



**NEWTON COUNTY**

**APPLICATION PACKAGE**

**FOR**

**VARIANCE,**

**ADMINISTRATIVE VARIANCE**

**AND APPEALS TO THE BOARD**

**OF COMMISSIONERS**

(Revised 12/8/10)

**DEADLINES AND PROCEDURES**  
**VARIANCES**

1. Pre-application review is required prior to the submittal of the application.
2. The application must be complete and submitted by the deadline of the first Friday of each month before 3:30 P.M. Fees are to be paid, by check or money order, at the time of filing.
3. Applications must be submitted in-person by the applicant or an authorized agent. Applications submitted via courier or mail will not be accepted.
4. Applicant is requested to submit any revisions to site plans, letters of intent, proposed conditions, etc. to the Development Services Department. Last minute revisions may delay the dates of your public hearings.
5. The applicant will be given a Public Notice sign to post on the property. This will identify the site for the Newton County Road Department who will post the official sign.
6. The applicant must attend the public hearing. The hearing is as follows:

Board of Zoning Appeals meeting  
Held on the fourth Thursday of each month.  
Time: 7:00 p.m.  
Location: The 2<sup>nd</sup> floor of the Historic Courthouse, 1124 Clark Street,  
Covington.

Refer to the enclosed calendar for the exact dates.

7. The staff analysis reports will be available in the Department one week before the meeting. Applicants are responsible for obtaining their staff reports.
8. The agenda for each meeting and a summary of the meeting is available on our website at [www.co.newton.ga.us](http://www.co.newton.ga.us)
9. Fees must be paid by check or money order. Checks without pre-printed account information will not be accepted.

# NEWTON COUNTY APPLICANT'S CHECK SHEET

## DOCUMENTS AND QUANTITIES REQUIRED FOR VARIANCE, ADMINISTRATIVE VARIANCE AND APPEALS TO THE BOARD OF COMMISSIONERS

**FILING DEADLINE:** FIRST FRIDAY OF EACH MONTH, BEFORE 3:30 p.m.  
(Administrative Variances have no deadline)

**FEES MAY BE PAID BY CHECK OR MONEY ORDER ONLY**

ITEM	REQUIRED ITEM	NUMBER OF COPIES	CHECK <input checked="" type="checkbox"/>
1.	Pre-application Review Form	One (1) copy	
2.	Application Form	One (1) original	
3.	Letter of Intent	One (1)	
4.	Survey Plat	Two (2)	
5.	Written Legal Description	One (1)	
6.	Concept Plan –full size	Two (2)	
7.	Concept Plan- 8.5x11	One (1)	
8.	Statement of Hardship	One (1)	
9.	Pictures of Commercial Vehicle(s) and Vehicle Identification Number(s)	One (1)	
10.	Authorization from Georgia Power (Jackson Lake) or Reservoir Manager (Lake Varner)	One (1)	
11.	Elevation and Dimension of Sign (for variance to sign ordinance). Show location of sign on concept plan	One (1)	

**REQUIRED ITEMS FOR VARIANCES:**

ITEM 1.        PREAPPLICATION REVIEW MEETING AND FORM: Prior to submitting an application, all applicants must meet with the Zoning Administrator or the Planner who will review your proposal and issue a Pre-application Review Form. Bring to the meeting a site plan. Call 678-625-1650 for an appointment.

ITEM 2.        APPLICATION FORM: The applicant must have a notarized signature of all owners of the subject property authorizing the filing of the application. If the owner is not the petitioner, part 2 of the form must also be completed. The owner's signature of the application may serve as authorization for the petitioner/applicant or agent to act on their behalf in the filing of the application.

ITEM 3.        LETTER OF INTENT: The letter should include factual information such as zoning district, Ordinance Section # for the standard to which you seek a variance, and details of the requested variance. (i.e. to reduce the front yard setback from 40 feet to 35 feet)

- ITEM 4. SURVEY PLAT: The survey of the property must be prepared and sealed by a professional engineer or land surveyor registered in the State of Georgia, and include the following:
1. The complete boundaries of the subject property and all buildings and structures existing thereon;
  2. Notation as to whether or not any portion of the subject property is with the boundaries of the 100-year floodplain; and
  3. A notation as to the total acreage or square footage of the subject property.
- ITEM 5. WRITTEN LEGAL DISCRPTION: Must be a “metes and bounds” description. Must match the survey and the concept plan. If property is located within a recorded subdivision, the lot number, and plat book and page, may be sufficient, if a copy of the recorded plat is provided.
- ITEM 6. CONCEPT PLAN – FULL SIZE: (if larger site plan is needed) Must be drawn to scale. Include existing and proposed conditions, and anything useful to demonstrate a hardship like shape of property, easements, topography, parking, driveways, buffers, landscape areas, streams, and other features.
- ITEM 7. CONCEPT PLAN – 8.5” X 11”: A reduced copy of the concept plan.
- ITEM 8. STATEMENT OF HARDSHIP: Complete the form describing how the literal enforcement of the Ordinance will cause a practical difficulty or unnecessary hardship. (Sec. 605-030)
- ITEM 9. PICTURES OF COMMERCIAL VEHICLE(S) AND VEHICLE IDENTIFICATION NUMBER(S): Submit one current (within one month of filing date) color picture showing the side view of each vehicle which is part of the variance. Also submit the VIN (Vehicle Identification Number) for each vehicle.
- ITEM 10. AUTHORIZATION FROM GEORGIA POWER OR RESERVOIR MANAGER: Any Georgia Power lease lot and any deeded waterfront lot on Jackson Lake must have written authorization from the Georgia Power Land Management office stating approval of the proposed site plan. Any property under the jurisdiction of the Cornish Creek Reservoir Management Plan (Lake Varner) must have written authorization from the Reservoir Manager stating approval of the proposed site plan.
- ITEM 11. ELEVATION AND DIMENSION OF SIGN: (For variance to sign regulations): A front view of a sign with dimensions (height, area of face) depicting variance. Indicate location of sign on concept plan.

**REQUIRED ITEMS FOR ADMINISTRATIVE VARIANCES:**

- ITEM 1. PREAPPLICATION REVIEW MEETING AND FORM: Prior to submitting an application, all applicants must meet with the Zoning Administrator or the Planner who will review your proposal and issue a Pre-application

Review Form. Bring to the meeting a site plan. Call 678-625-1650 for an appointment.

- ITEM 2. APPLICATION FORM: The applicant must have a notarized signature of all owners of the subject property authorizing the filing of the application. If the owner is not the petitioner, part 2 of the form must also be completed. The owner's signature of the application may serve as authorization for the petitioner/applicant or agent to act on their behalf in the filing of the application.
- ITEM 3. LETTER OF INTENT: The letter should include factual information such as zoning district, Ordinance Section number of the standard to which you seek a variance, and details of the requested variance. (i.e. to reduce the front yard setback from 40 feet to 35 feet)

**REQUIRED ITEMS FOR APPEALS TO THE BOARD OF COMMISSIONERS:**

- ITEM 1. PREAPPLICATION REVIEW MEETING AND FORM: Prior to submitting an application, all applicants must meet with the Zoning Administrator or the Planner who will review your proposal and issue a Pre-application Review Form. Bring to the meeting a site plan. Call 678-625-1650 for an appointment.
- ITEM 2. APPLICATION FORM: The applicant must have a notarized signature of all owners of the subject property authorizing the filing of the application. If the owner is not the petitioner, part 2 of the form must also be completed. The owner's signature of the application may serve as authorization for the petitioner/applicant or agent to act on their behalf in the filing of the application.
- ITEM 3. LETTER OF INTENT: The letter should include factual information such as zoning district, Ordinance Section number of the standard to which you seek a variance, and details of the requested variance. (i.e. to reduce the front yard setback from 40 feet to 35 feet)
- ITEM 4. SURVEY PLAT: The survey of the property must be prepared and sealed by a professional engineer or land surveyor registered in the State of Georgia, and include the following
4. The complete boundaries of the subject property and all buildings and structures existing thereon;
  5. Notation as to whether or not any portion of the subject property is with the boundaries of the 100-year floodplain; and
  6. A notation as to the total acreage or square footage of the subject property.
- ITEM 5. WRITTEN LEGAL DISCRPTION: Must be a "metes and bounds" description. Must match the survey and the concept plan. If property is located within a recorded subdivision, the lot number, and plat book and page, may be sufficient, if a copy of the recorded plat is provided.

ITEM 6. CONCEPT PLAN – FULL SIZE (if larger site plan is needed) Must be drawn to scale. Include existing and proposed conditions, and anything useful to demonstrate a hardship like shape of property, easements, topography, parking, driveways, buffers, landscape areas, streams, and other features.

ITEM 7. CONCEPT PLAN – 8.5" X 11": A reduced copy of the concept plan.

**PETITION FOR VARIANCE, ADMINISTRATIVE VARIANCE, AND  
APPEALS TO THE BOARD OF COMMISSIONERS**

Date: \_\_\_\_\_ Tax Map and Parcel Number(s): \_\_\_\_\_

Commission District Number: \_\_\_\_\_

Current Status: Preliminary Plat                      Land Disturbance Permit                      Final Plat  
                         Building Permit                      Other \_\_\_\_\_

**SECTION I                      VARIANCE REQUEST**

SUBJECT PROPERTY ADDRESS/STREET NAME: \_\_\_\_\_

REQUEST 1) \_\_\_\_\_  
                    Reference Sec. \_\_\_\_\_ Item \_\_\_\_\_

REQUEST 2) \_\_\_\_\_  
                    Reference Sec. \_\_\_\_\_ Item \_\_\_\_\_

REQUEST 3) \_\_\_\_\_  
                    Reference Sec. \_\_\_\_\_ Item \_\_\_\_\_

**SECTION II                      ADMINISTRATIVE VARIANCE REQUEST**

SUBJECT PROPERTY ADDRESS/STREET NAME: \_\_\_\_\_

CHECK ONE:

\_\_\_\_\_ To reduce a front, side or rear yard setback or transitional buffer by an amount not to exceed 10% of the requirement.

\_\_\_\_\_ To reduce the required spacing between buildings in district where multiple buildings are authorized on a single lot in an amount not to exceed 10% of the requirement.

\_\_\_\_\_ To reduce the off-street parking or loading requirements not to exceed 10% of the requirement.

REQUEST) \_\_\_\_\_  
                    Reference Sec. \_\_\_\_\_ Item \_\_\_\_\_

**SECTION III                      APPEALS TO THE BOARD OF COMMISSIONERS**

CHECK ONE:

\_\_\_\_\_ APPEAL TO A DECISION OF THE BOARD OF ZONING APPEALS

\_\_\_\_\_ APPEAL TO A DECISION OF THE PLANNING DIRECTOR

\_\_\_\_\_ APPEAL TO A DECISION OF THE PLANNING COMMISSION

\_\_\_\_\_ DATE OF DECISION (Must file no later than 10 days after decision date)

**SECTION IV**

**OWNER/PETITIONER**

NOTICE: Parts 1 and/or Part 2 below must be signed and notarized when petition is submitted. Please complete Section IV as follows:

- a) If you are the sole owner of the property and not the petitioner complete Part 1.
- b) If you are the petitioner and not the sole owner of the property complete Part 2.
- c) If you are the sole owner and petitioner complete Part 1.
- d) If there are multiple owners each must complete a separate Part 1 and include it in the application. Please indicate applicable map and parcel numbers for each owner.

Part 1. Owner states under oath that he/she is the owner of the property described in the attached legal description, which is made part of this application. The owner also states under oath that the petitioner below is authorized to act on their behalf in the filing of this application.

TYPE OR PRINT OWNER'S NAME	Sworn to and subscribed before me this
ADDRESS	_____ Day of _____ 20____
CITY & STATE                      ZIP CODE	NOTARY PUBLIC
OWNER'S SIGNATURE	MAP & PARCEL NUMBER(S)
	PHONE NUMBER

Part 2.

TYPE OR PRINT PETITIONER'S NAME	Sworn to and subscribed before me this
ADDRESS	_____ day of _____ 20____
CITY & STATE                      ZIP CODE	NOTARY PUBLIC
PETITIONER'S SIGNATURE	PHONE NUMBER

**SECTION V**

**ATTORNEY/AGENT**

Check One:     Attorney     Agent

TYPE OR PRINT ATTORNEY / AGENT NAME	SIGNATURE OF ATTORNEY / AGENT
ADDRESS	
CITY & STATE                      ZIP CODE	
PHONE NUMBER	

**APPLICANT'S EMAIL ADDRESS:** \_\_\_\_\_



## Newton County Development Services

---

I understand that upon filing this petition I will be given a marker sign (or signs) to place upon the property associated with this request. The purpose of these marker signs is to confirm the physical location of the property so that the Road Department may place the public notification signs required by Section 620-020 B. of the Newton County Zoning Ordinance and State law. One marker sign shall be placed along each public road the property abuts.

I also understand that it is my responsibility to have the marker sign(s) placed **within one week** of the filing deadline so that the Development Services Department may visit the property to confirm the proper location of the signs.

I further understand that if these marker signs are not properly located the Road Department will be unable to place the required notification signs. In the event the signs are not able to be posted within the time frame specified by the Zoning Ordinance and State law due to my failure to properly place the marker signs, my petition may be delayed to a subsequent hearing date.

I hereby certify that the necessary marker sign(s) will be placed on the property by \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Signature of Applicant

Date:

**STATEMENT OF HARDSHIP FOR VARIANCE APPLICATIONS**

The Board of Zoning Appeals is authorized to consider a variance from the terms of the Ordinance, deemed not to be contrary to the public interest, and owing to special conditions, a literal enforcement of provisions of the Ordinance will, in an individual case, result in a practical difficulty or unnecessary hardship. They shall also consider whether the spirit of the Ordinance can be maintained, public safety and welfare secured, and substantial justice done.

In order to make your case to the Board, answer the following questions:

1. Are there extraordinary and exceptional conditions pertaining to the particular piece of property in question, such as size, shape or topography?

---

---

---

2. Does the strict application of the Ordinance to this particular piece of property create practical difficulty or unnecessary hardship? Explain.

---

---

---

3. If relief is granted, will this cause substantial detriment to the public good or impair the purposes and intent of the Ordinance?

---

---

---

4. If relief is granted, are you proposing any measures to alleviate any detriment caused?

---

---

---

**NEWTON COUNTY**  
**DEPARTMENT OF DEVELOPMENT SERVICES**  
**VARIANCE APPEALS SUBMITTAL**  
**DEADLINES AND MEETING DATES**  
**2011**

<b>APPLICATION DEADLINE</b>	<b>BOARD OF ZONING APPEALS MEETING</b>	<b>SECONDARY APPEAL DEADLINE</b>	<b>BOARD OF COMMISSIONER S MEETING</b>
JAN. 7, 2011	FEB. 24, 2011	MAR. 7, 2011	APR. 19, 2011
FEB. 4, 2011	MAR. 24, 2011	APR. 4, 2011	MAY 17, 2011
MAR. 4, 2011	APR. 28, 2011	MAY 2, 2011	JUNE 21, 2011
APR. 1, 2011	MAY 26, 2011	JUN. 6, 2011	JULY 19, 2011
MAY 6, 2011	JUNE 23, 2011	JULY 5, 2011*	AUG. 16, 2011
JUNE 3, 2011	JULY 28, 2011	AUG. 8, 2011	SEPT. 20, 2011
JULY 1, 2011	AUG. 25, 2011	SEPT. 6, 2011*	OCT. 18, 2011
AUG. 5, 2011	SEPT. 22, 2011	OCT. 3, 2011	NOV. 15, 2011
SEPT. 2, 2011	OCT. 27, 2011	NOV. 7, 2011	DEC. 20, 2011
OCT. 7, 2011	NOV. 29, 2011*	DEC. 12, 2011	JAN. 17, 2011
DEC. 2, 2011	JAN. 26, 2012	FEB. 6, 2012	MAR. 20, 2012

Due to the Thanksgiving Holiday, the November BZA meeting will be held on Tuesday, November 29, 2011.

The Secondary Appeal Deadline for July, and September has been delayed one day due to holidays.

The Board of Zoning Appeals meetings are held at 7:00 pm in the 2<sup>nd</sup> Floor Commissioners Meeting Room of the Historic Courthouse, 1124 Clark Street.