



*Hall County
Board of
Commissioners*



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**HALL COUNTY
PLANNING AND ZONING**

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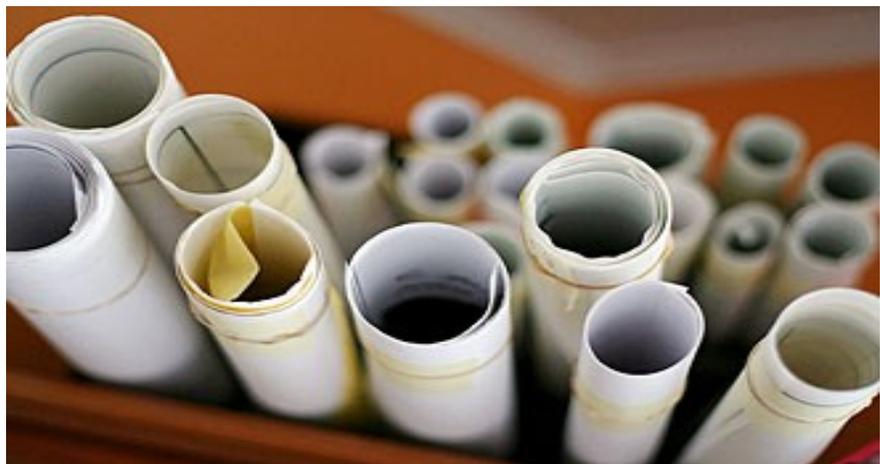
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PLANNING & ZONING

Rezoning Variances Special Uses

PLANNING is the facilitation of the long term and short term growth of Hall County's physical environment. It is a mechanism that assures a democratic process that allows the public to influence the economic and social fabric of the community. Planning helps the Hall County community to establish expectations for future development and pursue a desired quality of life by creating a Comprehensive Plan. The Comprehensive Plan is an assessment of the existing conditions in the County and initiatives needed to accomplish the long term development goals for Hall County. This plan helps to direct the day-to-day decisions with hopes of creating a better future.

ZONING is a district designation designed to govern the allowable uses on a property. It is a mechanism that separates incompatible uses and protects them from negative impacts associated with different zoning districts. The Hall County Zoning Ordinance is also the primary implementation tool for the Comprehensive Plan. It includes regulations that detail the permitted and conditional uses of a zoning district, the architectural standards, and the landscaping standards. These regulations are key to turning the concepts of the Comprehensive Plan into a tangible result.



*This information is to provide a broad overview of zoning uses, planning concepts and procedures. The information may not account for all land use scenarios or variables. For specific information contact the Planning and Zoning Department.
Updated January 2015.*



ZONING DISTRICTS

No building or land shall be used or occupied except in conformity with the regulations specified for the district in which it is located [and] without first obtaining an occupancy permit. No building, structure or part thereof shall be constructed, erected, enlarged, altered, repaired, changed, converted, moved or demolished without first obtaining a building permit and other permits as may be required by law.

Vacation Cottage (V-C)

Permitted uses in the V-C District include:

- Residences: Site-built single-family detached dwelling units and Class A single-family detached industrialized dwelling units
- Non-commercial accessory residential uses, including but not limited to a private garage, detached home workshop, swimming pool, or greenhouse, all of which shall be incidental to the use of the property as a residence
- Home offices
- Agricultural and horticultural uses
- Churches and other places of worship, excluding cemeteries
- County uses including parks and playgrounds, excluding cemeteries
- Subdivisions
- Substations for electrical transformers, gas regulators and telephone subscriber carrier sites
- Family day care home
- Community residences
- Home occupations

Residential –1 (R-1)

Permitted uses in the R-I district include:

- Residences: Site-built single-family detached dwelling units and Class A single-family detached industrialized dwelling units
- Non-commercial accessory residential uses, including but not limited to a private garage, detached home workshop, swimming pool, or greenhouse, all of which shall be incidental to the use of the property as a residence
- Home offices
- Agricultural and horticultural uses
- Churches and other places of worship, excluding cemeteries
- County uses including parks and playgrounds, excluding cemeteries
- Subdivisions
- Substations for electrical transformers, gas regulators and telephone subscriber carrier sites
- Family day care home
- Community residences
- Home occupations



Residential-1 Low Density (R-1-L)

Permitted uses in the R-1-L district are:

- Residences: Site-built single-family detached dwelling units and Class A single-family detached industrialized dwelling units
- Non-commercial accessory residential uses, including but not limited to a private garage, detached home workshop, swimming pool, or greenhouse, all of which shall be incidental to the use of the property as a residence
- Home offices
- Agricultural and horticultural uses
- Churches and other places of worship, excluding cemeteries
- County uses including parks and playgrounds, excluding cemeteries
- Subdivisions
- Substations for electrical transformers, gas regulators and telephone subscriber carrier sites
- Family day care home
- Community residences
- Home occupations

Residential-II – (R-II)

Permitted uses in the R-II district include:

- Residences: Site-built single-family detached dwelling units Class A single-family detached industrialized dwelling units and Class A single-family detached manufactured home
- Non-commercial accessory residential uses, including but not limited to a private garage, detached home workshop, swimming pool, or greenhouse, all of which shall be incidental to the use of the property as a residence
- Home offices
- Agricultural and horticultural uses
- Churches and other places of worship, excluding cemeteries
- County uses including parks and playgrounds, excluding cemeteries
- Subdivisions
- Substations for electrical transformers, gas regulators and telephone subscriber carrier sites
- Family day care home
- Construction trailer
- Community residences
- Home occupations



Residential Two-Family (R-TF)

Permitted uses in the R-TF district include:

- Residences: Site-built single-family detached dwelling units, Site-built two-family dwelling units, Class A single-family manufactured home, Class A single-family site-built or industrialized dwelling units, Class A two-family manufactured home, Class A two-family site-built or industrialized dwelling units
- Non-commercial accessory residential uses, including but not limited to a private garage, detached home workshop, swimming pool, or greenhouse, all of which shall be incidental to the use of the property as a residence
- Home offices
- Agricultural or horticultural uses
- Churches and other places of worship, excluding cemeteries
- County uses including parks and playgrounds, excluding cemeteries
- Subdivisions
- Substations for electrical transformers, gas regulators and telephone subscriber carrier sites
- Family day care home
- Community residences
- Home occupations

Residential Multi-Family – (RMF)

Permitted uses in the R-MF district include:

- Residences: Site-built single-family detached dwelling units, Site-built two-family dwelling units, Class A single-family manufactured home, Class A single-family industrialized dwelling units, Class A two-family manufactured home, Class A two-family industrialized dwelling units, Multi-family dwelling units
- Non-commercial accessory residential uses, including but not limited to a private garage, detached home workshop, swimming pool, or greenhouse, all of which shall be incidental to the use of the property as a residence
- Home offices
- Agricultural or horticultural uses
- Churches and other places of worship, excluding cemeteries
- County uses including parks and playgrounds, excluding cemeteries
- Subdivisions
- Substations for electrical transformers, gas regulators and telephone subscriber carrier sites
- Family day care home
- Group day care home as an accessory use
- Community residences
- Home occupations



Agricultural Residential III (AR-III)

Uses permitted in the AR-III district include:

- Agricultural or horticultural uses
- Accessory farm uses including the sale of products grown on the premises and the keeping of livestock or poultry
- Residences: Site-built single-family detached dwelling units Class A single-family manufactured home, Class A single-family industrialized dwelling units
- Non-commercial accessory residential uses, including but not limited to a private garage, detached home workshop, swimming pool, or greenhouse, all of which shall be incidental to the use of the property as a residence
- Home offices
- Churches and other places of worship, excluding cemeteries
- County uses including parks and playgrounds, excluding cemeteries
- Substations for electrical transformers, gas regulators and telephone subscriber carrier sites
- Minor subdivisions
- Sawmills used to process timber grown\harvested on the property where it is processed
- Family day care home
- Construction trailer
- Community residences
- Home occupations

Agricultural Residential IV – (AR-IV)

Uses permitted in the AR-IV district include:

- Agricultural or horticultural uses
- Accessory farm uses, including the sale of products grown on the premises and the keeping of livestock or poultry
- Sawmills used to process timber grown\harvested on the property where it is processed
- Residences: Site-built single-family detached dwelling units, Class A single-family manufactured home, Class A single-family industrialized dwelling units
- Non-commercial accessory residential uses, including but not limited to a private garage, detached home workshop, swimming pool, or greenhouse, all of which shall be incidental to the use of the property as a residence
- Home offices
- Churches and other places of worship, excluding cemeteries
- County uses including parks and playgrounds, excluding cemeteries
- Substations for electrical transformers, gas regulators and telephone subscriber carrier sites
- Minor subdivisions
- Family day care home
- Construction trailer
- Community residences
- Home occupations



COMMERCIAL ZONING DISTRICTS

Office Institutional (O-I)

Uses permitted in the O-I district include:

- Advertising agencies
- Artist studios for arts, crafts, dance, drama, music and photography
- Banks
- Business services
- Day care centers
- Finance or credit offices
- Funeral homes
- Home occupations
- Institutional, except penal, including those of a religious, educational or philanthropic nature, such as museums, art galleries, libraries, schools
- Nursery schools or kindergartens
- Nursing home, convalescent home
- Offices, with a gross floor area not exceeding 25 percent of lot area
- Subdivisions (Commercial)
- County use
- Family daycare home
- Group day care home

Suburban Shopping – (S-S)

Uses permitted in the S-S district include:

- Any retail or retail service establishment, including the making of articles sold at retail on the premises providing the conditions of Chapter 17.210 are met
- Churches and other places of worship
- Offices with gross floor area not exceeding 25 percent of lot area
- Radio and television studios
- Service stations
- Subdivisions (Commercial)
- County uses
- Family day care home
- Group day care home
- Construction trailer
- Banks
- Restaurants



Highway Business (H-B)

Uses permitted in the H-B district include:

- Any retail or retail service establishment, including the making of articles sold at retail on the premises
- Banks
- Bus stations
- Churches and other places of worship
- Drive-in theaters
- Motels, hotels
- County uses
- Offices, with a gross floor area not exceeding 25 percent of lot area
- Parks for leisure and scenic appeal
- Radio and television studios
- Restaurants
- Service stations
- Subdivisions (Commercial)
- Family day care home
- Group day care home
- Construction trailer
- Adult establishments
- Dental laboratories



INDUSTRIAL ZONING DISTRICTS

Light Industrial (I-I)

Uses permitted in the I-I district include:

- Any industry which does not cause injurious or obnoxious noise, vibrations, smoke, gas, fumes, odors, dust, fire hazards or other objectionable conditions. Specifically excluded uses are acid manufacture, fertilizer manufacture, animal reduction, rendering plants and other industries that are found to be obnoxious by the Planning Commission.
- Any retail or retail service establishments
- Automobile repair garages
- Bus stations
- Churches
- Drive-in theaters
- Hotels, motels or tourist courts
- Industrial parks
- Junk yards with site plan approval by the Planning Commission
- Laboratories
- County uses
- Offices and office buildings
- Planned unit developments on a minimum of 10 acres
- Radio and television studios
- Service stations
- Storage yards
- Truck terminals
- Wholesaling and warehousing
- Subdivisions (Industrial)
- Family day care home
- Group day care home
- Construction trailer
- Adult establishments
- Astrologers, clairvoyants, fortune tellers, palmists, phrenologists and related occupations to the list of occupations licensed by the Board of Commissioners in the Light Industrial District (I-I).



Heavy Industrial (I-II)

Uses permitted in the I-II district include:

- Any commercial use or industrial use which involves manufacturing, processing, or assembly operations or the storage and sale of heavy materials, products, or equipment, but not including uses which may cause injurious or obnoxious noise, vibrations, smoke, gas, fumes, odor, dust, fire hazard, or other objectionable conditions to nearby areas or those uses listed in section 17.170.020.
- Agricultural or horticultural uses
- Automobile repair garage
- County uses
- Offices
- Retail or retail service establishments
- Service stations
- Outdoor storage of materials and inventory
- Subdivisions (Industrial)
- Truck terminals
- Wholesaling and warehousing
- Family day care home
- Group day care home as an accessory use
- Construction trailer
- Adult establishments
- Astrologers, clairvoyants, fortune tellers, palmists, phrenologists and related occupations to the list of occupations licensed by the Board of Commissioners in the Heavy Industrial District (I II)



PLANNED DEVELOPMENT DISTRICTS

Planned Residential Development (PRD)

A Planned Residential Development may allow for a more flexible placement, arrangement and orientation of residential structures, the accompanying flexibility in the subdivision of land and the grouping of open space and accessory facilities such as garages and parking. It may also provide for a mixture of housing types (single-family, two-family, multi-family, etc.) according to a carefully drawn plan. The proposed residential development should make maximum use of natural features and, through proper site planning measures, it should conform to the existing character and development pattern of the surrounding area. Every effort should be made to preserve and protect any existing residential uses from adverse impacts, which might result from a higher density development.

Planned Office Development (POD)

A Planned Office Development should contain orderly, well-designed office and institutional uses upon a site that results in minimum impact upon the surrounding area. The site plans and building designs should produce a development that can be constructed to achieve maximum utilization of space while maintaining a low-intensity office character shielded from more intensive commercial and industrial development and protecting any nearby residential uses. Such a development may also include a limited number of residential and commercial uses.

Planned Commercial Development (PCD)

A Planned Commercial Development shall provide for the maximum attainable commercial usage of property while employing the best aspects of prior site planning and development controls to insure the following:

- ◆ Protection of surrounding residential uses;
- ◆ Safe access by motorists;
- ◆ Minimum traffic congestion; and
- ◆ A development that is consistent with long-range plans of the County.

A limited number of carefully planned residential uses may also be included in a planned commercial development.

Planned Industrial Development (PID)

A Planned Industrial Development should consist of land that has been designated for a planned, organized and controlled industrial use or for multiple but compatible industrial uses in a planned industrial park. The standards employed should be designed to encourage the formation and continuance of a compatible environment for the planned industrial uses and the surrounding land uses. Carefully planned office and commercial uses may be incorporated as part of a PID.

Planned Commercial Farm District (PCFD)

The land within the County designated as Planned Commercial Farm District shall be represented by large district areas of at least thirty five (35) acres or more that are devoted to intensive agricultural production in the areas of food crops, fiber crops, animal feed, poultry, livestock and commercial timber production. Individual farms within the district area cannot be smaller than five (5) acres. Areas within this zone are not intended to be used for small-scale farming, gardening, small poultry operation or idle pasture land that are more appropriately located in the agricultural-residential or other zoning districts. The land should be in use for good faith farming or agricultural uses worthy of protection and preservation.



Zoning Districts Setback and Lot Size Requirements

Minimum Setback (feet)

Zoning Districts	Minimum Lot Area	Minimum Lot Frontage	Front Yard	Side Yard	Rear Yard
Vacation-Cottage (V-C)	35,000 sq. ft.	50 ft.	55 feet from center line of road or 30 feet from property line, whichever is greater	10	20
Residential-I (R-I)	35,000 sq. ft.	50 ft.		10	20
Residential-II (R-II)	35,000 sq. ft.	50 ft.		10	20
Residential Two-Family (RTF)	35,000 sq. ft.	50 ft.	65 feet from center line of road or 40 feet from property line, whichever is greater	10	20
Residential Multi-Family (RMF)	35,000 sq. ft.	50 ft.		10	20
Residential-I-Low-Density (R-I-L)	43,560 sq. ft. 65,340 sq. ft.	50 ft.		15	25
Agricultural-Residential (AR-III)	43,560 sq. ft. 63,340 sq. ft.	50 ft.		15	25
Agricultural-Residential (AR-IV)	43,560 sq. ft. 63,340 sq. ft.	50 ft.		15	25
Mobile Home Park (MHP)	5 acres	50 ft.		40	40
Office and Institutional (O-I)	15,000 sq. ft.	100 ft.	55 feet from center line of road or 30 feet from property line, whichever is greater	20	10
Suburban Shopping (S-S)	15,000 sq. ft.	100 ft.		20	10
Highway Business (H-B)	15,000 sq. ft.	100 ft.		20	10
Parkway Commercial (P-C)	15,000 sq. ft.	100 ft.		20	10
Light Industrial (I-I)	15,000 sq. ft.	100 ft.	75 feet from center line of road or 50 feet from property line, whichever is greater	20	20
Heavy Industrial (I-II)	15,000 sq. ft.	100 ft.		30	30



REZONING YOUR PROPERTY

What is Rezoning?

When a property owner wants to use land in a way that is not allowed under the existing zoning of his or her property, the owner must request to rezone the property to a classification that permits the desired use. The process for applying for a rezoning is administered by the Hall County Planning and Zoning Department.

What do I need to do first?

Contact the Planning and Zoning office to verify your existing zoning and to discuss if the type of use you want to put on the property is allowable by right. “*Allowable by right*” means that the use in question is inherently allowed for a particular zoning district without any additional measures having to be taken.

What information is required?

Once you have made the determination that you need to rezone the property, the Planning staff will assist you with what information you will need to provide the Planning Commission and County Commission.

The application not only consists of documents you will need to have signed and/or notarized, but also includes other items that will help the Planning Commission and County Board of Commissioners make a better determination.

The Planning staff will locate the property the applicant wishes to rezone on the Future Land Use Map. A *Future Land Use Map* provides a guide for land development decisions in the County by describing the proposed location, density and intensity of development in a desired pattern to accommodate future growth. The land use pattern is intended to direct activity to areas where efficient infrastructure exists or is planned and minimize the adverse impacts to environmental resources. The Future Land Use Map includes the following broad categories: Residential, Commercial, Industrial and Mixed Use.

The recommendation made by the Planning staff for approval or denial will be based in part on the Comprehensive Plan for the County. The *Comprehensive Plan* is a 20-year long range plan designed to provide a framework for the orderly, planned utilization of resources to direct future development of the County.

The recommendation by the staff does not constitute an approval or denial of the project, but it does indicate to the Planning Commission and County Commission if the project falls into the projected growth patterns established by the Comprehensive Plan.



Rezoning Application

A pre-application meeting to discuss your proposal is recommended; however it is not required.

A rezoning application shall include the documents listed below. An agenda date will not be set until all required information is submitted.

1. Zoning Application Form

The following information must be included on the application:

- ◆ Name, address and telephone number for the owner and applicant.
- ◆ Proposed use for the property.
- ◆ Existing zoning.
- ◆ Proposed zoning.
- ◆ Tax Parcel number.
- ◆ Supporting documentation.

2. Campaign Contributions Form

All zoning applicants are required to sign a campaign disclosure form indicating whether they have, or have not, made campaign contributions aggregating \$250 or more within the past two (2) years to a local government official who will consider the application. When disclosures are required, the name, official position, dollar amount, and description of each contribution must be disclosed within ten (10) days of filing the zoning application. This form must be submitted by the applicant and the property owner (or someone representing the property owner) if they are not the same person.

- ◆ Name and official position of the local government official to whom the campaign contribution was made.
- ◆ Dollar amount and description of each campaign contributions made by the applicant during the previous (2) two years .
- ◆ Date of each contribution.
- ◆ Signature.

3. Authorization of Property Owner

This form must have a notarized signature of the property owner(s).

Rezoning Application



4. Narrative

A written report fully describing the existing and proposed use of the property and should include the following where applicable:

- ◆ General description of the proposed use describing the type of business, operating hours, etc.
- ◆ Proposed standards for development including restrictions on use of the property, density (lot size), and setback requirements
- ◆ Proposed signs and specifications
- ◆ Proposed lighting of site
- ◆ Provisions for water and sewer. For public water/sewer systems, include letter of commitment from agency providing the service
- ◆ Plans for protection of abutting properties (buffers)

5. Plat

A plat of the property giving the complete legal description of the area being considered must be included in the application. A plat is a technical drawing done by a registered surveyor depicting an individual piece of property. It will include:

- ◆ Surveyor's registration number
- ◆ Surveyor's signature
- ◆ Physical layout of the property including corner pins
- ◆ Streams
- ◆ Existing structures
- ◆ Flood hazard areas, etc. for the subject property

If non-residential zoning is being requested and the subject property is less than one acre in size and does not abut non-residentially zoned property, then the applicant must provide proof that the subject property is a lot of record. This will have general information from the surveyor and will have been stamped by the Environmental Health Department and Planning Department and then recorded in the Deeds and Records Room with their stamp affixed to the plat.

The applicant will have a registered Georgia surveyor create a plat of the property to be recorded, unless a plat is already on file at the Hall County Deeds and Record Room. If a new plat is created it must be approved by Environmental Health and the Planning Department and then taken to the Hall County Deeds and Records Room to be recorded by their office.

Rezoning Application



6. Site Plan

An 11” x 17” site plan drawn to scale identifying the following must be included:

- ◆ Area covered by the application
- ◆ Existing and proposed buildings and uses
- ◆ Other significant site improvements proposed to accommodate the proposed use or buffer adjacent uses
- ◆ Location and number of parking spaces
- ◆ Proposed access from a public street
- ◆ Location of proposed signs
- ◆ Location of proposed buffers
- ◆ Adjacent existing land uses
- ◆ Storm water management, i.e. detention ponds
- ◆ Adjacent existing land uses

For larger projects provide a larger site plan as well as the 11 “ x 17” site plan.

Most of the site plans will be completed by a certified draftsman or civil engineer of the applicants choosing. Some site plans may be minor and not require a drawing of this detail. Check with the Planning Staff to see which is required.

If the parcel of land has frontage on a State route, a letter from the Georgia Department of Transportation must be obtained approving access.

If a public water or sewer system is proposed, a letter from the providing agency must be obtained approving service.

Any new subdivision with 100 lots or more will require a **traffic study** along with the application. Traffic studies are created by specialist to show the amount of traffic in a given area and what if any increase will occur along the same routes once the development is finished. They may show that additional measures such as right turn lanes or traffic signals are needed for the development to be approved.

Any new development meeting the following thresholds will require a **Development of Regional Impact (DRI)** evaluation along with the application. The approximate review time from the Georgia Mountain Regional Development Center is thirty (30) days. The DRI must be complete and approved prior to making application to the Planning Department.

Rezoning Application



7. Public Notice Requirements

Hall County zoning regulations require public notice to be given on all zoning applications.

- ◆ The Planning staff shall publish a legal advertisement not less than fifteen (15) days and not more than forty five (45) days prior to the public meeting.
- ◆ A public notice sign shall be placed in a conspicuous location on the property not less than fifteen (15) days and not more than forty five (45) days prior to the public hearing.

The applicant must post the zoning notice sign in a conspicuous place just off the right-of-way where the public can easily see it. If it is determined at any time during the zoning proceedings that the sign has not been properly posted on the site, the Board must table or delay the request.

An affidavit must be signed by the applicant and dated with the date the sign was correctly posted on the property and returned to the Planning Department at least fifteen (15) days prior to the first public meeting.



Development of Regional Impact (DRI)

Large developments that draw traffic and activity from around the County to the applicants property must be evaluated by the Georgia Mountain Regional Development Center before Planning staff can accept the application. If the applicants request is above any of these thresholds then a DRI must be submitted with the application. The thresholds for when a request will need a DRI are listed below.

Type of Development	Metropolitan Regions
(1) Office	Greater than 400,000 gross square feet
(2) Commercial	Greater than 300,000 gross square feet
(3) Wholesale & Distribution	Greater than 500,000 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
(5) Housing	Greater than 400 new lots or units
(6) Industrial	Greater than 500,000 gross square feet; or employing more than 1,600 workers; or covering more than 400 acres
(7) Hotels	Greater than 400 rooms
(8) Mixed Use	Gross square feet greater than 400,000 (with residential units calculated at 1,800 square feet per unit toward the total gross square footage); or covering more than 120 acres; or if any of the individual uses meets or exceeds a threshold as identified herein
(9) Airports	All new airports, runways and runway extensions
(10) Attractions & Recreational Facilities	Greater than 1,500 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
(12) Waste Handling Facilities	New facility or expansion of use of an existing facility by 50 percent or more
(13) Quarries, Asphalt & Cement Plants	New facility or expansion of existing facility by more than 50 percent
(14) Wastewater Treatment Facilities	New facility or expansion of existing facility by more than 50 percent
(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
(16) Water Supply Intakes/Reservoirs	New facilities
(17) Intermodal Terminals	New facilities
(18) Truck Stops	A new facility with more than three 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



VARIANCE

When do I need a variance?

A variance is a requested deviation from the County’s land use regulations. When the owner of a piece of property or a development feels that the land use regulations cause an undue hardship on their property they can apply for a variance through the County Commission.

On some occasions the location of homes and structures is determined more by the usable area for septic systems, the slopes of the terrain or the State waters located on the property, than by the land use regulations. The natural features of property and sometimes the specific nature of a project prohibit the owner or developer from operating within the guidelines of the zoning ordinance.

Where do I apply for a variance?

To apply for a variance contact the Planning and Zoning Department located in the Hall County Government Center, 2875 Browns Bridge Road, 3rd Floor, Gainesville, Georgia. Hours of operation are Monday— Friday 8:00 a.m. to 5:00 p.m.

Variance Application

A pre-application meeting to discuss your proposal is recommended; however it is not required.

A variance application shall include the documents listed below. To ensure fair and equal treatment, all applications must be complete. The Planning Department has fifteen (15) days to review applications. An agenda date will not be set until all required information is submitted.

1. Variance Application Form

The following information must be included on the application:

- ◆ Name, address and telephone number for the owner and applicant
- ◆ Existing zoning
- ◆ Existing structures on the property
- ◆ Exact distance for the variance
- ◆ Supporting documentation

Variance Application



2. Campaign Contributions Form

All zoning applicants are required to sign a campaign disclosure form indicating whether they have, or have not, made campaign contributions aggregating \$250 or more within the past (2) two years to a local government official who will consider the application. When disclosures are required, the name, official position, dollar amount, and description of each contribution must be disclosed within ten (10) days of filing the zoning application. If it is not the same person, this form must be submitted by the applicant and the property owner (or someone representing the property owner).

- ◆ Name and official position of the local government official to whom the campaign contribution was made.
- ◆ Dollar amount and description of each campaign contributions made by the applicant during the previous (2) two years .
- ◆ Date of each contribution
- ◆ Signature

3. Authorization of Property Owner

This form must have a notarized signature of the property owner(s).

4. Statement of Hardship

This form will spell out the hardship that is causing the need for a variance. The applicant can use this form or provide a narrative describing:

- ◆ Cause of the hardship
- ◆ Impact of the variance to adjacent property if approved
- ◆ That the cause for the variance is not caused by the actions of the property owner

5. Plat

Include a plat of the property giving the complete legal description of the area being considered . A plat is a technical drawing done by a registered surveyor depicting an individual piece of property. It will include:

- ◆ Surveyor's registration number
- ◆ Surveyor's signature
- ◆ Physical layout of the property including corner pins
- ◆ Streams
- ◆ Existing structures
- ◆ Flood hazard areas, etc. for the subject property

Variance Application



6. Public Notice Requirements

Hall County zoning regulations require public notice to be given on all zoning applications.

- ◆ The Planning staff shall publish a legal advertisement not less than fifteen (15) days and not more than forty five (45) days prior to the public meeting.
- ◆ A public notice sign shall be placed in a conspicuous location on the property not less than fifteen (15) days and not more than forty five (45) days prior to the public hearing.
- ◆ The Planning staff will notify, by letter, all property owners within a 300 foot radius of the applicant's property telling them an application has been filed and the date it will be considered.

The applicant must post the zoning notice sign in a conspicuous place just off the right-of-way where the public can easily see the request. If it is determined at any time during the zoning proceedings that the sign has not been properly posted on the site, the Board must table or delay the request.

An affidavit must be signed by the applicant and dated with the date the sign was correctly posted on the property and returned to the Planning Department at least fifteen (15) days prior to the first public meeting.



Application Fee

An application fee is charged when you submit your application. Fees are charged based upon acreage to be rezoned and can range from \$300 to \$3,000.

Always verify with the Planning Department any costs relative to your development.

Hall County Board of Commissioners Approvals Rezoning and Special Uses requiring approval of BOC (Table 1)

Acres	Rezone To: V-C, R-I, R-I-L, R-II, AR-III, & AR-IV All Uses Subject to County Commission Approval in V-C, R-I, R-I-L, R-II, AR-III, & AR-IV Zones	Rezone To: R-TF, R-MF, O-I, S-S, H-B, I-I, I-II, PRD, POD, PCD, PID, P-C, MHP & PTL-OD All Uses Subject to County Commission Approval in R-TF, R-MF, O-I, S-S, H-B, I-I, I-II, PRD, POD, PCD, PID, P-C, MHP & PTL-OD Zones
0--5	\$300	\$450
>5--10	\$400	\$550
>10-- 20	\$600	\$750
>20-- 100	\$1,000	\$1,500
>100+	\$1,000 + \$30 per acre or part thereof, not to exceed a maximum of \$2,500	\$1,500 + \$40 per acre or part thereof, not to exceed a maximum of \$3,000

Hall County Planning Commission Approvals Special Uses approved by the Planning Commission (Table 2)

Acres	All Uses Subject to Planning Commission Approval in V-C, R-I, R-I-L, R-II, AR-III, & AR-IV Zones	All Uses Subject to Planning Commission Approval in R-TF, R-MF, O-I, S-S, H-B, I-I, I-II, PRD, POD, PCD, PID, P-C, & MHP
0--5	\$250	\$350
>5--10	\$350	\$450
>10-- 20	\$500	\$650
>20-- 100	\$750	\$1,000
>100+	\$750 + \$25 per acre or part thereof, not to exceed a maximum of \$2,000	\$1,000 + \$30 per acre or part thereof, not to exceed a maximum of \$2,500



Application Withdrawal

An application for any request considered by the Planning Commission may be withdrawn by the applicant at any time prior to the notification by public advertisement of the adjoining property owners. A withdrawal notice must be signed by the applicant and submitted to the Planning staff.

The application may be withdrawn after said public notice is given and before the Planning Commission takes a vote on said application only with the consent of a majority of the members of the Planning Commission.

For applications requiring a recommendation from the Planning Commission for final action by the County Board of Commissioners, after the Planning Commission has taken a vote on the application, the application may only be withdrawn with the consent of a majority of the Board of Commissioners voting to allow the applicant's request to withdraw the application.

For appeals to the Board of Commissioners on Planning Commission decisions, the application may only be withdrawn with the consent of a majority of the Board of Commissioners voting to allow the applicant's request to withdraw the appeal.

If the applicant wishes to withdraw the application fees are refunded as described in the Hall County Code 17.30.010 (E):

Refund of application fees

1. Rezoning and uses permitted subject to the approval of the County Commissioners:
 - a. Withdrawal prior to notification of adjacent property owners by public advertisement: 50% of application fee.
 - b. Withdrawal after notification of adjacent property owners by public advertisement but prior to a Planning Commission decision: 25% of application fee.
 - c. Withdrawal after a Planning Commission decision: None.
2. Conditional uses and uses permitted subject to approval of the Planning Commission:
 - a. Withdrawal prior to notification of adjacent property owners by public advertisement: 50% of application fee.
 - b. Withdrawal after notification of adjacent property owners by public advertisement: None.



Planning Commission Meeting

1. The Planning Commission generally meets on the first and third Monday of each month at 5:15 p.m. in the Hall County Government Center, 2875 Browns Bridge Road, Commission Meeting Room, 2nd Floor, Gainesville, Georgia.
2. The applicant or their designee will present their proposal. The Planning Commissioners may ask questions of the applicant such as the hours of operation for the business, the type of business, the type of materials that will be used in construction of the building, what kind of noise or dust could be generated on the site, or what the impact would be for adjacent neighbors and how the applicant plans to deal with the impact. For residential rezoning the Planning Commission may want to know about the density of the development and the types of material that will be used in construction of the individual homes, if the lots will be sodded or have attached garages or a community pool and play area.
3. The chairman will allow anyone in support or opposition of the application to speak.
4. The Planning Commission can recommend the following:
 - **Approval** - the Planning Commission favors the request as it is stated in the application.
 - **Approval with conditions** – the Planning Commission favors the request with certain requirements placed on the property.
 - **Table** – there may be some issues that have arisen during the meeting that could be resolved if the applicant had more time to work out the problem. Tabling the request allows for that additional time to be granted to resolve these issues.
 - **Deny** – the Planning Commission feels that the request should not be granted.
5. In some special uses the Planning Commission will make the final approval or denial for the request. If the request is denied the applicant can seek to appeal the Planning Commission's decision to the Hall County Board of Commissioners. A fee of \$200 is charged for the appeal.
6. If required, the recommendation will be forwarded to the County Commission for consideration.
7. The applicant must wait five (5) working days after the approval of a variance to begin work on their project. This allows for any appeal to the application to be made. If an appeal is made the application will proceed to the County Commission for deliberation. Once the time has passed for the appeal process the applicant can move forward to the permitting phase.



Board of Commission Meeting

1. The Planning Commissions recommendation is forwarded to the Hall County Board of Commissioners (BOC). The BOC makes the final decision for approving or denying a rezoning request.
2. The BOC generally meets the second and fourth Thursdays of each month at 6:00 p.m. at the Hall County Government Center, 2875 Browns Bridge Road, Commission Meeting Room, 2nd Floor, Gainesville, Georgia.
3. The applicant or their designee will present their proposal. This may include minor changes that have been discussed during the preceding Planning Commission meeting. The County Commissioners may ask for further information or deliberate on the request and the Planning Commission recommendation.
4. The County Attorney will call for anyone in support or opposition of the request to speak.
5. The BOC is the final decision for rezonings and can recommend the following:
 - **Approval**– the BOC favors the request as it is stated in the application.
 - **Approval with conditions** – the BOC approves the request with specified requirements placed on the property. These conditions will be discussed with the applicant and placed on the action letter from the County Commission. These conditions must be met or the site cannot receive a certificate of occupancy and cannot open for business unless the applicant goes back through the process for an amendment to the conditions of zoning.
 - **Table** – there may be some point of controversy or some issue that has arisen during the meeting that could be resolved if the applicant had more time to work out the problem. Tabling the request until the next available meeting allows for that additional time to be granted.
 - **Deny** – the BOC feels that the request should not be granted
6. Once the rezoning or special use process is complete, the applicant will move on to the permitting phase for land disturbance permits, building permits and Certificates of Occupancy. The Plan Review Committee will ensure that the local ordinances and conditions of zoning are met prior to issuing any permits.