



**OFFICE OF PLANNING**  
**ATLANTA URBAN DESIGN COMMISSION**  
55 Trinity Avenue S.W., Suite 3350  
Atlanta, Georgia 30303  
(404) 330-6145

Application# _____
Date Accepted _____

## VARIANCE PETITION ADDENDUM

**Directions:** Typewritten responses must be provided for ALL questions. Incomplete applications will not be accepted. If extra space is needed, please attach information and reference attachments for the appropriate question. Applicant, having received a determination that proposed action is at broad variance with the referenced zoning regulations when seeking a Certificate of Appropriateness, hereby requests that the Atlanta Urban Design Commission grant a variance for (description of variance): \_\_\_\_\_

\_\_\_\_\_, the following reasons:

- (1) What are the extraordinary and exceptional conditions pertaining to the particular piece of property in question (size, shape or topography)?
  - Explain why you believe your property has an extraordinary or exceptional condition. Is the width narrower, or is it smaller than the minimum that is required by the zoning regulations for its zoning classification? Does it have a shape that limits development in its buildable area, or topography that restricts its use? Does this condition relate directly to the requested variance? Minimum lot requirements for residential properties are available from the Bureau of Buildings or Bureau of Planning.
  - Commercially zoned properties do not have minimum width and area requirements; therefore, those elements of this criterion are not strictly applicable. However, it is advisable to evaluate the size of the property in comparison to other nearby commercial properties.
  - Location of a house on the property in a manner that instigates a variance request is not usually considered an extraordinary or exceptional condition. However, a hardship might be involved if the functional layout of an existing floor plan drives the request for the variance.
  - If the variance is required to avoid destruction of any mature trees located in the buildable area of the property, contact the office of the City Arborist at (404)330-6874 to schedule an appointment for an arborist to inspect the property and document the location of the tree.
  
- (2) How would the application of the Zoning Ordinance of the City of Atlanta to this particular piece of property create an unnecessary hardship?
  - Describe why you believe the zoning regulations create an unnecessary hardship on you regarding the use of your property.
  - For the purposes of granting a variance, the Bureau of Planning does not consider a hardship to be related to cost alone. Variances are not solely intended to enable the property owner to save money. For example, the property owner is not considered to have a hardship if the only reason for the variance is that it would cost more to construct, without a variance, a structure in the buildable area of a lot, versus getting a variance to be allowed to construct the same structure in a yard setback.
  
- (3) What conditions are peculiar to this particular piece of property?
  - State how the relevant extraordinary and exceptional conditions identified as per (1), above, are unique to the property, not shared by the majority of other properties in the same zoning district.
  
- (4) Submit facts to show that relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the Zoning Ordinance of the City of Atlanta.
  - Explain how the requested variance would not detract from people's use and enjoyment of adjoining and surrounding properties. Explain how it would be consistent with the purposes and intent of the zoning ordinance and/or would further these purposes and intent. The purposes and intent are stated in Section 16-01.003 of the ordinance, and include:
    - securing safety from fire, panic and other dangers,
    - providing adequate light and air,

- o encouraging . . . intensities of land development as will tend to facilitate drainage and other public requirements,
- o promoting desirable living conditions,
- o sustaining stability of neighborhoods,
- o providing for the orderly evolution of neighborhoods along lines responsive to public needs,
- o protecting against blight and depreciation.

(5) State whether the property described in this application forms any part of the subject matter of a pending application or ordinance for a zoning change or Special Use Permit. \_\_\_\_ YES      \_\_\_\_ NO

I HEREBY FILE THIS REQUEST FOR VARIANCE FROM THE TERMS OF THE ZONING REGULATIONS FOR THE \_\_\_\_\_ DISTRICT AND OTHER TERMS OF THE ZONING ORDINANCE OF THE CITY OF ATLANTA, WHICH APPLY TO THE PROPERTY IN QUESTION. I HEREBY AUTHORIZE THE STAFF AND MEMBERS OF THE ATLANTA URBAN DESIGN COMMISSION TO INSPECT THE PREMISES OF THE ABOVE DESCRIBED PROPERTY. I HEREBY DEPOSE AND SAY THAT ALL STATEMENTS HEREIN AND ATTACHED STATEMENTS SUBMITTED ARE TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

\_\_\_\_\_  
APPLICANT OR AGENT FOR APPLICANT

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DOUG YOUNG, EXECUTIVE DIRECTOR