

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. The residence sits beyond the minimum front yard setback of 25', which decreases the usable rear yard footage (which requires a min. 20' setback) for this improvement.
(2) The application of all dimensional standards and development requirements to this particular piece of property would render the particular property unusable.	
Staff:	Yes. Due to the current requirements, the applicant would not be able to make any building improvements to the rear of the home.
(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. This particular property does not have the additional footage necessary to complete this improvement.
(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. Should relief be granted, staff does not foresee any substantial detriment to the public good nor the impairment of the intent of this ordinance.

Relevant excerpts from the Hahira Zoning Ordinance

Hahira Zoning Ordinance

R-10 Single-Family Residential The purpose of this district is to provide single-family residential areas with minimum lot sizes of 10,000 square feet, said areas being protected from the depreciating effects of smaller lot development and excessive density and from the encroachment of those uses which are incompatible to a desirable residential environment.

Section 6-1 Development Standards. Within the various zoning districts as indicated on the "Zoning Map of the City of Hahira, Georgia," no building or structure, excluding all signs other than separate use advertising signs, shall be constructed or erected except as indicated in the following schedule:

R-10 zoning district: Min. front yard building setback = 25' Min. rear yard building setback= 20'

Section 12-3 Request for Variance. The Planning Commission may recommend to City Council upon appeal in specific cases such variance from the dimensional standards and development requirements of this ordinance as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of provisions of this ordinance will, in an individual case, result in unnecessary hardship, so that the spirit of this ordinance shall be observed, public safety and welfare secured, and substantial justice done. Variance may be granted by the City Council in an individual case upon finding by the Planning Commission that the following exists: