



**BOARD OF APPEALS
APPLICATION**

**REQUEST FOR
VARIANCE**

Economic Development Department

3468 North Fulton Avenue

Hapeville, Georgia 30354

Phone - 404.669.8269 Fax - 404.669.2113



Submittal Checklist for

VARIANCE APPLICATION

- ❑ Submit complete **APPLICATION** with notarized signatures.
- ❑ Submit notarized **AUTHORIZATION(S) OF PROPERTY OWNER (S)**.
- ❑ Submit **AUTHORIZATION OF ATTORNEY**, if an attorney is filing the application on behalf of a property owner.
- ❑ Submit a **WRITTEN SUMMARY** of the necessity for this action.
- ❑ Submit a copy of a **SURVEY PLAT** of the property to be considered.
- ❑ Submit a written **LEGAL DESCRIPTION** in metes and bounds.
- ❑ Submit a **SITE PLAN** drawn to scale depicting the proposed use of the property including:
 - A correct scale and north arrow;
 - The proposed land use and building outline as it would appear should the zoning map amendment application be approved;
 - The present zoning classification of all adjacent parcels;
 - The gross square footage of all proposed buildings
 - The proposed location of all driveways and entry/exit points for vehicular traffic, using arrows to depict direction of movement;
 - The location of required off-street parking and loading spaces, including number of spaces and driveway dimensions
 - Required yard setbacks appropriately dimensioned;
 - The location and extent of required buffer areas, depicting extent of natural vegetation and type and location of additional vegetation if required
 - Other information as requested by staff
- ❑ File application with the City of Hapeville Economic Development Department
- ❑ Applicant must submit 12 copies of all requested information and documentation
- ❑ Pay application fee. **(\$350.00, add \$50.00 for each additional Variance in the application)** Make check payable to the City of Hapeville
- ❑ The Planning and Zoning Department will not accept an incomplete application
- ❑ Submittal of partial or incomplete applications will not be considered for placement on the Board of Appeals agenda until the application is accepted as complete and the appropriate fee paid.

**CITY OF HAPEVILLE
ECONOMIC DEVELOPMENT DEPARTMENT
VARIANCE APPLICATION**

POWERS AND DUTIES OF THE BOARD OF APPEALS TO HEAR VARIANCES

The Board of Appeals is authorized by code to hear those variances from the provisions of the ordinance as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this chapter will, in an individual case, result in unnecessary hardship, so that the spirit of the chapter shall be observed, public safety and welfare secured and substantial justice done.

A variance may be granted in any individual cases of practical difficulty or unnecessary hardship only upon a finding by the board of appeals that:

- a) There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography;
- b) The application of the ordinance to this particular piece of property would create an unnecessary hardship;
- c) Such conditions are peculiar to the particular piece of property involved;
- d) Relief, if granted, would not cause substantial detriment to the public good or impair the purpose and intent of this chapter.

A variance may not be granted for a use of land or building. Specifically, the board of appeals shall not have authority to permit by variance in any district a use of land or building not otherwise permitted in the district.

Further, the board of appeals shall not have authority to permit by variance an increase in the density on any lots as permitted in the district regulations.

Peculiar conditions or circumstances, which are the result of actions of the owner of property covered by the application, cannot be considered as grounds justifying a variance.

Financial loss to the applicant is not sufficient grounds by itself to justify a variance.

The Board of Appeals will hold a hearing after giving the public notice thereof. At the hearing, any party may appear in person, or by agent or attorney.

**CITY OF HAPEVILLE
ECONOMIC DEVELOPMENT DEPARTMENT
VARIANCE APPLICATION**

Name of Applicant _____

Mailing Address _____

Telephone _____ Mobile # _____ Email _____

Property Owner (s) _____

Mailing Address _____

Telephone _____ Mobile # _____

Property Address/Location: _____

Parcel I.D. # (INFORMATION MUST BE PROVIDED): _____

Square Foot of Property _____ Building Size _____ Zoning _____

Present Land Use _____

Variance Requested _____

Applicable Code Section _____

I hereby make application to the City of Hapeville, Georgia for the above referenced property. I do hereby swear or affirm that the information provided here and above is true, complete and accurate, and I understand that any inaccuracies may be considered just cause for invalidation of this application and any action taken on this application. I understand that the City of Hapeville, Georgia, reserves the right to enforce any and all ordinances regardless of any action or approval on this application. I further understand that it is my/our responsibility to conform with all of City of Hapeville's Ordinances in full. I hereby acknowledge that all requirements of the City of Hapeville shall be adhered too. I can read and write the English language and/or this document has been read and explained to me and I have full and voluntarily completed this application. I understand that it is a felony to make false statements or writings to the City of Hapeville, Georgia pursuant to O.C.G.A. 16-10-20 and I may be prosecuted for a violation thereof.

Applicant's signature

Date: _____

Sworn to and subscribed before me

This _____ day of _____, 20_____.

Notary Public

**CITY OF HAPEVILLE
ECONOMIC DEVELOPMENT DEPARTMENT
VARIANCE APPLICATION**

WRITTEN SUMMARY

In detail, explain any extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography that would qualify for a variance.

Explain how the application of the ordinance to this particular piece of property would create an unnecessary hardship.

Explain how these conditions are peculiar to the particular piece of property involved.

What, if any, detriment to the public good would the proposed project have if a variance was granted?

**CITY OF HAPEVILLE
ECONOMIC DEVELOPMENT DEPARTMENT
VARIANCE APPLICATION**

AUTHORIZATION OF PROPERTY OWNER

I CERTIFY THAT I AM THE OWNER OF THE PROPERTY LOCATED AT:

City of Hapeville, County of Fulton, State of Georgia

WHICH IS THE SUBJECT MATTER OF THIS APPLICATION. I AUTHORIZE THE APPLICANT NAMED BELOW TO ACT AS THE APPLICANT IN THE PURSUIT OF A VARIANCE FOR THE PROPERTY.

Name of Applicant

Address of Applicant

Telephone of Applicant

Signature of Owner

Print Name of Owner

Personally Appeared Before Me this _____ day of _____, 20____.

Notary Public

**CITY OF HAPEVILLE
ECONOMIC DEVELOPMENT DEPARTMENT
VARIANCE APPLICATION**

Date

AUTHORIZATION OF ATTORNEY

THIS SERVES TO CERTIFY THAT AS AN ATTORNEY-AT-LAW, I HAVE BEEN AUTHORIZED BY THE OWNER(S) TO FILE THE ATTACHED APPLICATION FOR VARIANCE OF THE PROPERTY LOCATED AT:

City of Hapeville, County of Fulton, State of Georgia

Name of Attorney

Bar No.

Address

Telephone
