

ROCKDALE COUNTY
DEPARTMENT OF PLANNING & DEVELOPMENT



ADMINISTRATIVE VARIANCE APPLICATION
UNIFIED DEVELOPMENT ORDINANCE
TITLE 2, SECTION 238-14

DEPARTMENT OF
PLANNING AND DEVELOPMENT

1117 West Avenue NW
Conyers, Georgia 30012

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Application Procedures

- (1) For consideration of an Administrative Variance by the Department of Planning & Development, this application is required to be completed and submitted to the Department along with the required fee of \$50.00.
- (2) A site plan may be required by the Department in which case said site plan shall be drawn to scale, showing property lines with dimensions, and any improvements, structures and buildings. The Department may require a plat prepared by an architect, engineer, landscape architect or land surveyor whose state registration is current and valid. The preparer's seal and signature shall be affixed to the plat.
- (3) A statement of the hardship imposed on the applicant by the Code of Rockdale County including an explanation as to why the variance will not be detrimental to other properties in the neighborhood in which the subject property is located.
- (4) Written documentation that all abutting property owners have been notified.
- (5) Any other pertinent information as requested by the Department.

Property Owner(s) Name:		
Property Owner(s) Address:		
Telephone Number:	Cell Number:	Fax Number:
Email Address:		
Variance Requested is for Property Located at:		
Parcel Number:	Acreage:	Zoning:
Statement of Hardship:		

Applications for Administrative Variances shall be considered exclusively on the following provisions:

- (1) **Dimensional standards of zoning districts:** Reduction up to 50 percent on minimum lot width, minimum building setbacks, maximum impervious surfaces, and minimum lot depth (section 214-1). No Administrative Variance shall be granted in the CRS zoning district (subsection 206-5(j)(4)) or CSO zoning district (subsection 206-18(f)(18)).

Details of the Request:

- (2) **Distance between buildings:** Reduction up to 50 percent of the minimum distance between buildings on the same lot (section 214-9).

Details of the Request:

- (3) **Supplemental use and development standards:** Reduction up to 20 percent on minimum lot size, up to 50 percent on minimum setbacks and buffers, when required (Section 218-13).

Details of the Request:

- (4) **Parking requirements:** Reduction in the total number of off-street parking spaces up to 20 percent of the number required by the table of minimum parking requirements (subsection 222-3(0)).

Details of the Request:

- (5) **Parking requirements for front yards:** Approval for up to 25% of required parking in a required front yard where it is otherwise prohibited or restricted. A ten-foot landscape buffer shall be provided between the public or private street right-of-way and the parking area.

Details of the Request:

- (6) **Transitional buffer width:** Reduction up to 50 percent of required transitional buffer width (subsection 328-6(d)).

Details of the Request:

- (7) **Administrative Variance due to public right-of-way:** The Department shall be authorized to approve an Administrative Variance, as follows, if necessary to allow reasonable use following a public road right-of-way donation or acquisition:

To reduce required minimum lot size by up to 50 percent. _____

To reduce required setbacks for a permitted or existing structure on a lot in the event of public road right-of-way donations or acquisition that would otherwise cause the lot to be nonconforming with respect to the minimum setback standards of this Title 2. _____

To reduce the number of parking spaces for any existing or permitted structure below the minimum required parking spaces applicable to the use. _____

Applications for Administrative Variances shall be considered exclusively on the following provisions:

(8) Fences, walls and hedges: Approval for up to 150 percent of the maximum height of a fence, wall or hedge. An application for an administrative variance affecting all or a portion of the same property that was denied by the board of adjustment shall not be accepted sooner than six months after the date of the final decision by the board of adjustment.

Details of the Request:

(9) Signs: Refer to chapter 230—Sign Regulations.

Owner's Affidavit

I, _____, do hereby attest that the information provided in this application for an Administrative Variance is true and correct and that I understand its terms and conditions.

Signature of Property Owner

Date

Official's Signature

Date

Title

- Within 15 business days after an application has been determined to be complete, the Department shall either grant the variance, grant the variance with conditions, or deny the variance with reasons clearly stated in accordance with the standards set forth in Section 238-14(e).
- **Expiration.** An Administrative Variance shall automatically expire one calendar year from the date of approval, unless the proposed use or development has begun.
- **Standards for issuance of Administrative Variances.** In deciding whether to grant an application for an Administrative Variance, the Department shall consider all of the applicable standards provided in subsection 238-9(h) of Title 2. Approval of an Administrative Variance is not guaranteed and shall require demonstration of a hardship.
- **Signs.** The Code of Rockdale County does not provide for Administrative Variances.

- **Appeals of decisions to the Board of Adjustment.** The final decision of the Director made pursuant to the provisions of section 238-14 may be appealed to the Board of Adjustment pursuant to section 238-8. Decisions made by the Board of Adjustment shall be final. All appeals of decisions made by the Board of Adjustment shall be by petitioning the Superior Court of Rockdale County for a writ of certiorari, setting forth plainly the alleged errors, pursuant to section 238-13.
- **Repeal of an Administrative Variance.** Should the Administrative Variance cause negative impacts greater than anticipated at the time of approval, the Board of Adjustment shall have the right to repeal the Administrative Variance at the request of the Director. The Board of Adjustment shall consider all of the applicable standards provided in subsection 238-9(h) of Title 2.
- **Reporting to the Board of Adjustment.** The Department shall report to the Board of Adjustment all decisions on Administrative Variances at regular Board meetings.