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Application # \_\_\_\_\_

## Application for Variance

Contact Community Development (478) 988-2720

\*Indicates Required Field

	*Applicant	*Property Owner
*Name		
*Title		
*Address		
*Phone		
*Email		

### Property Information

*Street Address		
*Tax Map #(s)		*Zoning Designation

### Request

*Please describe the proposed variance: (i.e. Reduce the rear setback from 25 feet to 22 feet)

### Instructions

- The application must be received by the Community Development Office no later than the date reflected on the attached schedule.
- Fee:**
  - Owner-occupied single family residential – \$160.00
  - All others - \$320.00
  - All others (post construction) - \$630.00
- \*The applicant/owner must respond to the 'standards' on page 2 of this application (The applicant bears the burden of proof to demonstrate that the application complies with these standards). See Sections 2-2 and 2-3.7 of the Land Management Ordinance for more information. You may include additional pages when addressing the standards.
- \*Submit plans, drawings, photographs or other documentation which helps fully describe your request.
- The staff will review the application to verify that all required information has been submitted. The staff will contact the applicant with a list of any deficiencies which must be corrected prior to placing the application on the planning commission agenda.
- Variance applications require a public hearing before the planning commission. Public notice sign(s) will be posted on the property at least 15 days prior to the scheduled hearing date.
- \*The applicant must be present at the hearing to present the application and answer questions that may arise.
- The applicant and property owner affirm that all information submitted with this application, including any/all supplemental information, is true and correct to the best of their knowledge and they have provided full disclosure of the relevant facts.

*Applicant	*Date
*Property Owner/Authorized Agent	*Date

### **Standards for Granting a Variance**

***The applicant bears the burden of proof to demonstrate that an application complies with these standards.***

Are there covenants and restrictions pertaining to the property which would preclude the proposed variance?

- (1) By reason of exceptional narrowness, shallowness, shape, topographical conditions, or other extraordinary situations or conditions peculiar to a specific parcel of property, the strict application of these regulations would result in peculiar or unusual, practical, difficulties to or exceptional or undue hardship upon the owner of such property;
- (2) Such variance is the minimum reasonably necessary to overcome the aforesaid exceptional conditions;
- (3) Such variance can be granted without substantial impairment to the intent, purpose, and integrity of this chapter and/or the comprehensive plan or other master plan adopted for the property;
- (4) Such variance will not be detrimental to the use and enjoyment of adjoining or neighboring properties.

#### **Notes:**

A variance cannot be granted:

- To reduce a setback of a commercial/industrial property abutting a residentially zoned property, unless the abutting residentially-zoned property is proposed for commercial or industrial use in the Comprehensive Plan;
- To allow a use not permitted or prohibited in a zoning district;
- To allow a density of development beyond the maximum allowed in a zoning district.

If the hardship invoking the standards for granting a variance was the result of the applicant's intentional disregard or willful failure to comply with the terms of the Land Management Ordinance, the Planning Commission may refuse to grant a variance.

Revised 7/1/24