



[www.JohnsCreekGA.gov](http://www.JohnsCreekGA.gov)  
678-512-3200 ~ (fax) 678-512-3303  
12000 Findley Road, Suite 400, Johns Creek, GA 30097

## VARIANCE APPLICATION FORM PRIMARY AND SECONDARY VARIANCES

### Instructions

A properly completed application and fees are due at the time of submittal. The submittal deadline is the first Tuesday of each month. Variance requests will be considered the third Tuesday of the following month by the Board of Zoning Appeals (BZA).

### Application Materials

REQUIRED ITEMS	CHECK <input checked="" type="checkbox"/>
<b>Variance Application</b> —Provide one original and two copies (3 total) of original and notarized signatures of the property owner(s) and applicant(s), or a notarized statement from the property owner authorizing submittal of the variance by the applicant on their behalf.	
<b>Variance Fee</b> —Residential Request = <b>\$250</b> Commercial Request = <b>\$350</b>	
<b>Site Plan &amp; Legal Description</b> —Provide three copies of a dimensioned, orientated and scaled site plan on 8 ½" x 11" or 11" x 17" showing the <u>subject property</u> , <u>street frontage(s)</u> , <u>proposed addition</u> or <u>extent of encroachment</u> , all applicable <u>setback</u> measurements, all neighboring parcels and homes. Additionally, a variance pertaining to the stream buffer shall show the location of the stream on the site plan.	
<b>Survey with Topography &amp; Trees</b> —May be waived by the Community Development Department if the request does not concern the removal of trees or the topography of the site. If this requirement is not waived, the applicant shall provide three copies.	
<b>Letter of Appeal</b> —Provide three copies of the letter of appeal. The letter should state the hardship, background and justification for the variance request and any additional information to support the request. The hardship should address the property's limitations preventing compliance with the zoning standards. Refer to Article 22, Section of the City of Johns Creek Zoning Ordinance for additional information.	
<b>Mailing Affidavit</b> — <b>Form 3877</b> (Provided at time of submittal) Postmaster stamped original shall be returned within 7 days of the notification mailing deadline.	
<b>Sign Variance</b> —If the requested variance is pertinent to signage, provide three copies of sign and wall elevations and other details shall be required, as appropriate. Please note that no variance shall be granted as to the number of signs, and to the size of a sign which exceeds the maximum size within the subject property's zoning district.	
<b>Stream Buffer Variance</b> —If the requested variance is pertinent to the stream buffer. In addition to the above referenced materials, provide answers to these three questions: <b>1)</b> Documentation of unusual hardship should the buffer be maintained; At least one alternative plan, which does not include a buffer or setback intrusion, or an explanation of why such a site plan is not possible; <b>2)</b> A calculation of the total area and length of the proposed intrusion; A stormwater management site plan, if applicable; and, <b>3)</b> Proposed mitigation, if any, to offset intrusion/encroachment into the stream buffer.	

**Public Notification**

Public notification shall be the responsibility of the applicant. If the applicant cannot fulfill the notification requirements, please contact the Community Development Department prior to the deadlines listed below. Failure to meet these deadlines will result in a postponement of the variance hearing. The applicant shall incur all costs associated with the public notification requirements. The applicant shall be responsible for the following notifications:

- The applicant shall post a sign as issued by the Community Development Department in a conspicuous location on each public street frontage of the subject site, **at least 20 days but not more than 45 days** prior to the public hearing at which an application will be heard. The applicant is solely responsible to contact the sign contractor and to arrange for delivery/pick-up and payment of sign(s).

Compelling Signs

Mike Bothwell  
1901 Montreal Road, Ste. 120, Tucker, GA 30084  
(678)580-2452

- The applicant shall draft a ‘notice of public hearing’ letter and send by regular mail **no less than 15 days** prior to the hearing date. The notice shall contain the date, time, place and purpose of the hearing and shall be sent to all property owners within 300 feet of the boundaries of the property who appear on the current tax records of Fulton County. The list of property owners within 300 feet of the boundaries of the property shall be provided to the applicant by staff. The applicant is responsible to return the mailing affidavit, Form 3877, to staff within 7 days of the public notification mailing deadline.

**Property Owner/Applicant Information**

Property Owner: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_

Applicant: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_

Contact Person: \_\_\_\_\_ Phone: \_\_\_\_\_

Email: \_\_\_\_\_

**Briefly Describe Variance Request**

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**Parcel Information**

Assessor's Parcel Identification Number (PIN): \_\_\_\_\_

Land Lot & District: \_\_\_\_\_

Site Address: \_\_\_\_\_

Subdivision Name (if applicable): \_\_\_\_\_

Parcel Size: \_\_\_\_\_

**Zoning and Land Use**

Existing Zoning Designation and Case Number: \_\_\_\_\_

Zoning of Surrounding Properties: (N)\_\_\_\_\_ (S)\_\_\_\_\_ (E)\_\_\_\_\_ (W)\_\_\_\_\_

**Notarized Certification**

To the best of my knowledge, this variance application form is correct and complete. If additional materials are determined to be necessary, I understand that I am responsible for filing additional materials as specified by the City of Johns Creek Zoning Ordinance.

Owner Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Sworn to and subscribed before me this \_\_\_\_\_ Day of \_\_\_\_\_ 20 \_\_\_\_\_

NOTARY PUBLIC:

Signature: \_\_\_\_\_

Email: \_\_\_\_\_

Phone Number: \_\_\_\_\_