

APPLICATION FOR VARIANCE REQUEST

(OWNER/APPLICANT OR REPRESENTATIVE MUST BE PRESENT AT ALL MEETINGS)

For Office Use Only: PZ #: _____

Planning Commission Hearing: _____ City Council Hearing: _____

Withdrawn Date: _____ Reason for withdrawal: _____

Owners' Name: Kevin and Lolita Esposito

Email Address: lolita.esposito@delta.com

Mailing Address: 4321 Atlanta Street, Powder Springs Zip Code: 30127 Telephone #: 770.713.5072

COMPLETE ONLY IF APPLICANT IS NOT OWNER

Applicant: _____ Email Address: _____

Mailing Address: _____ Zip Code: _____

Telephone Number: _____

Address of property requesting a Variance: 4321 Atlanta Street, Powder Springs, GA 301227

Lot #/Parcel ID: _____ Acreage: _____

Present Zoning Classification: _____ Variance Request: _____

Source of Water Supply: _____ Source of Sanitary Sewage Disposal: _____

If Applicable, Peak Hour Trips Generated: _____

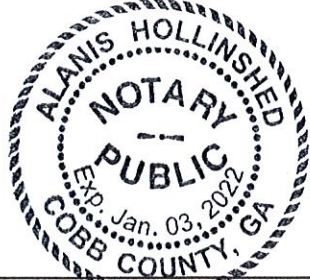
If applicable, Available School Capacity:
Name of Elementary School and Available School Capacity

Name of Middle School and Available School Capacity

Name of High School and Available School Capacity

SUBSCRIBED AND SWORN BEFORE
ME ON May 18, 2020

[Signature]
Signature of Notary
My Commission Expires: 2/03/2022



[Signature] 5/18/2020
Signature of Applicant Date

REQUIRED INFORMATION

Applicant must submit the following information by **4:00 p.m.** on or before the application deadline. Failure to submit any item, or any additional information that might be requested, on or before the deadline will result in the application being held until the next scheduled meeting of the Planning Commission.

Check the boxes for all of the items that you have attached:

1. Application (attached)
2. Notice of Intent - A detailed written description of the proposed development (attached)
3. Applicant's Written Analysis (attached)
4. Campaign Contribution Disclosure (attached)
5. If applicable, owners authorization (attached)
6. Legal Description and Survey Plat of the property
7. Application Fee
8. Copy of the Deed that reflects the current owners name
9. Vicinity Map outlining the parcel/s to be rezoned in relation to the surrounding area
10. Site plan, plat or survey prepared by an architect, engineer
 The following information must be included:
 - Specific use or uses proposed for the site
 - Acreage, bearing and distances, other dimensions, and location of the tract(s)
 - Locations, sizes and setbacks of proposed structures, including the number of stories and total floor area, height, for residential number of units, Square footage of heated floor area.
 - Detention/retention areas, and utility easements. Location of dumpsters
 - Public or private street(s) - right of way and roadway widths, approximate grades
 - Location and size of parking area with proposed ingress and egress
 - Specific types and dimensions of protective measures, such as buffers
 - Landscaping
 - Wetlands, stream buffers, and 100 year floodplain
11. Sketch Plan/ Architectural Rendering
12. Traffic Study required for development with 500,000 square feet of non-residential floor area or 350 dwelling units or more.

Please list additional attachments:

- _____
- _____
- _____
- _____
- _____
- _____

NOTICE OF INTENT

Part 1.

Please indicate the purpose of the application:

Garage on our property is at 15 feet before property line; we would like to request a variance

Part 2. Please list all requested variances:

Only this request for the garage

Part 3. Existing use of subject property:

Part 4. Proposed use of subject property:

Garage

Part 5.

Other Pertinent Information (List or attach additional information if needed):

Survey shows garage at 21 feet at some points and at an angle of 15 feet on one corner from property line.

APPLICANT'S WRITTEN ANALYSIS – *In details please address these Variance Criteria*

- (a) Are there extraordinary and exceptional conditions or practical difficulties pertaining to the particular piece of property in question because of its size, shape or topography that are not applicable to other lands or structures in the same district.

The property line is on an angle, so when garage was constructed rear of garage sets at 21 feet and 15 feet from our property line. It is woods behind home. There is no obstruction of anyone's passage if the woods behind our property were ever used

- (b) A literal interpretation of the provisions of this development code would effectively deprive the applicant of rights commonly enjoyed by other properties of the district in which the property is located.

- (c) Granting the variance requested will not confer upon the property of the applicant any special privileges that are denied to other properties of the district in which the applicant's property is located.

There would be no special privileges to myself as the owner of this property. Only the use of our garage that sits completely on our own property without obstruction of anyone in proximity. There is no home in proximity to our property or garage

- (d) The requested variance will be in harmony with the purpose and intent of this development code and will not be injurious to the neighborhood or to the general welfare.

The garage is a beautiful structure and will not be injurious to the neighborhood. It is unable to be seen from the street and is very attractive. Built to match the style of the home

- (e) The special circumstances are not the result of the actions of the applicant.

The error was completely that of the contractor that did not review the survey that was provided to him by us.

- (f) The variance requested is the minimum variance that will make possible the proposed use of the land, building or structure in the use district proposed.

This is the minimum variance being requested to allow for the use of our property up to 15 feet.

- (g) The variance shall not permit a use of land, building or structures, which is not permitted by right in the zoning district overlay district involved.

correct. proper use of structure and permissible

Affidavit of Public Notification Requirements

Please sign affidavit after letters have been mailed out to neighboring lot owners within 200 feet of the subject site and sign/s have been posted on subject site.

Per Article 13 and 14 of the City of Powder Springs Unified Development Code, I certify that I have met the advertising requirements of Article 13 and Article 14 for a Special Use, Variance or Rezoning Application for subject property located at _____.

Notices were mailed to all persons owning property located in whole or in part within 200 feet of any portion of the property that is the subject of the rezoning, special use or variance application. The written notice was mailed to the property owners as such names and addresses appear on the County's current ad valorem tax records on _____. Said notices were mailed at least 15 days but no more than 45 days prior to the Mayor and Council first public hearing date.

Signs were placed on the subject property advertising said hearing on _____. One sign was placed at each road frontage at least 15 days prior to the Mayor and Council first hearing date.


Please attach the following to affidavit: notices, list of addresses, picture of sign posted on property and a ny receipt or documentation that was provided at the post office.

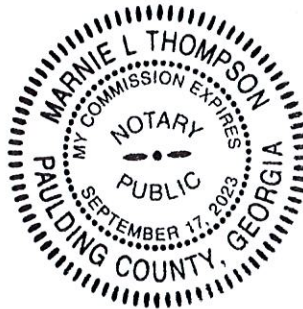

Signature of Applicant

5/16/2020
Date

Printed Name

SUBSCRIBED AND SWORN BEFORE
ME ON 16th of May, 2020


Signature of Notary



Public Hearing Agenda and Hearing Dates – Please visit our website

OWNER'S AUTHORIZATION

This is to certify that (I am We are I am the Corporate Secretary of a Corporation that is) the owner of a majority interest in the property that is the subject of the attached application.

By execution of this form, this is to authorize the person names as "applicant" below, acting on behalf of the owner, to file for and pursue a request for approval of the following:

Check each box that applies

- Rezoning
- Special Use
- Hardship Variance
- Special Exception
- Flood Protection Variance
- Appeal from Administrative Decision

Applicant: Lolita Esposito

Applicant's Address: 4321 Atlanta Street, Powder Springs, GA 30127

Date this Authorization becomes null and void: _____, 20____. (Not applicable)



Signature of Owner

(Notarized)

Signature of Owner

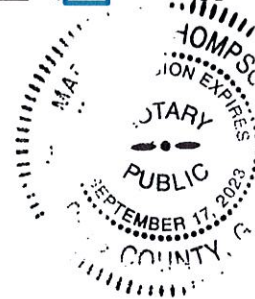
(Notarized)

Signature of Owner

(Notarized)

Signature of Owner

(Notarized)



Marnie L. Thompson
05/16/2020