

# Application for Variance

## CITY OF VALDOSTA PLANNING AND ZONING DIVISION

This is an application for a Variance from the City of Valdosta Land Development Regulations.  
All properties listed in a single application must be contiguous and under a single local government jurisdiction.

\*Applicant \_\_\_\_\_

Telephone Number \_\_\_\_\_ Email Address \_\_\_\_\_

Mailing Address \_\_\_\_\_

\*Note: If applicant is not the owner as listed on the Property Deed, a notarized letter from the owner(s), including phone number and address, authorizing the applicant to act on their behalf must be included.

### PROCEDURE

#### Application Requirements

All Applications must be complete and include required supporting documents. **Incomplete applications will not be accepted.**

#### Application Deadline

Applications are due by 5:00 p.m. on the 25th day of the month. When the 25th falls on a weekend or holiday, applications are due the next business day. Complete Applications submitted by the deadline will be heard by the Zoning Board of Appeals (ZBOA) approximately five weeks following the application deadline. For example, an application submitted on March 25th will be heard at the May ZBOA meeting. The ZBOA makes the final decision on all cases.

#### Application Submission

Return one copy of this completed application and all supporting documents to:

**City of Valdosta Planning & Zoning Division**  
**City Hall Annex**  
**300 N. Lee Street | P.O. Box 1125**  
**Valdosta, GA 31603-1125**

#### Application Public Hearings

Applications will be heard at a public hearing by ZBOA for a final decision at their regular meeting held the first Tuesday of each month at 2:30 p.m. in the Multi-Purpose Room of the City Hall Annex (300 N. Lee Street).

#### Application Representation

The applicant or authorized representative should attend the public hearing to support the Application and answer any questions.

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PROPERTY ADDRESS (OR GENERAL LOCATION DESCRIPTION IF NO ADDRESS ASSIGNED):

TAX MAP/PARCEL ID#: \_\_\_\_\_ ACREAGE: \_\_\_\_\_

CURRENT ZONING: \_\_\_\_\_

FUTURE DEVELOPMENT MAP CHARACTER AREA DESIGNATION:

EXISTING USE: \_\_\_\_\_

PROPOSED USE: \_\_\_\_\_

DATE OF OPTIONAL PRE-APPLICATION MEETING: \_\_\_\_\_

DOES THE PROPOSED USE TRIGGER A DEVELOPMENT OF REGIONAL IMPACT?

YES                       NO

HAS THE PROPERTY BEEN DENIED A VARIANCE IN THE PAST 12 MONTHS?

YES                       NO

HAS ANY PUBLIC HEARING BEEN HELD REGARDING THE PROPERTY IN THE PAST 3 YEARS?

YES                       NO                      *IF YES, DESCRIBE:* \_\_\_\_\_

### Variance Questionnaire

The Valdosta Land Development Regulations state that in order to promote the public health, safety, morality and general welfare of citizens against the unrestricted use of property, certain “Standards for the Exercise of Zoning Powers” may be used by the governing body when making zoning decisions. The applicant is encouraged to respond to these questions to gain understanding as to why rezoning requests may or may not be approved. *(Attach additional sheets as necessary.)*

- 1) Please explain the purpose of the requested variance and the intended development of the subject property if the variance is granted.

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- 2) Please indicate the specific provision from Title 2 of the Valdosta LDR from which the variance is requested.

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- 3) Per **Section 242-9(i) of the City of Valdosta LDR** the Zoning Board of Appeals shall not approve a variance from the terms of the LDR unless it has, in each case, made specific findings of fact based directly up on the particular evidence presented and supporting written conclusions that the variance meets each of the criteria listed below. Please explain how the requested variance meets each of the following:

- A. The need for the variance arises from a condition that is unique and peculiar to the land, structures, and buildings involved.

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- B. The variance is necessary because the particular physical surroundings, the size, shape or topographical condition of the specific property involved would result in unnecessary hardship for the owner, lessee or occupants; as distinguished from a mere inconvenience, if the provisions of **Title 2 of the LDR** are literally enforced.

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C. The condition requiring the requested relief is not ordinarily found in properties of the same zoning district as the subject property.

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D. The condition is created by the regulations of **Title 2 of the LDR** and not by an action or actions of the property owner or the applicant.

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E. The granting of the variance will not impair or injure other property or improvements in the neighborhood in which the subject property is located, nor impair an adequate supply of light or air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, create a hazard to air navigation, endanger the public safety or substantially diminish or impair property values within the neighborhood.

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F. The variance requested is the minimum variance that will make possible the reasonable use of the land, building or structures.

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4) Please explain how the proposed variance is consistent with the general spirit of **Title 2 of the Valdosta LDR** and the policies and guidance of the **City of Valdosta Comprehensive Plan**.

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### Adjacent Property Owners

*Attach Additional Pages as Necessary*

List all current owners of properties located immediately adjacent to, or directly across the street or railroad right-of-way from, the subject property. This information may be obtained from the Lowndes County Tax Assessor's office (229.671.2540 or <http://qpublic.net/ga/lowndes/>). The accuracy and completeness of this information shall be the responsibility of the applicant.

Map and Parcel Number	Property Owner Name and Mailing Address
1)	
2)	
3)	
4)	
5)	
6)	
7)	
8)	
9)	
10)	

**APPLICATION CHECKLIST**

**Supporting Documents:** The following list of supporting documents must be submitted with this application. Only one (1) copy of each supporting document is necessary. Only *complete* applications will be accepted.

- Letter of Authorization:** If Applicant is not the current Property Owner or is one of multiple Owners, a notarized Letter from the Owner(s), including their phone number and address, authorizing the applicant to act on their behalf.
- Conceptual Site Plan:** (No larger than 11 X 17) mechanically drawn and prepared by an architect, engineer, landscape architect, or land surveyor whose state registration is current and valid. Drawing shall be at a scale of 1" = 100' and include the following:
- Applicant name, date of drawing and revision dates if applicable.
  - Inset map showing location relative to major roads, government boundaries, landmarks, etc.
  - Dimensions along all property lines.
  - Existing and proposed site improvements including all buildings and structures with usages, roadways with right-of-way dimensions and names, and other improvements relative to the development.
  - Location and use of any existing buildings on adjacent lots, and their distance from property lines as applicable.
  - Existing and proposed natural features, including streams and other water resources.
  - Any additional information necessary to allow understanding of the proposed use and development of the property as related to LDR Section 242-9(i) and 242-10.

*Questions may be directed to Tracy Tolley, Zoning Coordinator at:*

Email: [ttolley@valdostacity.com](mailto:ttolley@valdostacity.com) | Phone: (229) 259-3563 | Fax: (229) 329-4228

P.O. Box 1125 | Valdosta, GA 31603-1125

**Variance Restrictions:** Per **LDR Section 242-9(i)(2)** no variance shall:

- Allow a structure or use not authorized in the applicable zoning district or a density of development that is not authorized within such district.
- Allow an increase in maximum height of building.
- Allow any variance that conflicts with, reduces, waives, or modifies any requirement enacted as a condition of zoning approval or of Conditional Use Permit approval by the City Council.
- Reduce, waive or modify in any manner the minimum lot area established by the Valdosta LDR in any zoning district.
- Permit the expansion or enlargement of any non-conforming use of land, non-conforming use of land and buildings in combination, non-conforming use of land and structures in combination unless a PELUC certificate has been issued pursuant to **LDR Section 234-14** or non-conforming use requiring a Conditional Use Permit.
- Permit the re-establishment of any non-conforming use of land, non-conforming use of land and buildings in combination, non-conforming use of land and structures in combination, unless a PELUC certificate has been issued pursuant to **LDR Section 234-14** or non-conforming use requiring a Conditional Use Permit where such use has lapsed.

**CERTIFICATION AND AUTHORIZATION**

I hereby certify that, to the best of my knowledge and belief, the above listed information and all attached supporting documents are complete and accurate. I understand that this application will require a public hearing by the Valdosta-Lowndes County Zoning Board of Appeals (ZBOA). I have been made aware and I hereby acknowledge this scheduled hearing date/time and location where this Application will be considered, and I promise the either myself or my authorized representative will be in attendance at this hearing. I also understand that review of this application will require a site visit, and I hereby authorize City staff and members of the ZBOA to enter and inspect the premises which are the subject of this application.

Signature of Applicant \_\_\_\_\_ Date \_\_\_\_\_

**FOR STAFF USE ONLY**

Date Received: \_\_\_\_\_ Received By: \_\_\_\_\_

**FEES:**

Application Charge: \$ 450

Certified Mail (\$7.00 X Each Adjacent Property Owner): \$ \_\_\_\_\_

\$20 per sign (per street frontage): \$ \_\_\_\_\_

**TOTAL FEE: \$ \_\_\_\_\_**

**PUBLIC HEARING DATES:**

ZBOA \_\_\_\_\_

**PUBLIC NOTICE DATES:**

Property Posted \_\_\_\_\_ Legal Ad Run \_\_\_\_\_

Letters Mailed: \_\_\_\_\_

**DECISION:**

(Circle One)                  Approved                  Denied

Approved with Conditions: \_\_\_\_\_