



# VARIANCE APPLICATION

## Fayette County, Georgia

140 Stonewall Avenue West, Suite 202, Fayetteville, GA 30214  
770-305-5421

**A COMPLETE VARIANCE APPLICATION MUST BE SUBMITTED TO THE PLANNING AND ZONING DEPARTMENT BY 12:00 NOON ON THE FIRST FRIDAY OF THE MONTH**

Fayette County Planning and Zoning Department  
140 Stonewall Avenue West, Suite 202  
Fayetteville, GA 30214  
Phone: 770- 305-5421  
E-mail: [zoning@fayettecountyga.gov](mailto:zoning@fayettecountyga.gov)

### **APPLICATION FILING FEES**

**Application Filing Fee:** \$175.00 (plus \$25 for each additional variance requested)

**Sign Deposit Fee:** A \$50.00 deposit is required (per public hearing sign posted on property). If the sign frame(s) is returned to the Planning and Zoning Department within five (5) working days of the last applicable public hearing, the sign deposit will be reimbursed to the applicant. **The application filing fee and sign deposit may be combined on one (1) check made payable to Fayette County.** Application filing fees may be refunded ONLY when an application request is withdrawn in writing by the applicant PRIOR TO placement of the legal advertisement for said public hearing request (at least 30 days before scheduled public hearing).

A submittal that is missing any required documents, or that has inaccurate or out-of-date documents, is not considered a complete application, and may be moved to a later meeting date.

Please refer to the checklist on page 7 for a list of required documents.

**Compliance with standards.** Where an application to the board is initiated due to an existing violation of this chapter and said application is denied, the violation shall be required to be corrected within ten calendar days of such denial, or as specified by the board, if a greater time period is necessary. The maximum extension of the time shall not exceed 30 calendar days.

# **SCHEDULE FOR 2024 ZONING BOARD OF APPEALS APPLICATIONS**

*(Dates are subject to change with notice. If a hearing falls on a holiday, a different hearing date will be scheduled.)*

Deadline for application is the first Friday of the month by noon. If the first Friday of the month is on a holiday, the application filing deadline is extended to the next business day.

Variance applications require a public hearing held on the fourth Monday of the month before the Zoning Board of Appeals. The Meeting Schedule reflects adjustments for holidays. The public hearing is held at the Fayette County Administrative Complex at Stonewall (located at the southwest corner of SR 54 and SR 85 in downtown Fayetteville) on the first floor in the Public Meeting Room (near the fountain) and hearings begin at 7:00 p.m.

<b>APPLICATION DEADLINES</b>	<b>ZBA MEETING DATES</b>
December 1, 2023	January 22, 2024
January 5, 2024	February 26, 2024
February 2, 2024	March 25, 2024
March 1, 2024	April 22, 2024
April 5, 2024	May 28, 2024
May 3, 2024	June 24, 2024
June 7, 2024	July 22, 2024
July 5, 2024	August 26, 2024
August 2, 2024	September 23, 2024
September 6, 2024	October 28, 2024
October 4, 2024	November 25, 2024
October 18, 2024	December 16, 2024
December 6, 2024	January 27, 2025

**FAYETTE COUNTY, GEORGIA**  
**VARIANCE APPLICATION TO THE ZONING BOARD OF APPEALS**

**PROPERTY INFORMATION:**

Parcel No. \_\_\_\_\_ Acreage: \_\_\_\_\_ Land Lot: \_\_\_\_\_ Land District: \_\_\_\_\_  
Address: \_\_\_\_\_  
Existing Zoning: \_\_\_\_\_ Requested Zoning: \_\_\_\_\_  
Zoning of Surrounding Properties: \_\_\_\_\_  
Existing Use: \_\_\_\_\_  
Proposed Use: \_\_\_\_\_

**PROPERTY OWNER INFORMATION**

**AGENT/DEVELOPER INFORMATION (If not owner)**

Name \_\_\_\_\_  
Email \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_  
State \_\_\_\_\_ Zip \_\_\_\_\_  
Phone \_\_\_\_\_

Name \_\_\_\_\_  
Email \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_  
State \_\_\_\_\_ Zip \_\_\_\_\_  
Phone \_\_\_\_\_

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**(THIS AREA TO BE COMPLETED BY STAFF):**

PETITION NUMBER: \_\_\_\_\_

Application Insufficient due to lack of: \_\_\_\_\_  
by Staff: \_\_\_\_\_ Date: \_\_\_\_\_

Application and all required supporting documentation is Sufficient and Complete  
by Staff: \_\_\_\_\_ Date: \_\_\_\_\_

**DATE OF ZONING BOARD OF APPEALS HEARING:** \_\_\_\_\_

Received payment from \_\_\_\_\_ a check in the amount of \$ \_\_\_\_\_

for application filing fee, and \$ \_\_\_\_\_ for deposit on frame for public hearing sign(s).

Date Paid \_\_\_\_\_ Receipt Number: \_\_\_\_\_

**PROPERTY OWNER CONSENT AND AGENT AUTHORIZATION FORM**

*(Applications require authorization by ALL property owners of subject property)*

Name(s) of All Property Owners of Record found on the latest recorded deed for the subject property:

\_\_\_\_\_ *Please Print Owners' Names*

Property Tax Identification Number(s) of Subject Property: \_\_\_\_\_

(I am) (we are) the sole owner(s) of the above-referenced property. Subject property is located in Land Lot(s) \_\_\_\_\_ of the \_\_\_\_\_ District, and (if applicable to more than one land district) Land Lot(s) \_\_\_\_\_ of the District, and said property consists of a total of \_\_\_\_\_ acres (legal description corresponding to most recent recorded plat for the subject property is attached herewith).

(I) (We) hereby delegate authority to \_\_\_\_\_ to act as (my) (our) Agent in this request. As Agent, they have the authority to agree to any and all conditions of approval which may be imposed by the Board.

(I) (We) certify that all of the information filed with this application including written statements or showings made in any paper or plans submitted herewith are true and correct to the best of (my) (our) knowledge and belief. Further, (I) (We) understand that this application, attachments and fees become part of the official records of the Fayette County Zoning Department and may not be refundable. (I) (We) understand that any knowingly false information given herein by me/us will result in the denial, revocation or administrative withdrawal of the application or permit. (I) (We) further acknowledge that additional information may be required by Fayette County in order to process this application.

**SIGNATURES**

<b>Owner/ Agent One:</b>	Signature _____	Notary: _____	(seal)
	Name: _____	_____	
	Address: _____	Commission Exp.: _____	
	City/State/Zip: _____		
	Date: _____		

<b>Owner/ Agent Two:</b>	Signature _____	Notary: _____	(seal)
	Name: _____	_____	
	Address: _____	Commission Exp.: _____	
	City/State/Zip: _____		
	Date: _____		

<b>Owner/ Agent Three:</b>	Signature _____	Notary: _____	(seal)
	Name: _____	_____	
	Address: _____	Commission Exp.: _____	
	City/State/Zip: _____		
	Date: _____		

## VARIANCE INFORMATION

Complete the chart below with the information pertaining to each request. If additional space is needed, please provide the information on a separate sheet of paper.

Ordinance/Section	
Requirement	
Proposed Change	
Variance Amount	

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Ordinance/Section	
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Variance Amount	

## VARIANCE SUMMARY

Provide a detailed and specific summary of each request. If additional space is needed, please attach a separate sheet of paper.

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## JUSTIFICATION OF REQUEST

The Fayette County Zoning Ordinance, Section 110-242 (b) states that in order to grant a variance, the Zoning Board of Appeals shall and must find that all five (5) conditions below exist. Please read each standard below and then address each standard with a detailed response. Attach additional information/documentation as necessary.

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography.

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2. The application of these regulations to this particular piece of property would create a practical difficulty or unnecessary hardship.

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3. Such conditions are peculiar to the particular piece of property involved.

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4. Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of these regulations; provided, however, no variance may be granted for a use of land, building, or structure that is prohibited herein.

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5. A literal interpretation of this Ordinance would deprive the applicant of any rights that others in the same zoning district are allowed.

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# CHECKLIST OF ITEMS REQUIRED TO BE SUBMITTED FOR ZBA REQUESTS

*(All applications/documentation must be complete at the time of submittal, or the application will not be accepted)*

- Application form and all required attachments, completed, signed, and notarized (if applicable).
- Copy of latest recorded deed, including legal description of the boundaries of the subject property, including total acreage.
- One copy of the survey plat of the property, drawn to scale with accurate dimensions, with the following indicated:
  - a. \_\_\_\_\_ Location and size of existing structures (principal and accessory) and improvements on the parcel, including type (residential or non-residential), floor area, and accessory uses. Structures proposed to be removed must be indicated and labeled as such.
  - b. \_\_\_\_\_ Minimum setbacks and buffers from all property lines of subject property required in the zoning district.
  - c. \_\_\_\_\_ Location of exits/entrances to the subject property.
  - d. \_\_\_\_\_ Location of all existing and proposed easements and streets on or adjacent to the subject property, indicating width of existing and proposed easements, width of right-of-way, and centerline of streets.
  - e. \_\_\_\_\_ Location of all utilities, including well or water lines.
  - f. \_\_\_\_\_ Location of septic tank, drainfield, and drainfield replacement area.
  - g. \_\_\_\_\_ Location and elevation of the 100-year flood plain and watershed protection buffers and setbacks (if applicable).
  - h. \_\_\_\_\_ Location of on-site stormwater facilities to include detention or retention facilities (if applicable).
  - i. \_\_\_\_\_ Parking locations, number of parking spaces, and parking bay and aisle dimensions (if applicable).
  - j. \_\_\_\_\_ Location of landscaped areas, buffers, or tree save areas (if applicable).
- Application filing fee.

## PLANNING AND ZONING STAFF INFORMATION BELOW

Staff Reviewed By	Requirements	Proposed
Name:	Lot Size:	
Lot:	Width:	
Zoning:	Front Setback:	
Flood: Yes/ No    MFFE:	Side Setback:	
Stream Buffers:	Rear Setback:	
Number of Frontages	House Size:	