council, please choose appropriate choice:

Application made by Planning Commission: ___ Yes or ___ No

Application made by Mayor and City Council: ___ Yes or ___ No

Rezone Request ___ **Special Exception** ___ **Variance** ___

Map and Parcel #: _____ **Zone Classification: Present:** _____ **Requested:** _____

Plat Attached ___ Yes or ___ No
Plat Reference: _____ **OR**
Legal Description Attached ___ Yes or ___ No
(by metes and bonds or bearings
and distances)

- The area in which the lot proposed to be reclassified is to be located and the street number, if any, or if none, the location with respect to nearby public streets in common use:

- The type and size of structure(s) to be constructed and the specific use of the structure(s):

- The area of the land proposed to be reclassified stated in square feet if less than one acre, and in acres if one or more:

- Action taken on all prior applications filed for the reclassification of the whole part of the land proposed to be reclassified:

- Please state whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property: Yes _____ or No _____
- Please state whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property:
Yes _____ or No _____
- Please state whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned:
Yes _____ or No _____
- Please state whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools:
Yes _____ or No _____
- Please state if the local government has an adopted land use plan, whether the zoning proposal is in conformity with the policy and intent of the land use plan:
Yes _____ or No _____
- Please state whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal:
Yes _____ or No _____ if yes, please state supporting grounds:

Signature of Owner(s)

Printed Name of Owner(s)

Signature of Owner(s)

Printed Name of Owner(s)

Note: Additional statements regarding above factors may be made on additional sheet attached to this Recommendation.

The Planning Commission recommends approval of the rezoning application: Yes ___ or ___ No

This _____ day of _____, 20 _____.

Chairman, Planning Commission,
City of Brooklet