



VARIANCE APPLICATION PACKET

This package contains all the forms and instructions necessary to apply for a variance from the City of Chamblee's Zoning Ordinance.

Section 214 of the zoning ordinance states

"The mayor and city council may authorize upon proper application in specific cases, variance from the terms of this zoning ordinance. Request for variance applications shall be filed with the city clerk. All filed applications shall be reviewed by the city planner and the city planner shall provide a written recommendation to the mayor and city council for a final decision.

A. General standards for application and approval.

1. No variance shall be granted to allow a building, structure or use not authorized in the applicable zoning district or a density of development not authorized with such development.

2. Applications for variances shall adhere to the provisions as set forth in section 202. The mayor and city council shall authorize variances from the terms of this zoning ordinance only upon making all of the following findings:

- a. There are extraordinary and exceptional conditions pertaining to the particular property in question because of its size, shape or topography;
- b. The application of this zoning ordinance to the particular piece of property would create an unnecessary hardship;
- c. Such conditions are peculiar to the particular piece of property involved;
- d. Such conditions are not the result of any actions of the property owner; and
- e. Relief, if granted, would not cause substantial detriment to the public good nor impair the purposes or intent of this zoning ordinance.

B. Mayor and city council hearings.

1. Before deciding a variance application in accordance with this zoning ordinance, the mayor and city council shall provide for a hearing on the proposed action as set forth in section 206B.

2. The provisions regarding public notice as set forth in section 206B.2.a. regarding publication, section 206B.2.b. regarding sign postings, and section 206B.2.c. regarding written notice shall apply to variance applications.

3. The mayor and city council shall make a "variance decision" for each application. For purposes of this article the term "variance decision" means final action by the mayor and city council which results in a variance approval or a variance denial.

4. Said final action shall be made no later than 60 days following filing of a complete application, unless extended by agreement of the applicant.

5. The mayor and city council may require accompanying written requirements as part of a "variance decision", thereby approving the variance as "conditional."

6. An application may be withdrawn by the applicant prior to the "variance decision."

7. Appeals of a "variance decision" of the mayor and city council by an aggrieved party to the superior court shall be authorized pursuant to section 213B."

Please review the attached forms and contact the Development Department to schedule an appointment to begin the process.

PRE-APPLICATION INFORMATION FORM

This page must be completed by the Applicant.

APPLICANT

Name

Company

Mailing Address

Suite/Apt. #

City, State

Zip Code

Primary Phone #

Alternate Phone #

FAX #

E-mail

PROJECT SUMMARY

Name of Project

Project Description

Total Number of Properties Involved (*Fill out a separate "Property Information" page for each property involved*)

Total Project Acreage

Total Number of Buildings

Total Estimated Cost of Planned Improvements

Detailed Description (*Include Proposed Use(s) and Square Footage of Floor Area for each use*):

PROPOSED APPLICATION TYPE (*Check all that apply*)

- Unknown or Yet to be determined
- Zoning Application: To Amend the Zoning Map (Rezone Property)
- Zoning Application: To Amend the Future Development Map (Concurrent with Zoning Map Amendment)
- Zoning Application: To Vary the terms of the Zoning Ordinance (Variance)
- Zoning Application: For a Planned Use Development (PUD)
- Zoning Application: For a Development of Community Impact (DCI)
- Application to Amend the Future Development Map (Not Concurrent with Zoning Map Amendment)
- Administrative Variance Application
- Building Permit Application: Zoning Review of Complete Plans (prepared and sealed by a registered Arch, Engr., L. Arch, or Surveyor)
- Building Permit Application: Basic Zoning Review of Minimum Requirements (no professional seal required- SFR in NR-1 or NR-2)
- Administrative Appeal
- Other/Comment _____

Note: Only the Mayor and City Council may initiate zoning ordinance text amendments.

Date: ____ / ____ / ____

Applicant Signature (Check One): Property Owner OR Owner's Agent

OFFICIAL USE

PROPERTY INFORMATION/ OWNER AUTHORIZATION

PROPERTY # _____ OF _____ TOTAL

The Applicant shall complete one page for each property included.

PROPERTY INFORMATION

Property Address/Location	Suite/Apt. #	<u>Chamblee, GA</u> City, State	Zip Code
Parcel ID / Property Tax Identification Number	Total Acreage		
Present Use(s)	Present Zoning (Official Zoning Map)	Present Character Area (Future Development Map)	
Proposed Use(s)	Proposed Zoning	Proposed Character Area	

Legal description includes:

Subdivision Name	Lot #	Block #
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OR

Indicate here that an exhibit identifying property location is attached.

PROPERTY OWNER

Owner (Person, Firm, Corporation, or Agency)

Company

Mailing Address	Suite/Apt. #	City, State	Zip Code
Primary Phone #	Alternate Phone #	FAX #	E-mail

PROPERTY OWNER'S AGENT *(If Applicable)*

Name and Company (Owner's Agent or Attorney)

Mailing Address	Suite/Apt. #	City, State	Zip Code
Primary Phone #	Alternate Phone #	FAX #	E-mail

AUTHORIZATION FOR AGENT *(If Applicable)*

Owner Signature	Date
Print Name	<div style="border: 1px solid black; width: 100%; height: 100%; text-align: center; vertical-align: bottom; padding: 10px;">SEAL</div>
Subscribed and sworn before me this _____ day of _____, 2006.	
County	
Signature of Notary Public in the State of Georgia	

OFFICIAL USE: Case #: _____
VAR Case #: _____ PUD Case #: _____ DCI Case #: _____ FD-MAP Case #: _____

WRITTEN ANALYSIS: VARIANCE CRITERIA

This page must be completed by the Applicant.(per section 202 C.8.)

Applicant Name _____

Name of Project _____

Description of Variance (attach an additional sheet if necessary) _____

Date: _____ / _____ / _____

Applicant Signature: Property Owner or Owner's Agent

The Mayor and City Council shall authorize variances from the terms of this zoning ordinance only upon proof of findings in accordance with each of the following criteria. Please provide an explanation below on the degree to which your property meets each criterion:

1. There are extraordinary and exceptional conditions pertaining to the particular property in question because of its size, shape or topography;

2. The application of this zoning ordinance to the particular piece of property would create an unnecessary hardship;

3. Such conditions are peculiar to the particular piece of property involved;

4. Such conditions are not the result of any actions of the property owner; and

5. Relief, if granted, would not cause substantial detriment to the public good nor impair the purposes or intent of this zoning ordinance.

OFFICIAL USE:

The Applicant has been notified that this application is to be heard at the next available Mayor and City Council hearing scheduled for:
Date: ____ / ____ / _____ at Time: _____ PM / AM at the following location: _____.

City of Chamblee, Georgia

Disclosure of Campaign Contributions & Gifts

Application filed on _____, 20__ for action by the City of Chamblee City Council for zoning action requiring a public hearing on property described as follows:

The undersigned below, making application for a zoning action, has complied with O.C.G.A. Section 36-67A-1, et. seq. Conflict of Interest in Zoning Actions, and has submitted or attached the required information on this form.

All individuals, business entities, or other organizations¹ having a property or other interest in said property subject of this application are as follows (attach additional sheets if necessary):

Have you as applicant, agent for applicant, or anyone associated with this application or property, within the two (2) years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to an elected official of the City of Chamblee?

YES NO

If YES, please complete the following section (attach additional sheets if necessary):

<u>Name and Official Position of Government Official</u>	<u>Dollar amount & description of each contribution</u>	<u>Date of Contribution</u>
_____	_____	_____

I do hereby certify the information provided herein is both complete and accurate to the best of my knowledge.

Signature of Applicant

Type or Print Name and Title

Signature of Applicant's Representative

Type or Print Name and Title

Signature of Notary Public
(Seal)

Date

¹ Business entity may be a corporation, partnership, limited partnership, firm, enterprise, franchise, association, trade organization, or trust while other organization means non-profit organization, labor union, lobbyist or other industry or casual representative, church, foundation, club, charitable organization, or educational organization.

ZONING PLANS CHECKLIST

Applicant Name _____

Name and Description of Project _____

This list represents the minimum requirements for application and review of compliance with Zoning and Tree Preservation Ordinances including requests for rezonings, PUDs, and Developments of Community Impact.

1. GENERAL INFORMATION

- a. Legal Description (including Parcel Identification and Address) for each property involved.
- b. Plans prepared and sealed by a registered Engineer or Land Surveyor

2. EXISTING SITE CONDITIONS

- a. Topographic map at a minimum 1"=100' scale, including information on:
- b. Man-made and natural features
- c. Utilities
- d. Streams
- e. Easements and right-of-way
- f. Features to be retained, moved, or altered
- g. Shape and dimensions of the existing lot to be built upon
- h. Size, measurement and location of any existing buildings or structures on the lot.
- i. Threshold Elevation of existing structures

3. PROPOSED SITE IMPROVEMENTS

A site plan at a minimum 1"=100' scale, including:

- a. Building footprints
- b. Doors
- c. Densities
- d. Parking
- e. Open space
- f. Sidewalks
- g. Yards (setbacks)
- h. Utilities
- i. Internal circulation
- j. Grading
- k. Lighting
- l. Drainage
- m. Amenities

4. LANDSCAPE PLAN *(existing and proposed)*

A site plan at a minimum 1"=100' scale, including:

- a. Tree Survey
- b. Landscaping to be preserved
- c. Landscaping to be removed
- d. Landscaping which is replacing the landscaping that is removed
- e. All plantings (numbered)
- f. Open space

5. ARCHITECTURAL DESIGN *(proposed design elements)*

An Architectural Design Elements Package, including:

- a. Scaled elevation drawings of proposed structures, including building height
- b. Information on building materials, features, exterior finish legend, windows, doors, colors
- c. Information on signs, air conditioning, grills, compressors and other items affecting exterior appearance

6. LEED ANALYSIS

- a. LEED (Leadership in Energy and Environmental Design) checklist completed by a LEED-Accredited Professional *(required for developments of more than 50,000 square feet of gross floor area).*

OFFICIAL USE

Deadlines for Re-Zoning, Variances, Developments of Community Impact (DCI), Planned Unit Developments (PUD)

Month of Public Hearings	Pre-Application Meeting	Deadline for Application	Paper Deadline	ARB	City Council Work Session	City Council Meeting
February 2008	01/04/2008	01/04/2008	01/18/2008	02/05/2008	02/14/2008	02/19/2008
March 2008	01/18/2008	01/25/2008	02/15/2008	03/04/2008	03/13/2008	03/18/2008
April 2008	02/15/2008	02/22/2008	03/14/2008	04/01/2008	04/10/2008	04/15/2008
May 2008	03/21/2008	03/28/2008	04/18/2008	05/06/2008	05/15/2008	05/20/2008
June 2008	04/18/2008	04/25/2008	05/16/2008	06/03/2008	06/12/2008	06/17/2008
July 2008	05/23/2008	05/30/2008	06/13/2008	07/01/2008	07/10/2008	07/15/2008
August 2008	06/20/2008	06/27/2008	07/18/2008	08/05/2008	08/14/2008	08/19/2008
September 2008	07/18/2008	07/25/2008	08/15/2008	09/02/2008	09/11/2008	09/16/2008
October 2008	08/22/2008	08/29/2008	09/19/2008	10/07/2008	10/16/2008	10/21/2008
November 2008	09/19/2008	09/26/2008	10/17/2008	11/04/2008	11/13/2008	11/18/2008
December 2008	10/24/2008	10/31/2008	11/14/2008	12/02/2008	12/11/2008	12/16/2008
January 2009	11/14/2008	11/21/2008	12/19/2008	01/06/2009	01/15/2009	01/20/2009
February 2009	12/19/2008	01/02/2009	01/16/2009	02/03/2009	02/12/2009	02/17/2009
March 2009	01/23/2009	01/30/2009	02/13/2009	03/03/2009	03/12/2009	03/17/2009
April 2009	02/20/2009	02/27/2009	03/20/2009	04/07/2009	04/16/2009	04/21/2009
May 2009	03/20/2009	03/27/2009	04/17/2009	05/05/2009	05/14/2009	05/19/2009
June 2009	04/17/2009	04/24/2009	05/15/2009	06/02/2009	06/11/2009	06/16/2009
July 2009	05/22/2009	05/29/2009	06/19/2009	07/07/2009	07/16/2009	07/21/2009
August 2009	06/19/2009	06/26/2009	07/17/2009	08/04/2009	08/13/2009	08/18/2009
September 2009	07/24/2009	07/31/2009	08/14/2009	09/01/2009	09/10/2009	09/15/2009
October 2009	08/21/2009	08/28/2009	09/18/2009	10/06/2009	10/15/2009	10/20/2009
November 2009	09/18/2009	09/25/2009	10/16/2009	11/03/2009	11/12/2009	11/17/2009
December 2009	10/16/2009	10/23/2009	11/13/2009	12/01/2009	12/10/2009	12/15/2009
January 2010	11/20/2009	12/04/2009	12/18/2009	01/05/2010	01/14/2010	01/19/2010
February 2010	12/18/2009	01/04/2010	01/15/2010	02/02/2010	02/11/2010	02/16/2010
March 2010	01/22/2010	01/29/2010	02/12/2010	03/02/2010	03/11/2010	03/16/2010
April 2010	02/19/2010	02/26/2010	03/19/2010	04/06/2010	04/15/2010	04/20/2010
May 2010	03/19/2010	03/26/2010	04/16/2010	05/04/2010	05/13/2010	05/18/2010
June 2010	04/23/2010	04/30/2010	05/14/2010	06/01/2010	06/10/2010	06/15/2010
July 2010	05/21/2010	05/28/2010	06/18/2010	07/06/2010	07/15/2010	07/20/2010
August 2010	06/18/2010	06/25/2010	07/16/2010	08/03/2010	08/12/2010	08/17/2010
September 2010	07/23/2010	07/30/2010	08/20/2010	09/07/2010	09/16/2010	09/21/2010
October 2010	08/20/2010	08/27/2010	09/17/2010	10/05/2010	10/14/2010	10/19/2010
November 2010	09/17/2010	09/24/2010	10/15/2010	11/02/2010	11/11/2010	11/16/2010
December 2010	10/22/2010	10/29/2010	11/19/2010	12/07/2010	12/16/2010	12/21/2010

Attachment A (Approved by Council April 2009)

**CITY OF CHAMBLEE
PLANNING / ZONING / SITE ENGINEERING**

ZONING RESOURCES	FEE
ZONING APPROVAL VERIFICATION LETTER	\$ 10 per parcel

GENERAL CONSULTATION FEES	FEE
INFORMATIONAL SESSION BY PHONE OR E-MAIL	NC
ZONING OR ENGINEERING CONSULTATION (per 1/2 hour)	\$ 65
BOTH ZONING AND ENGINEERING CONSULTATION (per 1/2 hour)	\$ 125

DEVELOPMENT PLAN REVIEW	FEE	
	Original Submittal	Re-Submittal
ZONING COMPLIANCE REVIEW		
Single Family Detached Residential & Demolition (1 Lot)	\$ 500	\$ 500
Preliminary Subdivision Plat Review	\$ 2,000	\$ 2,000
All other uses		
< 50,000 SF of Building	\$ 1,000	\$ 1,000
> or equal to 50,000 SF of Building	\$ 1,500	\$ 1,500
LAND DISTURBANCE PLAN (LDP) REVIEW		
Single Family Detached Residential (1 Lot)	\$ 1,250	\$ 300
All Other Uses		
< 50,000 SF of Building	\$ 2,250	\$ 1,500
> or equal to 50,000 SF of Building	\$ 3,250	\$ 2,500
Only Demolition & Site Clearing		
Site under 5 acres	\$ 750	\$ 500
Site 5 acres and over	\$ 1,250	\$ 750
Structural Site Plan Review		
Detention Pond Walls/Vaults	\$ 325	\$ 250
Retaining Walls	\$ 325	\$ 250

SITE PROJECT CLOSEDOUT	FEE	
FIELD REVIEW	per Field Visit	
Stormwater Mangament - Field Verification of Installation	\$ 500	
Retaining Wall and Detention Pond Vault Installation	\$ 500	
Final Planting On-Site Verification	\$ 500	
DOCUMENTATION REVIEW	Original Submittal	Re-Submittal
Stormwater Record Documents	\$ 625	\$ 400
Final Plat/Survey Review		
Single Family Detached Residential (1 Lot)	\$ 250	\$ 250
Subdivision	\$ 1,250	\$ 750
All Other	\$ 625	\$ 400

SPECIAL CASE ZONING REVIEWS	FEE
INITIAL SCREENING BY ENGINEER/PLANNER (Approx. 15 minutes/plan)	City On-Call Sevices
REZONING (Zoning Map Amendment)	\$ 2,000
Re-submittal	original fee
VARIANCE (to vary the terms of the Zoning Ordinance)	
Single Family Detached Residential	\$ 250
All other uses	\$ 1,000
Each Additional Variance Submitted under one Application	\$ 100
Re-submittal	original fee
PLANNED UNIT DEVELOPMENT	\$ 2,000
Re-submittal	original fee
DEVELOPMENT OF COMMUNITY IMPACT (for 50,000 SF and over)	\$ 1,000
Re-submittal	original fee
FUTURE DEVELOPMENT MAP AMENDMENT	
Concurrent with Rezoning Application	\$ 250
Not Concurrent with Zoning Application	\$ 1,000
Re-submittal	original fee
COUNCIL DIRECTED REVIEW - NON VOLUNTARY	City On-Call Sevices