



VARIANCE APPLICATION CHECKLIST

P.O. Box 300 700 Hwy 293 Emerson, GA 30137
Phone (770) 382-9819

REQUIREMENTS FOR FILING A VARIANCE APPLICATION

ONLY COMPLETE APPLICATION PACKETS WILL BE ACCEPTED FOR CONSIDERATION.

- ☐ Application for Variance
- ☐ Legal description of the tract(s) involved in the zoning case.
- ☐ Current survey showing the dimensions, acreage and location of the tract(s) prepared by a state registered architect, engineer or land surveyor; such plat shall also contain the present zoning classification of the tract(s) requested to be rezoned and all surrounding properties. Must be less than 5 years old from date of application.
- ☐ Site plan with all applicable requirements listed from the Site Plan Checklist
- ☐ Any photos, architectural renderings or associated information must be submitted either electronically in PDF or Word format or printed on letter size at 8.5 x 11 sheets.
- ☐ Complete Zoning Action Owner Affidavit form for each property owner.
- ☐ A copy of the recorded warranty deed (or other instrument of title) which vested title to the property in the application.
- ☐ A copy of the paid in full tax bill or a letter from the Bartow County Tax Commissioner stating that all taxes have been paid.
- ☐ Completed Campaign Disclosure Report.
- ☐ A non-refundable filing fee.

NOTE: Depending on the complexity of the zoning case more documentation may be required as determined by the zoning administrator.



VARIANCE APPLICATION

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CASE # _____

Filing Fee:

See fee schedule

Property Owner Information:

Property Owner Name: _____

Mailing Address: _____

Phone Number: _____ Email: _____

Applicant Information:

Applicant Name: _____

Mailing Address: _____

Phone Number: _____ Email: _____

Subject Property Information:

Street Address / Road Name: _____

Parcel ID Number: _____

Acreage: _____ Land Lot(s): _____

District: _____ Section: _____

Deed Book: _____ Page Number: _____

Current Zoning Classification: _____

Type of Variance Requested: _____

Ordinance Section From Which Relief is Requested: _____

All City of Emerson zoning cases require that taxes are current for the parcels for zoning consideration.

Appearance/Representation at Commission Meeting Is Required

To process this application the owner, applicant or a representative thereof **MUST** be present to personally request said zoning case before **the Planning Commission**.

Failure to personally appear at the scheduled meetings may result in denial of request, or an extended waiting period before the next available meeting.

Unless otherwise indicated, Planning Commission meetings are held at City Hall at 7:00 p.m. at 700 Hwy 293 Emerson, GA 30137.

Due to the possibility that a meeting may be postponed for various reasons, please call 770-382-9819 the day before any Planning Commission meeting to confirm its status.

The Planning Commission will hear your request on: _____

I hereby certify that the above information and all attached information is true and correct to the best of my knowledge. I further understand and agree that in granting any variance, the planning commission may designate such conditions in connection therewith as will, in its opinion, secure substantially the objectives of these regulations and may designate conditions to be performed or met by the user or property owner, out of regard for the public health, safety, comfort, convenience, and general welfare of the community, including safeguards for, with respect to light, air, areas of occupancy, density of population and conformity to any master or through traffic plan, the future development of the city.

Signature of applicant

Date



FINDINGS OF FACTS VARIANCE

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The Planning Commission may grant variances from zoning regulations in cases where strict application of such regulations would result in unnecessary hardship; but only in harmony with the spirit and intent of these regulations and is the minimum necessary to grant relief without injury to the public interest.

Please include as much detailed information or unique conditions that would enable the Planning Commission to make determination that:

1. Because of the existence in good faith of a nonconforming use at a time prior to the adoption of the zoning ordinance or amendments thereto, requires the continuance of such nonconforming use: _____

2. What are extraordinary and exception conditions creating a **SUBSTANTIAL** hardship to the applicant which pertain to the particular piece of property or building because of its size, shape or topography: _____

3. How would the requested variance, if granted, not cause substantial detriment to the public good or impair the purpose or intent of the ordinance: _____

4. Provide evidence to support that the relief requested is the absolute minimum necessary.



ZONING ACTION OWNER AFFIDAVIT

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**THIS FORM MUST BE COMPLETED BY EACH OWNER OF THE
PROPERTY. PROVIDE A COMPLETED AFFIDAVIT FOR EACH
INDIVIDUAL OWNER.**

Owners Name: _____

Address: _____

Phone: _____ **Email:** _____

_____ (Owner's Name), personally appeared before me, the undersigned officer, duly authorized to administer oaths in the State of Georgia and having been duly sworn, sets forth the following statements for the purpose of making application for a zoning action under the ordinances of City of Emerson, Georgia.

I affirm that I own the property that is the subject of the attached application, as shown in the records of Bartow County, Georgia.

I understand that representation associated with this application on behalf of the owner(s) (i.e. project managers, attorney, agent, potential property owner or other such representative) shall be binding.

I respectfully petition that this property as described in the attached application be considered for a map amendment, conditional use permit or variance as requested.

FURTHER AFFIANT SAYETH NOT.

I declare under penalty of false swearing that the above is true and correct.

This _____ day of _____

(Owner's Signature)

Sworn to and subscribed before me this

_____ day of _____, _____

NOTARY PUBLIC

My Commission Expires:



CAMPAIGN DISCLOSURE REPORT

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Has the applicant made, within two (2) years immediately preceding the filing of this application made a campaign contributions aggregating \$250 or more or made gifts having in the aggregate a value of \$250 or more to any member of the City Council, Planning and Zoning Commission or the Mayor who will consider the application?

☐ YES

☐ NO

If YES, you and the attorney representing you must file this disclosure report with the Zoning Division at least five (5) days prior to the scheduled Public hearing.

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

| DATE | GOVERNMENT OFFICIAL | DESCRIPTION | AMOUNT / VALUE (\$) |
|------|------------------------|-------------|---------------------|
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| | | | |
| | | | |

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

Applicant Signature

*Applicant is defined as any individual or business entity (corporation, partnership, limited partnership, firm, enterprise, franchise, association or trust) applying for rezoning action and/or any attorney or other person representing or acting on behalf of a person who applies for a rezoning.



ZONING SITE PLAN CHECKLIST

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PLEASE VERIFY EACH OF THE FOLLOWING ITEMS ARE SHOWN ON THE SITE PLAN.

- ☐ Exact boundary lines of the tract by bearings and distances determined by field survey.
- ☐ Name of property owner or owners of the subject property as stated on the most current or applicable title instrument and any adjacent property owners that are shown on the plan.
- ☐ Name of subdivision if property lies within a named subdivision or common development.
- ☐ Present zoning and zoning of abutting land.
- ☐ Exact locations, R/W widths, and names of all streets that immediately adjoin the subdivision.
- ☐ Abutting existing city streets or county roads showing existing right-of-way and pavement widths
- ☐ Show sidewalks on at least one side of the street.
- ☐ Common address and any lot numbers
- ☐ North arrow and graphic scale
- ☐ Date prepared
- ☐ Date of any revision
- ☐ Street layout with names
- ☐ All building setback lines shown with dimension label
- ☐ Locations of all existing or proposed buildings, entrances and parking
- ☐ Existing or proposed fencing and accessory structures
- ☐ Square footage for proposed structures
- ☐ Parking lot striping
- ☐ Existing or proposed lighting on or offsite.
- ☐ Landscaping (existing or proposed)
- ☐ The locations of all streams, wetland and floodplain boundaries

Provide a table with the following general site information:

- ☐ Parcel ID number
- ☐ Owner or Applicant Contact Information: Name, Address, Phone Number
- ☐ Proposed use of the property
- ☐ Total acreage for the entire property (acres)
- ☐ Total parking spaces
- ☐ Area of impervious surface (square feet or acres)
- ☐ Landscaped area (square feet or acres)
- ☐ Housing unit quantity or total square footage
- ☐ Confirmation of availability of all public utilities