



Bulloch County Planning and Zoning Application Guidelines

Where do I file for a Rezone, Conditional Use, Variance or Appeal?

Zoning Department
37 North Walnut Street
Statesboro, GA 30459
(912) 489-1356

What information is required to file for a Rezone, Conditional Use, Variance, or Appeal?

1. A completed Application Form.
 - a. Signed by the property owner.
 - b. Signed by the agent (if applicable).
 - c. Notarized.
 - d. Map and Parcel # (found on tax notice).
2. Recorded copy of the warranty deed.
3. Recorded copy of the plat (scaled drawing showing all improvements).
4. Filing fee (see County Fee Schedule).

What are the public notification procedures?

1. Upon receipt of the application and filing fee, Zoning Department staff will place a sign on the property no less than 15 days prior to the public hearing.
2. Zoning staff will place a legal ad in the newspaper advertising the request at least 15 days prior to the public hearing.
3. Zoning staff will notify applicant (and adjacent property owners as required in the Zoning Ordinance) concerning the request. The notification will include the dates the request will be heard at the public hearing(s).

What happens at the public hearing?*

1. Zoning staff present a brief report that will: explain the request, describe adjacent land uses, and give the zoning classification of the requested property and surrounding property.
2. The applicant and others who sign up in support of the request are permitted time to present their comments.
3. Citizens who sign up in opposition to the request are permitted time to present their comments.
4. Planning and Zoning or Board of Commissioners may ask for additional information before voting on the request.

* **Either the applicant or the agent must be present at the Planning and Zoning meeting and the Board of Commissioner meeting to present the request and answer questions.**

Will I be notified of the decision?

Zoning Department staff will notify the applicant concerning the decision.

What is an appeal?

1. Process by which an individual can contest a Zoning Administrator or Building Official decision.
2. Appeals are heard by the Planning and Zoning Commission.
3. All construction activity must stop during an appeal, unless the Building Official determines that stopping construction or other activity authorized by the appealed action will cause imminent peril to life or property. In such cases, the construction or other activity authorized by the appealed action is allowed to continue unless the construction is halted by the Planning and Zoning Commission or a restraining order is granted by a court of competent jurisdiction.
4. Planning and Zoning Commission decision may be appealed to the Board of Commissioners.

Standards Used by the Planning and Zoning Commission and the Board of Commissioners to Make Decisions

Rezoning

A Rezoning is a change in the classification of a piece of property.

1. The existing uses and zoning of nearby property.
2. The suitability of the property for the proposed use or the availability of other land suitable for the proposed area.
3. The length of time the property has been vacant as zoned.
4. The balance between the hardship on the property owner and the benefit to the public in not rezoning.
5. The effect the proposed rezoning would have on the population density pattern, public services, and facilities.
6. The extent to which the zoning decision is consistent with the Comprehensive Land Use Plan of Bulloch County.
7. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.
8. Whether there are substantial reasons why the property cannot be used in accordance with existing zoning.
9. Whether the change suggested is out of scale with the needs of the neighborhood or the county.
10. Any other factors relevant to balancing the interests in promoting public health, safety, morality, or general welfare against the right to unrestricted use of property.
11. Have an adverse effect on the insurance rating of the County, or any substantial portion of the County, issued by the Insurance Service Office or similar rating agency.
12. Overtax any streets, presently existing to serve the site, or other public facilities and utilities.
13. Have a substantially adverse impact on the environment, including but not limited to, drainage, soil erosion, and sedimentation, flooding, air quality, light and water quality and quantity.

Conditional Use

A Conditional Use is a type of use permitted in the zoning district but must be examined individually to ensure no harmful or undesirable effects on surrounding or nearby properties.

1. Use must not be detrimental to the use or development of adjacent properties, or to the general neighborhood.
2. Use must not adversely affect the health or safety of residents or workers.
3. Use must not be such that any possible depreciating effects and damages to the neighboring properties are greater than the benefits or needs for the Conditional Use.
4. Use must not adversely affect existing uses, and it must be proposed to be placed on a lot of sufficient size to satisfy the space requirements of the use.
5. It must meet all other requirements of the Zoning Ordinance.

Variance

A Variance is a permit issued by the Planning and Zoning Commission allowing the use of a parcel of land in a way that varies from the requirements for the district in which the property is located. Variances are granted because a hardship would result if the ordinance were applied stringently to the property. A hardship cannot be self-created, such as:

1. A lot purchased with the knowledge of an existing restriction.
2. A claim of hardship in terms of prospective sales.
3. An expressed economic need requiring a variance, when such a need can be met in other ways which would not require a variance.