

COMMUNITY TREE MANAGEMENT VARIANCE APPLICATION FOR HEARINGS BOARD REVIEW

FEE: \$200 per variance request (Cash/check only – make check payable to ACC)

Athens-Clarke County Planning Department – athensclarkecounty.com/planning
120 West Dougherty Street · Athens, Georgia 30601 · 706-613-3515 · (F) 706-613-3844

TYPE OF REQUEST:

Date: _____

- Tree Management Standards (conserved canopy, planted canopy, etc.)
- Other: _____

****Note:** Different variance application forms are required for other types of requests. STOP here and locate the correct form if needed.

REASON FOR REQUEST:

- Hardship
- Appeal of Interpretation

PROPERTY OWNER: _____

ADDRESS: _____

CITY, STATE, ZIP: _____

TELEPHONE/CELL/FAX: _____

EMAIL: _____

If the person submitting the request is not the property owner but is acting as the agent for the request, please fill out the following information and submit the attached Authorization by Property Owner.

AUTHORIZED AGENT: _____

ADDRESS: _____

CITY, STATE, ZIP: _____

TELEPHONE/CELL/FAX: _____

EMAIL: _____

PROPERTY INFORMATION

PROPERTY ADDRESS: _____

COUNTY TAX PARCEL NUMBER: _____

NEAREST ROAD INTERSECTION: _____

PROPERTY'S DESCRIPTION
FROM INTERSECTION: _____

CURRENT ZONING: _____

CURRENT USE: _____

PROPOSED USE: _____

ACREAGE: _____

SEWAGE: _____

WATER: _____

WHEN WAS PROPERTY PURCHASED? _____

A LEGAL DESCRIPTION MUST BE ATTACHED TO THIS APPLICATION

VARIANCES REQUESTED:

Please list the specific variance(s), providing exact dimensions required and the dimensions you are requesting. Example: Reduction of conserved canopy percentage from 10% in C-G zone to 5%.

APPLICANT IS RESPONSIBLE FOR LISTING ALL REQUIRED VARIANCES and FOR PRESENTING THEIR CASE TO THE HEARINGS BOARD

(Additional sheets may be attached if needed)

DECLARATION OF OWNERSHIP

Applications for a variance to the terms and literal enforcement of the Community Tree Management ordinance must be filed by anyone with at least fifty-one (51) percent interest in the ownership of, or an accepted contract to purchase on, the affected property.

Appeals to the Hearings Board alleging an error in any interpretation or decision in the enforcement of the Ordinance may be filed by anyone personally aggrieved by the action; including the owner (51% interest) of the affected property or property adjacent to the affected parcel; or by any officer or department of the County affected by the decision.

Signing the space below implies fifty-one (51) percent ownership and assumes all rights and responsibilities associated with this appeals request.

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

which is the subject matter of the attached application, as shown in the records of Athens-Clarke County, Georgia.

Owners Name: _____

Address: _____

City, State, Zip: _____

Telephone #/Cell: _____

Fax Number: _____

E-Mail Address: _____

Signature of Owner: _____

Date: _____

*** Each owner must sign a copy of this page, if there is more than one owner involved. ***

**AGENT'S
AUTHORIZATION BY PROPERTY OWNER
FOR ZONING & DEVELOPMENTAL STANDARDS**

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

which is the subject matter of the attached application, as shown in the records of Athens-Clarke County, Georgia.

I authorize the person named below to act as applicant or agent in the pursuit of the variance for this property.

Name of Applicant
or Agent: _____

Address: _____

City, State, Zip: _____

Telephone #/Cell: _____

Fax Number: _____

E-Mail Address: _____

Signature of Owner: _____

Date: _____

VARIANCE(S) MAY BE GRANTED IN AN INDIVIDUAL CASE IF IT CAN BE SHOWN THAT A LITERAL ENFORCEMENT OF AN ORDINANCE WILL RESULT IN PRACTICAL DIFFICULTIES, UNNECESSARY HARDSHIPS, AND RESULTS INCONSISTENT WITH THE PURPOSE AND INTENT OF CHAPTER 8-7.

In order to determine that a practical difficulty, unnecessary hardship, or an inconsistent result might occur, responses to the following statements must be provided.

- 1. There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, character, topography;

- 2. The application of the provisions of this chapter to this particular piece of property would create an unnecessary hardship;

- 3. The benefits of granting the variance will be greater than any negative impacts on adjacent uses and will further the purpose and intent of this chapter;

- 4. The special conditions and circumstances on the site do not result from the actions of the applicant; and

- 5. The variance, if granted, will represent the minimum variance that will afford relief from the identified hardship and will represent the least deviation possible from the zoning regulation and from the comprehensive plan.

SUBMISSION OF MATERIALS:

All applications and materials for variance requests must be submitted to the Planning Department staff. (See Hearings Board Application Schedule.) Complete applications for variances requiring a decision of the Hearings Board must be submitted at least thirty (30) days prior to the next regular monthly hearing calendar of the Hearings Board in order to be assigned to that calendar.

A complete application must contain the following:

- 1. Twenty (20) completed, collated, and signed copies of this variance application;
- 2. Twenty (20) tree management plans, collated if more than one page;
- 3. Twenty (20) mitigation plans, collated if more than one page;
- 4. One (1) CD in .pdf format (*if plans are under 10 pgs*); or in .dwf format (*if plans are over 10 pages*);
- 5. Legal description of the property (metes and bound description);
- 6. An 11" x 17" (to scale) reduction of the site plan if the site plan is full size;
- 7. Filing fee (see fee schedule);
- 8. Power of Attorney from property owner designating a specific individual to handle the request, if applicable.

REQUIREMENTS FOR PLAN:

Plans shall be submitted as part of the application and shall, at a minimum, contain the following information and standards:

Plans must be legibly drawn to a standardized Architectural or Engineering scale, and show:

- a. Name of petitioner, address, phone number;
- b. Date;
- c. North arrow;
- d. All lot dimensions;
- e. Reference point from corner of property to at least one permanent feature;
- f. Name of existing street(s);
- g. Existing and future right-of-way lines;
- h. Existing and proposed utilities;
- i. Existing forested areas and individual trees inventory;
- j. Athens-Clarke County trees;
- k. Current tree canopy cover;
- l. Individual trees to be conserved;
- m. Groups and stands of trees to be conserved;
- n. Forest regeneration areas;
- o. Future forest areas;
- p. Tree planting;
- q. Summary table;
- r. Tree preservation area;
- s. Any other data requested in writing by the Planning Director necessary for an understanding and evaluation of this project.