

Variance Application # _____

PLANNING AND DEVELOPMENT

City of Arcade
3325 Athens Highway
Jefferson, GA 30549

Tel. 706-367-5500

Fax 706-367-1914

Date of Applicant Orientation Meeting (Sec. 22.1.1 LUMC): _____

Note: The applicant must complete all information. Failure to complete all information will result in the refusal of the application. The Planning staff 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 & PROPERTY OWNER ADDRESS AND CONTACT INFORMATION

Applicant:

Phone: _____

Fax: _____

E-Mail: _____

Existing Zoning District:

Existing Use of Property:

Proposed Use:

Address of Property:

Subdivision Name and Lot Number:

Tax Map/Parcel Number: _____ Acreage: _____

Property Owner (if different from applicant)

Phone: _____

Fax: _____

E-Mail: _____

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 Land Use Management Code 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.

APPLICANT'S JUSTIFICATION FOR THE REQUESTED VARIANCE

Any applicant requesting consideration of a variance to any provision of the Land Use Management Code 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 Land Use Management Code and will not be injurious to the neighborhood or to the general welfare.

(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: _____

.....

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 Zoning Administrator.

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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 Jackson 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/her knowledge and belief.

Notary Public

Date

My Commission Expires: _____

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PUBLIC NOTICE REQUIREMENTS:

The zoning regulations require that public notice must be given prior to all variance 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.

As the applicant, you are required to post the sign and ensure that it remains in place during the entire variance proceeding. The sign must be placed on the property **within the specified time and in a conspicuous location.** Failure to comply will result in a delay of your request.

The purpose of the sign is to inform the public that an application has been filed. Legally, the Arcade City Council cannot consider a request until all public notice requirements has 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 City Council must table or delay the request. City 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 planning department. The sign must be conspicuous and in a location where it is clearly visible. The sign cannot 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 must remain posted during the entire proceeding. Should you find the sign missing or vandalized in any manner, contact the City of Arcade so the sign can be replaced. When the proceeding is complete and final City Council action has occurred, the sign must then be removed from the property by the applicant.

THIS SIGN MUST BE POSTED NO LATER THAN _____

THIS AFFIDAVIT MUST BE SIGNED BY THE APPLICANT, DATED WITH THE DATE THE SIGN WAS CORRECTLY POSTED ON THE PROPERTY, AND RETURNED TO THE PLANNING DEPARTMENT NO LATER THAN _____.

If the affidavit is returned by mail, the envelope must be postmarked no later than the above-noted return date.

AFFIDAVIT

By my signature I, _____, hereby acknowledge that I have read and understand the sign posting requirements. I further certify that the required Public Notice Sign was posted on _____.

Signed _____ (Date) _____

(Signature)

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SUMMARY OF THE VARIANCE PROCESS

PLANNING AND DEVELOPMENT

APPLICANT: KEEP THIS AND PLAN TO ATTEND THE PUBLIC HEARINGS

1. After a complete application is received, it will be scheduled for public hearings first before the Planning Commission and then before the Arcade City Council. Those dates are:

_____ Arcade Planning Commission
(6:00 p.m. at the Arcade City Hall, 3325 Athens Highway, Jefferson)

_____ Public Hearing
(6:00 p.m. at the Arcade City Hall)

_____ Arcade City Council (voting meeting)
(7:00 p.m. at the Arcade City Hall)

2. Applicant posts signs on property

3. Planning Staff prepares a staff report. Upon completion of the report, prior to the Public Hearing before the Planning Commission, you will receive a copy of the report. Review that report and contact the Planning staff if you have any questions. The staff report will not provide a "recommendation" but it will contain certain findings which may or may not support your request.

4. Attend the Public Hearing of the Planning Commission and speak in favor of the application.

5. The Planning Commission will make a recommendation after the hearing. You will receive notice from the Planning Department on the recommendation made by the Commission.

6. Attend the Public Hearing of the Arcade City Council. The same public hearing procedures apply.

7. Attend the meeting of the Arcade City Council at which time the variance case will be voted upon.

8. You will receive notice from the Planning Department on the decision made by the Arcade City Council.

9. If you have further questions, need to withdraw the application, or make additions to the application, please contact the City of Arcade Planning Department at 706-367-5500