



# **REZONING APPLICATION 2023**

**Thank you for your interest in the City of Harlem, Georgia. This packet includes the necessary documents needed for rezoning applications to be heard by the Planning and Zoning Commission and decided by the Harlem City Council.**

**Please note: all fees are non-refundable. There are no exceptions. The City of Harlem Community Development Department will conduct pre-application meetings by appointment. Please call the Community Development office to schedule an appointment at (706) 556-0043.**

**The location of all city related meetings is:  
320 North Louisville Street  
Harlem, Georgia 30814**

Land Development Fees		
Residential Zoning (R1A, R1-B, R-2, R-3, R-4, PUD, MUD, and CP)		
Acreage	Fee	Ordinance
0-5 acres	\$550 + \$25 per acre	108-352.
6-10 acres	\$550 + \$25 per acre	108-352.
11-20 acres	\$750 + \$25 per acre	108-352.
21-50 acres	\$1,250 + \$25 per acre	108-352.
51-100 acres	\$1,750 + \$25 per acre	108-352.
100+ acres	\$3,000 + \$25 per acre	108-352.
Non-Residential Rezoning (P-1, B-1, B-3, I-1)		
0-5 acres	\$600 + \$25 per acre	108-352.
6-10 acres	\$1,000 + \$25 per acre	108-352.
11-20 acres	\$1,400 + \$25 per acre	108-352.
21-50 acres	\$2,000 + \$25 per acre	108-352.
51-100 acres	\$3,500 + \$25 per acre	108-352.
100+ acres	\$5,000 + \$25 per acre	108-352.
(No rezoning application shall exceed \$20,000)		
Variance	\$615 + \$25 per acre	108-377.
Variance if work has already begun	\$1,230	100-3.
Conditional Use	\$615 + \$25 per acre	108-400.
Modification to zoning conditions	\$615 + \$25 per acre	100-3.
Zoning - Minor modification to zoning conditions	\$150	100-3.
Zoning - Plan revision - major	\$615	100-3.
Zoning - Plan revision - minor (Administrative)	\$100	100-3.
Zoning - Ancillary dwelling variance (Administrative)	\$100	100-3.
Zoning verification letter	\$25	100-3.

## **Procedures**

**A pre-application meeting with the Community Development Director before submission of any application is required. A scheduled appointment is required.** *(No opinions or guidance can be provided over the telephone).* Staff will review the request and discuss all necessary code requirements that affect the request. Staff may also need to consult other city departments before accepting the application. Following submission of a complete application, the request will then be advertised in The Columbia County News-Times and a sign posted at the rezoning site at least 15 days prior to the scheduled public meeting date (see the attached meeting schedule).

***No application will be accepted unless all necessary documentation is complete and a pre-application meeting has been held (There will be no exceptions.)***

The Planning and Zoning Commission, on the 1st Tuesday of each month, shall hear requests. Upon recommendation by the Planning and Zoning Commission, the request will then go before the City Council on the 3rd Monday of the next available month's agenda, subject to the Planning & Zoning office's determination.

## **Notes**

Per the Planning and Zoning Commission and the City Council's request, no more than six (6) items will be placed on a Planning and Zoning Commission or City Council's hearing, unless stated otherwise by the respective board.

Sec. 108-355. – Deadline for withdrawal of petition.

Any petitioner shall have the right to voluntarily withdraw a petition for change of zoning by 12:00 noon on the date preceding the hearing date without commission approval for resubmission. Any petition withdrawn after this time for any reason must have the consent of the commission by proper resolution before resubmission and advertisement.

Sec. 108-354. – Resubmittal of petitions.

Whenever a petition for change of zoning has been denied, no further petition for change of zoning for the same property for the same classification shall be heard for a period of two years from the date of the first hearing.

## **Contacts**

Community Development Director  
320 North Louisville Street / Harlem, GA 30814  
tel. (706) 556-0043 fax. (706) 556-0604

Public Works Director  
P.O. Box 99 / Harlem, GA 30814  
tel. (706) 556-3500 fax. (706)556-3293



## City of Harlem

### Re-Zoning Application Checklist

**PLEASE COMPLETE THIS FORM WHEN ACCEPTING ALL REZONING APPLICATIONS.**

**ATTACH THE CHECKLIST TO THE APPLICATION AND SIGN.**

<input checked="" type="checkbox"/>	REQUIRED ITEMS*	COPIES	PROCEDURE
	Pre-Application Review Form (Meeting Notes)	1	Must be obtained from the Community Development Director prior to submitting your application. <b>(by appointment only)</b>
	Application Form	1	1. Signed and <b>notarized</b> by owner, or 2. Signed and <b>notarized</b> by an applicant having a signed and <b>notarized</b> copy of a "Contract", "Power of Attorney" or "Lease"
	Applicant Disclosure Form	1	Required for all property owners, all applicants, and all agents filed with the application and all forms must be <b>notarized</b> .
	Letter of Ownership	1	Letter from the property owner(s) stating awareness of the zoning request and acknowledging ownership of the property in question.
	Letter of Intent	1	The Applicant must clearly state the proposed use and development intent
	Mandatory Housing Ratio Analysis	1	The Applicant must clearly state the number of apartments or single-family homes being developed for permanent rental purposes so that compliance with Mandatory Housing Ratios can be determined.
	Site Plans (24 x 36) and ( 11 x 17)	1  1	Must show minimum details: Buildings, setbacks, buffers, road frontage, correct scale, north arrow, present zoning classification, topographic information to show elevation and drainage, location and extent of required buffers and proposed lot layout
	Survey Plat (8 ½ x 11) Or (11 x 17)	1	Said survey plat shall: 1) indicate the complete boundaries of the subject property and all buildings and structures existing therein; 2) Include a notation as to whether or not any portion of the subject property is within the boundaries of the 100 year floodplain; and 3) Include a notation as to the total acreage or square footage of the subject property
	Letter from the City of Harlem Public Works Department re: Water and Sewer Availability	1	This letter must accompany the application at the time of submittal.

**\*ALL DOCUMENTS ARE REQUIRED IN ORDER TO ACCEPT APPLICATION.**

Community Development Director:

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

# PROPERTY RE-ZONING PRE-APPLICATION FORM

DATE: \_\_\_\_\_

APPLICANT: \_\_\_\_\_

PROPERTY ADDRESS: \_\_\_\_\_

HISTORIC DISTRICT: Y\_\_\_N\_\_\_ SIZE OF TRACT:\_\_\_\_\_ PARCEL I.D.: \_\_\_\_\_

CURRENT ZONING: \_\_\_\_\_ PROPOSED ZONING: \_\_\_\_\_

COMPREHENSIVE. PLAN PRELIMINARY CHARACTER AREA MAP DESIGNATION:

\_\_\_\_\_

REQUEST/ITEMS DISCUSSED:

\_\_\_\_\_

\_\_\_\_\_

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**ADJACENT PROPERTIES ZONING:**

NORTH: \_\_\_\_\_ SOUTH: \_\_\_\_\_ EAST: \_\_\_\_\_ WEST: \_\_\_\_\_



**City of Harlem**  
**Rezoning Request Application**

Name of Applicant \_\_\_\_\_ Phone: \_\_\_\_\_ Date: \_\_\_\_\_  
Address Applicant: \_\_\_\_\_ Fax \_\_\_\_\_ Cell # \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ E-mail: \_\_\_\_\_  
Name of Agent \_\_\_\_\_ Phone: \_\_\_\_\_ Date: \_\_\_\_\_  
Address Agent: \_\_\_\_\_ Fax \_\_\_\_\_ Pager/Cell # \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ E-mail: \_\_\_\_\_

**THE APPLICANT NAMED ABOVE AFFIRMS THAT THEY ARE THE OWNER, APPLICANT, OR AGENT OF THE OWNER OF THE PROPERTY DESCRIBED BELOW AND REQUESTS**

Request from \_\_\_\_\_ to \_\_\_\_\_  
(Present Zoning) (Requested Zoning)

For the Purpose of \_\_\_\_\_

(Type of Development)

Address of Property: \_\_\_\_\_ Nearest intersection to the property: \_\_\_\_\_  
(Street Address, if Applicable)

Size of Tract: \_\_\_\_\_ acre(s) Historic District: \_\_\_\_\_

Proposed # of lots: \_\_\_\_\_ Gross Density: \_\_\_\_\_ units per acre Net Density: \_\_\_\_\_ units per acre

Property Tax Parcel Number: \_\_\_\_\_ **(Required)**

\_\_\_\_\_  
Witness' Signature

\_\_\_\_\_  
Signature of Owner/Applicant/s

\_\_\_\_\_  
Printed Name of Witness

\_\_\_\_\_  
Printed Name of Owner/Applicant/s

\_\_\_\_\_  
Notary

\_\_\_\_\_  
Signature of Agent

**NOTARY STAMP:**

**Sec. 108-354. - Resubmittal of petitions.**

Whenever a petition for change of zoning has been denied, no further petition for change of zoning for the same property for the same classification shall be heard for a period of one year from the date of the first hearing.

**(For Office Use Only)**

Total Amount Paid \$ \_\_\_\_\_ Cash \_\_\_\_\_ Check # \_\_\_\_\_ Received by: \_\_\_\_\_ *(FEES ARE NON-REFUNDABLE)*

Application checked by: \_\_\_\_\_ Date: \_\_\_\_\_ Map Number(s): \_\_\_\_\_

Pre-application meeting: \_\_\_\_\_ Date: \_\_\_\_\_

Recommendation of Planning and Zoning Commission: \_\_\_\_\_

City Council Decision: \_\_\_\_\_

City Manager's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

# Campaign Disclosure Form

(Must be completed by the applicant, the property owner, and the agent. Use as many forms as needed.)

Has the applicant\* made, within two (2) years immediately preceding the filing of this application for rezoning, campaign contributions aggregating \$250 or more or made gifts having in the aggregate a value of \$250 or more to a member of the City of Harlem City Council or Planning and Zoning Commission Board who will consider the application?

Yes \_\_\_\_\_ No \_\_\_\_\_

If Yes, the applicant and the attorney representing the applicant must file the following information with the Henry County Board of Commissioners within ten (10) days after this application is first filed:

City Council and/or Planning and Zoning Commissioner Member Name	Dollar Amount of Campaign Contribution	Description of Gift \$250 or greater given to Board Member

We certify that the foregoing information is true and correct, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Applicant's Name - Printed

\_\_\_\_\_  
Signature of Applicant/Property Owner/Agent

\_\_\_\_\_  
Applicant's Attorney, if applicable - Printed

\_\_\_\_\_  
Signature of Applicant's Attorney, if applicable

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Notary

\* Applicant means any individual or business entity (corporation, partnership, limited partnership, firm enterprise, franchise, association, or trust) applying for rezoning.





320 North Louisville Street  
Post Office Box 99  
Harlem, Georgia 30814  
(706) 556-3448  
E-mail: cityofharlem@harlemga.org

## **Build to Rent Single Family Homes Development Declaration Package**

This application applies to Single Family Build to Rent developments which are recognized by the City of Harlem as a community of single-family residences offered for rental only in a professionally-managed, high-amenitized community, including single-family detached homes and townhouses.

Pursuant to City of Harlem Ordinances, this Declaration Package has been established in accordance to certain Findings of Facts by the Harlem City Council. This Declaration Package shall be submitted to the City of Harlem Community Development Director. After review, a recommendation shall be submitted to the Harlem City Manager regarding the final execution of the Declaration.

1. This Declaration shall only apply to developments of five (5) or more Single-Family Build to Rent residential structures.
2. Abandonment of any Declaration items shall constitute a violation of Zoning Conditions and shall result in a Modification of Zoning Condition Hearing before the Harlem Planning Commission.
3. This Section is applicable to the R-1A Residential District, the R-1B Residential District, the PUD Planned Unit Development District, the MUD Sustainable Community Mixed Use District, the CP-R Conservation Preservation Residential Zone and the TNY Tiny Home District.
4. The entity owning the Build-to-Rent development or the Horizontal Apartment development shall maintain at all times accurate and up-to-date organizational information with the City of Harlem, including all registrations with the Georgia Secretary of State.
5. The City Manager may direct Emergency Repairs in those situations where the management company has not corrected property maintenance deficiencies that adversely impact public health, safety and welfare.

### *Attachments to the Single-Family Homes Development Declaration (please attach):*

- |               |   |
|---------------|---|
| Attachment A  | Statement regarding the intent to operate a Build-to-Rent or Horizontal Apartment development.                          |
| Attachment B: | The number of units of the development that will be permanently managed by the management company.                      |
| Attachment C: | List of public infrastructure will be privately maintained.   |
| Attachment D: | Name of the local Registered Agent individual or company to which legal actions would be directed.                      |
| Attachment E: | Description of the property management process to be used, including the management company and local property manager. |

- Attachment F: Declaration that the development shall or shall not consist of individual residential lots each with its own water meter and sewer tap.
- Attachment G: List of Access procedures for emergency situations and emergency response personnel.
- Attachment H: Description of the management entity to perform the actions and responsibilities of a Home Owners Association (HOA) / Property Owners Association (POA) and a list of those actions.
- Attachment I: Description of Covenants to be enforced by the management entity.
- Attachment J: Description of nuisances to be referred to the Harlem Code Official.
- Attachment K: Certification of compliance with the Georgia Rental Law.
- Attachment L: The process to be used for tenant evictions.
- Attachment M: Description of the process by which accessory buildings, structures, and uses shall be constructed in the development.
- Attachment N: Description of the process by which Home Occupations can secure an Occupational Tax Certificate.

Submission Package to: David Jenkins, Community Development Director  
 \_\_\_\_\_  
 320 N Louisville Street / P.O. Box 99  
 Decision Harlem, GA 30814

\_\_\_\_\_  
 Signature of Applicant Date

\_\_\_\_\_  
 Printed Name of Applicant

NOTARY

Development of the Build-to-Rent Community or Horizontal Apartment Community shall not proceed until the Declaration is signed in agreement by the development entity and the City Manager and the document recorded with the Columbia County Clerk of Superior Court.

\_\_\_\_\_  
 Signature, Harlem City Manager

\_\_\_\_\_  
 Signature, Title

\_\_\_\_\_  
 Date

\_\_\_\_\_  
 Date

City of Harlem  
 320 N Louisville Street  
 Harlem, GA 30814

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

# **HARLEM MANDATORY HOUSING RATIOS**

## **Applicable to Harlem Developments**

1357 Total Housing Units on June 15, 2021

Source: 2015-2019 American Community Survey 5-Year Estimates

95 Units at Amesbury Station

25 Units at Independent Living Horizons (Parcel 043 022U)

25 Units at Harlem Oaks (Parcel 032 123)

24 Units at Peachtree Village (Parcel 032 111)

18 Units at 185 W Forrest Street - Parcel H01 077A

7 Units at 255 W Forrest Street - Parcel H03 108

4 Units at 185 W Forrest Street - Parcel H01 077B

These housing units are hereby certified as being multifamily-attached or Single-Family Build to Rent housing units as described in Sec. 108-4. – Mandatory housing ratios and as such are included in development calculations as required by Sec. 108-4. – Mandatory housing ratios.

A copy of the Sec. 108-4. – Mandatory housing ratios ordinance, the 2015-2019 American Community Survey 5-Year Estimates source document, and parcel information is attached to this document as supporting references.

Certified September 7, 2021 by vote of the Harlem Planning Commission.

# Confirmation of Water/Sewer Public Effects



Thank you for your interest in the City of Harlem, Georgia. The City of Harlem has water and sewer service provided by the Columbia County Water Utility Department. This relationship has proven very beneficial to the balance of private property rights and environmental protection.

This packet includes the information necessary for the City of Harlem Planning Commission to evaluate Item (9) of Sec. 108-353. Relevant factors in rezoning evaluations. This factor reads:

(9) *Public effects.* The population density pattern and possible increase or overtaxing of the load on public facilities including, but not limited to, schools, utilities, and streets.

Columbia County Water Utility will verify that water and sewer service is, or will be, available to serve a particular development. The requested information in this package is used for determining the existing water/sewerage system capacity, planning for future water and sewerage system needs, and protection of the City of Harlem and Columbia County water resources.

**PLEASE NOTE: ALL FEES ARE NON-REFUNDABLE. THERE ARE NO EXCEPTIONS. SHOULD YOU NEED FURTHER ASSISTANCE, PLEASE CONTACT OUR OFFICE BETWEEN 8:00 AM AND 5:00 PM, MONDAY THROUGH FRIDAY AT (706) 556-0043.**

PLEASE COMPLETE THIS FORM WHEN REQUESTING WATER/SEWER AVAILABILITY LETTERS. ATTACH THE CHECKLIST TO THE APPLICATION AND SIGN. ALL DOCUMENTS ARE REQUIRED IN ORDER TO CONSIDER AVAILABILITY; INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

<input checked="" type="checkbox"/>	REQUIRED ITEMS*	COPIES	PROCEDURE
	Application Form (Originals only. No photocopies accepted.)	1	Signed by owner and <b>notarized.</b> <b>OR</b> Signed by applicant or owner's agent and <b>notarized.</b>
	Letter of Intent	1	The letter must clearly state the proposed use, development intent, and estimated time period for construction.



# Certification of Columbia County Water Utility

Columbia County Water Utility Department is in receipt of a City of Harlem Application for Water/Sewer Availability application from \_\_\_\_\_ (applicant/agent) of \_\_\_\_\_ (company) dated \_\_\_\_\_.

From the information provided in this application:

- \_\_\_\_\_ The Application for Water/Sewer Availability is granted in full.
- \_\_\_\_\_ The Application for Water/Sewer Availability is denied in full.
- \_\_\_\_\_ The Application for Water/Sewer Availability is deferred until \_\_\_\_\_.

NOTES: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_ The Application for Water/Sewer Availability is granted with the following conditions and schedule:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
**Stacey W. Gordon, P.E.**  
**Director of Water Utility Services**  
**Board of Commissioners of Columbia County**

\_\_\_\_\_  
**Date**

Columbia County Water Utility may require additional information different from the above depending upon the type of development and/or system requirements. This application is valid only for the real property referenced on this application. This application is not transferable or assignable to any party. The City of Harlem reserves the right to discontinue processing applications at any time without prior notice for any reason, including limited, diminished, or lack of supply and/or demand considerations. If no development activity commences within 365 days from issuance of a letter, the letter shall be invalid, and the Owner/Applicant/Agent will be required to repeat the application process. If the Owner/Applicant/Agent is unable to commence development within 365 days, a written request for a six-month extension will be considered.



320 North Louisville Street  
Post Office Box 99  
Harlem, Georgia 30814  
(706) 556-3448  
E-mail: cityofharlem@harlemga.org

**City of Harlem**  
**Rezoning Request Application Supplement**

**Request for Additional Time for the presentation of data, evidence, and opinions**

In accordance with Georgia state law (O.C.G.A. 36-66-5 (a), the minimum time period for the presentation of data, evidence, and opinions for a rezoning applicant is ten minutes. This period of time is also available to opponents of this rezoning request. The City of Harlem Planning Commission observes this ten-minute state time limit in accordance with Georgia law.

However, the Planning Commission recognizes that there may be times, especially with very complex or technical aspects of an application, where additional time may prove beneficial to explaining an application request. For instance, an expert witness may be part of the applicant team.

Should additional time be desired for a presentation, please complete the application request below. **NOTE: per Planning Commission policy, this request will be voted upon prior to the public hearing for your application beginning.**

REMEMBER, ANY GRANTED EXTENSION WILL RESULT IN AN EQUAL AMOUNT OF TIME WILL BE MADE AVAILABLE TO OPPONENTS.

Length of Time Requested for the Application Presentation: \_\_\_\_\_ Minutes

Name of Applicant: \_\_\_\_\_ Name of Agent \_\_\_\_\_

We certify that the foregoing information is true and correct, this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Applicant's Name - Printed

\_\_\_\_\_  
Signature of Applicant/Property Owner/Agent

\_\_\_\_\_  
Applicant's Attorney, if applicable - Printed

\_\_\_\_\_  
Signature of Applicant's Attorney, if applicable

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\* Applicant means any individual or business entity (corporation, partnership, limited partnership, firm enterprise, franchise, association, or trust) applying for rezoning.

\_\_\_\_\_  
Notary

# City of Harlem Planning &

## Zoning Commission

### 2023-2024 Administrative Calendar



<u>Submittal Deadline Date</u>	<u>Agenda Posting – City Hall, Public Safety &amp; Website</u>	<u>Meeting Date</u>
December 23 <sup>rd</sup>	January 24 <sup>th</sup>	February 7 <sup>th</sup>
January 20 <sup>th</sup>	February 21 <sup>st</sup>	March 7 <sup>th</sup>
February 24 <sup>th</sup>	March 28 <sup>th</sup>	April 11 <sup>th</sup>
March 17 <sup>th</sup>	April 18 <sup>th</sup>	May 2 <sup>nd</sup>
April 21 <sup>st</sup>	May 23 <sup>rd</sup>	June 6 <sup>th</sup>
May 26 <sup>th</sup>	June 27 <sup>th</sup>	July 11 <sup>th</sup>
June 23 <sup>rd</sup>	July 25 <sup>th</sup>	August 8 <sup>th</sup>
July 21 <sup>st</sup>	August 22 <sup>nd</sup>	September 5 <sup>th</sup>
August 18 <sup>th</sup>	September 19 <sup>th</sup>	October 3 <sup>rd</sup>
September 22 <sup>nd</sup>	October 24 <sup>th</sup>	November 7 <sup>th</sup>
October 20 <sup>th</sup>	November 21 <sup>st</sup>	December 5 <sup>th</sup>
November 17 <sup>th</sup>	December 19 <sup>th</sup>	January 2 <sup>nd</sup>
December 22 <sup>nd</sup>	January 23 <sup>rd</sup>	February 6 <sup>th</sup>