



Hardship Variance Application

Douglas County Board of Appeals
Douglas County, Georgia

Applications will be received on business days between 9:00 AM and 3:00 PM

Date of Application: _____ Application #: _____

Address of Property:

Land Lot: _____ District: _____ Section: _____ Parcel: _____

Area: _____ Acres or _____ Square Feet

Current Zoning: _____

Owner of Property: _____

Mailing Address:

Telephone Number (Daytime): _____

Applicant: _____

Mailing Address:

Telephone Number (Daytime): _____

Email address: _____

What is the standard or requirement of the Unified Development Code from which a variance is sought?

What variance is sought from the above standard or requirement?

What are the extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography?

ITEMS WHICH MUST ACCOMPANY APPLICATION

- A. Owner’s Signature or Affidavit** – If the owner and applicant are not the same, the owner must sign the application or complete attached affidavit.

- B. Site Plan** – Applicant shall provide **one (1) full size copy** and **one (1) 11X17** size of a preliminary site plan, dimensioned and to scale. Such plan must be prepared by a registered surveyor, architect, or engineer and must include the following information:
 - 1. A scaled and dimensioned description of the property
 - 2. Scaled building locations (Including accessory buildings)
 - 3. Parking areas, access points, and required buffer areas

- C. Warranty Deed** – A copy of the recorded warranty deed to the property must accompany each application.

- D. Proof of Taxes Paid** – Proof that all ad valorem taxes due on the property have been paid must accompany each application.

- E. Certificate Concerning Campaign Contributions** – Certificate concerning campaign contributions (Attachment must accompany each application).

- F. Fees** – See attached fee schedule. Checks should be made payable to “Douglas County Board of Commissioners”. **Fees are non-refundable.**

- G.** Any other information required by the Planning & Zoning Department or any other County departments which is deemed necessary or desirable in processing the application which is related to the present or proposed use of the property.

I have read and understand the attached application and zoning procedures. I also hereby authorize the Planning staff to inspect the premises which are the subject of this rezoning application.

Signature of Applicant

Date

FOR OFFICE USE ONLY

Date Received: _____

Hearing Date: _____

Receipt Number: _____

Received By: _____

AFFIDAVIT

Authorization by Property Owner

I swear that I am the owner of the property that is the subject matter of the attached application, as it is shown in the records of Douglas County, Georgia.

I authorize the persons named below to act as applicant in the pursuit of the obtaining the Hardship Variance for this property.

Name of Applicant: _____

Address:

Telephone Number: _____

Owner (Printed Name)

Signature of Owner

Date

Personally Appeared Before Me:

Who swears that the information contained in this authorization is true and correct to the best of his or her knowledge and belief.

Notary Public

Date

CERTIFICATE CONCERNING CAMPAIGN CONTRIBUTIONS

Has the applicant (individual, corporation, partnership, firm, enterprise, franchise, association or trust) made, within two years immediately preceding the filing of this application for a **Special Use Permit**, campaign contributions aggregating \$250.00 or more or made gifts having in aggregate a value of \$250.00 or more to a member of the Board of Commissioners or Planning Commission who will consider the application?

YES _____

NO _____

If so, the applicant and the attorney representing the applicant must file a disclosure report with the Board of Commissioners of Douglas County, within ten (10) days after this application is first filed.

Please supply the following information, which will be considered as the required disclosure:

1. **Member:** The name of the member(s) of the Board of Commissioners or Planning Commission to whom the campaign contribution or gift was made.
2. **Contribution:** The dollar amount of each campaign contribution made by the applicant to the member of the Board of Commissioners or Planning commission during the two years immediately preceding the filing of this application, and the date of each such contribution.
3. **Gift:** An enumeration and description of each gift having a value of \$250.00 or more made by the applicant to a member of the Board of Commissioners or Planning Commission during the two years immediately preceding the filing of this application.

Member	Contribution	Date	Gift
	\$		
	\$		
	\$		
	\$		
	\$		

We certify that the foregoing information is true and correct, this _____ day of _____
20_____.

Applicant

Applicant's Attorney (if any)

General Limitation on Relief for a Hardship Variance

A Hardship Variance shall be limited to relief from the following requirements of this Development Code:

1. An appeal may not be taken from the Planning & Zoning Commission or from the Board of Commissioners to the Board of Appeals.
2. In no case shall a hardship be granted for any of the following reasons:
 - a. A condition created by the applicant, including the result of an unwise investment decision or real estate transaction.
 - b. A change in the conditions of approval imposed through a rezoning granted by the Board of Commissioners.
 - c. Reduction of a minimum lot size requirement by a zoning district.
 - d. A use of land or buildings or structures that is not permitted by the zoning district that is applicable to the property.
 - e. Any increase in the number of dwelling units or non-residential building floor area otherwise permitted by the zoning district that is applicable to the property.
 - f. Any request that would reduce the minimum setback, yard, area or other dimensional requirement, the minimum number of parking spaces, or loading berths to less than 25% of the minimum required by this Development Code.
 - g. Any request that would increase the maximum height, floor area ratio, lot coverage, or other dimensional requirement, the maximum number of parking spaces, stories, seats, occupants, clients, students or other requirement by more than 25% above the maximum specified by this Development Code.

Criteria & Standards for Considering a Hardship Variance

A Hardship Variance may be granted in such individual case of unnecessary hardship upon a finding by the Board of Appeals that all of the following conditions exist:

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography.
2. The application of the zoning or subdivision ordinance to this particular piece of property would create an unnecessary hardship.
3. Such conditions are peculiar to the particular piece of property involved.
4. Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of this ordinance.