

Variance Review Criteria

The following criteria shall be applied in evaluating and deciding any application for a Variance. The Planning Commission may recommend to Hahira City Council in specific cases such Variance from the dimensional standards and development requirements of the Hahira Zoning Ordinance, as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of provisions of the Ordinance will, in an individual case, result in unnecessary hardship, so that the spirit of the Ordinance shall be observed, public safety and welfare secured, and substantial justice done. Variances may be granted by the Hahira City Council in an individual case upon overall finding by the Planning Commission that the following hardships exist:

Recommended findings by staff:

(1) There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography.	
Staff:	Yes. This particular property has potential difficulties in being developed conventionally and its only current/logical development purpose is to continue facilitating the location of the billboard sign.
(2) The application of all dimensional standards and development requirements to this particular piece of property would render the particular property unusable.	
Staff:	N/A
(3) Such conditions are peculiar to the particular piece of property involved, or, in the alternative, that such conditions are due to the location of existing utilities, etc...	
Staff:	Yes. Yes. The cause of this particular Variance is due to storm damage from Hurricane Helene in September 2024, which effectively destroyed this existing sign..
(4) Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of this ordinance; requests for rezoning, the authority for such rezoning of property being solely reserved for the Hahira City Council.	
Staff:	No. The requested relief would simply continue the previous nonconforming situation

Relevant excerpts from the Hahira Zoning Ordinance

Section 8-4 Nonconforming Signs. Nonconforming signs shall be allowed to continue except as provided in paragraphs 10-3, and 10-6 as follows:

- a. A nonconforming sign shall not be replaced by another nonconforming sign except that the substitution or interchange of poster panels, painted boards, or demountable material on nonconforming signs shall be permitted.
- b. Minor repairs and maintenance of nonconforming signs such as repainting, electrical repairs, and neon tubing repairs shall be permitted. However, no structural repairs or changes in the size or shape of a nonconforming sign shall be permitted except to make the sign comply with the requirements of this ordinance.
- c. New point of business sign related to legally established nonconforming uses may be erected provided they comply with the sign regulations applicable to the use in the most restrictive district in which the use is permitted.

Section 8-5 Reconstruction of Nonconforming Structures. When a nonconforming structure or a structure containing a nonconforming use or nonconforming sign is razed or damaged by fire, flood, wind, or act of God, such structure or sign may be reconstructed as a nonconforming use only if the damage totals less than 50% of the value of the structure. Structures which do not conform to the yard requirements of this ordinance shall also be governed by this provision.

Section 10-3 Locations Prohibited. No sign shall be attached to or painted on any telephone pole, light pole, telegraph pole, or any tree, rock, or other natural object. Except in the C-B-D districts, no signs other than those signs erected by public governmental agencies or signs required by law, shall be placed so as to overhang any portion of public rights-of-way or other public properties.