



**CITY OF PEACHTREE CORNERS
COMMUNITY DEVELOPMENT**
310 Technology Parkway, Peachtree Corners, GA 30092
Tel: 678.691.1200 | www.peachtreecornersga.gov

Floodplain Management Ordinance Variance Application

Date: _____

Variance Number: _____
STAFF USE ONLY

Project Information

Property Name: _____

Property Address: _____

District: Section: _____ Land Lot: _____ Parcel: _____

Owner Information

Name: _____

Contact: _____

Email: _____

Address: _____

Phone: _____

Required Items for Submittal:

1. Fee (*Please make checks payable to City of Peachtree Corners*)
 - Single Family Residential \$250
 - Multi-Family \$350
 - Commercial \$600
2. Letter of Intent describing hardship and justification for floodplain variance.
3. Floodplain management/flood damage prevention plan. Plan requirements outlined in Chapter 26 Section 58 of Flood Ordinance
4. Floodplain study showing no adverse impact downstream. Study requirements outlined in Chapter 26 Section 90 of Flood Ordinance
5. List of properties that will be adversely affected by approval of floodplain variance

COMMUNITY DEVELOPMENT USE BELOW

Approved: _____ Denied: _____ Approved with conditions below: _____

Signature: _____ Date: _____

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A floodplain management variance application is processed without a public hearing. Allow 10 business days for review. Processing time begins after receiving a complete application with all required information. Listed below are the variance procedures found in section 5 of the Floodplain Management Ordinance.

If construction has already started and/ or a setback error has happened, STOP WORK AT ONCE. Do not proceed with any additional construction until the variance is resolved. Inform the City of Peachtree Corners why the mistake was made and provide a survey showing the encroachment, a letter from qualified design professional attesting to building code compliance, and a letter detailing what steps are being taken to make sure the same error does not reoccur.

Variance Procedures

The following variance and appeals procedures shall apply to an applicant who has been denied a permit for a development activity, or to an owner or developer who has not applied for a permit because it is clear that the proposed development activity would be inconsistent with the provisions of this ordinance. A request for a variance may be submitted by an applicant who has been denied a permit by the City of Peachtree Corners, or by an owner or developer who has not previously applied for a permit for the reasons stated herein above.

1. Requests for variances from the requirements of this ordinance shall be submitted to the City of Peachtree Corners.
2. Any person adversely affected by any decision of the City of Peachtree Corners shall have the right to appeal such decision to the Zoning Board of Appeals as established by the City of Peachtree Corners in accordance with procedures to be published in writing by the Zoning Board of Appeals. At a minimum, such procedures shall include notice to all affected parties and the opportunity to be heard.
3. Any person aggrieved by the decision of the Zoning Board of Appeals may appeal such decision to the Superior Court of Gwinnett County as provided in Section 5-4-1 of the Official Code of Georgia Annotated.
4. Variances may be issued for the repair or rehabilitation of Historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as an Historic structure, and the variance issued shall be the minimum necessary to preserve the historic character and design of the structure.
5. Variances may be issued for development necessary for the conduct of a functionally dependent use, provided the criteria of this Section are met, no reasonable alternative exists, and the development is protected by methods that minimize flood damage during the base flood and create no additional threats to public safety.
6. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
7. In reviewing such requests, the City of Peachtree Corners and Zoning Board of Appeals shall consider all technical evaluations, relevant factors, and all standards specified in this and other sections of this ordinance.

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8. Conditions for Variances:
 - a. A variance shall be issued only when there is:
 - i. a finding of good and sufficient cause;
 - ii. a determination that failure to grant the variance would result in exceptional hardship; and,
 - iii. a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, or the creation of a nuisance.
 - b. The provisions of this ordinance are minimum standards for flood loss reduction; therefore, any deviation from the standards must be weighed carefully. Variances shall only be issued upon determination that the variance is the minimum necessary, considering the flood hazard, to afford relief; and, in the instance of a Historic structure, a determination that the variance is the minimum necessary so as not to destroy the historic character and design of the building.
 - c. Any person to whom a variance is granted shall be given written notice specifying the difference between the base flood elevation and the elevation of the proposed lowest floor and stating that the cost of flood insurance will be commensurate with the increased risk to life and property resulting from the reduced lowest floor elevation.
 - d. The Community Development Director shall maintain the records of all appeal actions and report any variances to the Federal Emergency Management Agency upon request.
9. Any person requesting a variance shall, from the time of the request until the time the request is acted upon, submit such information and documentation as the City of Peachtree Corners and Zoning Board of Appeals shall deem necessary to the consideration of the request.
10. Upon consideration of the factors listed above and the purposes of this ordinance, the City of Peachtree Corners and the Zoning Board of Appeals may attach such conditions to the granting of variances as they deem necessary or appropriate, consistent with the purposes of this ordinance.
11. Variances shall not be issued “after the fact.”