



NEWTON COUNTY
APPLICATION PACKAGE
FOR
CONDITIONAL USE PERMIT

(Revised 12/09/14)

DEADLINES AND PROCEDURES

1. Pre-application review is required prior to the submittal of the application.
2. The application must be complete and submitted by the deadline of the first Friday of each month before 3:30 P.M. Fees are to be paid, by check or money order, at the time of filing.
3. Applications must be submitted in-person by the applicant or an authorized agent. Applications submitted via courier or mail will not be accepted.
4. Applicant is requested to submit any revisions to site plans, letters of intent, proposed conditions, etc. to the Development Services Department. Last minute revisions may delay the dates of your public hearings.
5. The applicant will be given a Public Notice sign to post on the property. This will identify the site for the Newton County Road Department who will post the official sign.
6. The applicant must attend two public hearings. The hearings are as follows:
 - Planning Commission meeting
Held the fourth Tuesday of the each month.
Time: 7:00 p.m.
Location: The 2nd floor of the Historic Courthouse, 1124 Clark Street, Covington.
 - Board of Commissioners meeting
Held on the third Tuesday of each month.
Time: 7:30 p.m.
Location: The 2nd floor of the Historic Courthouse, 1124 Clark Street, Covington.

Refer to the enclosed calendar for the exact dates.
7. The staff analysis reports will be available in the Department one week before the meeting. Applicants are responsible for obtaining their staff reports.
8. The agenda for each meeting and a summary of the meeting is available on our website at www.co.newton.ga.us
9. Fees must be paid by check or money order. Checks without pre-printed account information will not be accepted.

NEWTON COUNTY
APPLICANT'S CHECK SHEET

DOCUMENTS AND QUANTITIES REQUIRED FOR CONDITIONAL USE PERMIT

FILING DEADLINE: FIRST FRIDAY OF EACH MONTH, BEFORE 3:30 p.m.

FEES MAY BE PAID BY CHECK OR MONEY ORDER ONLY

ITEM	REQUIRED ITEM	NUMBER OF COPIES	CHECK <input type="checkbox"/>
1.	Pre-application Review Form	One copy	
2.	Application Form	One (1) original	
3.	Letter of Intent	One (1)	
4.	Survey Plat	Two (2) copies	
5.	Written Legal Description	One (1)	
6.	Concept Plan –full size	Two (2) copies and one electronic copy in JPEG format on disk	
7.	Concept Plan- 8.5x11	One (1)	
8.	Impact Analysis	One (1)	
9.	Disclosure Form	One (1)	
10.	Water and Sewer Letter	One (1)	
The following may or may not be required. See instructions below.			
11.	Authorization from Georgia Power (Jackson Lake) or Reservoir Manager (Lake Varner)	One (1)	
12.	Traffic Study	One (1) copy	
13.	Development of Regional Impact Review Form (DRI)	Three (3) copies of the traffic study Two (2) copies of DRI forms	

REQUIRED ITEMS FOR USE PERMIT APPLICATIONS:

- ITEM 1. **PRE-APPLICATION REVIEW MEETING AND FORM:** Prior to submitting an application, all applicants must meet with the Zoning Administrator or the Planner who will review your proposal and issue a Pre-application Review Form. Bring to the meeting a site plan. Call 678-625-1650 for an appointment.
- ITEM 2. **APPLICATION FORM:** The applicant must have a notarized signature of all owners of the subject property authorizing the filing of the application. If the owner is not the petitioner, part 2 of the form must also be completed. The owner's signature of the application may serve as authorization for the petitioner/applicant or agent to act on their behalf in the filing of the application. (Sec.620-050, B., C.)
- ITEM 3. **LETTER OF INTENT:** The letter should include factual information such as zoning district, use requested, acreage of property, square footage of buildings, number of residential structures, number of parking spaces, and any special conditions to be included.
- ITEM 4. **SURVEY PLAT:** The survey of the property must be prepared and sealed within the last ten years by a professional engineer or land surveyor registered in the State of Georgia, and include the following (Sec. 620-050, A.):
1. The complete boundaries of the subject property and all buildings and structures existing thereon;
 2. Notation as to whether or not any portion of the subject property is with the boundaries of the 100-year floodplain; and
 3. A notation as to the total acreage or square footage of the subject property.

- ITEM 5. WRITTEN LEGAL DISCRPTION: Must be a “metes and bounds” description. Must match the survey and the concept plan. (Sec. 620-050, D.) If within a recorded subdivision, the lot # and the book and page of the recorded plat may be sufficient, if a copy of the recorded plat is provided.
- ITEM 6. CONCEPT PLAN – FULL SIZE (not larger than 24”x36”) Must be drawn to scale. Include proposed uses, subdivision of property, required setbacks, existing and proposed buildings, parking, driveways, buffers, landscape areas, streams, and other features. (Sec. 620-050, F.). Also provide an electronic copy of the plan in JPEG format on a floppy disk or CD (cannot be emailed).
- ITEM 7. CONCEPT PLAN – 8.5” X 11”: A reduced copy of the concept plan.
- ITEM 8. IMPACT ANALYSIS: Complete the form answering all questions regarding the impact of the proposed use with respect to each standard and factor in Sec. 620-060 B. (Sec. 620-050, G.)
- ITEM.9 DISCLOSURE FORM: If the owner, petitioner and/or the agent for the petitioner has made a campaign contribution to any member of the Board of Commissioners for \$250.00 or more within the past 2 years, the form within must be completed. If not, the petitioner must circle “No” and complete the top of the form indicating name, signature and date.
- ITEM 10. WATER AND SEWER LETTER: A letter or statement from the Newton County Water and Sewerage Authority indicating the availability of water and/or sewer service and any upgrades necessary to provide service. (Sec. 620-050, I.)
- ITEM 11. AUTHORIZATION FROM GEORGIA POWER OR RESERVOIR MANAGER – Any Georgia Power lease lot and any deeded waterfront lot on Jackson Lake must have written authorization from Georgia Power Land Management stating approval of proposed site plan. Any property under the jurisdiction of the Cornish Creek Reservoir Management Plan (Lake Varner) must have written authorization from the Reservoir Manager stating approval of the proposed site plan.
- ITEM 12. TRAFFIC STUDY – A traffic study must be submitted if the development reaches a threshold as specified by **Sec. 500-080, Traffic Study**. A traffic study is also required as part of a Development of Regional Impact. (Sec. 620-050, H.)
- ITEM 13. DEVELOPMENT OF REGIONAL IMPACT: When an application includes uses which exceed the applicable development thresholds as established by the Department of Community Affairs or the Northeast Georgia Regional Development Center (NEGRDC), it is deemed to be a Development of Regional Impact. Applicants shall first file the conditional use permit request with Newton County. No action shall be taken on the application until a finding is made by the NEGRDC (Sec. 620-050, H.)

SECTION I PETITION FOR CONDITIONAL USE PERMIT

Date: _____ Tax Map and Parcel Number(s): _____

Commission District Number: _____ Overlay: () Almon () Salem

SUBJECT PROPERTY ADDRESS/STREET NAME: _____

Under provisions of Sec. 505 of the Newton County Zoning Ordinance, application is hereby made to obtain a Conditional Use Permit as follows:

CURRENT ZONING _____

CONDITIONAL USE PERMIT REQUEST: _____

RESIDENTIALLY ZONED SITE CONDITIONS:

A conditional use permit in a residential district in which the use is proposed to operate in a dwelling or as an accessory use to a dwelling is subject to the following requirements:

1. The conditional use permit shall be valid for no more than a two-year period. Upon or before expiration of a conditional use permit, the owner shall make application to continue the conditional use permit if continuance is desired.
2. The exterior character of the dwelling shall be preserved in its residential state and there shall be no outside evidence of the operation of the conditional use.
3. The owner of the property shall occupy the property, shall operate any business associated with the conditional use, and shall maintain a business license issued by Newton County.
4. The owner of the property shall submit with the application a signed statement in which he/she agrees that the conditional use permit, if approved, shall automatically terminate in the event that the property is sold, transferred, or otherwise conveyed to any other party, or the business which operates the conditional use is sold, transferred, otherwise conveyed or discontinued. The owner shall agree to notify the Zoning Administrator in writing upon the occurrence of any of these events.

SECTION II OWNER/PETITIONER

NOTICE: Parts 1 and/or Part 2 below must be signed and notarized when petition is submitted. Please complete Section II as follows:

- a) If you are the sole owner of the property and not the petitioner complete Part 1.
- b) If you are the petitioner and not the sole owner of the property complete Part 2.
- c) If you are the sole owner and petitioner complete Part 1.
- d) If there are multiple owners each must complete a separate Part 1 and include it in the application. Please indicate applicable map and parcel numbers for each owner.

Part 1. Owner states under oath that he/she is the owner of the property described in the attached legal description, which is made part of this application. The owner also states under oath that the petitioner below is authorized to act on their behalf in the filing of this application.

TYPE OR PRINT OWNER'S NAME	Sworn to and subscribed before me this
ADDRESS	_____ Day of _____ 20____
CITY & STATE ZIP CODE MAP & PARCEL NUMBER(S)	NOTARY PUBLIC
OWNER'S SIGNATURE	PHONE NUMBER

Part 2.

TYPE OR PRINT PETITIONER'S NAME	Sworn to and subscribed before me this
ADDRESS	_____ day of _____ 20____
CITY & STATE ZIP CODE	NOTARY PUBLIC
PETITIONER'S SIGNATURE	PHONE NUMBER

SECTION V ATTORNEY/AGENT

Check One: Attorney Agent

TYPE OR PRINT ATTORNEY / AGENT NAME	SIGNATURE OF ATTORNEY / AGENT
ADDRESS	CITY & STATE ZIP CODE
PETITIONER'S SIGNATURE	PHONE NUMBER

EMAIL ADDRESS: _____



Newton County Development Services

MARKER SIGN

I understand that upon filing this petition I will be given a marker sign (or signs) to place upon the property associated with this request. The purpose of these marker signs is to confirm the physical location of the property so that the Road Department may place the public notification signs required by Section 620-020 B. of the Newton County Zoning Ordinance and State law. One marker sign shall be placed along each public road the property abuts.

I also understand that it is my responsibility to have the marker sign(s) placed **within one week** of the filing deadline so that the Development Services Department may visit the property to confirm the proper location of the signs.

I further understand that if these marker signs are not properly located the Road Department will be unable to place the required notification signs. In the event the signs are not able to be posted within the time frame specified by the Zoning Ordinance and State law due to my failure to properly place the marker signs, my petition may be delayed to a subsequent hearing date.

I hereby certify that the necessary marker sign(s) will be placed on the property by _____, 20____.

Applicant's Signature: _____ **Date:** _____

LETTER OF ACCESS

I agree to allow free access to the land this application is being submitted for to all public agencies with jurisdiction. Furthermore, I agree to inform those agencies and/or departments who require access to this land of any hazardous materials, animals, devices or activities that may be on the property. In addition, from the date of application submittal, I agree to notify the Department of Development Services of any hunting activities that are currently, or proposed to be, conducted on my property.

The Newton County Development Services Department will do our utmost to contact the owner of the property twenty-four (24) hours prior to any site inspections or visits to the property. If staff is unable to contact the property owner via a phone call, email and/or voice message, staff will contact the applicant, if applicable.

Property Owner's Signature: _____ **Date:** _____

Applicant's Signature: _____ **Date:** _____

DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

APPLICANT

ADDRESS

PHONE NUMBER

BUSINESS REPRESENTED

Check one of the following:

_____ (A) The Applicant here certifies, under oath, that he or she has not made any campaign contributions or gifts having an aggregate total value of \$250.00 or more to any local government official of Newton County, Georgia, as defined by O.C.G.A. 36-67A-1(5).

_____ (B) The Applicant here certifies, under oath, that he or she has made the following campaign contributions or gifts having an aggregate total value of \$250.00 or more to a local government official of Newton County, Georgia as defined by O.C.G.A.36-67A-1 (5).

Please list total value of contribution(s) dates and names of the local Government Official:

Describe in detail any gifts listed above (example: quantity and nature, etc.):

IMPACT ANALYSIS FOR CONDITIONAL USE PERMIT APPLICATIONS

Complete the following questions 1 through 15 (as applicable):

1. Petitioner's Name: _____

2. Road Name(s): _____

3. Map and Parcel #: _____

4. Conditional Use Request: _____

Analyze the impact of the proposed use and answer the following questions:

1. The size of the site for the use contemplated is adequate land area for the proposed conditional use.

2. This use is compatible with adjacent properties and with other properties in the same zoning district.

3. The public street on which the use is proposed to be located is adequate and there is sufficient traffic-carrying capacity for the use proposed.

4. The proposed site plan allows for satisfactory ingress and egress, with particular reference to pedestrian and automotive safety, traffic flow and emergency access.

5. This use should not create unreasonable adverse impacts upon any adjoining land use by reason of noise, smoke, odor, dust, or vibration generated by the proposed use.

6. **The proposed use will not create unreasonable adverse impacts upon any adjoining land use by reason of the manner of the hours of operation of the proposed conditional use.**

7. **The proposed use will not create unreasonable adverse impacts upon any adjoining land use by reason of the manner of operation of the proposed use.**

8. **The proposed site plan provides adequate refuse and service areas.**

9. **Whether the length of time for which the conditional use permit is granted should be limited in duration.**

10. **The size, scale and massing of the proposed buildings are appropriate in relation to the subject site and adjacent sites.**

11. **The proposed site plan and use will not adversely affect historic buildings, sites, districts or archaeological resources.**

12. **The proposed use will not have an unreasonable adverse impact on environmentally sensitive areas, including the watershed as long as the wastewater is pretreated as required by the Newton County Health Department.**

13. **For proposals in the CN, CH, CG or M1 zoning district, the use satisfies the applicable additional criteria in Article Two.**

14. For proposals for a Personal Care Home for the handicapped which do not meet the above criteria, whether the County can make reasonable accommodations in it rules or policies to provide the handicapped with equal opportunity to use and enjoy dwellings while not abrogating the purposes of this ordinance.

15. For proposals for a Place of Worship which do not meet the above criteria, whether the regulation imposes a substantial burden on the exercise of a religion and does not serve a compelling government interest or is not the least restrictive means to serve that interest.
