



LUMPKIN COUNTY
Planning Department
 342 Courthouse Hill, Suite A Dahlonega, Ga 30533
 Phone (706) 864-6894 Fax (706) 867-7272

PROPERTY OWNER CONSENT AGREEMENT

Circulation Date: _____

Applicant: _____ Phone #: _____

Principal Activity Description: _____

Principal Activity Location: _____

The Lumpkin County Performance Zoning Ordinance allows the above described Principal Activity to be permitted by the Lumpkin County Planning Director if it meets the Performance Standards as outlined in that Ordinance. These standards are intended to provide the "Protected Property Owner" described below with various forms of compatibility buffering from this activity.

PROTECTED PROPERTY OWNER(S) INFORMATION

Owner(s) of Record: _____

Property Location: _____

_____ Email: _____

Mailing Address (if different from property location): _____

As a Protected Property Owner, you may consent to lesser Performance Standards in whole, or in part, by completing and signing this form. When multiple property owners are involved, all must agree to the same Standards or the form will become null and void.

Acreage: The Lumpkin County Performance Zoning Ordinance provides that the acreage requirement is ___ acres.

_____(**Planning Staff only**) The proposed Principal Activity meets the acreage requirement of the Performance Zoning Ordinance. No other selection is necessary for this **ACREAGE** section.

If the above selection has not been initialed by the Planning Staff, select one of the following choices. All property owners must agree to and initial the same selection.

_____As the Protected Property Owner(s), I/we prefer that the acreage requirement outlined in the Performance Zoning Ordinance remain in effect.

_____As the Protected Property Owner(s), I/we do hereby consent to relief from **all** acreage requirements listed in the Performance Zoning Ordinance for the above-described Principal Activity.

_____As the Protected Property Owner(s), I/we do hereby consent to reduce the acreage requirements listed in the Performance Zoning Ordinance for the above-described Principal Activity to the acreage as shown on the submitted site plan.

BUFFER: The Lumpkin County Performance Zoning Ordinance provides that the buffer distance restriction from the protected property lines is_ feet. No Principal or Accessory Activity is permitted in this area with the exception of certain utilities, stormwater structures, etc.

_____(**Planning Staff only**) The proposed Principal Activity meets the buffer distance requirement of the Performance Zoning Ordinance. No other selection is necessary for this **BUFFER** section.

If the above selection has not been initialed by the Planning Staff, select one of the following choices. All property owners must agree to and initial the same selection.

_____As the Protected Property Owner(s), I/we prefer that the distance restriction for buffer outlined in the Performance Zoning Ordinance remain in effect.

_____As the Protected Property Owner(s), I/we do hereby consent to relief from **all** buffer distance restrictions listed in the Performance Zoning Ordinance for the above described Principal Activity.

_____As the Protected Property Owner(s), I/we do hereby consent to reduce the buffer distance restriction listed in the Performance Zoning Ordinance for the above described Principal Activity to_ feet as shown on the submitted site plan

SETBACK: The Lumpkin County Performance Zoning Ordinance provides that the setback distance restriction for buildings, structures, or other activities from the protected property lines is_____feet.

_____(**Planning Staff only**) The proposed buildings, structures, or other activities meet the setback distance requirement of the Performance Zoning Ordinance. No other selection is necessary for this **SETBACK** section.

If the above selection has not been initialed by the Zoning Staff, select one of the following choices. All property owners must agree to and initial the same selection.

_____As the Protected Property Owner(s), I/we prefer that the distance restriction for setback outlined in the Performance Zoning Ordinance remain in effect.

_____As the Protected Property Owner(s), I/we do hereby consent to relief from **all** setback distance restrictions listed in the Performance Zoning Ordinance for the above described Principal Activity.

_____As the Protected Property Owner(s), I/we do hereby consent to reduce the setback distance restriction listed in the Performance Zoning Ordinance for the above described Principal Activity to feet as shown on the submitted site plan.

SCREENING: The Lumpkin County Performance Zoning Ordinance provides that total screening is required for a Principal or Accessory Activity with _____ feet of the protected property lines. Additionally, partial screening is required for a Principal or Accessory Activity with _____ feet of the protected property lines.

_____ (Planning Staff only) The proposed activity/structure meets the screening restriction requirements of the Performance Zoning Ordinance. No other selection is necessary for this **SCREENING** section.

If the above selection has not been initialed by the Planning Staff, select one of the following choices. All property owners must agree to and initial the same selection.

_____ As the Protected Property Owner(s), I/we prefer that the screening restrictions as outlined in the Performance Zoning Ordinance remain in effect.

_____ As the Protected Property Owner(s), I/we do hereby consent to relief from **all** screening restrictions listed in the Performance Zoning Ordinance for the above described Principal Activity.

_____ As the Protected Property Owner(s), I/we do hereby consent to reduce the maximum screening restrictions listed in the Performance Zoning Ordinance for the above described Principal Activity to _____ feet for total screening and _____ feet for partial screening as required for the Activity shown on the submitted site plan.

LIGHT: The Lumpkin County Performance Zoning Ordinance provides for limitations on the illumination levels at property lines.

_____ (Planning Staff Only) The proposed Principal Activity meets the maximum limits on illumination of the Performance Zoning Ordinance. No other selection is necessary for this **LIGHT** section.

If the above selection has not been initialed by the Planning Staff, select one of the following choices. All property owners must agree to and initial the same selection.

_____ As the Protected Property Owner(s), I/we prefer that the light limits as outlined in the Performance Zoning Ordinance remain in effect.

_____ As the Protected Property Owner(s), I/we do hereby consent to relief from **all** light limits in the Performance Zoning Ordinance for the above described Principal Activity.

_____ As the Protected Property Owner(s), I/we do hereby consent to increase the maximum permitted illumination levels allowed by the Performance Zoning Ordinance for the above described Principal Activity by _____ foot candle(s).

Special Notes

1. The Compatibility Performance Standards contained in the Lumpkin County Performance Zoning Ordinance are considered maximum restrictions. A reduction to the maximum standards as outlined on this form shall become valid only when the consent of the Protected Property Owner(s) is verified by the Lumpkin County Planning Department and when this form is attached to a valid Land Use Permit.
2. A reduction in the Performance Standards as outlined on this form shall become valid only if an appropriate Land Use Permit is issued within 90 calendar days of the circulation date listed at the beginning of this form.
3. The lesser restrictions outlined on this form and consented to by the Protected Property Owner(s) shall remain in effect for as long as the Principal Activity remains the same. Any change in the Principal Activity shall render the lesser restrictions invalid.
4. If the Protected Property Owner(s) does not consent to the Performance Standard desired by the applicant requesting a Land Use Permit, the applicant may apply to the Planning Commission for a variance request.
5. This form does not grant permission to violate any recorded deed restrictions or covenants. If the tract or parcel of land has any recorded deed restrictions or covenants that are more restrictive than the County's standards, the deed restriction or covenant shall control. It is the applicant's responsibility to identify any and all recorded deed restrictions and covenants which are contrary to, conflicts with, or prohibits the proposed activity and/or the proposed standards.
6. Consent for reduction of Performance Standards does not authorize the applicant to encroach upon any existing easements on the property. It is the applicant's responsibility to identify any and all easements and to ensure that construction does not encroach upon existing easements.

By signing this form, as the Owner(s) of Record for the Protected Property described above, I do hereby declare that I have read this form in its entirety and I agree to reduce the maximum Performance Standards as stated in the Lumpkin County Performance Zoning Ordinance relative to the above described Principal Activity.

Property Owner's Signature(s)	Printed Name(s)	Date(s)	Phone(s)
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____



For Planning Department Use Only

I certify that the property owner(s) have been contacted either by phone or in person in order to verify that they understand the Performance Standards consent granted herein.

Property owner(s) contacted: _____

Verification Date: _____ Planning Staff Signature: _____

Land Use Permit Date: _____ Land Use Permit #: _____

Planning Staff issuing Permit: _____

A Reminder: *"A Consent Agreement shall not be allowed to apply to any Conditional Use activity in Article IV, any Special Land Use Approval in Article VI, or Dark Sky Friendly Lighting standards in Sec. 27-2.2.14. A consent agreement shall be allowed to remove a restriction that makes an activity a legal nonconformity as described in Article IX if it is not a Conditional Use or Special Land Use."*

