



Community Development Department
110 Academy Street, Canton, Georgia 30114
770-704-1500

VARIANCE APPLICATION

Project # _____

1. **Application Requirements:** All applications must be complete and include required support materials (listed on the reverse side of this application form). Incomplete applications will not be forwarded to the Canton Board of Appeals (BOA) for review. Applications shall be submitted through the City's online permitting portal system found here: <https://canton.onlama.com/>. Two (2) paper copies should also be furnished to the Community Development Department.
2. **Pre-Submittal Meeting:** A Pre-Submittal Meeting with Community Development Staff must be scheduled by the Applicant prior to submittal of the application.
3. **Application Deadline:** Applications and support materials must be submitted by the last Monday of the month, subject to change based on City Holidays. Please refer to the schedule listed on the reverse side of this application form for deadlines and meetings.
4. **Application Representation:** The Applicant or authorized representative of the Applicant must be present at the Public Hearing to support the application.
5. **Building Permit Requirements:** If a previously submitted building permit is being held pending variance action, the building permit will only be issued upon submittal of an action letter confirming variance approval.
6. **Perpetuity:** Unless otherwise conditioned by the Canton Board of Appeals or Mayor and City Council, an approved variance is held in perpetuity with the subject property so long as the property remains in its current configuration. Future modification to the subject property as a result of assemblage or subdivision may possibly deem an approved variance null and void.
7. **Adjacent Property Notification:** Applicants are required to notify adjacent property owners of the proposed variance as required by the City of Canton Unified Development Code Section 105.10.03. Such notification shall be forwarded to all contiguous property owners and their respective homeowner's association utilizing the City of Canton formatted notification letter located in this Application. Applicants should furnish a copy of each forwarded notification letter and one copy of a certified Certificate of Mailing from the United States Postal Service to the Community Development Department no later than fifteen (15) days prior to the Public Hearing meeting.
8. **Extension and Withdrawal:** The Applicant is allowed two (2) requests for extensions beyond the scheduled Public Hearing. If the request for extension is received after the Notice of Public Hearing is published, a \$500.00 readvertising fee will be assessed for each extension. An application may be withdrawn without prejudice (no waiting time to re-file) at any time prior to the Public Hearing. A request for withdrawal without prejudice must be made in writing.
9. **Appeal:** Any party aggrieved by any decision of the Board of Appeals may appeal the decision by submitting a Letter of Appeal to the Community Development Department no later than ten (10) days after the Board of Appeals decision has been rendered. The City Council will determine whether or not to hear the appeal, and if heard, will act accordingly on the appeal. Please refer to Section 105.14.02 of the Unified Development Code for more details regarding the appeals process. Any aggrieved party of the decision of the City Council may appeal the final decision to the Cherokee County Superior Court via writ of certiorari, submitted within thirty (30) days of the final decision.

If there are any questions about the Variance application process, procedures, or policies, please contact the Community Development Department at (770) 704-1559.

BY SIGNING BELOW, I ACKNOWLEDGE THAT I HAVE FULLY READ AND UNDERSTAND THE ABOVE POLICIES AND PROCEDURES OF SUBMITTING A VARIANCE APPLICATION WITH THE CITY OF CANTON.

X _____
APPLICANT SIGNATURE

X _____
PRINT NAME

REQUIRED SUPPORT MATERIALS

- Current **Property Deed**
 - Deed must document the current property owner
- Current **Legal Description** of the Subject Property
 - The legal description must match the boundary survey in its entirety, and no legal description should include more property than what is being requested for variance.
- Current **Boundary Survey**
 - The boundary survey must match the legal description in its entirety. The boundary survey should be prepared by a registered professional in accordance with Georgia law.
- Copy of current paid **Tax Receipt**
- **Letter of Intent** (See Content Requirements located within)
- **Location Map** of subject property
- **Proposed Site Plan** (See Content Requirements located within)
- Other support materials and/or information requested by the Department

FEES

- **Pre-Construction Variance:** \$500.00 Base Fee + \$500.00 Advertising Fee
- **Post-Construction Variance:** \$750.00 Base Fee + \$500.00 Advertising Fee
(If the Applicant is absent from the Public Hearing or an extension of the Public Hearing is sought for, readvertising fees shall apply.)

BOARD OF APPEALS PUBLIC HEARING CYCLES

- The Canton Board of Appeals meets on the second (2nd) and fourth (4th) Monday of each month. The following are currently scheduled dates and deadlines for 2026. All meetings are held at Canton City Hall, located at 110 Academy Street, Canton, GA 30114. All dates are subject to change. Please call (770) 704-1559 to confirm.

| Submittal Deadline | Work Session | Public Hearing |
|--------------------|------------------------|-------------------|
| January 26, 2026 | February 23, 2026 | March 9, 2026 |
| February 23, 2026 | March 23, 2026 | April 13, 2026 |
| March 30, 2026 | April 27, 2026 | May 11, 2026 |
| April 27, 2026 | May 26, 2026 (Tues) ** | June 8, 2026 |
| May 26, 2026 | June 22, 2026 | July 13, 2026 |
| June 29, 2026 | July 27, 2026 | August 10, 2026 |
| July 27, 2026 | August 24, 2026 | November 14, 2026 |
| August 31, 2026 | September 28, 2026 | October 12, 2026 |
| September 28, 2026 | October 26, 2026 | November 9, 2026 |
| October 26, 2026 | November 23, 2026 | December 14, 2026 |
| November 30, 2026 | December 28, 2026 | January 11, 2026 |
| December 28, 2026 | January 25, 2027 | February 8, 2026 |

** DATE CHANGED DUE TO CITY HALL CLOSURE

CONTENT REQUIREMENTS: SITE PLAN & LETTER OF INTENT

Site Plan - Single-Use Site Plan providing a detailed concept for design purposes.

Site Plans shall provide the following information. This list should not be construed as an exhaustive list of information. Plans must be drawn to scale by a registered engineer, architect, landscape architect or land surveyor in accordance with applicable state laws.

- (1) Name of development
- (2) Graphic scale and North arrow
- (3) Name, address, phone number of Owner, Developer, and Design Professional
- (4) Correct property boundary lines
- (5) Total acres
- (6) Topographic contours
- (7) Existing conditions (including infrastructure)
- (8) Surrounding property owners and zonings
- (9) Proposed layout of
 - a. Road system/Transportation Network(s)
 - b. Pedestrian and Transit Circulation
 - c. Proposed Uses (graphically indicate buildings)
 - d. Landscape areas, buffers, open space and recreational areas
 - e. Drainage
 - f. Easements (existing and proposed)
 - g. Lakes, streams and limits of 100-yr floodplain;
- (10) Notes detailing:
 - a. Total acres
 - b. Uses allowed.
 - c. Total number of residential units or square feet of commercial use
 - d. Maximum density in both Gross and Net
 - e. Acres within public rights-of-way
 - f. Amount of open space (acres and percentage)
 - g. Maximum building coverage or impervious surface (square feet, acres, and percentage)
- (11) Area requirements
 - a. Building setbacks (front, side, corner side and rear yard setbacks)
 - b. Maximum building height (by feet and stories)
 - c. Minimum parking requirements per use (must adhere to minimum parking regulations)
- (12) Road and Circulation components:
 - a. Adjoining street with existing and proposed rights-of-way
 - b. Curb cuts (existing and proposed)
 - c. Proposed road improvements (indicate pavement widths)
 - d. Deceleration lanes and other entrance improvements

Letter of Intent - A narrative, in executive form, which describes the proposed variance request in detail. The content of the Letter of Intent should support and expand upon the Site Plan contents.

NOTIFICATION LETTER TEMPLATE

(put on letterhead or include your name and return address here)

(DATE)

(SUBJECT PROPERTY OWNER)

Re: Case #(s)

Dear (PROPERTY OWNER):

(APPLICANT) has filed a variance request with the City of Canton on (#) acres of land located at (ADDRESS), being more particularly described in Map Book (#) and Parcels (#).

Our request is seek a Variance to (CODE SECTION) in order to (PROJECT INTENT).

A Public Hearing will be held before the Canton Board of Appeals on (DATE), at 6:00p.m. in the Auditorium at Canton City Hall, 110 Academy Street, Canton, GA 30114. (BE SURE TO CHECK THE PUBLIC HEARING DATE CALENDAR FOR THE CORRECT DATES).

Anyone wishing to speak in opposition must file a disclosure form with the City of Canton on or up to five (5) days prior to the date of the hearing.

The hearing on this matter is open to the public, and the application is on file in the Community Development Department located at Canton City Hall, 110 Academy Street, Canton, GA 30114, and may be viewed Monday through Friday 9:00 a.m. to 4:00 p.m.

Sincerely,

(APPLICANT)



Community Development Department
110 Academy Street, Canton, GA 30114
(770) 704-1500

VARIANCE PUBLIC HEARING APPLICATION

Project #(s):

This Application is for a:

- Pre-Construction Variance
- Post-Construction Variance

1. Please check all information supplied on the following pages to ensure that all spaces are filled out completely and accurately before signing this form. State **N/A**, where Not Applicable.
2. If you are not paying online, please make your check payable to "**City of Canton.**"
3. If you have questions regarding this form, please contact the Community Development Department by calling (770) 704-1559.

Applicant Information:

Name: _____
Address: _____

City: _____
State: _____ ZIP Code: _____
Telephone: _____
Email Address: _____

Owner Information:

Name: _____
Address: _____

City: _____
State: _____ ZIP Code: _____
Telephone: _____
Email Address: _____

I, _____ (Applicant), do solemnly swear and attest, subject to criminal penalties for false swearing, that the information provided in the Variance Application is true and correct and contains no misleading information. I, _____ (Applicant), have received and thoroughly read the Public Hearing Procedures.

This _____ day of _____, 20_____.

Applicant Signature: _____ **Print Name:** _____



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AUTHORIZATION OF OWNER AND APPLICANT

Project #(s):

This form is to be executed under oath. I, _____, (Property Owner), do solemnly swear and attest, subject to criminal penalties for false swearing, that I am the owner of the property, which is the subject matter of the attached application, as is shown in the records of Cherokee County, Georgia. I hereby authorize the City of Canton and its representatives to inspect the property, which is the subject of this application, and post any notices required thereon.

This _____ day of _____, 20_____.

Owner Signature: _____ **Print Name:** _____

I, the above signed legal owner of the subject property, do hereby authorize the following application to be submitted to the City of Canton and do hereby authorize the following person named below to act as Applicant in the pursuit of a request for a:

- Pre-Construction Variance
- Post-Construction Variance

Authorized Applicant Name:

Signature: _____

Mailing Address:

City: _____

State + ZIP: _____

Email: _____

Telephone: _____

Applicant Status:

- Owner
- Option to Purchase
- Lessee
- Area Resident
- Other (explain: _____)

This Authorization of Owner and Applicant Form has been completed and the property owner's signature is

Sworn To and Subscribed Before Me This _____
 Day Of _____, 20_____.

(Seal)

Notary Signature: _____



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PROPERTY INFORMATION

Project #:

Address(es):

Land Lot(s): _____ District: _____ Section: _____ Parcel ID(s) _____

Existing Zoning Of Property: _____ City County Total Acreage Of Property: _____

Existing Use(s) Of Property _____

ADJACENT PROPERTY/OWNER INFORMATION:

Please provide the following information for all adjacent properties, including property connected by public rights-of-way. Attach additional sheets as necessary.

| | OWNER NAME AND ADDRESS/PARCEL ID | CURRENT ZONING | CURRENT LAND USE |
|--------------|----------------------------------|----------------|------------------|
| NORTH | | | |
| SOUTH | | | |
| EAST | | | |
| WEST | | | |
| OTHER | | | |
| OTHER | | | |
| OTHER | | | |

Ordinance section(s) for which a variance is requested: _____

Please explain the reasoning for the requested variance:

(This should additionally be addressed in the required Letter of Intent)



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VARIANCE REVIEW CRITERIA

Project #:

Are there any extraordinary or exceptional conditions pertaining to the subject property because of its size, shape, or topography? _____

Would the application of the Zoning Code standards as they relate to the subject property create an unnecessary hardship? _____

Does a literal interpretation of the Zoning code deprive the Applicant of any rights that others in the same district are allowed? _____

Has the condition from which relief or variance is sought been a result from action by the Applicant?

Are there conditions peculiar to the subject property? _____

Would relief, if granted, cause substantial detriment to the public good or impair the purpose and intent of the Zoning Code? Specifically, would the variance impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets or increase the danger of fire or imperil the public safety or unreasonably diminish or impair established property values within the surrounding areas, or in any other respect impair the health, safety, comfort, morals or general welfare or the inhabitants or the City? _____

(These criteria should additionally be addressed in the required Letter of Intent.)