

# VARIANCE APPLICATION

FAYETTE COUNTY, GA

**A COMPLETE VARIANCE APPLICATION MUST BE SUBMITTED TO THE PLANNING AND ZONING DEPARTMENT BY 12:00 NOON ON THE THIRD 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 \$20.00 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(1) check made payable to Fayette County.** Application filing fees may be refunded ONLY when an application request is withdrawn in writing by the applicant PRIOR TO placement of the legal advertisement for said public hearing request (at least 15 days before scheduled public hearing).

Number of copies to submit: 15 of the plat of property (if larger than 11" x 17")

**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 2019 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 third Friday of the month by noon. If the third 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.

**APPLICATION  
DEADLINES (3<sup>rd</sup> Fridays)**

January 18, 2019

February 15

March 15

April 19

May 17

June 21

July 19

August 16

September 20

October 18

November 15

December 20

**ZBA  
MEETING DATES (4<sup>th</sup> Mondays)**

February 25, 2019

March 25

April 22

May 20 (3<sup>rd</sup> Monday)

June 24

July 22

August 26

September 23

October 28

November 25

December 16 (3<sup>rd</sup> Monday)

January 27, 2020

**VARIANCE APPLICATION TO THE ZONING BOARD OF APPEALS**

**PROPERTY OWNERS:** \_\_\_\_\_

**MAILING ADDRESS:** \_\_\_\_\_

**PHONE:** \_\_\_\_\_ **E-MAIL:** \_\_\_\_\_

**AGENT FOR OWNERS:** \_\_\_\_\_

**MAILING ADDRESS:** \_\_\_\_\_

**PHONE:** \_\_\_\_\_ **E-MAIL:** \_\_\_\_\_

**PROPERTY LOCATION: LAND LOT** \_\_\_\_\_ **LAND DISTRICT** \_\_\_\_\_ **PARCEL** \_\_\_\_\_

**TOTAL NUMBER OF ACRES OF SUBJECT PROPERTY:** \_\_\_\_\_

**ZONING DISTRICT:** \_\_\_\_\_

**ZONING OF SURROUNDING PROPERTIES:** \_\_\_\_\_

**PRESENT USE OF SUBJECT PROPERTY:** \_\_\_\_\_

**PROPOSED USE OF SUBJECT PROPERTY:** \_\_\_\_\_

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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 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 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.

\_\_\_\_\_  
Signature of Property Owner 1

\_\_\_\_\_  
Signature of Notary Public

\_\_\_\_\_  
Address

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Property Owner 2

\_\_\_\_\_  
Signature of Notary Public

\_\_\_\_\_  
Address

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Authorized Agent

\_\_\_\_\_  
Signature of Notary Public

\_\_\_\_\_  
Address

\_\_\_\_\_  
Date



**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 application submittal or the application will not be accepted)*

- \_\_\_ 1. Application form and all required attachments, completed, signed, and notarized (if applicable).
- \_\_\_ 2. Copy of latest recorded deed, including legal description of the boundaries of the subject property, including total acreage.
- \_\_\_ 3. Fifteen (15) copies of the survey plat of the property (if larger than 11" x 17"), 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 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).
- \_\_\_ 4. Application filing fee.