



**LAGRANGE**  
G E O R G I A

## Administrative Variance Application

- **UDO Section.** 25B-55-13
- **Permit Expiration.** Does not expire unless the granted administrative variance has not been used within 1 year.
- **When Permit is Required.** Requests for an administrative variance.
- **Application Requirements.**
  - The name, address, telephone number, and email address of the applicant.
  - Legal description, street address, lot number and subdivision name, if any, of the property that is the subject of the application.
  - The size of the subject property.
  - The purpose for the requested administrative variance, and a statement of the intended development of the property if the variance is granted.
  - The specific provision of the Zoning Ordinance from which an administrative variance is requested.
  - A statement of the hardship imposed on the applicant by the Zoning Ordinance and a statement demonstrating why the variance will not be materially detrimental or injurious to other property or improvements in the neighborhood in which the subject property is located.
  - A statement concerning each of the Standards for granting administrative variances in 25B-55-9(8).
  - A statement explaining how the proposed administrative variance is consistent with the general spirit and intent of the Zoning Ordinance and the Comprehensive Plan.
  - Should the Director determine that a site plan is necessary to adequately review the administrative variance, said plan shall be drawn to scale, showing property lines with dimensions, and any improvements, structures and buildings. Should the Director determine that a plat is necessary to adequately review the administrative variance, said plat shall be prepared by an architect, engineer, landscape architect or land surveyor whose state registration is current and valid, with the preparer's signature and seal affixed to the plat.

Jan 26, 2022

# Administrative Variance Application

## Applicant Information

Name: \_\_\_\_\_

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

Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

## Property Owner Information

Name: \_\_\_\_\_

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

Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

## Site Information

Address / Location: \_\_\_\_\_

Tax Parcel #: \_\_\_\_\_

Subdivision Name: \_\_\_\_\_

Current Zoning Classification: \_\_\_\_\_

Size of Property (Square Feet or Acre(s)): \_\_\_\_\_

Specific Variance Being Requested: \_\_\_\_\_

**Purpose for the requested administrative variance, and a statement of the intended development of the property if the variance is granted.**

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**A statement of the hardship imposed on the applicant by the Zoning Ordinance and a statement demonstrating why the variance will not be materially detrimental or injurious to other property or improvements in the neighborhood in which the subject property is located.**

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## **Administrative Variance Application Property Owner Authorization**

### **Property Owner Information**

Name: \_\_\_\_\_

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

Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

### **Authorization**

I swear that I am the owner of the property located at (property address):

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Which is the subject matter of the attached application, as is shown in the records of Troup County, Georgia. I hereby authorize the applicant named below to act as the applicant in the pursuit of an administrative variance involving the subject property.

Name of Applicant / Agent: \_\_\_\_\_

Applicant's / Agent's Address: \_\_\_\_\_

Applicant's Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

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

Print Name of Owner: \_\_\_\_\_

## **Standards for Granting Variance (Sec. 25B-55-9)**

**The granting of a variance shall only occur if the following criteria are met:**

- (i) Arises from a condition that is unique and peculiar to the land, structures and buildings involved.
- (ii) 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 applicant; as distinguished from a mere inconvenience, if the provisions of the Zoning Ordinance are literally enforced.
- (iii) The condition requiring the requested relief is not ordinarily found in properties with the same zoning district designation as the subject property.
- (iv) The condition is created by the regulations of the Zoning Ordinance and not by an action or actions of the property owner or the applicant.
- (v) 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.
- (vi) The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structures.
- (vii) The variance desired will not be opposed to the general spirit and intent of the Zoning Ordinance or the purpose and intent of the Comprehensive Plan.

**No variance shall be authorized to:**

- (i) Allow a structure or use not authorized in the applicable zoning district or a density of development that is not authorized within such district.
- (ii) Conflict with or change any requirement enacted as a condition of zoning or of a special use permit authorized by the mayor and council.
- (iii) Reduce, waive or modify in any manner the minimum lot area established by the Zoning Ordinance in any zoning district.
- (iv) Reduce, waive or modify in any manner the minimum lot area established by the mayor and council through a special condition of approval.
- (v) Permit the expansion or enlargement of any nonconforming situation or nonconforming use requiring a special use permit.
- (vi) Permit the re-establishment of any non-conforming situation or nonconforming use requiring a special use permit where such use has lapsed.

## **Administrative Variances (Sec. 25B-55-13)**

- (1) Authority. Applications for authorized administrative variances may be submitted to the Director, who shall make final decisions on such applications in accordance with this section.
- (2) Limitations. Applications for administrative variances shall be considered on the following provisions exclusively:

- (a) Front yard – variance not to exceed a decrease of more than 10 percent deducted from the required setback.
- (b) Side yard – variance not to exceed a decrease of more than 25 percent deducted from the required setback.
- (c) Rear yard – variance not to exceed a decrease of more than five (5) feet deducted from the required setback.
- (d) Heights of structures in required yards – variance not to exceed an increase of more than five (5) inches added to the maximum allowable height.
- (e) Height of building – variance not to exceed an increase of more than five (5) feet added to the maximum allowable height.
- (f) Storefront fenestration percentage requirements – variance not to exceed a decrease of more than 20 percent deducted from the minimum required fenestration.
- (g) Storefront intervening fenestration distance requirements – variance not to exceed an increase of more than 30 feet added to the length of facade allowed without intervening fenestration, architectural detailing or entryway.
- (h) Landscape zone – variance not to exceed a decrease of more than five (5) feet deducted from the required minimum width – but in no case shall a landscape zone administrative variance deduction be permitted to exceed 50 percent of the required minimum width.
- (i) Street tree spacing – variance not to exceed an increase of more than five (5) feet added to the minimum required spacing distance.
- (j) Sidewalk widths – variance not to exceed a decrease of more than two (2) feet deducted from the required minimum width.
- (k) Outdoor dining encroachment into required sidewalks – variance to allow outdoor dining areas to encroach a maximum two (2) feet into an adjacent required public sidewalk.
- (l) Open space calculations – variance not to exceed a decrease of more than 10 percent deducted from the required minimum calculation.
- (m) Block dimensions – variance not to exceed an increase of more than 25 percent added to the maximum allowable dimension.
- (n) Fences – variance not to exceed an increase of more than two (2) feet added to the maximum allowable height.
- (o) Retaining walls – variance not to exceed an increase of more than 10 feet added to the maximum allowable height.
- (p) Loading requirements – variance not to exceed a decrease of more than one (1) loading space deducted from the required minimum calculation.
- (q) Restaurants with drive-through service window car stacking – variance not to exceed a decrease of more than three (3) stacking spaces for inbound drive-through customers.
- (r) Storm water retention facilities – variance to allow stormwater retention facilities to eliminate minimum setback requirements when such facilities are located within a master planned development that results in the creation of multiple new parcels within a larger project area.