

## ATHENS-CLARKE COUNTY PLANNING DEPARTMENT

**ZONING VARIANCE APPLICATION**

SUBMITTAL REQUIREMENTS: Please see page 2 for full list of requirements

FEE: \$225 per requested variance (cash/card/check – make check payable to ACC)

**PROPERTY INFORMATION**

For Staff Use:  
PLAN #: VAR - \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

PROPERTY ADDRESS: 458 E. CLAYTON STREET-ATHENS, GA  
 COUNTY TAX MAP #(s): 171B6 D002  
 ZONING DISTRICT: C-D  
 CURRENT USE: Commercial  
 PROPOSED USE: Commercial

Applicants are encouraged to meet with Planning Staff for assistance in preparing a complete application. Staff is available to answer questions, and review procedures, forms, and plans prior to submittal.

**DECLARATION OF OWNERSHIP**

Applications for a variance to the terms and literal enforcement of the Development Regulations must be filed by anyone with at least fifty-one (51) percent interest in the ownership of, or an accepted contract to purchase on, the affected property.

Owners Name (print): THE DEUPREE COMPANY / Goodloe Yancey, President  
 Mailing Address: P O Box 1688 Athens, GA 30603  
 Telephone #: \_\_\_\_\_  
 E-Mail Address: 9N9400@msn.com

OWNERS'S SIGNATURE:  DATE: 12-19-25

**AGENT'S AUTHORIZATION BY PROPERTY OWNER**

I authorize the person named below to act as applicant or agent in the pursuit of the variance for this property:

Name of  
 Applicant/Agent: Armentrout Matheny Thurmond, P.C.  
 Owners Name (print): Michael B. Thurmond, P.E.  
 Mailing Address: 330 Research Dr., Ste A240, Athens, GA  
 Telephone #: 706-548-8211  
 E-Mail Address: bthurmond@amtathens.com

OWNERS'S SIGNATURE:  DATE: 12-19-25

**SUBMISSION OF MATERIALS:**

A complete application must contain the following:

1. The original and one (1) copy of the property & applicant information (pg. 1 of this application)
2. Fifteen (15) copies of the applicant's responses to variance findings (pp. 3-4 of this application)
3. Fifteen (15) copies of site plan [PLEASE NOTE: Some applications require a professionally sealed site plan – consult with Staff] and any additional materials
4. One (1) legal description of the property, e.g., record deed, unless site plan has metes & bounds.
5. Fifteen (15) copies of any additional materials, e.g., exterior architectural elevations, photographs, etc.
6. Digital pdf versions of signed application, variance findings, plans and any additional materials
7. Application fee

## **VARIANCES REQUESTED**

List the requested variances, citing the specific section(s) of the Athens-Clarke County Code, the required and proposed standards. Sec. 9-7-3 - side yard building setback variance from 10' to 6' or Sec 9-25-8-C-2 - waiver of public sidewalk along street frontage

**SEE ATTACHED**

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**VARIANCE(S) MAY BE GRANTED IN AN INDIVIDUAL CASE IF IT CAN BE SHOWN THAT A LITERAL ENFORCEMENT OF AN ORDINANCE WILL RESULT IN AN UNNECESSARY HARDSHIP TO THE APPLICANT.**

**In order to determine that an unnecessary hardship might occur, the following questions must be completely answered.**

1. Describe the extraordinary and exceptional conditions pertaining to this particular piece of property in question because of its size, shape, character, or topography that do not apply generally to other land in the vicinity:

**SEE ATTACHED**

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2. Explain how the strict application of the provisions of this title to this particular piece of property would create an undue and unnecessary hardship so that the grant of the variance is necessary for the preservation and enjoyment of a property right and not merely to serve as a convenience to the applicant:

**SEE ATTACHED**

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3. Describe how the special conditions and circumstances do not result from the actions of the applicant:

SEE ATTACHED

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4. Explain how the benefits of granting the variance will be greater than any negative impacts on the development of the adjacent uses; and will further the purpose and intent of this ordinance and the Comprehensive Plan of Athens-Clarke County.

SEE ATTACHED

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5. Explain how the variance, if granted, will represent the minimum variance that will afford relief from the identified hardship and will represent the least deviation possible from the zoning regulation and from the comprehensive plan.

SEE ATTACHED

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