



Development Standards Variance Application

Application No. DSV - _____ - _____

(PAGE 1 of 12)

HEARING DATES

Zoning Board of Appeals:

6:00 PM

(PLEASE PRINT OR TYPE ALL INFORMATION)

Applicant: _____

Address: _____

City: _____ **State:** _____ **Zip:** _____

Phone: (_____) _____ - _____ **E-mail address:** _____

Applicant's Signature

Printed Name of Signatory

Signed, sealed and delivered in the presence of:

Notary Commission Expires:

Notary Public Signature

The _____ day of _____, 20____.

SEAL:

Representative: (If Applicable) _____

Address: _____

City: _____ **State:** _____ **Zip:** _____

Phone: (_____) _____ - _____ **E-mail address:** _____

Representative's Signature

Printed Name of Signatory

Signed, sealed and delivered in the presence of:

Notary Commission Expires:

Notary Public Signature

The _____ day of _____, 20____.

SEAL:

CITY STAFF ONLY:

TIME/DATE STAMP:

FILED WITH COMMUNITY DEVELOPMENT: _____, 202____

APPLICATION ACCEPTANCE DATE: _____, 202____

DIRECTOR: _____
(SIGNATURE) (DATE)



Development Standards Variance Application

Application No. DSV - _____ - _____

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(PLEASE PRINT OR TYPE ALL INFORMATION)

Titleholder: _____
(Each Titleholder must have a separate, complete form, with notarized signatures)

Address: _____

City: _____ State: _____ Zip: _____

Phone: (_____) _____ - _____ E-mail address: _____

Titleholder's Signature

Printed Name of Signatory

Signed, sealed and delivered in the presence of:

Notary Commission Expires:

Notary Public Signature

The _____ day of _____, 20____.

SEAL:

Property / Variance Information:

****ONLY (1) ONE DEVELOPMENT STANDARD VARIANCE WILL BE CONSIDERED FOR APPROVAL PER APPLICATION****

Development Standard: Chapter: _____ Section: _____ Unified Development Code Standard: ☐ Yes ☐ No

Standard: _____

Present Zoning Classification: _____

Land Lot(s): _____, _____, _____, _____, _____, _____ District(s): _____ Section(s): _____

Tax Parcel I.D. Number(s): _____, _____ Total Acreage: _____

Location of Property: _____
(Physical address, if available, and nearest intersections (i.e. east/west side of given road, and north/south of given road))

Detailed description of variance request (including reason for request; how it will be consistent with applicable section(s) of the city's UDC): _____

Additional Tax Parcel I.D. No.(s) _____

Additional Land Lots here: _____, _____, _____, _____, _____, _____, _____

Additional Development Standard Variance (Application Numbers - List all): _____



****Staff Use Only****

Development Standard Variance Application: No. DSV- _____ - _____

Zoning Board of Appeals Hearing Dates: _____
(month) (day) (year)

City of Dallas – Zoning Board of Appeals Recommendation:

____ Approve ____ Disapprove ____ No recommendation ____ Table

Conditions, reasons, stipulations:

Zoning Board of Appeals Chairman: _____
(Signature) (Date)

City Manager: _____
(Signature) (Date)

Community Development Director: _____
(Signature) (Date)

City Attorney: _____
(Signature) (Date)



REQUIREMENTS FOR COMPLETING DEVELOPMENT STANDARD VARIANCE APPLICATIONS

Applications and related material shall be submitted and **typewritten** on supplied forms to the Community Development Department, located at 320 E. Foster Ave., Dallas, Georgia. Applications are accepted Monday through Friday from 9:00 a.m. until 3:00 p.m. Applications will not be accepted after 10:00 a.m. on the last filing day established by the Department.

☐ A completed **application form**

☐ If the **titleholder(s)** is a domestic or foreign corporation, then the following documentation shall also be required:

Written authentication with the presence of the corporate seal, or a facsimile thereof, attested by the secretary or assistant secretary of the corporation, or other officer to whom the bylaws or the directors have delegated the responsibility for authenticating records of the corporation, shall attest:

- a) That the corporate seal or facsimile thereof affixed to the document is in fact the seal of the corporation of true facsimile thereof, as the case may be;
- b) That any officer of the corporation executing the document does in fact occupy the official position indicated, that one in such position is duly authorized to execute such document on behalf of the corporation, and that the signature of such officer subscribed thereto is genuine; and
- c) That the execution of the document on behalf of the corporation has been duly authorized.

☐ A copy of the **recorded warranty deed** that reflects the current owner(s) of the property.

☐ A **current legal description**, including acreage, of the subject property. If the application consists of several tracts, a legal description of each tract is required. A separate legal description of each zoning classification is also required, as well as an overall description of all tracts and/or classifications combined. No legal description should include more property than what has been requested for the Rezoning.

☐ One copy, including an electronic copy, of a **boundary survey** prepared by a Registered Surveyor, drawn to scale, showing north arrow, land lot and district/section, dimensions, acreage and location of the tract. The preparer's seal shall be affixed to the plat signed and dated. **Boundary survey acreage shall match application and legal description acreage exactly.**

☐ Three paper copies, including an electronic copy of **site development plan** prepared by a Registered Surveyor, Professional Engineer, land planner, or architect (with preparer's seal affixed) drawn to scale of the subject property, including proposed building locations, proposed use of the property within the requested zoning district, parking areas, access points, creeks, streams, floodplain, etc... and any buffers that may be required. The applicant may also furnish additional material which may aid in the understanding of the request. (See attached)



- ☐ A vicinity map showing property lines, thoroughfares, existing and proposed zoning, and such other items as may be required.
- ☐ A parcel map listing the names, mailing addresses and tax parcel ID number of all **adjoining property owners**, including the owners across the road, railroad, and to the rear, or any persons located along a joint access easement. A separate numerical list providing the names, mailing addresses and tax parcel ID number of all **adjoining property owners**, including the owners across the road, railroad, and to the rear, or any persons located along a joint access easement.
- ☐ **Notarized** Authorization of Titleholder for each titleholder.
- ☐ **Notarized** Campaign Contribution forms and Property/Financial Disclosure Report for each applicant and each authorized agent (see attached).
- ☐ **Letter of Intent** which shall include but is not limited to the following applicable information.
 - a) Requested Variance(s): Detailed description; reason for said request; affect to public health, safety, and general welfare of the community; any adverse effect to adjacent properties; practical difficulty this request will relieve; any additional information the petitioner would like to provide to the Zoning Board of Appeals; and
 - b) The ways in which the variance shall be consistent with the intent of the applicable section(s) of the Zoning Ordinance; and
 - c) Any written commitments being made by the petitioner; and
 - d) A schedule for the proposed project identifying the dates of commencement and completion
- ☐ The filing fee is an amount set by the City of Dallas Mayor and Council and shall be paid at the time of filing. **This fee is non-refundable after the commencement of legal advertising** (See attached).
- ☐ Such other additional information as may be requested by the Community Development Department and/or Zoning Board of Appeals.

****This document is valid only with an original, handwritten 'wet ink' signature. Electronic, faxed, or copied signatures will not be accepted****

REMAINDER OF PAGE LEFT BLANK



SIGN FEE

Separate check for **sign fee** of \$50.00 for each sign(s), which is non-refundable. If signs are not removed from the property by the 15th day following Public Hearings, City of Dallas (or their representative) has permission to remove the signs from property. It is the Applicant's responsibility to pick up and post signs provided by the Community Development Department. Signs must be posted in clear view along **each** road frontage with no obstacles blocking the view of the petitioned property as required by State law.

Applicants should not attach the notice signs to any natural vegetation, existing signage or utility structures and signs may not be posted in the right-of-way. Failure to post and maintain signs continuously will prohibit consideration of the application at any scheduled public hearing. It is the responsibility of the applicant to ensure that signs remain posted throughout the advertising period, **including the day of the public hearings**.

Signs must be posted on the property by 8:00 AM 30 days prior to the date of the public hearing and remain posted throughout the advertising period, including the day of the public hearings. **FAILURE TO MEET THIS REQUIREMENT WILL RESULT IN THE APPLICATION BEING WITHDRAWN AND WILL REQUIRE SUBMISSION OF A NEW APPLICATION AND PAYMENT OF FEES.**

DEVELOPMENTS OF REGIONAL IMPACT (DRI)

The State of Georgia, Department of Community Affairs has established specific thresholds for the identification of Developments of Regional Impact (DRI). DRI Tiers and Development Thresholds are used to determine if the proposed project meets or exceeds any of the development thresholds. If the proposed project meets or exceeds any of the development thresholds, a DRI Review must be conducted prior to scheduling a public hearing for the Planning Commission. The rules and procedures for a DRI Review are available in the Planning & Zoning Division Office or at <https://www.dca.ga.gov/local-government-assistance/planning/regional-planning/developments-regional-impact>.

Is this request part of a Development of Regional Impact? ☐ No ☐ Yes

DRI Application # (if applicable) _____

I HAVE READ AND UNDERSTAND EACH OF THE REQUIREMENTS AND NOTES.

Signature of Applicant: _____

Date: _____

Signed, sealed and delivered in the presence of:

My Commission Expires _____.

Notary Public Signature: _____ (SEAL)

****MAKE CHECKS PAYABLE TO CITY OF DALLAS****



SITE PLAN REQUIREMENTS

(Request may be subject to Chapter XI; Sec. 11.03 – Development Plan Review and Approval requirements)

- ☐ Site Development Plan prepared by a Registered Surveyor, Engineer, Land Planner, or Architect (with professional seal affixed and signed) drawn to scale of the subject property
- ☐ Scale (graphic and verbal)
- ☐ Exact size and location of all buildings (showing intended use), including out lots, for commercial and multi-family projects
- ☐ Name, address and phone number of the Applicant and/or Developer
- ☐ State proposed use of property(s) within the requested zoning classification
- ☐ Required and proposed setbacks and buffers
- ☐ Parking areas, number of spaces, including access points and ADA requirements
- ☐ Show distance from the access point(s) in both directions to all curb cuts, driveways, easements and all points of ingress/egress on **both** sides of the road within 500 feet of property lines
- ☐ Current Location/Vicinity map
- ☐ North arrow
- ☐ Land Lots/District/Section depicted on plan and in description box
- ☐ City and/or County boundary lines depicted on plan; if applicable
- ☐ Bearings and distances
- ☐ Adjoining and **proposed** streets (paving **and** right-of-way widths)
- ☐ Total acreage (must match application, legal description and survey)
- ☐ Topography depicted at a minimum two-foot contour intervals clearly marked and labeled with source provided
- ☐ Show creeks, streams, lakes etc. with required bank buffers (50-foot undisturbed buffer and an additional 25-foot impervious buffer (total of 75 feet) on each side of stream banks) or note if not applicable.
- ☐ Identify flood plain and floodway area and note flood plain elevation
- ☐ Must reference most current FIRM panel numbers (<https://www.georgiadfirm.com> or <https://msc.fema.gov/portal/home>) and show limits of the 100-year flood plain and floodway and acreage of flood plain or floodway within property limits or note if not applicable
- ☐ Detention/Retention/Water Quality areas or note if not applicable
- ☐ Easements of any type; or note if not applicable
- ☐ Utility easements or note if not applicable.
- ☐ Cemeteries, Architectural, or Archeological landmarks, or note if not applicable
- ☐ Names and addresses of adjacent property owners (all adjoining property owners, including the owners across the road and to the rear, or any persons located along a joint access easement)
- ☐ Zoning category of adjacent properties depicted on site plan
- ☐ Date of the site plan and any revision dates
- ☐ A statement as to the source of water supply and sanity sewer facilities
- ☐ Applicant may also be required to furnish additional material that may aid in the understanding of the request.



AUTHORIZATION OF TITLEHOLDER

I, _____, being duly sworn upon his/her oath, being of sound mind and legal age, deposes and states that he/she is the owner of the property which is subject of this application, as is shown in the records of Paulding County, Georgia.

He/she authorizes the person named below to act as applicant in the pursuit of a request for Development Standard Variance.

I hereby authorize the City of Dallas – Community Development Department to inspect the premises which are subject of the application.

Name of Applicant _____

Address _____

City _____ State _____ Zip _____

Email _____

Phone _____

Name of Titleholder _____

Address _____

City _____ State _____ Zip _____

Email _____ Phone _____

Signature of Titleholder

Signed, sealed and delivered in the presence of:

Notary Public Signature

My Commission Expires:

Seal:

***A SEPARATE AUTHORIZATION OF TITLEHOLDER IS REQUIRED
TO BE COMPLETED BY EACH TITLEHOLDER***



**DISCLOSURE OF CAMPAIGN CONTRIBUTIONS AND GIFTS
BY APPLICANT, REPRESENTATIVE, AND TITLEHOLDER**

Applicant Name¹: _____

Reference: Application filed on _____, 20 _____

to obtain a Development Standard Variance for property described as follows: _____

All Individuals and business entities² have a property interest³ in said properties are as follows:

Has the applicant made, within two years immediately preceding the filing of this application for special exception, campaign contributions aggregating \$250 or more, or made gifts having in the aggregate a value of \$250 or more to a member or members of the City Council, Planning Commission or Zoning Board of Appeals (or any local government official) who will consider this application? ☐ No ☐ Yes

If “Yes” to the above, [O.C.G.A. § 36-67A-3](#) requires applicant to file a disclosure report within 10 days after the rezoning application is filed. Please provide the following information which will be considered as the required disclosure:

Name and official position of the local government official to whom the campaign contribution/gift was made:

The dollar amount of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of this application and the date of each such contribution:

An enumeration and description of each gift having a value of \$250 or more made by the applicant to the local government official during the two years immediately preceding the filing of this application:

Please attach additional sheet if necessary.

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

Applicant’s Signature

Applicant’s Name Printed

Signed, sealed and delivered in the presence of:

Notary Public Signature

My Commission Expires

City of Dallas - Community Development Department cannot advise anyone on how to complete this form. Applicants may want to confer with an attorney for guidance.

A SEPARATE DISCLOSURE OF CAMPAIGN CONTRIBUTIONS AND GIFTS FORM IS REQUIRED BY EACH APPLICANT, REPRESENTATIVE, AND TITLEHOLDER

¹Applicant means any person who applies for any application, any attorney or other person representing or acting on behalf of the applicant, and the titleholder/owner of the property.

²Business entity – Corporation, partnership, limited partnership, firm, enterprise, franchise, association or trust.

³Property interest – Direct or indirect ownership, including any percentage of ownership less than total ownership.



**PROPERTY/FINANCIAL DISCLOSURE REPORT BY APPLICANT,
REPRESENTATIVE, AND TITLEHOLDER**

Does any member of the City Council, Planning Commission, or Zoning Board of Appeals have a property interest (direct or indirect ownership, including any percentage of ownership less than total) in the subject property? ☐ No ☐ Yes

If yes, describe the nature and extent of such interest: _____

Does any member of the City Council, Planning Commission, or Zoning Board of Appeals have a financial interest (direct ownership interests of the total assets or capital stock where such ownership interest is 10% or more) of a corporation, partnership, limited partnership, firm, enterprise, franchise, association, or trust, which has a property interest (direct or indirect ownership, including any percentage of ownership less than total) upon the subject property? ☐ No ☐ Yes

If yes, describe the nature and extent of such interest: _____

Does any member of the City Council, Planning Commission, or Zoning Board of Appeals have a spouse, mother, father, brother, sister, son or daughter who has any interest as described above? ☐ No ☐ Yes

If yes, describe the relationship and the nature and extent of such interest: _____

If the answer to any of the above is "Yes", as required by [O.C.G.A §36-67A-2](#), the member of the City Council, Planning Commission, or Zoning Board of Appeals must immediately disclose the nature and extent of such interest, in writing to the City Council, City of Dallas, Georgia. A copy should be filed with this application. Such disclosures shall be a public record and available for public inspection at any time during normal working hours.

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

Applicant's Signature¹

Applicant's Name Printed

Signed, sealed and delivered in the presence of:

Notary Public Signature

My Commission Expires: _____
(SEAL)

***A SEPARATE PROPERTY/FINANCIAL DISCLOSURE REPORT IS REQUIRED TO BE
COMPLETED BY EACH APPLICANT, REPRESENTATIVE, AND TITLEHOLDER ***

¹Applicant means any person who applies for any application, any attorney or other person representing or acting on behalf of the applicant, and the titleholder/owner of the property.

DEVELOPMENT STANDARD VARIANCE REVIEW STANDARDS

The Zoning Board of Appeals shall review the particular facts and circumstances of each proposed variance in terms of the following standards and shall find adequate evidence showing that the variance at the proposed location:

- i) Practical Difficulty. The strict application of the terms of this ordinance will result in a practical difficulty in the use of the property. This situation shall not be self-imposed, nor be based on a perceived reduction of, or restriction on, economic gain.
- ii) Adjacent Property. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner; and
- i) General Welfare. The approval will not be injurious to the public health, safety, morals, and general welfare of the community; and
- ii) The ways in which the variance shall be consistent with the intent of the applicable section(s) of the Zoning Ordinance; and
- iii) Any written commitments being made by the petitioner.
- iv) Such other information as may be required by the ZBA.

DEVELOPMENT STANDARD VARIANCE CONDITIONS AND COMMITMENTS STANDARDS

CONDITIONS: Zoning Board of Appeals may impose such reasonable conditions upon its approval as it deems necessary to ensure the public health, safety, morals, and general welfare of the community. In addition, the Zoning Board of Appeals may, as a condition of approval, identify additional development standards to be enforced on a case-by-case basis. The Zoning Board of Appeals may use those development standards that apply to other districts as a guide for identifying appropriate additional development standards. These conditions shall be consistent with the intent of the applicable section(s) of the Zoning Ordinance, use of property, and conformance. All other development stands shall comply with the development standards applicable to the zoning district in which they are located.

COMMITMENTS. The Zoning Board of Appeals may require the owner of the property to make written commitments concerning the use or development of the property. Such commitments shall be recorded in the County recorder's office. A copy of the recorded commitments shall be provided to the Director for inclusion in the petition file at the time of application for a Land Disturbance Permit. No Land Disturbance Permit shall be issued for a permit application which does not comply with the recorded commitments.

DEVELOPMENT STANDARD VARIANCE APPROVAL STANDARDS

Development Standard Variance Approval: grants relief from the subject development standard found in this variance application only. Approval of the development standard variance request authorizes the applicant to carry forth, per the Zoning Board of Appeals terms of approval. All development standard variance approvals authorize only one (1) particular variance for the subject property. Approval shall automatically expire if, for any reason, the construction activities for development of the subject property ceases for more than a period of six (6) months and/or final platting approval and/or issuance of a certificate of occupancy isn't issued by the city within twenty-four (24) of the development standard variance approval date.

ZONING AND LAND USE FEES

CITY OF DALLAS COMMUNITY DEVELOPMENT ZONING FEES		
Acreage	Proposed Zoning District	Fees
0 - 1	R-1, R-2 & R-3	\$400.00
1 > 5	R-1, R-2 & R-3	\$600.00
More than 5	R-1, R-2 & R-3	\$600.00 + \$100.00 per additional Acre
0 - 1	TH, MF-1, MF-2, MXU & CBD	\$600.00
1 > 5	TH, MF-1, MF-2, MXU & CBD	\$750.00
More than 5	TH, MF-1, MF-2, MXU & CBD	\$750.00 + \$100.00 per additional Acre
0 - 1	C-1 & C-2, OMI Commercial	\$400.00
1 > 5	C-1 & C-2, OMI Commercial	\$600.00
More than 5	C-1 & C-2, OMI Commercial	\$600.00 + \$100.00 per additional Acre
0 - 1	I-1 & I-2 Industrial	\$600.00
1 > 5	I-1 & I-2 Industrial	\$750.00
More than 5	I-1 & I-2 Industrial	\$750.00 + \$100.00 per additional Acre
5-acre minimum	PUD Planned Unit Development	\$1,000 + \$50.00 per additional Acre
Description		Fees
Annexation		\$700.00 per parcel
PUD Alteration		\$350
Special Use Permit		\$400.00
Administrative Variance		\$250.00
Certificate of Appropriateness (Historic District)		\$25.00 Application \$25.00 Review (\$50.00 Total)
Medical Hardship Variance		\$25.00
Variance Permit		\$400.00
Communication Tower/Co-locators Permits		\$200.00
Non-Conforming Permits		\$150.00
Rezoning Sign		\$50.00
Zoning Verification Letter		\$50.00
Compatibility Review (moved-in houses and mobile homes)		\$100.00
Copy of Zoning Map		8 1/2 x 11 \$0.25 per page / \$25.00 CD / Online
Copy of Zoning Ordinance		Zoning Ordinance Online
Copy of Landscape Ordinance		Landscape Ordinance Online
Copy of Sign Ordinance		Sign Ordinance Online
Future Land Use Map		Chris Robinson @ Paulding County Planning & Zoning