



Cobb County...Expect the Best!

REQUIREMENTS FOR COMPLETING SPECIAL LAND USE PERMIT APPLICATION COBB COUNTY, GEORGIA

Application must be submitted in person to the Zoning Division, located at 1150 Powder Springs Street, Suite 400, Marietta, Georgia 30064, no later than **4:00 p.m. on the first Thursday of each month** (see attached schedule) in order to be considered for the next scheduled public hearing.

EXAMPLE: A complete application filed by the first Thursday of March would be considered by the Planning Commission on the first Tuesday in May [unless otherwise scheduled] then by the Board of Commissioners on the third Tuesday in May [unless otherwise scheduled]. You are *not* required to wait until the first Thursday of each month to file an application.

NOTE: There will not be a filing date in the month of November for Special Land Use Applications. The first Thursday of December will be the cut off date for the February hearing. There will not be a Zoning Hearing in the month of January to hear Special Land Use Applications.

The following items are required for submitting an application for a Special Land Use Permit:

1. **Original** notarized signature of **titleholder(s)** and **applicant(s) and/or representative(s)**.
2. If the **titleholder(s)** is a domestic or foreign corporation, then the following documentation shall also be required:

Written authentication with the presence of the corporate seal, or a facsimile thereof, attested by the secretary or assistant secretary of the corporation, or other officer to whom the bylaws or the directors have delegated the responsibility for authenticating records of the corporation, shall attest:

 - a) That the corporate seal or facsimile thereof affixed to the document is in fact the seal of the corporation or true facsimile thereof, as the case may be;
 - b) That any officer of the corporation executing the document does in fact occupy the official position indicated, that one in such position is duly authorized to execute such document on behalf of the corporation, and that the signature of such officer subscribed thereto is genuine; and
 - c) That the execution of the document on behalf of the corporation has been duly authorized.
3. A copy of the warranty deed that reflects the current owner(s) of the property.
4. A current legal description of the subject property.

Requirements for Special Land Use Permit Application

Page 2

5. A copy of the paid tax receipt for the subject property or a statement signed by an official in the Tax Commissioner's Office or other official document issued by the Tax Commissioner's Office indicating the taxes have been paid. Properties with delinquent taxes may be withdrawn by the staff, or may be delayed or denied by the Board of Commissioners'.
6. Statement of proposed site improvements (i.e., grading, tree removal, paved parking, detention facilities, additions to house or other permitted structure, etc.) to the subject property. If no site improvements are proposed, a copy of a current survey of the property drawn to scale and stamped by a **registered engineer, architect, land planner** or **land surveyor** shall be required. In the event of any proposed site improvements, all requirements of Item 7 shall apply.
7. A copy of current plot plan and current boundary survey drawn to scale and stamped by a **registered engineer, architect, land planner** or **land surveyor** currently registered in accordance with applicable state laws. These plans must include: a) north arrow; b) land lot lines; c) district lines; d) lot lines; e) angles; f) bearing and distances; g) adjoining street with right-of-way (present and proposed); h) paving widths; i) the exact size and location of all buildings along with intended use; j) buffer areas; k) parking spaces; l) lakes and streams; m) utility easements; n) limits of the 100-year floodplain and acreage of floodplain; o) cemeteries; p) wetlands; and q) access points; and r) stream buffers (minimum 50' buffer).

NOTE: Five (5) drawings shall be no larger than 36" x 48" and two (2) copies must be 8 1/2" x 11".

8. A petition form for Consent of Contiguous Occupants or Land Owners is provided.
9. Applicant, or representative for applicant, **must** attend the Zoning Hearing. Failure to attend may result in dismissal with prejudice, rejection of the application or continuance of the hearing at the Board's sole discretion.
10. If the property is or will be on septic tank, contact the Cobb County Health Department. Approval must be obtained prior to filing of the application for land use.
11. Application Fee- \$1,000.00 (Please note: The Board of Commissioners has authorized the Zoning Division to charge a consultant review fee for applications involving telecommunications towers and/or facilities. This fee must be paid when this application is submitted. Please contact the Zoning Division for more information about this fee). Make all checks payable to "Cobb County".
12. In addition to the application fee, there is a **deposit of \$300.00** for signs, which will be refunded if signs are returned within **thirty (30)** days after the final decision by the Board of Commissioners. The signs **must** be returned to qualify for the refund. There will also be a fee of **\$15.00 per sign** issued by the Zoning Division; this fee **will not** be refunded. Only the person or entity that originally paid the sign deposit shall be entitled to the refund once the signs are returned.
13. Signs provided by the Zoning Division, **must** be posted on or near the right-of-way of the nearest public street thirty (30) days before the public hearing. Signs **must** be posted every 500 feet of public road frontage. Failure to post and maintain signs continuously may prohibit consideration of the application at any scheduled public hearing. It is the responsibility of the applicant to ensure that signs remain posted throughout the advertising period, **including the day of the public hearings and to remain posted until the final decision by the Board of Commissioners.**

(Continued on the next page)

Requirements for Special Land Use Permit Application

Page 3

14. It shall be the duty of the applicant/representative to notify in writing regarding a pending Special Land Use Application to all property owners within a **1,000-foot radius** of the subject property being rezoned as shown on the most current tax records. Such notice shall be satisfied by the applicant/representative mailing a copy of the application and proposed site plan to the property owners within a 1,000-foot radius of the subject property by **first class mail**. The applicant/representative shall also be required to file with the Zoning Division, a **certificate of mailing** from the United States Post Office verifying the attempt to notify all the property owners within a 1,000-foot radius of the property. The certificate of mailing **must** be submitted to the Zoning Division no later than 12:00 noon on Wednesday of the week preceding the Planning Commission Zoning Hearing for which the application is scheduled to be considered.
15. In addition to the above requirements, all retail/commercial, office/institutional and industrial uses must also comply with the Cobb County Architectural Guidelines for development, redevelopment or building renovations.

NOTES: NO APPLICATION WILL BE ACCEPTED BY THE ZONING DIVISION UNLESS FILLED OUT IN ITS ENTIRETY, ALONG WITH ALL STAMPED SITE PLANS AND BOUNDARY SURVEYS.

EACH SITE WILL BE INSPECTED BY COBB COUNTY ZONING STAFF TO INSURE SPECIAL LAND USE PERMIT SIGN(S) HAVE BEEN PROPERLY POSTED.

* Special Land Use Permit fees adopted by the Board of Commissioners on 09-28-10.

*Sign fee of \$15 amended October 2016.

Revised: December 19, 2014

**Application for
Special Land Use Permit
Cobb County, Georgia**
(Cobb County Zoning Division – 770-528-2035)

Application No. _____

PC Hearing Date: _____

BOC Hearing Date: _____

Applicant _____ **Phone #** _____
(applicant 's name printed)

Address _____ **E-mail** _____

(representative's name, printed) **Address** _____

(representative's signature) **Phone #** _____ **E-mail** _____

Signed, sealed and delivered in presence of:

Notary Public **My commission expires:** _____

Titleholder _____ **Phone #** _____ **E-mail** _____
(titleholder's name, printed)

Signature _____ **Address** _____
(attach additional signature, if needed)

Signed, sealed and delivered in presence of:

Notary Public **My commission expires:** _____

Present Zoning _____ **Size of Tract** _____ **Acre(s)**

For the Purpose of _____

Location _____
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) _____ **District(s)** _____

We have investigated the site as to the existence of archeological and/or architectural landmarks. I hereby certify that there are/are no such assets. If any exist, provide documentation with this application.

(applicant's signature)

We have investigated the site as to the existence of any cemetery located on the above property. I hereby certify that there is/is not such a cemetery. If any exist, provide documentation with this application.

(applicant's signature)

**CONSENT OF CONTIGUOUS OCCUPANTS OR LAND OWNERS
TO ACCOMPANY APPLICATION FOR SPECIAL LAND USE PERMIT**

By signature, it is hereby acknowledged that I give my consent/or have no objection that _____
_____ intends to make an application for a Special Land Use Permit for the
purpose of _____ on the premises described in the application.

Signature	Printed name	Address
1.		
2.		
3.		
4.		
5.		
6.		
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9.		
10.		
11.		
12.		
13.		
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15.		
16.		
17.		
18.		
19.		
20.		

PROPERTY/FINANCIAL DISCLOSURE REPORT¹ BY APPLICANT²

(A separate form must be completed by each applicant* - please see definition below)

Does any member of the Board of Commissioners or Planning Commission have a property interest (direct or indirect ownership, including any percentage of ownership less than total) in the subject property? _____

If so, describe the nature and extent of such interest: _____

Does any member of the Board of Commissioners or Planning Commission have a financial interest (direct ownership interests of the total assets or capital stock where such ownership interest is ten percent (10%) or more) of a corporation, partnership, limited partnership, firm, enterprise, franchise, association, or trust, which has a property interest (direct or indirect ownership, including any percentage of ownership less than total) upon the subject property? _____

If so, describe the nature and extent of such interest: _____

Does any member of the Board of Commissioners or Planning Commission have a spouse, mother, father, brother, sister, son or daughter who has any interest as described above? _____

If so, describe the relationship and the nature and extent of such interest: _____

I certify that the foregoing information is true and correct, this _____ day of _____, 20_____.

Applicant's Signature

¹If the answer to any of the above is "Yes," then the member of the Board of Commissioners or Planning Commission must immediately disclose the nature and extent of such interest, in writing, to the Board of Commissioners of Cobb County, Georgia. A copy should be filed with this application. Such disclosures shall be a public record and available for public inspection at any time during normal working hours.

²Applicant means any person who applies for a rezoning action and any attorney, or other person representing or acting on behalf of a person who applies for a rezoning action.

CAMPAIGN DISCLOSURE REPORT¹ BY APPLICANT²

(A separate form must be completed by each applicant* - please see definition below)

Has the applicant² made, within two (2) years immediately preceding the filing of this application for rezoning, campaign contributions aggregating two hundred fifty dollars (\$250.00) or more or made gifts having in the aggregate a value of two hundred fifty dollars (\$250.00) or more to a member or members of the Board of Commissioners or Planning Commission who will consider the application?

If so, the applicant and the attorney representing the applicant must file a disclosure report with the Board of Commissioners of Cobb County within ten (10) days after this application is first filed.

Please apply the following information that will be considered as the required disclosure:

The name of the member(s) of the Board of Commissioners or Planning Commission to whom the campaign contribution or gift was made: _____

The dollar amount of each campaign contribution made by the applicant to the member(s) of the Board of Commissioners or Planning Commission during the two (2) years immediately preceding the filing of this application and the date of each such contribution: _____

An enumeration and description of each gift having a value of two hundred fifty dollars (\$250.00) or more made by the applicant to the member(s) of the Board of Commissioners or Planning Commission during the two (2) years immediately preceding the filing of this application: _____

I certify that the foregoing information is true and correct, this _____ day of _____ 20_____.

Applicant's Signature

¹If the answer to any of the above is "Yes," then the member of the Board of Commissioners or Planning Commission must immediately disclose the nature and extent of such interest, in writing, to the Board of Commissioners of Cobb County, Georgia. A copy should be filed with this application. Such disclosures shall be a public record and available for public inspection at any time during normal working hours.

²Applicant means any person who applies for a rezoning action and any attorney or other person representing or acting on behalf of a person who applies for a rezoning action.

Additional instructions for the Special Land Use Permit applicant

CASE NUMBER

Your case number identifies your specific case. Please include this case number on any future e-mails, faxes, submissions, letters, plans, petitions, phone messages, etc.

NOTICE SIGNS

For Special Land Use Permits you will be issued one type of sign (grey in color). Post the sign on your property, near the road. The sign should face the road and should not be obscured by trees, bushes, cars, fences, etc. You may be issued more than one sign based on the linear-feet of the road frontage (1 sign per every 500 feet), or number of road frontages for the property. The sign should be posted in a manner that prevents signs from falling down, blowing away, curling or other damage to the signs (one example: a plywood backing with posts in the grounds). It is your responsibility to ensure the signs are posted properly every required day. Failure to properly post signs may cause a delay in hearing your request, and/or may result in the denial of your request. If the signs are lost or stolen, please visit the Zoning Division for additional signs. **BRING THE SIGN BACK TO THE ZONING DIVISION THE DAY AFTER THE FINAL ZONING DECISION BY THE BOARD OF COMMISSIONERS. Only the person or entity that originally paid the sign deposit is entitled to the refund amount.**

APPLICANT MEETING FOR SPECIAL LAND USE PERMIT

An applicant meeting will be set up after your application is accepted. This meeting is generally held a week and a half after the last filing date. You will be meeting with County Staff, which includes representatives from the Department of Transportation, the Water & Sewer Department, the Stormwater Management Division, the Fire Department, Planning Division and the Zoning Division. At this meeting, the County Staff is gathering basic information about the proposal. Additionally, the County Staff will let you know what will be required if your application is approved.

MAIL NOTIFICATION REQUIREMENT

Part of the requirements of the special land use permit process is for the applicant to notify all property owners in writing via first class mail, within 1000-feet of all property lines. Said notification is required to be postmarked 14 calendar days prior to the Planning Commission Hearing. The applicant shall submit to the Zoning Division a Certificate of Mailing from the United States Post Office by noon on the Wednesday of the week preceding the Planning Commission Zoning Hearing. Failure to properly mail notices may cause a delay in hearing your request, and/or may result in the denial of your request.

HEARING LOCATION

All hearings will take place at 100 Cherokee Street, Marietta, GA 30060, in the second floor Commissioners Meeting Room.

STAFF RECOMMENDATIONS

The County Staff only makes recommendations on special land use permits. The County Staff you've met with at the applicant meeting will submit written comments and recommendations to the Planning Commission and the Board of Commissioners prior to the hearings. The comments and recommendations are available by noon a week prior to the Planning Commission hearing. These may be picked up in person, or printed from the County's website at <http://zoning.comdev.cobbcountyga.gov/index.htm>. County Staff strongly recommends you get a copy of your recommendation before the hearing and you visit the Zoning Division before the zoning hearing to look through the file for opposition letters, or letters from concerned neighbors. County Staff recommends you try to compromise or work-out any concerns the opposition may have.

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PLANNING COMMISSION (PC) ZONING HEARING

You are required to be present by 9:00 a.m. on the advertised hearing day. The hearing starts at 9:00 a.m. on the advertised day. County Staff cannot estimate what time your case will be heard; Signify you are present when your case is called and go to the front of the meeting room to be sworn-in. You will have a total of 10-minutes to state your case. Please state your entire case, because there is not any reserved time or rebuttal time. The PC may ask questions, if needed. Then, the opposition, if any, will make a 10-minute presentation. Based on the Staff recommendation, applicant's testimony, and opposition's testimony, or other information the PC will deliberate and make a recommendation to the Board of Commissioners to approve, deny, delete, hold, or continue the case.

BOARD OF COMMISSIONERS' (BOC) ZONING HEARING

You are required to be present by 9:00 a.m. on the advertised hearing day. The BOC hearing process is very similar to the PC Zoning Hearing. At this hearing the recommendations of County Staff, the PC, the applicant's testimony, other information and the opposition's testimony are taken into account to make a final decision on the rezoning proposal. Official zoning hearing minutes will be available generally within two weeks after the BOC zoning hearing via the County Clerks webpage.

NOTE: The information contained in these instructions is general in nature. Please contact the Cobb County Zoning Division at 770-528-2035 if there is a specific question. Please see the Applications for your process and the Cobb County Code for more specific information about the rezoning process. There is no guarantee your requested action will be approved.

COBB COUNTY COMMUNITY DEVELOPMENT

2016 SPECIAL LAND USE PERMIT SCHEDULE
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LAST FILING DAY	POST SIGNS	PLANNING COMMISSION	BOARD OF COMMISSIONERS
12/3/2015	1/3/2016	2/2/2016	2/16/2016
1/7/2016	1/31/2016	3/1/2016	3/15/2016
2/4/2016	3/2/2016	4/1/2016	4/19/2016
3/3/2016	4/3/2016	5/3/2016	5/17/2016
4/7/2016	5/8/2016	6/7/2016	6/21/2016
5/5/2016	6/7/2016	7/7/2016*	7/19/2016
6/2/2016	7/3/2016	8/2/2016	8/16/2016
7/7/2016	8/9/2016	9/8/2016*	9/20/2016
8/4/2016	9/4/2016	10/4/2016	10/18/2016
9/1/2016	10/2/2016	11/1/2016	11/15/2016
10/6/2016	11/6/2016	12/6/2016	12/20/2016
No Last Filing Date in November	N/A	No January Hearing	No January Hearing
12/1/2016	1/8/2017	2/7/2017 Tentative	2/21/2017 Tentative

*Not on a regular scheduled day or time.

Last filing day is on the first Thursday of each month until 4:00 p.m.

Zoning Meetings start at 9:00 a.m. on Tuesdays (unless otherwise indicated) and are held in the Commissioner's Meeting Room, 2nd Floor of the Cobb County Building A, 100 Cherokee Street, Marietta, Georgia.

Revised on November 25, 2015 at 10:05 AM