



# VARIANCE APPLICATION

153 Willowbend Rd, Peachtree City, GA 30269  
 P: 770-487-5731 F: 770-631-2552  
**WWW.PEACHTREE-CITY.ORG**

**Admin. Variance Fee: \$25.00**  
**Variance Fee: \$250.00 + \$100**  
**for each additional request**

Receipt # \_\_\_\_\_  
 Date Filed \_\_\_\_ / \_\_\_\_ / \_\_\_\_  
 Case # \_\_\_\_\_  
*Office Use Only*

<b>VARIANCE LOCATION</b>	Street Address _____	<b>PROPERTY OWNER</b>	Name _____
	<b>Zoning District:</b> <input type="checkbox"/> Residential <input type="checkbox"/> Multi-Family <input type="checkbox"/> Commercial\Industrial\Office  <b>Variance Type:</b> <input type="checkbox"/> Administrative <input type="checkbox"/> Special Exception <input type="checkbox"/> Variance (check one below)  <b>Variance from which ordinance:</b> <input type="checkbox"/> Sign <input type="checkbox"/> Fence <input type="checkbox"/> Land Development <input type="checkbox"/> Zoning		<b>PROPERTY INFO</b>
<b>APPLICANT</b>	Name _____	<b>SUPPORTING DOCUMENTS</b>	<b>Please submit the following evidentiary items in support of this application and the requested variances.</b> <small>(Please check off the items that are attached to this application)</small> <input type="checkbox"/> Site plan (with property lines and proposed work) <input type="checkbox"/> A detailed report justifying the requested variance <input type="checkbox"/> Letters of support from adjacent property owners <input type="checkbox"/> Digital Photographs \ Renderings (CD or Email) <input type="checkbox"/> Other Items Demonstrating Need (topo. Survey, etc)
	Address _____		
	City, State, Zip _____		Phase: _____ Lot # _____
	Phone # _____		
	Email _____		

<b>ADMINISTRATIVE VARIANCE</b>	1.) Is a current survey included with the application? <input type="checkbox"/> Yes <input type="checkbox"/> No 2.) Does the application pertain to a zoning setback? <input type="checkbox"/> Yes <input type="checkbox"/> No 3.) Is the violation an existing setback violation? <input type="checkbox"/> Yes <input type="checkbox"/> No 4.) How long has the violation existed? _____ Years 5.) What is the required setback? _____ Feet 6.) How much of a variance is being requested? _____ Feet 7.) Were you the owner of the property when the violation occurred? (If not, who was?) <input type="checkbox"/> Yes <input type="checkbox"/> No	Briefly describe why this variance is being requested: <small>(A separate detailed report is still required to be attached to this application)</small> _____ _____ _____
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<b>SPECIAL EXCEPTION</b>	1.) Is a current survey included with the application? <input type="checkbox"/> Yes <input type="checkbox"/> No 2.) Has property been rezoned or deed restrictions? <input type="checkbox"/> Yes <input type="checkbox"/> No 3.) Is the violation an existing setback violation? <input type="checkbox"/> Yes <input type="checkbox"/> No 4.) Application for a bldg setback, fence, or parking? _____ (Circle One) 5.) What is the required setback, height, or spaces? _____ 6.) How much of a variance is being requested? _____	Briefly describe why this variance is being requested: <small>(A separate detailed report is still required to be attached to this application)</small> _____ _____ _____
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<b>VARIANCE</b>	<b>Please review the ordinances and instructions on the back of this page.</b>		Briefly describe why this variance is being requested: <small>(A separate detailed report is still required to be attached to this application)</small> _____ _____ _____
	1.) Is a current survey included with the application? <input type="checkbox"/> Yes <input type="checkbox"/> No 2.) How much of a variance is being requested? _____ Feet 3.) Were you the owner of the property when the violation occurred? (If not, who was?) <input type="checkbox"/> Yes <input type="checkbox"/> No		

**I hereby certify that I am the owner of the property on which a variance is being requested and that all information provided as a part of this application is true and correct.**

Signature of Owner/Agent: \_\_\_\_\_ Date \_\_\_\_\_

## OFFICE ONLY

<b>ADMINISTRATIVE VARIANCE</b>	Signature: _____
Date of Acceptance: _____	Date of Hearing: _____
<input type="checkbox"/> <b>Approved</b> <input type="checkbox"/> <b>Denied</b> <input type="checkbox"/> <b>Approved with Conditions</b>	

<b>SPECIAL EXCEPTIONS &amp; VARIANCE FROM ORDINANCES</b>	This application, along with the required fee and all necessary supplemental documents, has been properly submitted and is hereby accepted for consideration by the City Council at a public hearing in the City Council Chambers at 7:00 PM on the date shown below:
Signature: _____	Date of Acceptance: _____ Date of Public Hearing: _____

# VARIANCE & APPEALS ORDINANCE

For the complete Variance Ordinance please reference Appendix A Zoning, Article XII in Peachtree City's Code of Ordinances

A variance is a quasi-judicial exception from the law. There are three types of Variances in Peachtree City:

- (a) Administrative variance.
- (b) Special exception variance.
- (c) Variance.

## Administrative variance:

These variances are reviewed by a special committee and do not require a public hearing. Applications may be considered only if these requirements are met:

- (a) The request only pertains to a zoning setback requirement;
- (b) The request only pertains to an existing setback violation;
- (c) The request is for an encroachment that would not exceed 25 percent of the required setback, up to a maximum of ten feet;
- (d) The setback violation being requested has been existing for at least one year; and
- (e) The property owner making the request is not the same property owner who was responsible for the violation.

## Special exception variance:

This type of variance must be reviewed by the Planning Commission and the City Council. A special exception variance may be considered for only the following:

- (a) A decrease of not more than 25 percent of the minimum building setback; provided that the property line in question and the associated building setback adjoins a city-owned greenbelt or open space and there is no other possible location on the property that would accommodate the proposed building expansion without encroaching into the established building setback.
- (b) A decrease of not more than 25 percent in the minimum number of parking spaces required by the city's parking ordinance; provided the applicant identifies on the site plan where this parking would be located if needed in the future.
- (c) An increase in the maximum height of a fence or wall; only if:
  - (1) Such wall or fence is justified by reason of security or privacy and will not unduly prevent passage of light and air to adjoining properties and is not incompatible with the surrounding neighborhood;
  - (2) Such greater height is justified by requirements for security of persons or property in the area;
  - (3) Such greater height is justified for topographic reasons; or
  - (4) Such greater height, in the yard or yards involved, is not incompatible with the character of the surrounding neighborhood.

In no case shall a special exception variance be granted from the conditions of approval imposed on a parcel through a zoning change granted by the city council.

## Variance:

A request for variance shall be heard by the city council at a public hearing. An application for a Variance will only be considered complete when these 5 items are included:

- (1) A completed variance application with payment
- (2) A site plan showing relevant information, including the proposed variance and measurements from property lines.
- (3) A detailed report answered how the 6 requirements to approve a variance are met
- (4) Digital photographs or other supporting graphics
- (5) Letters of support from adjacent property owners and the HOA if applicable.

## Site Plan

You must provide a drawing of the proposed variance on a legal plat of the property. If you do not have a legal plat, a copy is available at the Fayette County Clerk's office. In some cases, the City may have a copy of your plat.

The drawing should be to scale if possible, and distances from property lines must be included.

## Detailed Report Providing Support for Request

Please provide a written report stating how your request for variance meets the following criteria:

- (a) There are special circumstances applicable to the property, including location, shape, size, surroundings, or topography so that the strict application of this ordinance denies the property of privileges enjoyed by other property in the vicinity and under identical zoning district classification;
- (b) The strict or literal interpretation and application of this ordinance would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the zoning ordinance, or would deprive the applicant of privileges granted to others in similar circumstances;
- (c) There are exceptional or extraordinary circumstances or conditions applicable to the property involved or the intended development of the property which preclude the applicant from complying with this ordinance and that do not apply generally to other property in the same zoning district and which prevent the applicant from complying with existing regulations;
- (d) The granting of such variance will not constitute the granting of special privileges inconsistent with the limitations on other property in the same zoning district; and
- (e) The granting of such variance will not be materially detrimental to the public health, safety, or general welfare nor injurious to property or improvements in the zone or neighborhood in which the property is located.
- (f) The granting of such variance will not create inconsistencies with any objective of the comprehensive plan.

## Digital Photographs and Other Graphics

Please include photos of the property showing the existing conditions. You may also submit printed copies of these photos, but they should be high quality to allow reproduction for distribution to City Council.

## Letters of Support

Although not necessary, having letters of support from all adjacent property owners and the HOA (if applicable) is very helpful.