

**INSTRUCTIONS FOR FILING
AN APPLICATION FOR ZONING VARIANCE
CITY OF CARTERSVILLE, GA**

Completed applications must be submitted to the City of Cartersville Planning & Development Department, located at 10 N. Public Square, 2nd Floor. Cartersville, GA 30120.

Requirements

- 1. Completed Application:** Include all signatures. If multiple owners are involved in the Variance petition, each owner must fill out an individual application, though only a single filing fee is required per property. The application and all associated documents must be submitted no later than the established filing deadline date. Associated documents should include or demonstrate:
 - a. Existing conditions
 - b. Proposed conditions or project
- 2. Boundary Survey/Plat:** Include a copy of the boundary survey/plat which shall include the metes and bounds description. Please indicate property lines with dimensions, location of buildings and other structures, north arrow, scale, street numbers, lot and/or parcel numbers, and locations of setback lines or other dimensional requirements.
- 3. Conditions Verification Form:** Complete the Conditions Verification form (attached).
- 4. Justification Letter:** Submit a statement explaining the reason(s) the variance is needed.
- 5. Filing Fee:** If the variance is for a residential property and the applicant is the owner-occupier of said property: **\$75**
For all other applicants: **\$300**
All fees are non-refundable.
- 6. Public Notification:** The applicant is responsible for the following public notification process unless the applicant has requested that Planning and Development staff manage this process per Item 8 below:
 - a. Not less than fifteen (15) days and not more than forty-five (45) days prior to the scheduled date of the public hearing being the final action by the City Council and not less than ten (10) days prior to the Planning Commission meeting, a notice of public hearing shall be published in the legal notice section of the Daily Tribune newspaper within the City of Cartersville. Such notice shall state the application file number, and shall contain the location of the property, its area, owner, current zoning classification, and the proposed zoning classification. Such notice shall include both the Planning Commission and the City Council meeting dates. (See attached Notice of Public Hearing).
 - b. The applicant shall notify each property owner adjoining the property for which the annexation is sought by mailing to each property owner a notice of public hearing by first class mail, with proof of mailing obtained from the Post Office. A

copy of the notice and proof of mailing shall be provided to the Zoning Administrator. If mailing via USPS, it is recommended to use a Certificate of Mailing form or send via Certified Mail. The Certificate of Mailing form is PS3877 and can be found on the U.S. Post Office website.

- 7. Adjacent Property Owners:** Provide a list with the application of all current owners of record for properties located immediately adjacent to or directly across a public street or railroad right-of-way from the subject property. (Form attached).
 - See also Item 8.
 - List not required if Planning and Development staff manages public notification.
- 8. Public Notification Fee:** The applicant may choose to have Planning and Development staff prepare and manage the public notification process outlined in **Item 6**. If this option is requested, there is an additional, non-refundable fee of \$75.00.
 - Fee covers the costs of newspaper ad, printing, printing supplies, postage and proof of mailing.

Refer to the Zoning Code, Article XXI APPEALS, for additional information regarding the appeals process.

-----WARNING-----

Please be aware that there are entities retrieving your application information from the City's meeting webpage with the intent to extort additional fees from you prior to the upcoming Board meeting.

DO NOT PAY ANY FEES ABOVE AND BEYOND THE APPLICATION AND PUBLIC NOTICE FEES THAT HAVE ALREADY BEEN PAID FOR YOUR APPLICATION.

The extortion process:

A notice is sent to your email address provided on the application. The notice may be an attachment or may be embedded in the body of the email. **DO NOT OPEN AN ATTACHMENT.**

The notice will provide descriptions of several erroneous development fees totalling several thousand dollars and state that the application cannot be reviewed by the respective Board until the fees are paid.

Payment will be requested through a wire transfer. The fee amount may or may not be included with the notice. The notice may require you to contact the sender for fee amounts and Wire Transfer instructions. **The City will never require a wire transfer of funds to pay Application or Public Notice fees.** The notice will also include a city staff signature, usually the Planning Director, or the Board Chair.

Please notify your Planning and Development staff liaison directly if you receive this type of notice or contact the Cartersville Planning and Development Office at 770-387-5600, Option 1, with questions.

City of Cartersville
Application for Variance
Board of Zoning Appeals

Hearing Date: _____ **5:30pm**

Application Number: _____

Date Received: _____

Applicant _____ Office Phone _____
(printed name)

Address _____ Mobile/ Other Phone _____

City _____ State _____ Zip _____ Email _____

Representative's printed name (if other than applicant) _____ Phone (Rep) _____

Email (Rep) _____

Representative Signature

Applicant Signature

Signed, sealed and delivered in presence of:

My commission expires:

Notary Public

* Titleholder _____ Phone _____
(titleholder's printed name)

Address _____ Email _____

Signature _____

Signed, sealed, delivered in presence of:

My commission expires:

Notary Public

Present Zoning District _____ Parcel ID No. _____

Acreage _____ Land Lot(s) _____ District(s) _____ Section(s) _____

Location of Property: _____
(street address, nearest intersections, etc.)

Zoning Section(s) for which a variance is being requested: _____

Summary Description of Variance Request: _____

(Additional detail can be provided on Justification Letter)

*** Attach additional notarized signatures as needed on separate application pages.**

CONDITIONS VERIFICATION

List the Article(s), Section(s) and Subsection(s) of the Zoning Ordinance for which a variance is requested.

Article _____ Section _____ Subsection _____

Article _____ Section _____ Subsection _____

Article _____ Section _____ Subsection _____

The Board of Zoning Appeals was established to hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by the zoning administrator in the enforcement of the zoning ordinance. The Board has the power to hear requests for variances from the provisions of the zoning ordinance, Article XXI APPEALS. See Section 21.3 for additional information pertaining to conditions.

To assist staff and the Board of Zoning Appeals in the analysis of the variance application, please check all of the following conditions that apply to your variance request:

1. _____ The property is exceptionally narrow, shallow or unusually shaped,
2. _____ The property contains exceptional topographic conditions,
3. _____ The property contains other extraordinary or exceptional conditions; and
4. _____ There are other existing extraordinary or exceptional circumstances; and
5. _____ The strict application of the requirements of this ordinance would result in practical difficulties to, or undue hardship upon, the owner of this property;
6. _____ The requested variance relief may be granted without substantially impairing the intent and purpose of this ordinance

Additional Comments by Applicant: _____

Public Notice

Effective July 1, 2023

- The Cartersville Daily Tribune News is a 3 day per week newspaper- Tuesday, Thursday and Saturday.
- Legal ads run on Thursday.
- The legal ad submittal deadline is Monday, 5pm, to run on Thursday of that same week.
- The cost for publishing the ad that is required to run one time, is \$30.00. A publication affidavit may be provided for a cost of \$12. These items must be paid in its entirety when you submit the ad to the newspaper. They accept Visa, Mastercard, American Express, cash and checks.
- Contact the newspaper to confirm hours of operation and to answer any questions about the ad submittal.

Cartersville Daily Tribune News

P.O. Box 70 • 120 S. Gilmer St. Suite 100
Cartersville, GA 30120 • Phone 770-382-4545
A Division of Cleveland Newspapers, Inc.
Fax No. 770-382-2711
Email: classifieds@daily-tribune.com

Public Notice Information

The attached public notice form entitled "Advertisement of Public Hearing" shall be completed and published once in the Legal Notices section of the City of Cartersville Daily Tribune newspaper by the applicant no less than fifteen (15) days prior to the scheduled Planning Commission meeting and no more than forty-five (45) days prior to the second reading and public hearing by the City Council.

This public notice form shall be mailed to all adjoining property owners as well as property owners directly across a street from the property with which the hearing is concerned no less than fifteen (15) days prior to the scheduled Planning Commission meeting and no more than forty-five (45) days prior to the second reading and public hearing by the City Council.

Proof that the public notice was advertised in the newspaper and proof that notice was served upon all adjoining property owners (Certificate of Mailing) shall be provided to the Zoning Administrator prior to the date of the Board of Zoning Appeals meeting.

NOTICE OF PUBLIC HEARING

The City of Cartersville Board of Zoning Appeals will hold a public meeting on _____ at 5:30 p.m. in the City Hall Council Chambers, 3rd Floor, City Hall at 10 North Public Square, Cartersville, Georgia, 30120.

The Board of Zoning Appeals will review an application by _____ (name of applicant) of _____ (applicant address) for property located at _____ in Land Lot(s) _____ of the _____ District, _____ Section, in the _____ zoning district. Property contains approximately _____ acres.

Applicant requests a variance to _____ .

Please contact the City of Cartersville Planning & Development Department at City Hall, 2nd Floor, 10 North Public Square, Cartersville, Georgia 30120 or (770) 387-5600 to receive information on the filing.

If you have interest in the proposed variance as stated above, you are encouraged to attend the meeting as stated herein.

CITY OF CARTERSVILLE

Application No: _____

LIST OF ADJACENT PROPERTY OWNERS

(Not required if Planning and Development staff manages public notification)

The following are all of the individuals, firms, or corporations owning property on the sides, rear, and in front of (across street from) the subject property:

	<u>NAME</u>	<u>ADDRESS</u>
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		
11.		
12.		
13.		
14.		
15.		

Attach additional names if necessary.

(Indicate property owned by the above persons on plat accompanying this application.)

City of Cartersville Hearing Schedule 2026-27

Board of Zoning Appeals

All meetings are held in the City Hall Council Chambers
10 N. Public Square 30120
3rd Floor City Hall

Application Filing Date- Friday 5pm		Deadline for Newspaper to receive Public Notice - Monday 5pm	Public Notice To Run In Newspaper, Thursday	BZA Meeting Date 5:30 PM, Thursday
November	14	December 8	December 11, 2025	January 15, 2026
December	12, 2025	January 5, 2026	January 8, 2026	February 12, 2026
January	16, 2026	February 2	February 5	March 12
February	13	March 2	March 5	April 9
March	13	March 6	April 9	May 14
April	10	May 4	May 7	June 11
May	15	June 1	June 4	July 9
June	12	July 6	July 9	August 13
July	10	August 3	August 6	September 10
August	14	August 31	September 3	October 8
September	11	October 5	October 8	November 12
October	16	November 2	November 5	December 10
November	13	December 7	December 10	January 14, 2027
December	11	January 4	January 7, 2027	February 11, 2027

* Effective July 1, 2023, all variance public notices must run 30 days prior to the scheduled meeting per amendments to the GA Zoning Procedures Law, OCGA Title 36, Chapter 66, approved 7/1/22.