Variance Review Criteria

The following criteria shall be applied in evaluating and deciding any application for a Variance. No application for a Variance shall be granted by the Zoning Board of Appeals unless satisfactory provisions and arrangements have been made concerning each of the following criteria, all of which are applicable to each application.

(1) The need for the variance arises from a condition that is unique and peculiar to the land, structures, and buildings involved.	
Applicant:	This property building and canopy view is partially obstructed by a billboard going west bound and trees going east bound.
Staff:	There is nothing unique or peculiar to justify granting the variance.
(2) The variance is necessary because the particular physical surroundings, the size, shape or topographical conditions of the specific property involved would result in unnecessary hardship for the owner, lessee or occupants; as distinguished for a mere inconvenience, if the provisions of the LDR are literally enforced.	
Applicant:	The signs proposed are a standard branding for Inland Sun Stops. The store branding is very important for the identification of the location.
Staff:	The variance is not necessary because of the physical surroundings, nor because of the size, shape, or topographical conditions of the property.
(3) The condition requiring the requested relief is not ordinarily found in properties of the same zoning district as the subject property.	
Applicant:	Given the construction of this property that is out of the owners control we feel that the proposed signs are adequate. Other properties in this zoning district do not appear to have this problem.
Staff:	This property is similar in nature to other similarly zoned properties.
(4) The condition is created by the regulations of Title 2 of the LDR and not by an action or actions of the property owner or the applicant.	
Applicant:	The obstructions of the view is caused by adjacent properties.
Staff:	The condition is not created by the LDR.
(5) The granting of the variance will not impair or injure other property or improvements in the neighborhood in which the subject property is located, nor impair an adequate supply of light or air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, create a hazard to air navigation, endanger the public safety or substantially diminish or impair property values within the neighborhood.	
Applicant:	The proposed signs will complement the other businesses in the area. The signage requested is very tasteful in nature.
Staff:	There will be little to no direct impact on adjacent properties.
(6) The variance requested is the minimum variance that will make possible the reasonable use of the land, building, or structures.	
Applicant:	The proposed sign package is a standard for Inland. The branding of the stores is very important to them being recognized. SW Georgia Oil is establishing new branding “Inland Sun Stop” gas stations and C-stores.
Staff:	The property has opportunity for signage that meets regulations and allows reasonable use of the land. Some of what is requested is minimal, and some is excessive.