

# City of Dahlonega Planning & Zoning

465 Riley Road

Dahlonega, GA 30533

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## MEMORANDUM

TO: Applicants for Variance

FROM: Chris Head

RE: Variance procedure and application materials

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In order to assist you in preparing your variance application, and to enable a complete understanding of the variance application process, this package has been assembled. The following attachments are included:

1. Variance application form.
2. A flow chart of the application process.
3. Schedule of Zoning application hearings and the deadline dates for submittal.

\*A copy of Article XXVI of the zoning ordinance which describes in detail the required amendment application procedures is available upon request at the office.

The application fee of \$200 is due at the time of submittal.

In addition to the application and/or site plans you may want to include a brief narrative explaining what you are requesting and why.

**Please be advised that someone will need to be at the meetings to present the request or the item will be tabled.** Call if you need additional information.

**VARIANCE APPLICATION FORM  
CITY OF DAHLONEGA, GEORGIA**

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Property Owner:      Name: \_\_\_\_\_  
                                 Address: \_\_\_\_\_  
                                 \_\_\_\_\_  
                                 Phone: \_\_\_\_\_  
                                 \_\_\_\_\_

Applicant:              Name: \_\_\_\_\_  
(if different from      Address: \_\_\_\_\_  
Owner)                    \_\_\_\_\_  
                                 Phone: \_\_\_\_\_  
                                 \_\_\_\_\_

Agent:                    Name: \_\_\_\_\_  
(if applicable)         Address: \_\_\_\_\_  
                                 \_\_\_\_\_  
                                 Phone: \_\_\_\_\_  
                                 \_\_\_\_\_

Existing Zoning: \_\_\_\_\_ Proposed Zoning: \_\_\_\_\_  
Existing Use: \_\_\_\_\_  
Proposed Use: \_\_\_\_\_  
Acreage of Site: \_\_\_\_\_  
\_\_\_\_\_

Variance Request: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Location of Property: \_\_\_\_\_  
(Street address) \_\_\_\_\_  
\_\_\_\_\_

Tax Plat and parcel: \_\_\_\_\_  
\_\_\_\_\_

A metes and bounds legal description is required. Also attach a boundary survey of the property if available Please be advised of the following:

- 1) The applicant is bound by the submitted site plan and letter of intent if this application is approved and development must be initiated within twenty-four months or the approved zoning is subject to reversion to its previous zoning by the Governing Body.
- 2) It is the policy (but not a legal requirement) that adjacent property owners and those owners within 150 feet of the subject property are notified by certified mail of the application.
- 3) The following seven questions can be answered within a letter of intent, but failure to answer any one can result in denial of the application.

**Complete the following information.**

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography that are not applicable to other land or structures in the same district.
  
2. A literal interpretation of the provisions of these zoning regulations would create an unnecessary hardship and would deprive the applicant of rights commonly enjoyed by other property owners within the district in which the property is located.
  
3. 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.
  
4. Relief, if granted, will be in harmony with the purpose and intent of these regulations and will not be injurious to the neighborhood or general welfare in such a manner as will interfere with or discourage the appropriate development and use of adjacent land and buildings or unreasonably affect their value.

5. The special circumstances are not the result of the actions of the applicant.

6. The variance requested is the minimum variance that will make possible the legal use of the land, building or structure.

7. The variance is not a request to permit a use of land, building or structures which are not permitted by right in the district involved.

The reason for this request: \_\_\_\_\_

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Describe situation of hardship that precipitates this request

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**Property Owner's Certification**

I hereby request the action contained with this application relative to the property shown on the attached plats and site plan and further request that this item be placed on both the Planning Commission and City Council's agenda(s) for a public hearing.

I understand that the Planning and Development staff may either accept or reject my request upon review. My request will be rejected if all the necessary data is not presented.

I understand that I have the obligation to present all data necessary and required by statute to enable the Planning Commission and City council to make an informed determination on my request. I will seek the advice of an attorney if I am not familiar with the zoning and land use requirements.

I understand that my request will be acted upon at the Planning Commission and City Council hearings and that I am required to be present or to be represented by someone able to present all the facts. I understand that failure to appear at the public hearing may result in the postponement or denial of my application. I further understand that it is my responsibility to be aware of relevant public hearing dates and time regardless of notification from the City of Dahlonega.

I herby certify that I have read the above and that the above information as well as the attached information is true and accurate.

I certify that I am the owner of the property described in the attached legal description, that all information contained in this application is true and correct to the best of my knowledge, and that the applicant and/or agent listed above is authorized to act as the applicant and/or agent in the pursuit of rezoning of this property.

Signature of Property Owner: \_\_\_\_\_

Printed name of Property Owner : \_\_\_\_\_

Date of Signature: \_\_\_\_\_

Signature of Witness: \_\_\_\_\_

DISCLOSURE OF CAMPAIGN CONTRIBUTION  
(Applicant(s) and Representative(s) of rezoning)

Pursuant to OCGA Section 36-37 A-3.A, the following disclosure is mandatory when an applicant or any representation of application for rezoning has been made within two (2) years immediately preceding the filing of the applicant's request for re-zoning & campaign contributions aggregating \$250.00 or more to a local government official who will consider the application for rezoning.

It shall be the duty of the applicant and the attorney representing the applicant to file a disclosure with the governing authority of the respective local government showing the following information:

1. The name of the local official to whom the campaign contribution was made:  
\_\_\_\_\_.
2. The dollar amount and/or 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:  
  
Amount \$ \_\_\_\_\_ Date: \_\_\_\_\_  
  
Amount \$ \_\_\_\_\_ Date: \_\_\_\_\_
3. Enumeration and description of each gift when the total value of all gifts is \$250.00 or more made to the local government official during the 2 years immediately preceding the filing application for rezoning:

Signature of Applicant/  
Representative of Applicant: \_\_\_\_\_  
Date: \_\_\_\_\_

By not completing this form you are making a statement that no disclosure is required because no contributions have been made.

This form may be copied and additional pages attached if necessary.

## Rezoning, Variance, Conditional Use and Site Plan Hearing Schedule

Deadline for application Submittal	Public Hearing Planning & Zoning Meeting	Public Hearing Mayor & City Council Meeting
30 days prior to 1 <sup>st</sup> meeting. <i>Please submit your request ASAP.</i>	Second Monday of each month	1 <sup>st</sup> Monday of each month

### REZONING, VARIANCE, SITE PLAN AND CONDITIONAL USE PROCESS

