

VARIANCE APPLICATION

APPLICANT INFORMATION

Applicant Name _____

Mailing Address _____

Suite/Unit/Apt	City	State	Zip Code
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Tel #	Fax	E-mail
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Property Owner (Use back if multiple names) _____

Mailing Address _____

Suite/Unit/Apt	City	State	Zip Code
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Tel #	Fax	E-mail
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PARCEL INFORMATION

Address/Location of Property _____

Map # N	Block #	Parcel #	Land Lot
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District/Section	Size of Property (Acres)
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Present Zoning Classification	Proposed Zoning Classification
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Present Land Use	Proposed Land Use	Land Use Map
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Authorization By Property Owner

AUTHORIZATION

The above information is true and correct to the best of my knowledge and belief, and I fully understand that in the event information given above proves false, action, if any, may be revoked by the City Council. I swear that I am the property owner of the property which is the subject matter of the attached Petition for Variance, as shown in the records of The City of Riverdale, Georgia.

Sworn to and subscribed before me this _____ day of _____, 2011.

X _____	X _____	_____
Applicant Print Name	Applicant Signature	Date

X _____	X _____	_____
Owner Print Name	Owner Signature	Date

Notary Public (Affix Raised Seal Here)

(FOR OFFICIAL USE ONLY)

Received By: _____

Date of Filing: _____

Filing Fee Received: _____

Date of Notice to Publication: _____

Community Development Recommendation: _____

Date scheduled for BZA Public Hearing: _____

Board of Zoning Appeals Recommendation: _____

Applicant Appeal: _____

Required Items for Submittal

Directions: Please attach all of the following items to the completed application:

1. A letter of intent giving the details of the proposed use of the property which should include, at a minimum, the following information:
 - What the property is to be used for, if known.
 - The size of the parcel or tract.
 - The variance requested and reasons for the request at the filing of this application.
 - For non-residential projects, provide the density of development in terms of floor area ratio (FAR).
 - Any proposed buffers and modification to existing buffers.
 - Availability of water and sewer facilities including existing distance to property.
2. Name and mailing addresses of all owners of all property within 250 feet of the subject property (available from the County Tax Assessor records). This is encouraged to be submitted in a mail merge Microsoft Word data file format.
3. Legal description of property. This description must establish a point of beginning; and from the point of beginning, give each dimension bounding the property that the boundary follows around the property returning to the point of beginning. If there are multiple property owners, all properties must be combined into one legal description. If the properties are not contiguous, a separate application and legal description must be submitted for each property. For requests for multiple zoning districts, a separate application and legal description must be submitted for each District requested. A copy of the deed may substitute for a separate description.
4. A certified plat (stamped and dated) drawn to scale by a registered engineer, architect, land planner, land surveyor, or landscape architect that shall include the following information:
 - Boundary survey showing property lines with lengths and bearings.
 - Adjoining streets, existing and proposed, showing right-of-way.
 - Locations of existing buildings dimensioned and to scale, paved areas, dedicated parking spaces, and other property improvements.
 - North arrow and graphic scale.
 - Adjacent land ownership, zoning and current land use.
 - Total and net acreage of property.
 - Proposed layout, including streets, lot lines with approximate dimensions, lot numbers, easements, setbacks, building locations, land to be reserved or dedicated for public uses, and any land to be used for purposes other than a dwelling.
 - Existing and proposed driveway(s).
 - Lakes, ponds, streams, and other watercourses.
 - Floodplain, wetlands, and slopes equal to or greater than 20 percent.
 - Cemeteries, burial grounds, and other historic or culturally significant features.
 - Required and/or proposed setbacks and buffers.
 - The Architectural and Civil Engineering drawings should be clearly and legibly drawn at a scale not smaller than one hundred (100) feet to one inch.
 - City of Riverdale Map and Parcel Number.
 - FEMA map number and date of panel: statement-property does or does not have a floodplain.
 - Any land designated for Open Space or Green Space must have a minimum 20 foot access.
5. Submit twelve (12) copies of the plat with the information from Question 4 in a 8.5" x 11" format minimum and one (1) copy in a full-size format.
6. Attach a survey of the property and scale drawings showing existing and proposed improvements. Provide one full-size copy of all plans, as well as twelve (12) copies of all plans in an 8.5" x 11" format.
7. Also include a letter of support from adjacent property owners.
8. For multiple owners, a *Property Owner's Authorization* form shall be submitted for each owner.
9. A community impact study must be submitted if the development meets any of the following criteria:
 - Office proposals in excess of 200,000 gross square feet.
 - Commercial proposals in excess of 250,000 gross square feet.
 - Industrial proposals which would employ over 500 persons.
 - Multi-Family proposals in excess of 150 units.
10. Fee for the Variance Application shall be made payable to the City of Riverdale in the amount of one thousand dollars (\$1,000.00).

Standard Review Questions

Directions: Please provide a written, documented, detailed analysis of the impact of the proposed variance request.

1. What is the variance requested?
2. What code requirements do you wish to vary from?
3. What are the extraordinary and exceptional conditions pertaining to the specific piece of property in question?
4. Explain how the application of the zoning ordinance to this specific piece of property results in peculiar, extraordinary and practical difficulties?
5. Are the circumstances or conditions applying to the building or land in question peculiar to the property involved?
6. Do they apply generally to other land or buildings in the vicinity?
7. Explain why the granting of this variance is necessary for the preservation and enjoyment of a property right and does not merely serve as a convenience to the applicant.
8. Did the condition for which the variance is sought result from an action by the applicant?
9. Explain how the variance will affect the supply of light and air to adjacent property, the traffic on the public streets, the danger of fire, the public safety and established property values.
10. Explain how the granting of the variance will be in harmony with the general purpose and intent of the Riverdale land use plan.
11. What is the existing zoning of the property, including any previously approved modifications, conditions, or proffers?

The Board of Zoning Appeals shall base its required findings upon the particular evidence presented in each specific case where the property owner can show:

- A. The strict application of the terms of the Ordinance would effectively prohibit or unreasonably restrict utilization of the property because:
 - There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography.
 - Such conditions are peculiar to the particular piece of such a property involved.
 - Such conditions were not imposed by the action or will of the owner of the property.
 - The application of the Ordinance to the particular piece of property would create an unnecessary hardship. Such hardship does not include financial hardship in that if the variance were granted, the applicant could receive higher rate of financial return on the use of the property and without the variance, a lesser but still reasonable return could be realized.
 - Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the Ordinance.
- B. The granting of such variance will alleviate a clearly demonstrable hardship approaching confiscation, as distinguished from a special privilege or convenience sought by the applicant.
- C. The condition or situation of the property, which give rise to the need for such variance, is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to the Ordinance.

Variance Checklist

Please ensure the following items are included in this application with an attached **TABLE OF CONTENTS**:

Number	REQUESTED ITEM	SUBMITTED (Office Use Only)	
		Yes	No
1	Completed Application Form		
2	Letter of Intent		
3	Names and Addresses of all owners of all property within 250 ft of the subject property		
4	Legal Description of Property		
5	Certified Plat of Property		
6	Twelve (12) copies of all plat information		
7	Survey of Property and Scaled Drawings of existing and proposed improvements		
8	Letter of Support from Adjacent Property Owners		
9	Multiple property owner's authorization (if applicable)		
10	Community Impact Study (if applicable)		
11	Filing Fee in the form of a check payable to <i>The City of Riverdale</i> for \$1,000.00		
12	Standard Review Questions		
13	Disclosure Statement		
14	Applicant Disclaimer		
15	Recorded Deed of Property		
16	Twelve (12) stapled and bound copies of the Variance Application and all supporting documents in addition to one (1) unbound application with original signatures and seals and original-sized site plan bearing original seal and signature.		

