

Meeting April 6th
2023 0035 VAR



Carroll County Department of Community Development

423 College Street
P.O. Box 338

Carrollton, GA 30117
(770) 830-5861

APPLICATION FOR A VARIANCE

V-23-01-11

Date Received: 1-12-23
Received by:

CK # 930

Application must be filed by noon on the 1st Thursday of the month to go on the next month's agenda. No exceptions.

Please complete the blanks with the requested information. If any of the information or required materials is missing or incomplete, the application will not be processed.

APPLICANT

Applicant Name: Benny Rives
 Address: 257 Ithaca Ave Rd City: Ville Rica State: GA Zip: 30180
 Phone: (770) 328-2684 Fax: () - - Email: Rives.bennet@aml.com

Agent Name: _____
 Address: _____ City: _____ State: _____ Zip: _____
 Phone: () - - Fax: () - - Email: _____

Owner Name (If different from applicant): _____
 Address: _____
 Phone: () - - Fax: () - -

(Note: A notarized statement signed by the property owner(s) authorizing the applicant to make this request shall be attached to the application.)

VARIANCE

Project Name: Benny Rives / House
 Variance Location (attach location map): _____

Proposed Use: (If residential, residence must be at least 1,230 square feet) _____

Total acreage: 1.469 Acs
 Describe Proposed Variance:
To let my son Build his personal house.

Staff Use Only

Land Lot 069 of the 06 District, Carroll County Tax Map 150 Parcel 004



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Describe how the proposed Variance will affect:

Traffic: *None*

Parking: *Driveway*

Availability of Public Facilities/Utilities:

Yes

Other Relevant Impacts of the Proposal:

None

Describe how the proposed Variance will be a benefit to the public.

Its a personal house

Required materials to accompany the application:

1. Completed application and the fee.
2. Copy of deed, lease, option agreement, or other evidence of ownership or applicant's interest in the property. If the applicant is not the owner, attach a notarized statement signed by the owner authorizing the applicant to request the amendment.
3. All required items listed in the **Submitted Requirements** checklist.

Return form to:

Janet Hyde, County Planner
423 College Street, Room 503
Carrollton, GA 30117

For Department Use Only

Application No.: _____
Filing Fee: \$ _____
Pre-application Conf.: _____
Date advertised: _____
Date Notices Sent: _____
BOA Public Hearing Date: _____
Disposition: _____
Decision Letter Sent: _____



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SKETCH OF PROPERTY

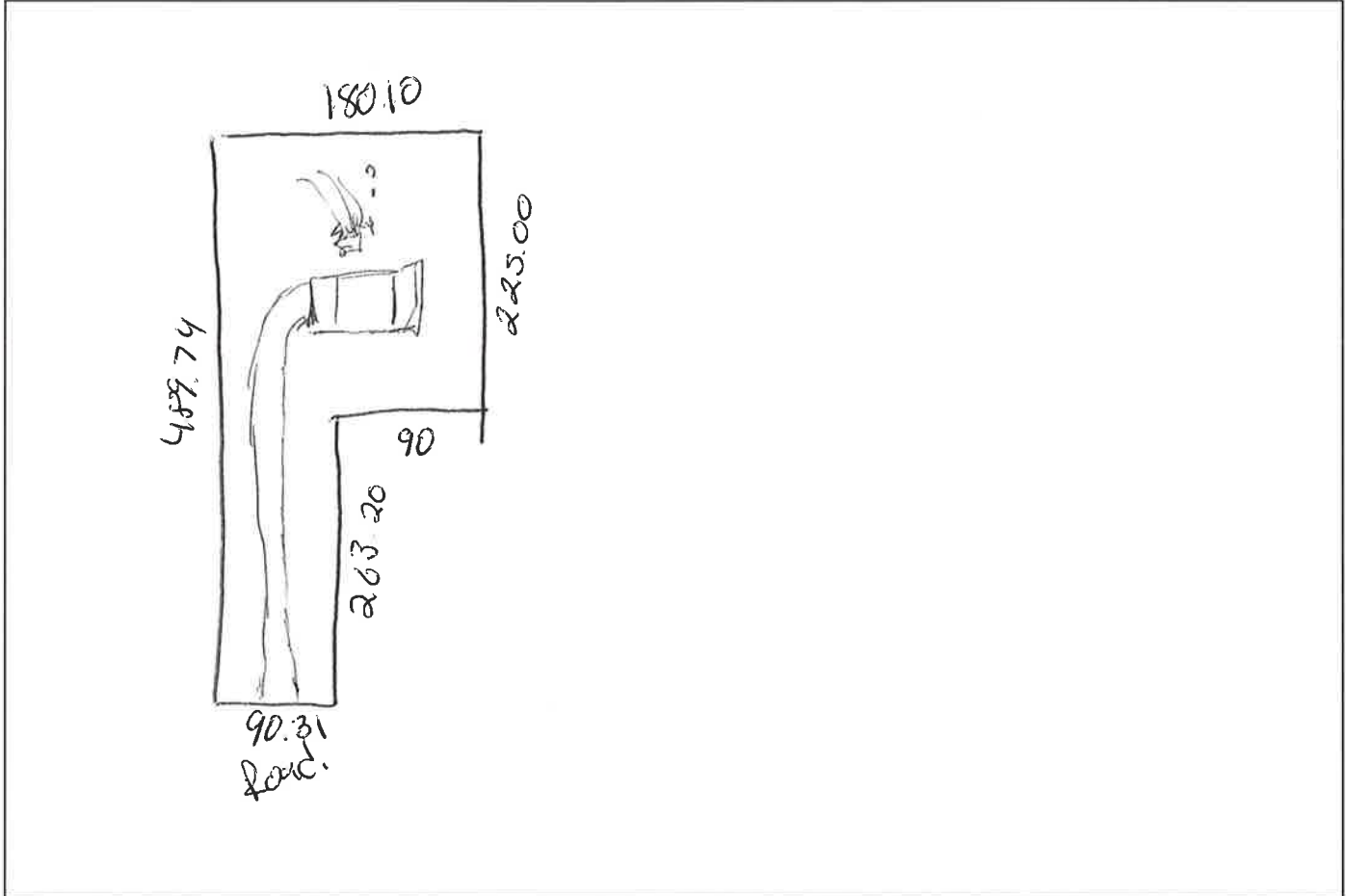
Please check: COMMERCIAL OTHER: Residential

- Provide a sketch of the proposed building location, driveway, septic tank location, and all other structures.
- Show the **dimensions** of the lot and all setbacks from the house and other structures to all property lines.
- The front setback shall always be measured from the centerline of the frontage road(s).
- Show location of any wells, trash pits, and all easements (drainage or utility) located on the property.
- Show distance to nearest stream or lake on property. If not within 200 feet of a stream or lake, please note.

Provide a complete listing of all existing structures that are now on the property: more than 200 ft² per parcel

Describe the type of structure that you plan to build: (If residence, must be at least 1,230 sf) 1900 sq ft single family home

Is this a multiple road frontage lot? no





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Nathan Ward
Zoning Administrator

V-23-01-11

COMMISSION DISTRICT: 3
COUNTY COMMISSIONER: Tommy Lee

PUBLIC HEARING DATES

BOARD OF APPEALS: February 28, 2023

REQUEST: Intra-Family Variance to split off 1.49 acres from 95 acres for son to build a house which is less than the required 4 acres.

Owner/Applicant: Benny Rivers
Acres: 95
Parcel Number(s): 150-0014
Location: 257 Ithica Gin Road, Villa Rica, GA

Current Land Use: Agriculture
Future Land Use: Residential

PROJECT DESCRIPTION: Mr. Rivers wants a variance to split off 1.49 acres from 95 acres so he can let his son build a house. The property is zoned Agriculture so the required minimum is 4 acres.

Surrounding Properties:

	Current Zoning	Land Use
North	Agricultural	Agricultural
East	Agricultural	Agricultural
South	Agricultural	Agricultural
West	Agricultural	Agricultural

REVIEW CRITERIA AND STANDARDS FOR CONSIDERING INTRAFAMILY TRANSFER VARIANCES:

The Community Development Appeals Board shall grant a variance provided that **ALL** of the following standards are met:

A. Whether or not there will be a significant adverse effect on the neighborhood or area in which the proposed single family dwelling will be located.

There will not be a significant adverse effect on the neighborhood.

B. Whether or not the proposed single family dwelling is otherwise compatible with the neighborhood.

Yes, the proposed single family dwelling is compatible with the neighborhood.

C. Whether or not the public health, safety, or welfare concerns of the surrounding neighborhood will be adversely affected.

The public health, safety, and welfare concerns of the surrounding neighborhood will not be adversely affected.

D. Whether a denial would impose an unnecessary hardship upon the applicant and the immediate family.

No because the minimum requirement is 4 acres.

E. The applicant's justification for not choosing to apply for a conditional use or zoning change.

The applicant does not wish to apply for a zoning change because the property in the area is predominantly of agricultural zoning.

STAFF COMMENTS:

The applicant is requesting a variance to allow 1.49 acres to split off of 95 acres for his son to build a house. The required minimum acreage for Agriculture is 4 acres. If the variance is approved, there will not be any adverse effects on traffic or other relevant impacts.

STAFF RECOMMENDATION:

PUBLIC NOTIFICATIONS: As required by Sections 14.3 and 14.4 of the Carroll County Zoning Ordinance, the public has been notified in the *Times-Georgian* on January 27, 2022; a sign was posted on the subject property, and all abutting property owners were notified of the rezoning request via U.S. mail.

Respectfully submitted,

Nathan Ward, Zoning Administrator



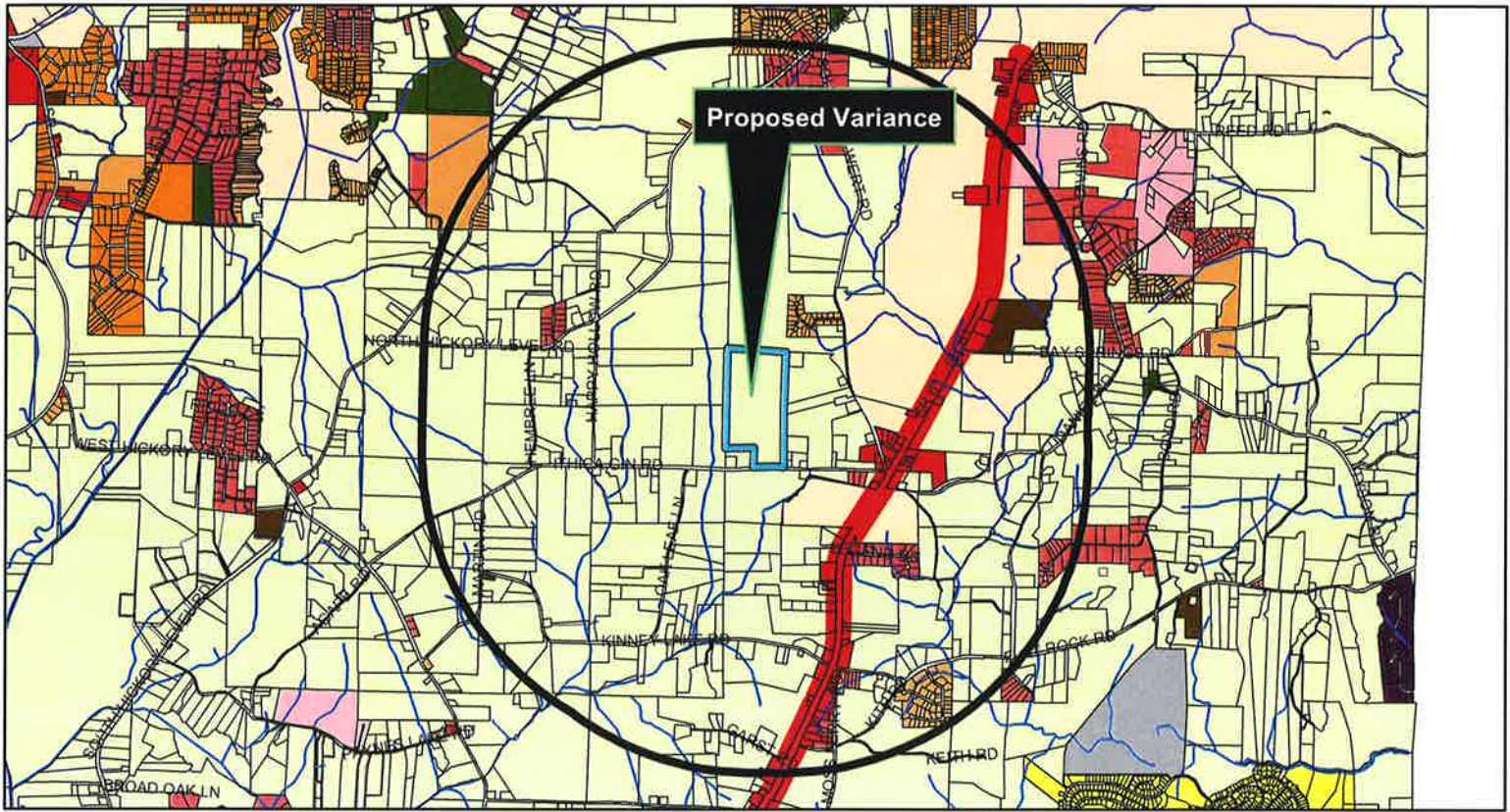
V-23-01-11

Carroll County GIS

Intrafamily-Area Variance
Parcel #150-0014
Applicant: Benny Rivers

Zoning

- 1.5 Mile Radius
- Municipal
- A - Agriculture (4 ac min.)
- C - Commercial
- I - Industrial
- TP - Technology Park
- OI - Office and Institutional
- HDDR - High Density Detached Residential*
- MFR - Multi-Family Residential
- MHS - Manufactured Home Subdivision
- PUD - Planned Unit Development*
- R1 - Single Family Home (3 ac min.)*
- R2 - Single Family Home (1 ac min.)
- R3 - Single Family Home (0.5 ac min.)*
- R30 - Single Family Home (0.75 ac min.)*



Future Land Use



- 1.5 Mile Radius
- Fairfield
- Agriculture
- Commercial
- Industrial
- Park/Rec/Con
- Public/instituti
- Residential
- Trans/Comm/Util
- Primary
- Secondary

