

Variance Application # _____

PLANNING AND ZONING
VARIANCE APPLICATION FOR THE CITY OF LAVONIA

Note: The applicant must complete all information. Failure to complete all information will result in the refusal of the application. The Planning Department has up to five (5) working days to review all applications submitted for sufficiency. If the application is found insufficient, an agenda date will not be set until the required information is submitted.

APPLICANT AND PROPERTY OWNER ADDRESS AND CONTACT INFORMATION

Applicant _____ _____ _____ Phone: _____ Fax: _____ E-Mail: _____	Property Owner (If different from applicant) _____ _____ _____ Phone: _____ Fax: _____ E-Mail: _____
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Existing Zoning District: _____

Existing Use of Property: _____

Proposed Use: _____

Tax Map/Parcel Number _____ Acreage: _____

Address of Property: _____

Subdivision Name and Lot Number: _____

DESCRIPTION OF THE REQUESTED VARIANCE

Identify the variance you are requesting. In describing the variance, you must indicate the specific Article, Chapter, and Section of the Code of Ordinances you are requesting to be varied. If more than one section is proposed to be varied, a separate application must be provided for each section varied (and separate variance application form completed):

Article Number and Title _____

Chapter Number and Title _____

Section Number and Title _____

The Code requires _____

I petition to reduce the requirement to _____ as shown on the attached site plan.

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APPLICANT'S JUSTIFICATION FOR THE REQUESTED VARIANCE

Any applicant requesting consideration of a variance to any provision of the Lavonia Zoning Ordinances shall provide a written justification that one or more of the following condition(s) exist. Indicate how the requested variance meets the criteria provided below:

- (a) **There are extraordinary and exceptional conditions or practical difficulties pertaining to the particular piece of property in question because of its size, shape or topography that are not applicable to other lands or structures in the same district.**

- (b) **A literal interpretation of the provisions of this ordinance would effectively deprive the applicant of rights commonly enjoyed by other properties of the district in which the property is located.**

- (c) **Granting the variance requested will not confer upon the property of the applicant any special privileges that are denied to other properties of the district in which the applicant's property is located.**

- (d) **The requested variance will be in harmony with the purpose and intent of this Code of Ordinances and will not be injurious to the neighborhood or to the general welfare.**

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(e) The special circumstances are not the result of the actions of the applicant.

(f) The variance requested is the minimum variance that will make possible the proposed use of the land, building, or structure in the use district proposed.

(g) The variance shall not permit a use of land, buildings or structures, which is not permitted by right in the zoning district or overlay district involved.

PROPERTY OWNER CERTIFICATION

I hereby certify that I am the property owner or am otherwise authorized to file this application on behalf of the property owner (submit separate signed permission) and that the above information and all attached information are true and correct.

Signature: _____ Date: _____

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CHECKLIST OF APPLICATION REQUIREMENTS: In addition to this form, have you submitted:

- ☐ Application fee.
- ☐ Survey plat of the property showing all property lines with metes and bounds/ dimensions.
- ☐ Legal Description (or deed of property). If deed is submitted – include a copy of any plat book and page referred to in the deed.
- ☐ Site plan of the subject property at an appropriate engineering scale showing the proposed use and relevant information regarding the proposed variance.
- ☐ Other information as may be required by the Building Inspector.

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AUTHORIZATION OF PROPERTY OWNER
(complete this form only if the property owner is not the applicant)

I swear that I am the owner of the property which is the subject matter of the attached application, as shown in the records of Franklin County, Georgia, and that I authorize the person named below to act as applicant in the pursuit of a rezoning, conditional use, or variance of this property.

Name of Applicant(s) _____

Address _____

Telephone Number _____

The Property Owner, _____

Personally appeared before me
who swears that the information contained
in this authorization is true and correct to
the best of his or her knowledge and belief.

Notary Public

Date

My Commission Expires: _____

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**PLANNING & ZONING
CITY OF LAVONIA
12221 Augusta Road
Lavonia GA 30553
706-356-8781**

PUBLIC NOTICE REQUIREMENTS

The zoning regulations require that public notice must be given prior to all zoning hearings as follows:

- 1) A legal advertisement shall be published not less than 15 days and not more than 45 days prior to the public hearing.
- 2) A public notice sign shall be placed in a conspicuous location on the property not less than 15 days and not more than 45 days prior to the public hearing.

The City is required to post the sign and ensure that it remains in place during the entire zoning proceeding. The sign must be placed on the property within the specified time and in a conspicuous location.

The purpose of the sign is to inform the public that an application has been filed. Legally, the Council cannot consider a request until all public notice requirements have been met. If it is determined at any time during the zoning proceeding that the sign has not been properly posted on the site, the Council must table or delay the request. Council members and planning staff often visit the site and will look for the sign. Additionally, local citizens often report when a sign has not been posted.

Multiple sign posting on a site may be required as determined by the City. The sign will be conspicuous and in a location where it is clearly visible. The sign will not be obstructed in any manner, placed too far from the road, or placed in such manner that would cause it to blend into the landscape.

The sign will remain posted during the entire proceeding. Should you find the sign missing or vandalized in any manner, contact the city so the sign can be replaced. When the proceeding is complete and final Council action has occurred, the sign will then be removed from the property by the City.

THIS SIGN WILL BE POSTED NO LATER THAN _____

STAFF RECOMMENDATION: ☐ **APPROVE** ☐ **DENY**

REASON: _____

