



ADMINISTRATIVE VARIANCE APPLICATION PACKET

Relief from strict compliance with the following regulations of the UDO (Sec 280-37) may be reviewed and approved by the Planning and Development Director:

- (1) *Front yard or street side yard* - Variance not to exceed ten percent of the required setback. If contextual setbacks are required, this relief may be granted for the minimum or maximum setback in the range. For additions to existing residences for which contextual setbacks are required, the existing structure on the subject property may be used in determining the required setback range.
- (2) *Side yard* - Variance not to exceed 2.5 feet deducted from the required setback. In no case shall the structure be located closer than five feet to the property line unless a variance is granted by Mayor and City Council.
- (3) *Rear yard* - Variance not to exceed five feet deducted from the required setback in any district. In the NR-1 residential district, a variance for a rear addition to a principal structure may not exceed 120-square-foot.
- (4) *Building height* - Not to exceed five feet for a mixed-use building built upon a parking deck or two feet for other uses except single-family detached residential. This provision may not be used to reduce the required minimum building façade heights set forth in Subsection 230-27(c) except in order to facilitate the adaptive reuse of an existing building that the Planning and Development Director determines to be of exceptional architectural character.
- (5) *Minimum required parking spaces* - Reduction up to 5 percent or 10 spaces, whichever is less.
- (6) *Maximum required parking spaces* - Up to 10 percent or 50 parking spaces, whichever is less.
- (7) *Reduction or increase in number of compact parking spaces* - Up to 10 percent or 25 parking spaces, whichever is less.
- (8) *Parking permitted in the front yard* - Up to 50 existing parking spaces to be accessed from a single driveway parallel to the street for adaptive reuse of an existing building.
- (9) *Fenestration* - Variance not to exceed 10 percent of the required fenestration.
- (10) *Landscape zone* - Variance not to exceed two feet deducted from the required minimum width.
- (11) *Sidewalk clear zone* - Variance not to exceed two feet deducted from the required minimum width.
- (12) *Supplemental zone* - Variance not to exceed two feet deducted from the required minimum width.
- (13) *Retaining wall or fence height*. Variance for no more than two additional feet in height.
- (14) *Threshold elevation*. Variance of no more than two feet from either the minimum or maximum elevation.

Application Requirements Checklist:

The following information and documentation must be received in order for an administrative variance submittal to be deemed a complete application:

- Completed Application Requirements Checklist
- Administrative Variance Application form
- Owner Permission Affidavit(s)
- Pre-Application Form Signed by the Development Director
- Redevelopment Assessment Form (if non-residential)
- Legal Description of the property
- Letter of Intent, that provides a project description and justification of how the project complies with the Review

and Approval Criteria in Section 280-41. Each of the following Criteria must be addressed by the applicant:

For non-parking related Administrative Variances:

- (a) The Development Director shall have the authority to grant limited minor administrative variances from certain provisions of this zoning ordinance unrelated to parking, where the Development Director determines that:
 - (1) The strict application of the requirements of this zoning ordinance would cause undue and unnecessary hardship to the property owner or authorized agent; and
 - (2) The intent and continued integrity of the zoning ordinance can be achieved with equal performance and protection of public interests through grant of the administrative variance.

For parking-related Administrative Variances:

- (b) The Development Director shall have the authority to grant limited minor administrative variances from the minimum parking space requirements listed in Section 250-2, where the Development Director determines that:
 - (1) Because of unique circumstances including the shape, topography, soils and vegetation of the site, the provision of the minimum or maximum number of required spaces would cause the applicant to suffer unique and undue hardship.
 - (2) The site is located in an environmentally sensitive area, such as a water supply watershed, where stormwater runoff should be minimized.
 - (3) The unique circumstances of the use make the minimum or maximum number of parking spaces excessive for actual needs.

- Site Plan (See attached Site Plan Checklist for requirements)
- Administrative Variance Details sheet
- Other materials reasonably required by the City necessary to the analysis of the application as determined at the pre-application meeting or upon application submittal.
- Application Fee (\$250 + \$25 for each additional Administrative Variance submitted under one application)

Please submit the entirety of your application submittal electronically, saved in .pdf format with a maximum 25 MB file size, to Chambleedevelopment@chambleega.gov. No hard copies are required to be submitted. Fees can be paid electronically via the link found at www.chambleega.gov/152/applications-and-forms.

Application Processing:

An application shall be considered complete and ready for processing only if it is submitted in the required format, includes all required information and supporting documentation, and is accompanied by the application filing fee. Applications deemed complete by the Development Director will be considered to be in the processing cycle and will be reviewed by City Staff.

The Development Director shall make a decision for the application. The review time for an application is a maximum of ten (10) business days. However, per Section 280-40, the final decision of the Development Director shall in no case be made later than 60 days from the date of receipt of a complete application unless extended by agreement of the applicant. The decision of the Development Director regarding an administrative variance shall state the reasons for approval or denial and shall be considered the final decision.

Any person or entity aggrieved by an administrative decision may appeal the decision in accordance with the appeal procedures in Chapter 280, Article 6, within 15 days of the administrative decision.

The current version of the UDO can be found at www.chambleega.com/160/zoning.



ADMINISTRATIVE VARIANCE APPLICATION

PROJECT:

Name of Project

Property Address

Brief Description of Project

Zoning District

Total # of Properties Involved

Total Project Acreage

Total Number of Buildings

Total area of buildings

OWNER:

Name and Company

Mailing Address

City, State

Zip Code

Phone #

E-mail

APPLICANT: Check here if Applicant is also the Property Owner

Name and Company

Mailing Address

City, State

Zip Code

Phone #

E-mail

Applicant Signature

Date

I hereby certify that all information provided herein is true and correct.

NOTARY:

Sworn to and subscribed before me this _____ day of _____, 20_____

Notary Public:



Owner Permission Affidavit

Subject Property Street Address: _____

Subject Property Tax ID number: 18 - _____ - _____ - _____

Owner:

Name (Person, Firm, Corporation, or Agency): _____

Mailing Address: _____

Phone: _____

Email: _____

Property Owner's Agent (If applicable)

Name (Person, Firm, Corporation, or Agency): _____

Mailing Address: _____

Phone: _____

Email: _____

I am applying for, or I hereby give authority to the applicant to file an application for: _____

Owner/Agent signature

Owner/Agent printed name

This instrument was signed before me on this date _____

County _____ Georgia Notary Signature: _____

Affix seal/stamp as close to signature as possible



ADMINISTRATIVE VARIANCE DETAILS

Complete this page for the administrative variance(s) being requested. Full regulations may be found in Chapter 280, Article 5 of the UDO.

<p><input type="checkbox"/> FRONT YARD SETBACK</p> <p style="margin-left: 20px;">(a) Required Setback _____ ft</p> <p style="margin-left: 20px;">(b) Requested Setback _____ ft</p> <p style="margin-left: 20px;">(c) Difference (a - b) _____ ft</p> <p style="margin-left: 20px;">Variance Request (c / a) _____ %</p>	<p><input type="checkbox"/> SIDEWALK CLEAR ZONE</p> <p style="margin-left: 20px;">(a) Required Minimum Width _____ ft</p> <p style="margin-left: 20px;">(b) Requested Width _____ ft</p> <p style="margin-left: 20px;">Variance Request (a - b) _____ ft</p>
<p><input type="checkbox"/> STREET SIDE YARD SETBACK</p> <p style="margin-left: 20px;">(a) Required Setback _____ ft</p> <p style="margin-left: 20px;">(b) Requested Setback _____ ft</p> <p style="margin-left: 20px;">Variance Request (a - b) _____ ft</p>	<p><input type="checkbox"/> SUPPLEMENTAL ZONE</p> <p style="margin-left: 20px;">(a) Required Minimum Width _____ ft</p> <p style="margin-left: 20px;">(b) Requested Width _____ ft</p> <p style="margin-left: 20px;">Variance Request (a - b) _____ ft</p>
<p><input type="checkbox"/> SIDE YARD SETBACK</p> <p style="margin-left: 20px;">(a) Required Setback _____ ft</p> <p style="margin-left: 20px;">(b) Requested Setback _____ ft</p> <p style="margin-left: 20px;">Variance Request (a - b) _____ ft</p>	<p><input type="checkbox"/> MINIMUM PARKING SPACES</p> <p style="margin-left: 20px;">(a) Required _____ spaces</p> <p style="margin-left: 20px;">(b) Proposed _____ spaces</p> <p style="margin-left: 20px;">(c) Variance Request (a - b) _____ spaces</p>
<p><input type="checkbox"/> SIDE YARD SETBACK</p> <p style="margin-left: 20px;">(a) Required Setback _____ ft</p> <p style="margin-left: 20px;">(b) Requested Setback _____ ft</p> <p style="margin-left: 20px;">Variance Request (a - b) _____ ft</p>	<p><input type="checkbox"/> MAXIMUM PARKING SPACES</p> <p style="margin-left: 20px;">(a) Required _____ spaces</p> <p style="margin-left: 20px;">(b) Proposed _____ spaces</p> <p style="margin-left: 20px;">(c) Variance Request (b - a) _____ spaces</p>
<p><input type="checkbox"/> REAR YARD SETBACK</p> <p style="margin-left: 20px;">(a) Required Setback _____ ft</p> <p style="margin-left: 20px;">(b) Requested Setback _____ ft</p> <p style="margin-left: 20px;">Variance Request (a - b) _____ ft</p>	<p><input type="checkbox"/> COMPACT PARKING SPACES</p> <p style="margin-left: 20px;">(a) Required _____ spaces</p> <p style="margin-left: 20px;">(b) Proposed _____ spaces</p> <p style="margin-left: 20px;">(c) Variance Request - Min. (a - b) _____ spaces</p> <p style="margin-left: 20px;">(d) Variance Request - Max. (b - a) _____ spaces</p>
<p><input type="checkbox"/> BUILDING HEIGHT:</p> <p style="margin-left: 20px;">(a) Maximum allowable height _____ ft</p> <p style="margin-left: 20px;">(b) Requested Height _____ ft</p> <p style="margin-left: 20px;">Variance Request (a - b) _____ ft</p>	<p><input type="checkbox"/> PARKING IN FRONT YARD</p> <p style="margin-left: 20px;">Variance Request _____ spaces</p>
<p><input type="checkbox"/> FENESTRATION</p> <p style="margin-left: 20px;">(a) Required Fenestration _____ sq ft</p> <p style="margin-left: 20px;">(b) Requested Fenestration _____ sq ft</p> <p style="margin-left: 20px;">(c) Difference (a - b) _____ sq ft</p> <p style="margin-left: 20px;">Variance Request (c / a) _____ %</p>	<p><input type="checkbox"/> RETAINING WALL OR FENCE HEIGHT</p> <p style="margin-left: 20px;">(a) Maximum Height Allowed _____ ft</p> <p style="margin-left: 20px;">(b) Requested Height _____ ft</p> <p style="margin-left: 20px;">Variance Request (b - a) _____ ft</p>
<p><input type="checkbox"/> LANDSCAPE CLEAR ZONE</p> <p style="margin-left: 20px;">(a) Required Minimum Width _____ ft</p> <p style="margin-left: 20px;">(b) Requested Width _____ ft</p> <p style="margin-left: 20px;">Variance Request (a - b) _____ ft</p>	<p><input type="checkbox"/> THRESHOLD ELEVATION</p> <p style="margin-left: 20px;">(a) Minimum or maximum allowed _____ ft</p> <p style="margin-left: 20px;">(b) Requested elevation _____ ft</p> <p style="margin-left: 20px;">Variance Request (a - b) or (b-a) _____ ft</p>

Administrative Variance Site Plan Checklist

At a minimum, an administrative variance request shall include the following.

1. Site Plan of Existing Conditions. The site plan must be to-scale and include:
 - Parcel boundary
 - North arrow
 - Visual scale a minimum of 1"=100'
 - Location of streams and lakes affecting the property
 - Abutting streets, sidewalks, and rights-of-way
 - Existing building footprints, and other existing impervious surfaces such as driveways and walkways
 - Location of permanent ground signs
 - Existing easements
 - Zoning setbacks dimensioned on the plan
 - Existing impervious surface area ratio calculation
 - Existing open space calculation provided (if non-residential)
 - Any applicable zoning buffers dimensioned on the plan
 - Additional information as requested by Staff

2. Site Plan of Proposed Conditions. The site plan must be to-scale and include the following, clearly identified with dimensions and materials:
 - Parcel boundary
 - North arrow
 - Visual scale a minimum of 1"=100'
 - Location of streams and lakes affecting the property
 - Abutting streets, sidewalks, and rights-of-way
 - Building footprints, and other impervious surfaces such as driveways and walkways
 - Location of permanent ground signs
 - Easements
 - Zoning setbacks dimensioned on the plan
 - Impervious surface area ratio calculation
 - Open space calculation provided (if non-residential)
 - Dimensioned zoning buffers
 - Additional information as requested by Staff



Redevelopment Assessment Form

(Applies to all existing structures except for Single-Family Detached Residential structures, per Chamblee UDO Section 270-9)

PROPERTY ADDRESS: _____

APPLICANT NAME: _____ **DATE:** _____

PROJECT TYPE: (*Check all that apply*)

- Renovation
- Alteration
- Addition
- Repair
- Other _____

THRESHOLD ASSESSMENT:

Total construction cost post renovation/improvement, cumulative: **TCC =** _____

(Attach documentation for all improvements made over the last 3 years. See UDO [Section 270-9](#). Interior-only renovations are 50% of the cost valuation based on the ICC Building Valuation Data Construction Cost Table)

Fair Market Value of existing structure(s): **FMV =** _____

(Attach DeKalb County Tax Assessor documentation for all buildings on the site. The information can be obtained from the following website: <https://propertyappraisal.dekalbcountyga.gov/search/>)

Percent calculation: **TCC/FMV =** _____

ASSESSMENT: (*Check one*)

- Improvements not required because less than 30% improvement
- $\geq 30\%$ $\geq 60\%$ $\geq 70\%$

See Page 2 of this form for *Redevelopment Thresholds Summary Table*.

Mandatory compliance is not intended to result in total improvement costs greater than or equal to 125% of FMV value but applicant shall meet items in order of priority listed in Section 270-9 of the UDO until the 125% cap is met.

Redevelopment Thresholds Summary Table

Code to be applied	Redevelopment costs as a percentage of the fair market value of the structure			
	Less than 30%	30% or more	60% or more	70% or more
Section 230-26 (Streetscape design)	Not mandatory	Mandatory	Mandatory	Mandatory
Section 250-7 (Parking)	Not mandatory	Not mandatory	Not mandatory	Mandatory
Section 230-27 Building architecture)	Not mandatory	Not mandatory	Mandatory	Mandatory
Section 230-29 (Storefront Streets)	Not mandatory	Not mandatory	Mandatory	Mandatory
Remaining provisions of Chapter 230, Article 2 (Civic Design) not listed above	Not mandatory	Not mandatory	Not mandatory	Mandatory
Section 250-21 (Dumpsters)	Not mandatory	Not mandatory	Mandatory	Mandatory
Remaining provisions of Chapter 250 (Off-Street Parking and Loading Standards) not listed above	Not mandatory	Not mandatory	Not mandatory	Mandatory
Section 320-21 (Off-street surface parking lot planting requirements)	Not mandatory	Not mandatory	Mandatory	Mandatory
Remaining provisions of Chapter 320, Article 2 (Buffers) not listed above	Not mandatory	Not mandatory	Not mandatory	Mandatory
Subsection 350-2(a)(1)(b) (Sidewalks crossing driveways)	Not mandatory	Not mandatory	Mandatory	Mandatory
Remainder of UDO	Not mandatory	Not mandatory	Not mandatory	Mandatory



INSTRUCTIONS FOR REQUESTING A PRE-APPLICATION MEETING

Projects That Require a Pre-Application Meeting:

1. Amend the zoning map
2. Variance and/or Waiver
3. Development of Community Impact (DCI)
4. Subdivide land
5. Any other application deemed necessary by staff

Application Submittal and Review Process:

- A. **Complete a Pre-Application Information Form** that contains a detailed description of the request. Attach a separate sheet if necessary.
- B. **Prepare Concept Plans and a Submit a PDF digital version** that conveys the proposed project. These plans may be conceptual in nature and do not need to be developed by a design professional. (Note: Individual PDF files may not exceed 25 MB. Large files should be separated into individual PDF files not exceeding 25 MB.)
- C. **Submit the Pre-Application Instruction Form and Concept Plans** to the Planning and Development Department via email to chambleedevelopment@chambleega.gov. The application and forms will be reviewed within (2) two business days. Staff will contact the applicant to schedule the Pre-Application Meeting.
- D. **Attend the Pre-Application Meeting** with the Planning and Development Department. Feedback about the proposal, along with an overview of the application and review processes will be provided during this meeting.
- E. **Submit a Signed Copy of the Pre-Application Information Form** with the formal application. When the applicant is prepared to submit the full, complete application for the development activity or zoning process, a copy of the Pre-Application form is required to be included in the submittal.

PRE-APPLICATION INFORMATION FORM SUBMITTAL CHECKLIST:

- Complete Pre-Application Information Form
- One PDF digital version of Concept Plans (Note: Individual PDF files may not exceed 25 MB. Large files should be separated into individual PDF files not exceeding 25 MB.)



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 # _____

E-mail _____

PROJECT SUMMARY

Address of Project _____

Name of Project _____

Application Type (Amend Zoning Map, Development of Community Impact (DCI), Variance/Waiver, Subdivide Land, Other) _____

Total Project Acreage _____

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

Applicant Signature _____

Date: ____ / ____ / ____

NOTE: This form must be signed by staff and submitted with your application.

For Internal Use Only:

Pre-Application Meeting Date: _____

Staff Printed Name: _____ Signed: _____