



# **CONDITIONAL USE APPLICATION**

**Thank you for your interest in the City of Harlem, Georgia. This packet includes the necessary documents needed for **CONDITIONAL USE** applications to be heard by the Harlem Planning Commission with their recommendation being sent to the Harlem City Council for approval.**

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

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

**The authority to grant a Conditional Use permit is authorized through Sec. 108-400 of the Harlem Code of Ordinances.**

## **Criteria Used for the Approval of the Application**

- (1) Whether the proposed conditional use is a listed conditional use in the appropriate article of this chapter for the zoning district in which the property is located.
- (2) Whether the development standards of the zoning district in which the property is located are being complied with.
- (3) Whether the proposed use will create an undue burden on public facilities and services such as streets, utilities, schools and refuse disposal.
- (4) Whether the proposed use will be detrimental to existing and future neighboring uses, and will involve a use, structure or condition of operation that constitutes a nuisance or hazard to any persons or property.

## **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 given over the phone).* 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. The request will then be advertised in The Columbia County News-Times and a sign posted at the project site at least 15 days prior to the scheduled public hearing date (see the attached schedule) to be conducted by the Harlem Planning Commission.

**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 Harlem Planning Commission, on the 1st Tuesday of each month, shall hear requests. The Harlem Planning Commission will vote on a recommendation at that meeting. The recommendation would be voted on by the Harlem City Council, typically on the 4<sup>th</sup> Monday of the same month.

**Violation of findings of fact.** Whenever a previously approved conditional use is in violation of any of the findings of fact or other imposed conditions, pursuant to Sec. 108-402 (Criteria Used for the Approval of the Application), a notice of Conditional Use Violation will be given to the Applicant. The notice shall include reasons by which the community development director finds the conditional use to be in violation, and a statement that the owner shall have 30 days to comply with the granted conditional use permit.

**Permit revocation.** Upon failure of the owner to comply with the notice of Violation of findings of fact, the community development director shall notify the planning commission that the conditional use is in violation and itemize the reasons for revocation of the conditional use permit. The planning commission shall continue or revoke the conditional use permit at its first regular meeting after the notice is received. This shall be at a public hearing to which the applicant has been notified and attendance requested.

## **Fees**

**\$615 Base Fee plus \$25.00 per acre** to cover advertising, review, publishing and reporting the proceedings of the planning commission

## **Notes**

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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 one year from the date of the first hearing.

## **Contacts**

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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 Planning & Zoning Commission 2022 Administrative Calendar

<u>Submittal Date</u>	<u>Signs Placement</u>	<u>Legal Ads Publication</u>	<u>Agenda Posting – City Hall, Public Safety &amp; Website</u>	<u>Distribution of Packages: Commissioners &amp; Web Site</u>	<u>Planning Commission Meeting Date</u>
December 31, 2021	January 11 <sup>th</sup>	January 12 <sup>th</sup>	January 18 <sup>th</sup>	January 25 <sup>th</sup>	February 1 <sup>st</sup>
January 28 <sup>th</sup>	February 8 <sup>th</sup>	February 9 <sup>th</sup>	February 15 <sup>th</sup>	February 22 <sup>nd</sup>	March 1 <sup>st</sup>
March 11 <sup>th</sup>	March 22 <sup>nd</sup>	March 23 <sup>rd</sup>	March 29 <sup>th</sup>	April 5 <sup>th</sup>	April 12 <sup>th</sup>
April 1 <sup>st</sup>	April 12 <sup>th</sup>	April 13 <sup>th</sup>	April 19 <sup>th</sup>	April 26 <sup>th</sup>	May 3 <sup>rd</sup>
May 6 <sup>th</sup>	May 17 <sup>th</sup>	May 18 <sup>th</sup>	May 24 <sup>th</sup>	May 31 <sup>st</sup>	June 7 <sup>th</sup>
June 3 <sup>rd</sup>	June 14 <sup>th</sup>	June 15 <sup>th</sup>	June 21 <sup>st</sup>	June 28 <sup>th</sup>	July 5 <sup>th</sup>
July 1 <sup>st</sup>	July 12 <sup>th</sup>	July 13 <sup>th</sup>	July 19 <sup>th</sup>	July 26 <sup>th</sup>	August 2 <sup>nd</sup>
August 5 <sup>th</sup>	August 16 <sup>th</sup>	August 17 <sup>th</sup>	August 23 <sup>rd</sup>	August 30 <sup>th</sup>	September 6 <sup>th</sup>
September 2 <sup>nd</sup>	September 13 <sup>th</sup>	September 14 <sup>th</sup>	September 20 <sup>th</sup>	September 27 <sup>th</sup>	October 4 <sup>th</sup>
September 30 <sup>th</sup>	October 11 <sup>th</sup>	October 12 <sup>th</sup>	October 18 <sup>th</sup>	October 25 <sup>th</sup>	November 1 <sup>st</sup>
November 4 <sup>th</sup>	November 15 <sup>th</sup>	November 16 <sup>th</sup>	November 22 <sup>nd</sup>	November 29 <sup>th</sup>	December 6 <sup>th</sup>
December 2 <sup>nd</sup>	December 13 <sup>th</sup>	December 14 <sup>th</sup>	December 20 <sup>th</sup>	December 27 <sup>th</sup>	January 3 <sup>rd</sup>



## City of Harlem

### Conditional Use Application Checklist

**PLEASE COMPLETE THIS FORM WHEN ACCEPTING ALL  
CONDITIONAL USE 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, applicants, and agents filed with an application and must be <b>notarized</b> .
	Letter of Ownership	1	Letter from the property owner(s) stating awareness of the Conditional Use Permit request and acknowledging ownership of the property in question.
	Letter of Intent	1	The Applicant must clearly state the use that is requested and the need for a Conditional Use Permit.
	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 the total acreage or square footage of the subject property.  Existing available plats for small residential projects may be utilized with permission of the Community Development Director.
	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: \_\_\_\_\_



## City of Harlem Conditional Use Application Special Attachments

- Attachment A:** An accurate legal description of the property, which is typically the property deed.
- Attachment B:**
1. The existing use of the property.
  2. The proposed conditional use of the property.
  3. The zoning district in which the property is located.
- Attachment C:** A statement of the relationship and general compatibility of the proposed use to adjacent land use in terms of traffic, parking and noise and other nuisances.
- Attachment D:** A list of all owners of property, including their mailing addresses, which are contiguous to or directly across the street from the property.
- Attachment E:** Three copies of a plot plan showing:
1. Boundaries and dimensions of the property and the size and location of all proposed or existing structures.
  2. Traffic access, traffic circulation, existing and proposed utility easements, parking, location of trees and shrubs, signs, refuse and service areas.
  3. Any additional information required by the Community Development Director to establish the advisability of granting the conditional use permit.



# CONDITIONAL USE PERMIT PRE-APPLICATION FORM

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

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

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

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

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

COMP. PLAN PRELIMINARY CHARACTER AREA MAP DESIGNATION: \_\_\_\_\_

REQUEST/ITEMS DISCUSSED:

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**ADJACENT PROPERTIES ZONING:**

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

**PREVIOUS LAND DEVELOPMENT REQUESTS IN THE AREA, INCLUDING SURROUNDING PROPERTIES AND SUBDIVISIONS:**

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NOTE: IF THE OWNER IS NOT THE APPLICANT, A NOTARIZED CONTRACT, POWR OF ATTORNEY, OR LEASE MUST BE SUBMITTED AT THE PROPERTY CONDITIONAL USE PRE-APPLICATION MEETING.

**ATTENDANTS:**

_____	Date _____	Signature (Owner)
_____	Date _____	Signature (Applicant)
_____	Date _____	Signature (Agent)
_____	Date _____	Signature (City of Harlem staff)

PLEASE NOTE:

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





**City of Harlem  
Conditional Use Application**

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

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

Description of existing use of property: \_\_\_\_\_  
\_\_\_\_\_

Proposed use of the property: \_\_\_\_\_  
\_\_\_\_\_

Address of Property: \_\_\_\_\_ Nearest intersection to the property: \_\_\_\_\_  
(Street Address)  
Size of Tract: \_\_\_\_\_ acre(s) Historic District: \_\_\_\_\_ Current Zoning: \_\_\_\_\_

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

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

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

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

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

\_\_\_\_\_  
Notary

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

**NOTARY STAMP:**

**(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: \_\_\_\_\_

Decision of Harlem Planning Commission: \_\_\_ Approved \_\_\_ Denied Written Notice Date: \_\_\_\_\_  
Appeal Hearing of Harlem City Council: \_\_\_\_\_

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



# Applicant 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.

# 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. 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.



**City of Harlem**  
**Conditional Use Application Decision Notification**

Application Number:

Applicant:

Date:

Decision of the Harlem City Council: APPROVED      DENIED

Findings of Facts:

Conditions Imposed by Harlem Ordinance 108 – 403 (e):

1. A conditional use permit shall authorize only one particular conditional use and such permit shall automatically expire if, for any reason, the conditional use shall not begin within two years after the permit is issued or shall cease for more than six months after the permit is issued.
2. A conditional use permit shall be personal to the applicant and shall not run with the land, and shall expire upon a transfer of ownership.

Final Conditions as Adopted by the Harlem City Council:

Effective Date of the Conditional Use Permit:

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Debra Moore  
Harlem City Manager

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Date