

VARIANCE APPLICATION

Unless otherwise provided in the Zoning Ordinance, the board of planning and zoning appeals shall have authority to grant variances from the dimensional requirements of the Zoning Ordinance, in accordance with the standards and procedures as set forth in Section 25B-55-9.

The following items are necessary in order to process variance applications consistent with Section 25B-55-9 of our Code:

- 1.) One (1) copy of this application, completed in full.
- 2.) Completed *Property Owner's Authorization Form*, if the applicant is someone other than the property owner.
- 3.) Full payment of the \$300.00 (non-refundable) application fee.
- 4.) Two (2) copies of a site plan, drawn to scale, and a reduced copy printed on paper no larger than 11"x17". The site plan shall show the following:
 - a. Property owner and address;
 - b. Street address of the subject property;
 - c. Total property acreage, Tax Map and Lot Number;
 - d. Date prepared, vicinity map, north arrow, and map scale;
 - e. Location of all property lines on neighboring properties and streets or alleys located 50 feet
 - f. Boundaries of all current zoning districts on the subject properties and all neighboring properties shown on the map. Each zoning district must be labeled;
 - g. Special markings (shading, cross hatching, or heavy outline) to identify the property for which variance is requested;
 - h. The location of all existing structures or buildings and all proposed structures or buildings on the subject property.

Consistent with Section 25B-55-9(4) the application shall also contain the following information and documentation:

- (a) Name, address, telephone number, and email address of owner(s) and applicant, if not owner.
- (b) Legal description, street address, lot number and subdivision name, if any, of the property that is the subject of the application.
- (c) The size of the subject property.
- (d) The purpose for the requested variance, and a statement of the intended development of the property if the variance is granted.
- (e) The specific provision of the Zoning Ordinance from which a variance is requested.
- (f) A statement concerning each of the Standards for granting variances in subsection (8) of this section which can be referenced below.
- (g) A statement explaining how the proposed variance is consistent with the general spirit and intent of the Zoning Ordinance and the Comprehensive Plan.

Once a complete application, application fee and all other pertinent information has been received, staff will review the request and prepare a report for consideration by the Board of Planning and Zoning Appeals. The Board meets at noon on the 2nd Monday of the month on the 3rd floor of City Hall, 200 Ridley Avenue. The deadline to submit an application is by 5 pm the Thursday 25 days prior to the meeting date. For a schedule of important dates and deadlines email Mark Kostial at mkostial@lagrangega.org. Depending on the nature of the request, some variance application may require Mayor and Council review and approval following the Board's review and recommendation. A public hearing is required before either the Board or Mayor and Council can vote to approve or deny a variance request. Notice of the public hearing will be provided in the newspaper and on a sign posted on the subject property.

The board of planning and zoning appeals shall not grant a variance unless it has, in each case, made specific findings of fact based directly upon the particular evidence presented supporting written conclusions that the variance meets each of the following criteria:

- (i) Arises from a condition that is unique and peculiar to the land, structures and buildings involved.
- (ii) Is necessary because the particular physical surroundings, the size, shape or topographical condition of the specific property involved would result in unnecessary hardship for the applicant; as distinguished from a mere inconvenience, if the provisions of the Zoning Ordinance are literally enforced.
- (iii) The condition requiring the requested relief is not ordinarily found in properties with the same zoning district designation as the subject property.
- (iv) The condition is created by the regulations of the Zoning Ordinance and not by an action or actions of the property owner or the applicant.
- (v) The granting of the variance will not impair or injure other property or improvements in the neighborhood in which the subject property is located, nor impair an adequate supply of light or air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, create a hazard to air navigation, endanger the public safety or substantially diminish or impair property values within the neighborhood.
- (vi) The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structures.
- (vii) The variance desired will not be opposed to the general spirit and intent of the Zoning Ordinance or the purpose and intent of the Comprehensive Plan.

Consistent with Section 25B-55-9(8)(b) no variance shall be authorized to:

- (i) Allow a structure or use not authorized in the applicable zoning district or a density of development that is not authorized within such district.
- (ii) Conflict with or change any requirement enacted as a condition of zoning or of a special use permit authorized by the mayor and council.
- (iii) Reduce, waive or modify in any manner the minimum lot area established by the Zoning Ordinance in any zoning district.
- (iv) Reduce, waive or modify in any manner the minimum lot area established by the mayor and council through a special condition of approval.
- (v) Permit the expansion or enlargement of any nonconforming situation or nonconforming use requiring a special use permit.
- (vi) Permit the re-establishment of any non-conforming situation or nonconforming use requiring a special use permit where such use has lapsed.

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PROPERTY OWNER INFORMATION

Name: _____

Mailing Address: _____

Phone: _____ Email: _____

APPLICANT INFORMATION

Name: _____

Mailing Address: _____

Phone: _____ Email: _____

SITE AND VARIANCE INFORMATION

SubjectPropertyAddress: _____

Use of Subject Property: _____ Zoning of Subject Property: _____

Code Section requested to be varied: _____

Description of the Variance Requested: (attach additional pages if necessary) _____

Description of the hardship resulting in the need for a variance: (attach additional pages if necessary)

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APPLICANT CERTIFICATION

The undersigned below is authorized to make this application and attests that the information provided in this application is true and accurate to the best of his/her knowledge, and agrees to cooperate with the City of LaGrange in responding promptly to any reasonable request for additional information that may arise during the review process.

Signature, Applicant

Date

FOR OFFICIAL USE ONLY

RECEIVED BY: _____

DATE: _____

BOARD OF PLANNING & ZONING APPEALS MEETING

DATE: _____

FEE RECEIVED: _____

APPLICATION NUMBER: _____

ACTION TAKEN:

VARIANCE APPLICATION PROPERTY OWNER AUTHORIZATION

PROPERTY OWNER INFORMATION

Name: _____

Mailing Address: _____

Phone: _____ Email: _____

AUTHORIZATION

I swear that I am the owner of the property located at (property address):

Which is the subject matter of the attached application, as is shown in the records of Troup County, Georgia.

I hereby authorize the applicant named below to act as the applicant in the pursuit of a variance on the subject property.

Name of Applicant/Agent: _____

Applicant's Address: _____

Applicant's Phone: _____ Email: _____

Signature of Owner _____

Print Name of Owner _____