

MODIFICATION PROCEDURES

Procedures and Information for Filing an Administrative/Zoning Modification and Concurrent Variance

All application forms are obtained from the Department of Planning and Community Development, Suite 100, 1526 E. Forrest Ave, East Point, GA, 30344 or on our website at www.eastpointcity.org. Phone 404-270-7029.

PLEASE READ ALL INSTRUCTIONS BEFORE FILING. FAXED MATERIALS WILL NOT BE ACCEPTED AS PART OF THIS APPLICATION PACKET

Types of Modification:

1. **Administrative Modification:** A modification of conditions to a Rezoning or Administrative Permit that does not require a public hearing. A decision will be made by the Director of the Department of Planning and Community Development and will be confirmed by the City Council.
2. **Zoning Modification:** A modification of conditions to a Rezoning or Use Permit, where public interest has been determined. This requires a public hearing by the City Council. The Department of Planning and Community Development will make a recommendation to the Council. A concurrent variance may be sought in connection with Zoning Modification requests and may be considered by the City Council, if filed concurrently with the Zoning Modification petition.

Filing Requirements

Applications will not be accepted after 4:00 PM.

1. *Pre-application review form:* Prior to submitting a modification of conditional zoning, you are required to meet with a current planner, who will review your proposal and issue a pre-application review form, which becomes part of your application packet. Call 404.270.7029 to make an appointment.
2. *Application forms:* All application forms must have the original signature(s) of the property owner, or attach a Power-of-Attorney, or documents showing an option to purchase property.
3. *Legal descriptions:* The legal description, must be a metes and bounds description. It must establish a "point of beginning" and from said point of beginning give each dimension bounding the property, calling the directions, (such as north, northeasterly, southerly, etc.), the boundary follows around the property, returning to the "point of beginning", or if the property is in a recorded subdivision, a copy of the deed is acceptable.
4. *Site plan:* Submit (1) one 8½" x11" and (8) eight 11"X17" copies. The site plan must illustrate the requested modification(s) and or concurrent variance(s). Site plans must be folded, drawn to scale.

5. *Letter of intent:* Ten (10) copies are required. The letter of intent must explain the circumstances upon which the requested change of condition is based. Include the reason why development or use of the property cannot be accomplished without modification of a condition and identify the zoning/use permit case number and specific condition(s) being addressed.
6. *Concurrent Variances to Zoning Modifications:* One (1) extra copy of the application form, legal description, letter of intent, and site plan is required. Variances sought in connection with a zoning modification may be considered by the City Council, concurrently with a zoning modification if submitted for the same agenda. See Chapter 2, Article I for the Zoning Resolution for additional information.
7. *Submittal.* The applicant is required to submit (1) one original collated application and (8) eight collated copies. Please do not staple or bind the applications.
8. *Adjacent Property Owners/Neighborhood Association Letters:* Two (2) copies are required **IF THE REQUEST IS FOR AN ADMINISTRATIVE MODIFICATION**, required at the time of filing.
9. *Departmental Sign-off Letters:* Two (2) copies are required. If a request for an **ADMINISTRATIVE MODIFICATION** requires sign-off by an East Point department or staff person, this letter is required at the time of filing.

MEETINGS AND PUBLIC HEARINGS

- **SCHEDULE:** A schedule with deadlines and public hearing dates for ZONING MODIFICATIONS is obtainable from the Department of Planning and Community Development.
- **COMMUNITY ZONING INFORMATION MEETING (CZIM):** CZIM meetings are held the second Tuesday after the filing deadline every month at Jefferson Station prior to the City Council public hearing for the following month.
- **CITY COUNCIL MEETING:** The first and third Monday of each month the City Council holds a public hearing to consider Zoning Modifications.

POSTING OF SIGNS

- “Purple” Community Zoning Information Meeting (CZIM) Sign: This sign contains the CZIM date. The applicant will receive this sign (at the time of filing) for posting on the property immediately.
- “Blue” Zoning Modification Sign: Sign(s) will be posted on the subject property by the applicant along each road frontage

NOTIFICATION FOR ZONING MODIFICATION

By U.S. mail, postcard notices are sent by the applicant to all property owners within 500 feet of the subject property, all council persons and the Mayor, neighborhood association presidents within the ward of the application and staff. Said notices are mailed on the date the application is filed. Properties zoned I-1, I-2, and B-P are required to notify property owners within 1000 feet.



Department of Planning & Community Development

@ Jefferson Station

1526 E. Forrest Avenue Suite 100 East Point, GA 30344

404.270.7029 (Phone)

404.209.5148 (Fax)

www.eastpointcity.org

APPLICATION FOR ADMINISTRATIVE/ZONING MODIFICATIONS & CONCURRENT VARIANCES

The undersigned, having interest in the property herein described respectfully request:

Section I – Zoning Modification

#: _____
(To be assigned by East Point)

{ } A. Administrative Modification: A modification of condition(s) to a rezoning or Use Permit that does not require a public hearing. A decision will be made by the Director of Planning and Community Development, and will be confirmed by the City Council.

{ } B. Zoning Modification: A modification of condition(s) to a rezoning or Use Permit, where public interest has been determined. This requires a public hearing by the City Council. The Department of Planning and Community Development will make a recommendation to the Council. If "A" was denied, list previous case number #M _____

{ } C. Concurrent Variance Request(s) to Modification #VC, _____
(To be assigned by staff)

Request 1) _____
Ref: Chapter _____ Section _____

Request 2) _____
Ref: Chapter _____ Section _____

Request 3) _____
Ref: Chapter _____ Section _____

Section II

1. Identify the specific condition(s) being addressed in the application. State the condition number(s) and letter(s)

2. Case file number of the rezoning or use permit to which this application pertains.

_____ Current zoning _____

3. Attach a copy of Legal Description (must be metes and bounds), or complete the following information if the property is within a recorded subdivision.

Subdivision _____ Name: _____
Unit/Phase: _____ Lot Number: _____
Block _____ Designation: _____
Land _____ Lot(s): _____
Road Name: _____
Recorded in Plat Book: _____ Page: _____

Section III

Notice: Sections III and/or IV below **MUST BE SIGNED AND NOTORIZED** when application is submitted. If Section III is signed and notarized, applicant need only to complete Section IV as "Applicant", then notarization of Section IV is not necessary.

Owner states under oath that he/she is the owner of property described in the attached legal description, which is made part of this application for a Modification.

(Type or print owner's name)

Address _____

City & State _____ Zip Code _____

(Owner of Property (Signature))

Phone Number _____

Alternate Phone Number _____

Sworn to and subscribed before me this
_____ Day of _____ 20____

Notary Public

Commission Expires

(SEAL)

Section IV

Applicant, if different from the Owner, states under oath that:

- 1. Applicant is the executor or attorney-in-fact under a Power-of-Attorney for the Owner. Attach copy of Power-of-Attorney and type name of Owner as indicated in Section III, or
- 2. Applicant has an option to purchase said property conditioned upon the property being granted a modification. Attach a copy of contract and type name of Owner as indicated in Section III; or
- 3. Applicant has an estate for years which permits the applicant to apply for a modification. Attach a copy of lease and type name of Owner as indicated in Section III.

Indicate which above is applicable 1 2 3

(Type or print owner's name)

Address _____

City & State _____ Zip Code _____

(Owner of Property (Signature))

Phone Number _____

Alternate Phone Number _____

Sworn to and subscribed before me this _____ Day of _____ 20____

Notary Public

Commission Expires

(SEAL)

Section V

Attorney or Agent, if different from the applicant and/or owner.

Signature of Attorney or Agent check one: {___} Attorney {___} Agent

Address _____

City & State _____ Zip Code _____

Phone Number _____