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# City of Canton

## Public Hearing Filing Procedures And Application

**City of Canton**  
**Department of Planning and Zoning**  
**151 Elizabeth Street**  
**Canton, Georgia 30114**  
**(770) 704-1530**

Dear Applicant:



City of Canton

## Welcome to the City of Canton!

We welcome your interest in the City of Canton and want to take this opportunity to introduce you to our public hearing process with every effort to make your experience as fluid as possible. The attached Public Hearing Filing Procedures and Application package is designed to provide you with the immediate information you will require to establish your goals for application submittal and in order to achieve your desired standing in a favorable time frame.

### APPLICATION PROCESS:

In order to prepare your application within City parameters, the Department suggests that all Applicants research applicable City Ordinances. A copy of the City's ordinances may be obtained in the Planning and Zoning Department or found online at [www.municode.com](http://www.municode.com). In conjunction with this research, we suggest that you request a **Pre-Application Meeting** with the Planning and Zoning Department to discuss specific aspects of the application and how it relates to our City codes and the City of Canton Comprehensive Plan. The applicant is responsible for requesting this meeting.

A determination must also be made as to whether the proposal requires an additional submittal for the Developments of Regional Impact (DRI) review by the Georgia Regional Transportation Authority (GRTA). Thresholds for DRI applicability are provided in the attached Application Checklist and Supporting Documents Guide. Further information may be found at GRTA's website, [www.grta.org](http://www.grta.org). The Applicant is responsible for all submittal materials. The City of Canton is then responsible for submitting all required documentation to GRTA.

**Applications are due by NOON the first working day of each month**, in order to be put on the case docket for the Planning Commission / Board of Appeals meeting the second month following submittal. The Applicant is responsible for scheduling a **Submittal Meeting** with a Planning and Zoning representative in order to submit their application. **Applications will not be accepted unless a Submittal Meeting is scheduled, the application is complete and is accompanied by all required Supporting Documents, and all application fees are paid in full.** A separate application and separate filing fees are required for each separately designated parcel of land. Proposed assemblages are not exempt from this requirement.

Note: In order to preserve your legal rights, if you allege that the property as currently zoned by the City of Canton constitutes a violation of the Federal Constitution and/or State Constitution as to amount to a taking of property without due process of law, you are required to raise said objections before the City of Canton Mayor and City Council. It is advised that said constitutional challenge be included with the application. If you have any questions concerning this provision, please contact the City Attorney at (770) 479-7418.

Upon receipt of a completed application, the Planning and Zoning Department Staff will conduct an analysis and provide a recommendation to the City of Canton Municipal Planning Commission / Board of Appeals. The analysis and recommendation will be discussed with the Applicant prior to the Planning Commission / Board of Appeals meeting. Factors that will be considered during the application process include:

- A. Whether the proposal would allow a use that is generally suitable for the site compared to other possible uses and the uses and zoning of adjacent and nearby properties.
- B. Whether the proposal would adversely affect the economic value or the uses of adjacent and nearby properties.
- C. Whether the property to be affected by the proposal can be used in its current state and/or as its current zoning.
- D. Whether the proposal, if adopted, would result in a use which should or could cause an excessive or burdensome use of existing streets, schools, sewers, water resources, police and fire protection, or other utilities.

E. Whether the proposal, if adopted, is in conformity with the policy and intent of the City of Canton Comprehensive plan.

F. Whether there are other conditions or transitional patterns affecting the use and development of the subject property, which give ground for either approval or disapproval of the proposed amendment.

For all Annexation, Rezoning and Variance cases the Planning and Zoning Department will post a public hearing notice, on or near the right-of-way of the nearest public street no less than fifteen days prior to the public hearing. Planning and Zoning Department Staff will inspect the subject property to verify that signs are posted throughout the advertising period. The Planning and Zoning Department will also advertise a Notice of Public Hearing in the Cherokee Tribune no less than fifteen days and no greater than 45 days prior to the public hearing. Applicants for Annexation, Zoning, Master Plan (MP amendment), and/or Variance shall notify adjacent properties owners as required by City of Canton Code Section 8-8-B-36. **Such notification shall be forwarded to all contiguous property owners and their respective homeowner's association utilizing the City of Canton formatted notification letter available from the City of Canton Department of Community Development, Planning and Zoning Division. The City of Canton Planning and Zoning Division will be responsible for confirming that each contiguous property owner and their respective homeowner's association is listed and hence notified. One Copy of each forwarded notification letter and one copy of a certified certificate of mailing form from the United States Postal Service shall be required to be submitted to the City of Canton Community Development Department, Planning and Zoning Division no less than 15 days prior to the meeting scheduled by the City of Canton Planning Commission/Board of Appeals in which the particular request is to be heard.** The required letter template is provided in the Supporting Documents Guide.

Late Summer of 2004, the Cherokee County Board of Commissioners and the City of Canton City Council signed a Growth Boundary Agreement. For those properties lying within the City of Canton Growth Boundary, notification of intent to annex shall be sent to the Cherokee County Commissioners. All other annexations are subject to review by Cherokee County as a stipulation of the Annexation Dispute Resolution signed between the City of Canton and Cherokee County. During this process, the County is given an opportunity to review the proposed annexation and its associated rezoning and master plan requests. The County is charged with either enacting the Dispute Resolution or allowing the annexation to proceed. In the event of an enactment of the Dispute Resolution, the application process may be delayed for an undetermined period of time. All Applicants' will be notified by the Department Staff of the progress of the Dispute Resolution process.

All Variances will be heard by the Board of Appeals. A final decision is rendered by the Board of Appeals for all variances. No further meetings are required. The Planning Commission will take action on all other requests at the public hearing and forward a recommendation to the City of Canton Mayor and City Council. For all annexations and those applications filed in conjunction with an annexation, the City Council will make a decision at the first regularly scheduled City Council meeting following the public hearing. All applications will be forwarded to the City Council at the first regularly scheduled City Council meeting following the public hearing. If the application is approved by the City Council, the applicant can proceed with the development permitting process within the parameters of the application approval. Annexations become affective the first (1<sup>st</sup>) working day of the month following the vote of final approval. Permit submittals may not be made, nor permits granted on any property which is not officially annexed into the City of Canton.

Note: The applicant or applicant's authorized agent must attend all public hearings. This includes the City of Canton Municipal Planning Commission / Board of Appeals meeting, as well as, the City of Canton City Council meeting(s). Failure to appear at these meetings constitutes abandonment and dismissal of the case(s) unless the applicant shows just cause by reason of illness or health or other emergency within a reasonable time, in writing, and accompanied by new costs for re-advertisement and hearing(s) (Article 18, Section 18.3-9(e).)

An aggrieved party to the final decision of the City of Canton City Council or the Board of Appeals may appeal the final decision to the Cherokee County Superior Court. This appeal must be filed within thirty (30) days of the final decision.

If you have any questions regarding the public hearing and/or application process, please contact the City of Canton Planning and Zoning Department at (770) 704-1530.

Thank you,

**Again, Welcome to the City of Canton – More Than A City!**



City of Canton

# APPLICATION FILING PROCEDURES

## INSTRUCTIONS

1. **The deadline for completed applications is by NOON on the FIRST working day of the month.**
2. One (1) original plus (+) 50 (Type A application) or 30 (Types B-K application) copies of a completed Public Hearing Application Form and Supporting Documents (See attached checklist) are to be filed by the appropriate deadline dates shown on the Public Hearing Schedule. All copies shall be submitted on paper no greater than 8.5 inches x 11 inches in size.
3. Ten (10) sets of drawings, surveys, and any other oversized materials shall be submitted with the original application at **FULL** size. These drawings, surveys, etc. must be folded.
4. **Application fees must be paid at time of submittal and are non-refundable.**
5. Taxes must be paid in-full on the subject property prior to the public hearings.
6. Outstanding code violations on the property must be addressed prior to the public hearings.
7. The City of Canton allows the applicant two (2) requests for extensions beyond the scheduled public hearing. If the request for extension is received after the Notice of Public Hearing is published, a \$500.00 readvertising fee will be assessed for each extension.
8. An application may be withdrawn without prejudice (*no waiting time to re-file*) at any time prior to the public hearing where final action is taken (*see Public Hearing Flow Chart*). A request for withdrawl without prejudice must be made in writing.
9. **The applicant or his/her representative *MUST* attend the hearing(s) to present the proposal. If a representative is not present at the hearing(s), the case will be tabled and readvertising fees shall apply.**

## Fees For Public Hearing Applications

<u>TYPE</u>	<u>BASE FEE</u>	<u>PER ACRE</u>	<u>ADVERTISING</u>
A. Annexation	\$1,000.00+	\$25.00	\$ 500.00
B. Rezoning	\$500.00+	\$25.00	\$ 500.00 (\$0 if heard
C. Master Plans	\$800.00+	\$25.00 Single-Family Detached & Open Space, \$50.00 all others	with Annexation)
D. Master Plan Revisions	\$500.00+	\$25.00 Single-Family Detached & Open Space, \$50.00 all others	
E. Conditional Use Permit	\$500.00		
F. Land Use Modification:	\$800.00		
G. Zoning Condition Amendment	\$500.00 Per Amendment		
H. Density Transfer within Master Plan	\$500.00 Per Transfer Type		
I. Temporary Use Permit	\$200.00		
J. Zoning Ordinance Text Amendment	\$500.00		\$500.00
K. Variance:			
Pre-Construction or Land Disturbance	\$500.00		\$500.00
Post-Construction or Land Disturbance	\$750.00		\$500.00

# Public Hearing Dates and Submittal Deadlines

The City of Canton Planning Commission meets the third (3<sup>rd</sup>) Monday of each month beginning at 7:00 PM. The Board of Appeals meets on the second (2<sup>nd</sup>) Tuesday of each month beginning at 6:00 PM. Both groups meet at Canton City Hall located at 151 Elizabeth Street in the Council Chambers. Hearing dates are subject to change. Please call (770) 704-1530 to confirm. Following are currently scheduled dates and deadlines.

## Canton Planning Commission (PC)

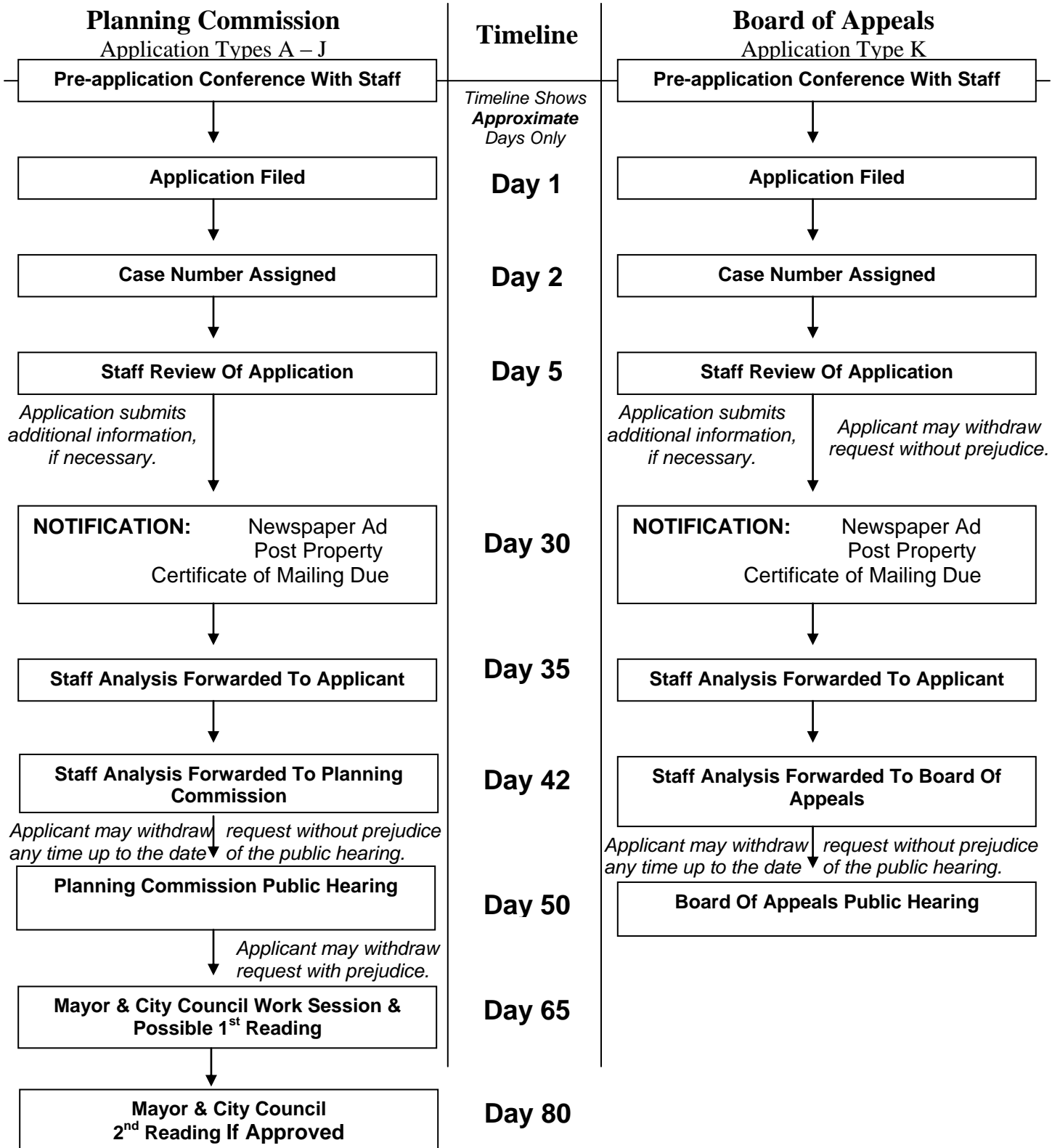
<b><u>Submittal Deadline:</u></b>	<b><u>Public Hearing</u></b>	<b><u>First Reading</u></b>	<b><u>Final Vote</u></b>
January 3, 2012	February 20, 2012	March 1, 2012	March 15, 2012
February 1, 2012	March 19, 2012	April 5, 2012	April 19, 2012
March 1, 2012	April 16, 2012	May 3, 2012	May 17, 2012
April 2, 2012	May 21, 2012	June 7, 2012	June 21, 2012
May 1, 2012	June 18, 2012	July 5, 2012	July 19, 2012
June 1, 2012	July 16, 2012	August 2, 2012	August 16, 2012
July 2, 2012	August 20, 2012	September 6, 2012	September 20, 2012
August 1, 2012	September 17, 2012	October 4, 2012	October 18, 2012
September 4, 2012	October 15, 2012	November 1, 2012	November 15, 2012
October 1, 2012	November 19, 2012	December 6, 2012	December 20, 2012
November 1, 2012	December 17, 2012	January 3, 2013	January 17, 2013
December 3, 2012	January 28, 2013	February 7, 2013	February 21, 2013

## Canton Board of Zoning Appeals

<b><u>Submittal Deadline:</u></b>	<b><u>Public Hearing</u></b>
January 3, 2012	February 14, 2012
February 1, 2012	March 13, 2012
March 1, 2012	April 10, 2012
April 2, 2012	May 8, 2012
May 1, 2012	June 12, 2012
June 1, 2012	July 10, 2012
July 2, 2012	August 14, 2012
August 1, 2012	September 11, 2012
September 4, 2012	October 9, 2012
October 1, 2012	November 13, 2012
November 1, 2012	December 11, 2012
December 3, 2012	January 8, 2013

\*Due to Holiday scheduling, hearing dates are subject to change.

# Public Hearing Flowchart



Type A – Annexation  
 Type B – Rezoning  
 Type C – Master Plans  
 Type D – Master Plan Revisions  
 Type E – Conditional Use Permit  
 Type F – Land Use Modification

Type G – Zoning Condition Amendment  
 Type H – Density Transfer within Master Plan  
 Type I – Temporary Use Permit  
 Type J – Zoning Ordinance Text Amendment  
 Type K – Variance



# APPLICATION CHECKLIST AND SUPPORTING DOCUMENTS GUIDE

1. \_\_\_ Complete pre-application research and obtain application forms.
2. \_\_\_ Schedule **Pre-application Meeting** with Planning and Zoning Department.
3. \_\_\_ Complete application.  
The following supporting documents must be submitted as attachments to the primary application forms:
  - a. \_\_\_ Current property **Deed**,  
Deed must document the current property owner.
  - b. \_\_\_ Current **Legal Description** of the subject property,  
No legal description should include more property than what is being requested for zoning.  
The legal description must match the boundary survey in its entirety.
  - c. \_\_\_ Current **Boundary Survey**.  
The boundary survey must match the legal description in its entirety.
  - d. \_\_\_ Copy of current paid **Tax Receipt**,
  - e. \_\_\_ **Letter of Intent** (See below for content guide),
  - f. \_\_\_ **Location Map** of subject property,
  - g. \_\_\_ **Master Plan** or **Site Plan**, as required (See below),
  - h. \_\_\_ **Developments of Regional Impact (DRI)** submittal package, as required. Refer to page **viii**. for DRI required thresholds of development. The City of Canton is a Metropolitan Region,
  - i. \_\_\_ **Traffic impact study, a hydrology study, and a water/waste water study** prepared by a registered engineer if the proposed development exceeds 100,000 net square feet or 150 dwelling units. Proposed developments less than 100,000 net square feet or 150 dwelling units may be required to submit one or all of the above studies upon request by the effective department. A final decision by the City of Canton Mayor and Council may not be made without these exhibits,
4. \_\_\_ Schedule **Submittal Meeting** with Planning and Zoning Department,
5. \_\_\_ Submit application by NOON, the 1<sup>st</sup> working day of the month,
6. \_\_\_ Send Adjacent Property Owner notification letters. Submit copy of letters and Certificate of Mailing to Planning and Zoning Department no later than 15 days prior to public hearing.
7. \_\_\_ All application types: Attend the public hearing conducted by the City of Canton Municipal Planning Commission / Board of Appeals.
8. \_\_\_ Type A-J applicants: Attend the City of Canton City Council meeting at which a final decision will be made.

## **LETTER OF INTENT**

**Letter of Intent** - A narrative, in executive form, which describes the proposed development/variance request in detail. The content of the Letter of Intent should support and expand upon the Master Plan / Site Plan contents.

The following information should be included in the Letter of Intent, but should not be construed as an exhaustive list of information:

- (1) Describe the overall development (including ownership)
- (2) General history of the parcel
- (3) Traffic Analysis (Contact the Planning and Zoning Department for a guidelines package)
  - a. How the traffic from the proposed development will impact, or not impact, the adjoining land uses (peak hour, average daily trips, trip generation by use)
  - b. Impacts to the existing roadway network
  - c. Proposed improvements to the existing roadway network
- (4) Impact and/or enhancements of the proposed development on the adjoining land uses
- (5) Proposed Land Use (On a pod by pod basis, when relevant, describe the land use activity in each) primary and permissible uses for each use/pod/area
- (6) Indicate any phasing of the proposed development and the timing of the phases (duration of temporary uses)
- (7) Acres within each proposed use
- (8) Indicate maximum net density of the proposed development in units per acre or square feet per acre
- (9) Where minimum area requirements are not stated in the current City of Canton Zoning Ordinance, establish the following:
  - a. Maximum building height (by feet and stories)
  - b. Maximum building coverage ( square feet, acres, and percent)
  - c. Percent of impervious surface
  - d. Amount of open space (acres and percent)
  - e. Minimum lot size(s)
  - f. Front, side, corner side and rear yard setbacks
  - g. Minimum parking requirements per use (must adhere to minimum parking regulations)
- (10) General landscaping requirements
- (11) Specify requirements (size, height and material) for signs when they are more restrictive than City regulations. If same as City regulations, state so. If Signage is proposed to be less restrictive than City regulations, said signage will require application for a Variance.

## MASTER PLAN / SITE PLAN REQUIREMENTS

Plans must be drawn to scale by a registered engineer, architect, landscape architect or land surveyor in accordance with applicable state laws.

**Master Plan** - Multi-Use Site Plan using the Pod or Nodal concept for design purposes. It is suggested that for these types of developments the Letter of Intent be combined with the Master Plan. See **Page viii**. for an example of a Pod format Master Plan.

Master Plans shall provide the following. This should not be construed as an exhaustive list of information:

- (1) Name of development
- (2) Graphic scale and North arrow
- (3) Name, address, phone and fax number of Owner, Developer and Design Professional
- (4) Correct property boundary lines
- (5) Total acres
- (6) Topographic contours
- (7) Existing conditions (including infrastructure)
- (8) Surrounding property owners and zonings
- (9) Proposed lay out of
  - a. Road system/ Transportation Network(s)
  - b. Proposed Pods (uses)
  - c. General open space and recreational areas
  - d. Drainage
- (10) Notes detailing:
  - a. Total acres of each Pod (use)
  - b. Uses allowed within each Pod (use)
  - c. Maximum density per Pod (use) in both Gross and Net
  - d. Total number of residential units or square feet of commercial use for each Pod
  - e. Acres within public rights-of-way
  - f. Amount of open space (acres and percent) on a Pod by Pod basis and overall
  - g. Maximum building coverage ( square feet, acres, and percent)
- (11) Area requirements
  - a. Building setbacks (front, side, corner side and rear yard setbacks)
  - b. Maximum building height (by feet and stories)
  - c. Minimum parking requirements per use (must adhere to minimum parking regulations)

**Site Plan** - Single-Use Site Plan providing a detailed concept for design purposes.

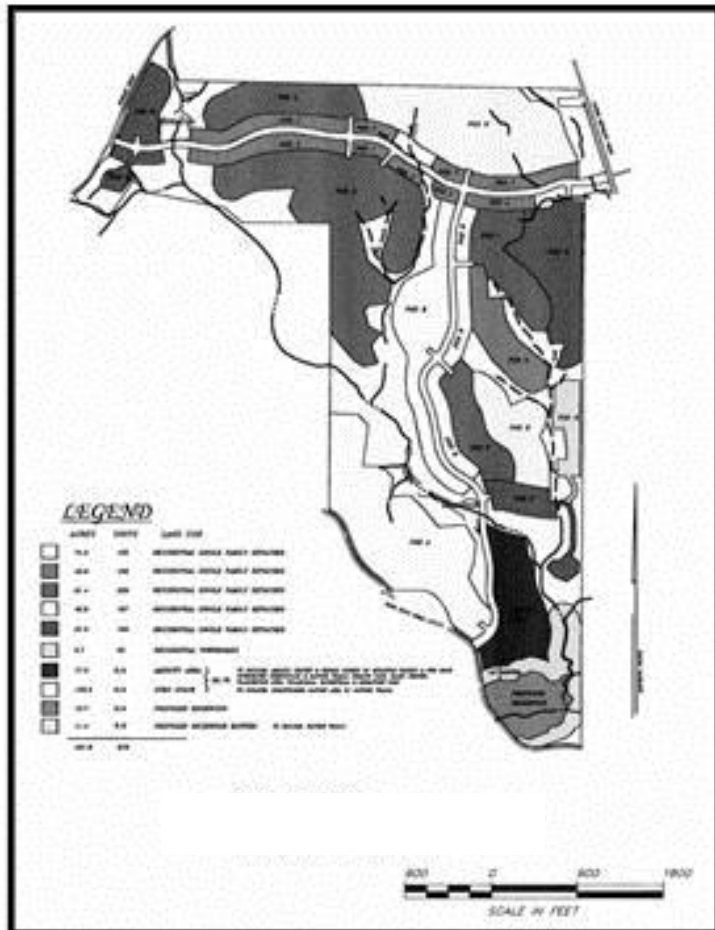
Site Plan(s) shall provide the following. This should not be construed as an exhaustive list of information:

- (1) Name of development
- (2) Graphic scale and North arrow
- (3) Name, address, phone and fax number of Owner, Developer and Design Professional
- (4) Correct property boundary lines
- (5) Total acres
- (6) Topographic contours
- (7) Existing conditions (including infrastructure)
- (8) Surrounding property owners and zonings
- (9) Proposed lay out of
  - a. Road system/ Transportation Network(s)
  - b. Pedestrian and Transit Circulation
  - c. Proposed Uses (graphically indicate buildings)
  - d. Landscape areas, buffers, open space and recreational areas
  - e. Drainage
  - f. Easements (existing and proposed)
  - g. Lakes, streams and limits of 100 year floodplain;
- (10) Notes detailing:
  - a. Total acres
  - b. Uses allowed
  - c. Total number of residential units or square feet of commercial use
  - d. Maximum density in both Gross and Net
  - e. Acres within public rights-of-way
  - f. Amount of open space (acres and percent)
  - g. Maximum building coverage or impervious surface ( square feet, acres, and percent)
- (11) Area requirements
  - a. Building setbacks (front, side, corner side and rear yard setbacks)
  - b. Maximum building height (by feet and stories)
  - c. Minimum parking requirements per use (must adhere to minimum parking regulations)
- (12) Road and Circulation components:
  - a. Adjoining street with existing and proposed rights-of-way
  - b. Curb cuts (existing and proposed)
  - c. Proposed road improvements (indicate pavement widths)
  - d. Deceleration lanes and other entrance improvements

**ARCHITECTURAL DESIGN**

Architectural design and renderings with color schemes are required for all development(s). Architectural Design submittal shall provide the following. This should not be construed as an exhaustive list of information:

- (a) Elevation of building from all directions
- (b) Proposed colors to be used
- (c) Type of materials

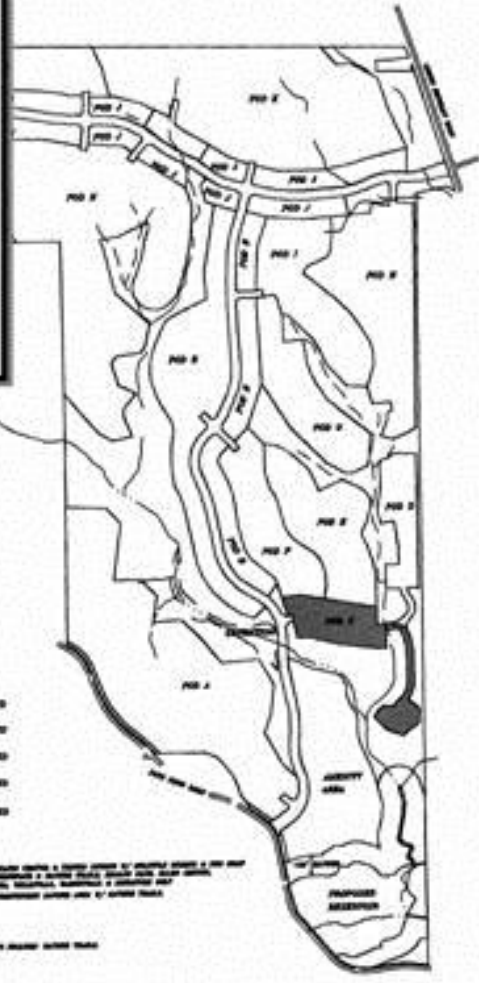


3. Pod C is planned to be high density residential with a density of 4.4 to 5.2 units per acre. The homes in this Pod are planned to have craftsman style architectural features and will be similar to the award-winning cottage product built in the Community. Setback parameters will be as follows. Setbacks will range in this product category from "0 for low setbacks" to the following:

- 10 foot front setbacks, 5 foot side setbacks, 20 foot exterior rear setbacks, 10 foot interior rear setbacks.

Accessory Uses in Pod C would be typical residential uses such as:

- Detached garages
- Garages
- Storage buildings
- Swimming pools
- Pool cabanas
- Fountains
- Fences
- Playsets
- Screened Porches



The Letter of Intent, in combination with a Pod format Master Plan, should serve to express the plans intent on a Pod-by-Pod basis. Describe all proposed parameters of Pod use as listed in the Letter of Intent outline.

**POD C**

# NOTIFICATION LETTER TEMPLATE

(DATE)

(PROPERTY OWNER)

**Re: Case #(s)**

Dear (PROPERTY OWNER):

(APPLICANT) has filed a (TYPE OF APPLICATION) request with the City of Canton on (#) acres of land located at (ADDRESS). The property is located in Land Lot (#) of the (#)<sup>th</sup> District, (#) Section and being more particularly described in Map Book (#) and Parcels (#).

Our request is to (annex / rezone) the property (and rezone the property) from (ZONING) zoning classification to (ZONING) zoning classification.

**OR**

Our request is to obtain approval of a (Master Plan / Master Plan Amendment) in order to (PROJECT INTENT).

**OR**

Our request is to obtain a Variance to (CODE SECTION) in order to (PROJECT INTENT).

A public hearing will be held on (DATE), at (TIME) p.m. in the Canton City Hall, 151 Elizabeth Street, Canton, Georgia 30114.

Anyone wishing to speak in opposition must file a disclosure form with the City of Canton on or before five (5) days prior to the date of the hearing. The hearing on this matter is open to the public and the application is on file in the offices of the Planning and Zoning Department located at 151 Elizabeth Street, Canton, Georgia and may be viewed Monday through Friday 9:00 a.m. to 4:00 p.m.

Sincerely,

(APPLICANT)

**Developments of Regional Impact  
Tiers and Development Thresholds  
Effective January 1, 2002**

Type of Development	Metropolitan Regions	Nonmetropolitan Regions
(1) Office	Greater than 400,000 gross square feet	Greater than 125,000 gross square feet
(2) Commercial	Greater than 300,000 gross square feet	Greater than 175,000 gross square feet
(3) Wholesale & Distribution	Greater than 500,000 gross square feet	Greater than 175,000 gross square feet
(4) Hospitals and Health Care Facilities	Greater than 300 new beds; or generating more than 375 peak hour vehicle trips per day	Greater than 200 new beds; or generating more than 250 peak hour vehicle trips per day
(5) Housing	Greater than 400 new lots or units	Greater than 125 new lots or units
(6) Industrial	Greater than 500,000 gross square feet; or employing more than 1,500 workers; or covering more than 400 acres	Greater than 175,000 gross square feet; or employing more than 500 workers; or covering more than 125 acres
(7) Hotels	Greater than 400 rooms	Greater than 250 rooms
(8) Mixed Use	Total gross square feet greater than 400,000; or covering more than 120 acres	Total gross square feet greater than 125,000; or covering more than 40 acres
(9) Airports	All new airports, runways and runway extensions	Any new airport with a paved runway; or runway additions of more than 25% of existing runway length
(10) Attractions & Recreational Facilities	Greater than 1,500 parking spaces or a seating capacity of more than 6,000	Greater than 1,300 parking spaces or a seating capacity of more than 6,000
(11) Post-Secondary School	New school with a capacity of more than 2,400 students, or expansion by at least 25 percent of capacity	New school with a capacity of more than 750 students, or expansion by at least 25 percent of capacity
(12) Waste Handling Facilities	New facility or expansion of use of an existing facility by 50 percent or more; and located within one-half mile of a jurisdictional boundary	New facility or expansion of use of an existing facility by 50 percent or more; and located within one-half mile of a jurisdictional boundary
(13) Quarries, Asphalt & Cement Plants	New facility or expansion of existing facility by more than 50 percent; and located within one-half mile of a jurisdictional boundary	New facility or expansion of existing facility by more than 50 percent; and located within one-half mile of a jurisdictional boundary
(14) Wastewater Treatment Facilities	New facility or expansion of existing facility by more than 50 percent; and located within one-half mile of a jurisdictional boundary	New facility or expansion of existing facility by more than 50 percent; and located within one-half mile of a jurisdictional boundary
(15) Petroleum Storage Facilities	Storage greater than 50,000 barrels if within 1,000 feet of any water supply; otherwise, storage capacity greater than 200,000 barrels; and located within one-half mile of a jurisdictional boundary	Storage greater than 50,000 barrels if within 1,000 feet of any water supply; otherwise, storage capacity greater than 200,000 barrels; and located within one-half mile of a jurisdictional boundary
(16) Water Supply Intakes/Reservoirs	New Facilities	New Facilities
(17) Intermodal Terminals	New Facilities	New Facilities
(18) Truck Stops	A new facility with more than three (3) diesel fuel pumps; or containing a half acre of truck parking or 10 truck parking spaces.	A new facility with more than three (3) diesel fuel pumps; or containing a half acre of truck parking or 10 truck parking spaces.
(19) Any other development types not identified above (includes parking facilities)	1000 parking spaces	1000 parking spaces



City of Canton

# Community Development Department

151 Elizabeth Street, 1<sup>st</sup> Floor

Canton, Georgia 30114

Phone: (770) 704-1530 Fax: (770) 479-1872

Community Development Department

Steve Green

ZONING ADMINISTRATOR

## Public Hearing Application

Project # \_\_\_\_\_

1. Please check all information supplied on the following pages to ensure that all spaces are filled out completely and accurately before signing this form. State N/A, where Not Applicable
2. Please make your check payable to "City of Canton."
3. If you have questions regarding this form please contact the Department of Planning and Zoning by calling (770) 704-1530.

This form is to be executed under oath. I, \_\_\_\_\_, do solemnly swear and attest, subject to criminal penalties for false swearing, that the information provided in the Application for Public Hearing is true and correct and contains no misleading information. I, \_\_\_\_\_, have received and thoroughly read the Public Hearing Procedures.

This \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

Applicant: \_\_\_\_\_

Print Name: \_\_\_\_\_

### Applicant Information:

Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 \_\_\_\_\_  
 City: \_\_\_\_\_  
 State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
 Telephone: \_\_\_\_\_  
 Fax Number: \_\_\_\_\_  
 Email Address: \_\_\_\_\_

### Owner Information:

Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 \_\_\_\_\_  
 City: \_\_\_\_\_  
 State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
 Telephone: \_\_\_\_\_  
 Fax Number: \_\_\_\_\_  
 Email Address: \_\_\_\_\_

This Application For (Check Only One):

- |  |  |
|--|--|
| <input type="checkbox"/> A Annexation                          | <input type="checkbox"/> I Temporary Use Permit            |
| <input type="checkbox"/> B Rezoning                            | <input type="checkbox"/> J Zoning Ordinance Text Amendment |
| <input type="checkbox"/> C Master Plans                        | <input type="checkbox"/> K Variance : Pre-Construction     |
| <input type="checkbox"/> D Master Plan Revisions               | <input type="checkbox"/> K Variance : Post-Construction    |
| <input type="checkbox"/> E Conditional Use Permit              | <input type="checkbox"/> Appeal                            |
| <input type="checkbox"/> F Land Use Modification               | <input type="checkbox"/> Adjustment                        |
| <input type="checkbox"/> G Zoning Condition Amendment          | <input type="checkbox"/> Special Exception                 |
| <input type="checkbox"/> H Density Transfer within Master Plan |  |

### Fee Schedule:

Application Type \_\_\_\_\_  
 Base Fee \_\_\_\_\_ + (#Acres \_\_\_\_\_ x \$25.00 = \_\_\_\_\_) = \_\_\_\_\_  
 + (#Acres \_\_\_\_\_ x \$50.00 = \_\_\_\_\_) = \_\_\_\_\_  
 Advertising Fee \_\_\_\_\_ = \_\_\_\_\_

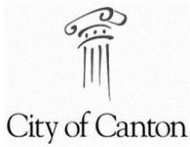
### Staff Use Only

Amount Due: \_\_\_\_\_  
 Amount Due: \_\_\_\_\_  
 Total Fee: \_\_\_\_\_

Received By: \_\_\_\_\_

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

Amount Paid: \_\_\_\_\_



# Community Development Department

151 Elizabeth Street, 1<sup>st</sup> Floor

Canton, Georgia 30114

Phone: (770) 704-1530 Fax: (770) 479-1872

Community Development Department

Steve Green

ZONING ADMINISTRATOR

## Authorization Of Applicant

This form is to be executed under oath. I, \_\_\_\_\_, do solemnly swear and attest, subject to criminal penalties for false swearing, that I am the owner of the property, which is the subject matter of the attached application, as is shown in the records of Cherokee County, Georgia. I hereby authorize the City of Canton and its representatives to inspect the property, which is the subject of this application, and post any notices required thereon.

This \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

Owner Signature: \_\_\_\_\_ Print Name: \_\_\_\_\_

I, the above signed legal owner of the subject property, do hereby authorize the person named below to act as applicant in the pursuit of a request for:

- |   |  |
|---|--|
| <input type="checkbox"/> A Annexation             | <input type="checkbox"/> G Zoning Condition Amendment          |
| <input type="checkbox"/> B Rezoning               | <input type="checkbox"/> H Density Transfer within Master Plan |
| <input type="checkbox"/> C Master Plans           | <input type="checkbox"/> I Temporary Use Permit                |
| <input type="checkbox"/> D Master Plan Revisions  | <input type="checkbox"/> J Zoning Ordinance Text Amendment     |
| <input type="checkbox"/> E Conditional Use Permit | <input type="checkbox"/> K Variance                            |
| <input type="checkbox"/> F Land Use Modification  |  |

Name of Authorized Applicant: \_\_\_\_\_

Signature: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_

State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Telephone: \_\_\_\_\_

Fax Number: \_\_\_\_\_

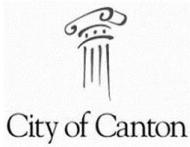
E-mail: \_\_\_\_\_

### Applicant Status:

- Owner
- Option to Purchase
- Leasee
- Area Resident
- Other (Explain): \_\_\_\_\_

Sworn To And Subscribed Before Me This \_\_\_\_\_ Day Of \_\_\_\_\_, 20\_\_\_\_\_.

Notary Signature: \_\_\_\_\_ (Seal)



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## Disclosure Form

***O.C.G.A. § 36-67A-2 / O.C.G.A. § 36-67A-3 requires disclosure of campaign contributions to government officials by an applicant or opponent of a public hearing petition. Applicants must file this form with the Department of Planning and Zoning.***

1. Name of Applicant/Opponent: \_\_\_\_\_ *Please Type Or Print All Responses*

### Section 1

If the answer to any of the following questions is "Yes," complete Section 2.

- A) Are you, or anyone else with a property interest in the subject property, a member of the City of Canton Planning Commission or the City of Canton Mayor and Council?  
 YES  NO
- B) Does an official of such public bodies have any financial interest in any business entity which has a property interest in the subject property?  
 YES  NO
- C) Does a member of the family of such officials have an interest in the subject property as described in (A) and (B)?  
 YES  NO
- D) Within Two (2) years of immediately preceding this application have you made campaign contributions(s) or given gifts to such public officials aggregating \$250 or more?  
 YES  NO

### Section 2

1. Name and the official position of the Canton Official to whom the campaign contribution was made (*Please use a separate form for each official to whom a contribution has been made in the past (2) years*):

\_\_\_\_\_

2. List the dollar amount/value and description of each campaign contribution made over the past two (2) years by the Applicant/Opponent to the named Canton Official:

#### Description

\$ \_\_\_\_\_

\_\_\_\_\_

\$ \_\_\_\_\_

\_\_\_\_\_

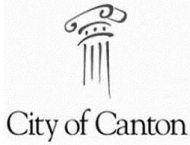
\$ \_\_\_\_\_

\_\_\_\_\_



Note: Complete a separate form for each authorized applicant.

City of Canton



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## Property Information:

Address: \_\_\_\_\_

Land Lot(s): \_\_\_\_\_ District: \_\_\_\_\_ Section: \_\_\_\_\_ Map #: \_\_\_\_\_ Parcel #: \_\_\_\_\_

Existing Zoning Of Property: \_\_\_\_\_  City  County Total Acreage Of Property: \_\_\_\_\_

Proposed Zoning Of Property: \_\_\_\_\_ Existing Use(s) Of Property: \_\_\_\_\_

Directions to property from Main Street in downtown Canton:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Adjacent Property/Owner Information:** Please provide the following information for all adjacent properties, including property connected by public rights-of-way. Attach additional sheets as necessary.

	<u>OWNER NAME/ADDRESS</u>	<u>CURRENT ZONING</u>	<u>CURRENT LAND USE</u>
NORTH	_____	_____	_____
SOUTH	_____	_____	_____
EAST	_____	_____	_____
WEST	_____	_____	_____
OTHER	_____	_____	_____

### UTILITY INFORMATION

How is sewage from this development to be managed? \_\_\_\_\_

Proposed managing jurisdiction: \_\_\_\_\_

How will water be provided to the site? \_\_\_\_\_

Proposed managing jurisdiction: \_\_\_\_\_ Size Limit: \_\_\_\_\_



City of Canton



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## PUBLIC SCHOOL POLICY STATEMENT

The Mayor and Council of the City of Canton hereby recognize that growth and development can, at times, have an effect on school capacity within the county and therefore recognize the need to share information on developments that have regional impact. In an effort to cooperate with the Cherokee County School Board and share information on residential rezoning requests, master plan applications, and land use modifications to the comprehensive land use plan, the Mayor and Council hereby encourage open dialogue and meeting between the applicant and the appropriate school board representative. Therefore, developers whose projects consist of 25 or more residential units shall contact the Cherokee County School Board and communicate with a school board representative to discuss their intent. This communication between the applicant and the school board shall take place, at a minimum, prior to the Planning Commission meeting in which the application is scheduled to be heard. The applicant should be prepared to address such communication if requested by the Mayor and Council at the meeting in which final action is to be taken. (Section 8-8-B-37) (Amended: 12/07/00)

County Schools serving this development:

HIGH \_\_\_\_\_

MIDDLE \_\_\_\_\_

ELEMENTARY \_\_\_\_\_

## TRAFFIC INFORMATION

Road/Street providing access: \_\_\_\_\_

Width at property: (Road) \_\_\_\_\_ (Right-of-way) \_\_\_\_\_

Distance to nearest major thoroughfare: \_\_\_\_\_ Thoroughfare Name: \_\_\_\_\_

Description of Road accessing property (Classification): \_\_\_\_\_

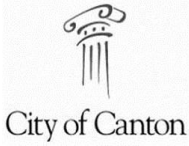
**In support of this request, I submit the following items, which are attached and made a part of this application:**

- Boundary Survey
- Legal Description
- Letter of Intent
- Planning Commission Review Criteria Response
- Board of Zoning Appeals Review Criteria Response
- Petition Requesting Annexation
- Other (please explain) \_\_\_\_\_

- Master Plan / Site Plan
- Location Map
- Hydrology Study
- Traffic Analysis Report
- (Guidelines available from Planning & Zoning Dept.)
- Elevation Plans



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(Application Type A : ONLY)

Address of Property to be Annexed: \_\_\_\_\_

Land Lot(s): \_\_\_\_\_ District: \_\_\_\_\_ Section: \_\_\_\_\_ Map #: \_\_\_\_\_ Parcel #: \_\_\_\_\_

*Please answer the following questions to meet and comply with the United States Department of Justice, Civil Rights Division, Voting Section, Section 5 of the Voting Rights Act.*

1. Intended Use of the Land:

- Residential
- Commercial
- Vacant
- Other (Specify) \_\_\_\_\_
- Existing Structures \_\_\_\_\_

2. Number of persons currently residing on the property: \_\_\_\_\_; Number 18 years or older: \_\_\_\_\_; Number registered to vote: \_\_\_\_\_

3. The number of all residents occupying the property:

- \_\_\_\_\_ American Indian
- \_\_\_\_\_ Asian
- \_\_\_\_\_ Black, not of Hispanic Origin
- \_\_\_\_\_ White, not of Hispanic Origin
- \_\_\_\_\_ Alaskan Native
- \_\_\_\_\_ Pacific Islander
- \_\_\_\_\_ Hispanic

4. Please attach the following information as Exhibit "C". The Atlanta Regional Commission requires this information so that they can provide Population Estimates.

- (1) Number of Existing Housing Units
- (2) List of addresses for each housing unit in the annexed area at the time of the annexation
- (3) Disposition of existing structures (e.g. to be Demolished, Moved, or Converted)
- (4) Names of affected subdivision
- (5) Names of affected multi-family complex
- (6) Names of group quarters (such as school dormitories, nursing homes or jails)
- (7) Names of affected duplexes
- (8) Names of Mobile Home Parks

I/We the undersigned, being the owner(s) of real property of the territory described herein, respectfully request that the Mayor and City Council of the City of Canton, Georgia annex this property into the City and extend the City boundaries to include the same.

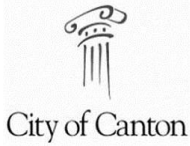
\_\_\_\_\_  
Property Owner's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Property Owner's Printed Name

Sworn To And Subscribed Before Me This \_\_\_\_\_ Day Of \_\_\_\_\_, 20\_\_\_\_\_.

Notary Signature: \_\_\_\_\_ (Seal)



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## Canton Planning Commission Review Criteria

(Applications Type A – J : ONLY)

How will this proposal be compatible with surrounding properties? \_\_\_\_\_

\_\_\_\_\_

How will this proposal affect the use and value of surrounding properties? \_\_\_\_\_

\_\_\_\_\_

Can the property be developed for a reasonable economic use as currently zoned? Please explain why or why not. \_\_\_\_\_

\_\_\_\_\_

What would be the increase to population and traffic if the proposal were approved? \_\_\_\_\_

\_\_\_\_\_

What would be the impact to schools and utilities if the proposal were approved? \_\_\_\_\_

\_\_\_\_\_

How is the proposal consistent with the Comprehensive Land Use Plan, particularly the Future Land Use Map?

\_\_\_\_\_

Are there existing or changing conditions which affect the development of the property and support the proposed request? \_\_\_\_\_

\_\_\_\_\_

\* Please provide a Letter of Intent, which provides the necessary information to support your application.



City of Canton



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## Canton Board of Zoning Appeals Review Criteria

*Article H, Section 8-8-H-195 empowers the Zoning Board of Appeals to authorize variances from provisions of the Zoning Code pursuant to a finding based in the criteria listed below. Please respond to the following.*

(Applications Type K : ONLY)

Are there any extraordinary and exceptional conditions pertaining to the subject property because of its size, shape or topography? \_\_\_\_\_

Would the application of the Zoning Code standards as they relate to the subject property create an unnecessary hardship? \_\_\_\_\_

Has the condition from which relief or variance is sought been a result from action by the applicant? \_\_\_\_\_

Are there conditions peculiar to the subject property? \_\_\_\_\_

Would relief, if granted, cause substantial detriment to the public good or impair the purpose and intent of the Zoning Code? Specifically, would the variance impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets or increase the danger of fire or imperil the public safety or unreasonably diminish or impair established property values within the surrounding areas, or in any other respect impair the health, safety, comfort, morals or general welfare or the inhabitants or the City? \_\_\_\_\_

\* Please provide a Letter of Intent, which provides the necessary information to support your application for Variance.



City of Canton