



PLANNING AND ZONING

Variance Application Memo

204 W Church Street
Fort Valley, GA 31030

Phone: 478-825-8261

MEMORANDUM

TO: Special Exception Applicants
RE: Instructions and Guidelines for Filing a Variance Request

This memo and the attached information is intended to help you file a complete application for a variance. Before you file your application, it is recommended that you meet with the Planning Staff if possible, to ensure you have the materials necessary to file a complete application. If an incomplete application is submitted, it will not be processed and will be returned to you.

COMPLETE APPLICATION CHECKLIST

Your application will not be determined complete unless it contains all of the following:

	Application fee (\$750.00)
	Application form furnished by the Zoning Administrator, including signed and notarized signature of property owner and campaign contributions disclosure form
	Legal description of the property (metes and bounds)
	Survey plat of the property
	Site analysis and topographic map at an appropriate scale, including information on significant man-made and natural features and streams, wetlands, flood plains, and features to be retained, moved or altered
	Letter of intent describing the proposed use of the property or other action requested
	Written analysis of how the proposed action compares to decision criteria specified for deciding on the subject type of application (see application attachment)
	Site plan of the property at an appropriate engineering scale showing the proposed use and relevant information regarding proposed improvements
	Description of any special conditions voluntarily made a part of the request
	Other information required by the Zoning Administrator

EXAMPLE OF A COMPLETE METES AND BOUNDS LEGAL DESCRIPTION

The following example of a complete metes and bounds legal description is provided:

All that tract or parcel of land lying and being in the 000 G.M.D., Peach County, Georgia as shown on a plat of survey of same by Venable & Associates, Inc. Surveyors, dated November 15, 1988, said plat being recorded in Plat Book 34, Page 83, Office of the Clerk of Superior Court of Peach County, Georgia, on July 17, 1990, said tract being more particularly described as follows:

To find the POINT OF BEGINNING, proceed from the centerline of Border Street at its intersection with Somewhere Street (a.k.a. U.S. Highway 123 Business), said Street having a 60 foot right-of-way, thence 198 feet more or less along the western right-of-way of said Street to an iron pin found, said point being the POINT OF BEGINNING; thence from the POINT OF BEGINNING North 79 degrees 47 minutes East a distance of 168.97 feet to an iron pin found; thence North 80 degrees 55 minutes East a distance of 39.14 feet to an iron pin found; thence North 04 degrees 23 minutes West a distance of 105.94 feet to an iron pin found; thence South 80 degrees 15 minutes West a distance of 208.73 feet to an iron pin found at the western right-of-way of Somewhere Street (a.k.a. U.S. Highway 123 Business), said Street having a 60 foot right-of-way; thence South 04 degrees 46 minutes East along the western right-of-way of said Street a distance of 106.81 feet to an iron pin found, sad pin being the POINT OF BEGINNING;

Said tract of land containing 0.51 acre, more or less.

When multiple properties are involved, it is desirable that the legal descriptions be combined into one metes and bounds legal description. Separate legal descriptions can be acceptable, subject to acceptance by the Zoning Administrator.

Variance Application # _____



PLANNING AND ZONING

VARIANCE APPLICATION FOR THE CITY OF FORT VALLEY

Note: The applicant must complete this and all attached forms. Failure to complete them will result in the refusal of the application. The 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

Property Owner

Phone: _____
E-Mail: _____

Phone: _____
E-Mail: _____

Existing Zoning District: _____

Proposed Zoning District: _____

Existing Use of Property: _____

Proposed Use: _____

Tax Map/Parcel Number _____ Acreage: _____

Location of Property (for legal ad): _____

.....
I hereby certify that the above information and all attached information are true and correct. Signature: _____

Date: _____

.....
Application Withdraw:

I hereby withdraw the application. Signature: _____ Date: _____

.....
Staff Use Only

Application Date: _____ Taken by: _____

Tentative Public Hearing Date: _____ Fee: **\$750.00**

Fee Payment Received: _____ Payment Taken By: _____

VARIANCE DECISION CRITERIA

Planning and Zoning specifies that the following criteria may be applicable to the decision to approve or deny an application for conditional use. Please complete information on this page or within the letter of intent as to which of these criteria you believe apply to your case, and provide information and facts that you believe are relevant and support your case:

VARIANCE REQUEST DECISION CRITERIA	APPLICANT'S RESPONSE
1. Whether there are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography.	
2. Whether the application of this resolution to this particular piece of property would create an unnecessary hardship.	
3. Whether such conditions are peculiar to the particular piece of property involved.	
4. Whether relief, if granted, would not cause substantial detriment to the public good or impair the purpose and intent of this resolution.	
5. Whether special circumstances surrounding the request for a variance are not the result of acts by the applicant.	
6. Whether the variance is not a request to permit a use of land, buildings or structures which is not permitted by right or special exception in the district involved,	

CAMPAIGN CONTRIBUTIONS DISCLOSURE FORM REQUIRED FOR ALL ZONING ACTIONS

Applicant, or person representing property owner

OCGA § 36-67A-3[c]

Disclosure of campaign contributions:

- (a) When any applicant for zoning action has made, within two years immediately preceding the filing of the applicant's application for the zoning action, campaign contributions aggregating \$250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing:
- (1) The name and official position of the local government official to whom the campaign contribution was made; and
 - (2) The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.
- (b) The disclosures required by subsection (a) of this Code section shall be filed within ten (10) days after the application for the zoning action is first filed. (Code 1981, Section OCGA § 36-67A-3[C], enacted by GA L. 1986, page 1269, Section 1, GA L. 1991, page 1365, Section 1).

I hereby certify that I have read the above and that:

I have** _____ **I have not** _____

Within the two years immediately preceding this date, made any contribution(s) aggregating \$250.00 or more to any local government official involved in the review or consideration of this application.

Applicant's Signature

Date

****If you have made such contributions, you must provide the data required in subsection (a) above within ten (10) days of filing this application.**

AUTHORIZATION OF PROPERTY OWNER

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 Peach County, Georgia.

Name of Owner(s) _____

Address _____

Telephone Number _____

Signature of Owner(s) _____

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 _____

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

**PLANNING & ZONING
CITY OF FORT VALLEY**
204 W Church Street
Fort Valley, GA 31030
478-825-8261

PUBLIC NOTICE REQUIREMENTS

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

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 Board of Appeals 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 Board of Appeals must table or delay the request. Board 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 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: _____

