

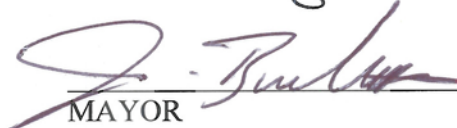
ORDINANCE NO. 14-2010  
AMENDMENT TO THE CODE OF ORDINANCES  
SECTION 5-090 VARIANCES

CITY OF TYBEE ISLAND, GEORGIA

IT IS HEREBY ORDAINED by the governing authority of the City of Tybee Island, duly assembled, that the Code of Ordinances, Section 5-090, Variances, be amended to add the following:

Section 5-090(f): Notwithstanding any other provision of the Code of Ordinances, no application for a variance may be accepted nor may any variance be granted with respect to any property that is then not in compliance with the requirements of Ordinances for the condition on which the variance is sought, unless the applicant files with the application a detailed written explanation of how, when, and by whom the need for a variance was created. In such a case, the planning commission shall make a recommendation to the Mayor and Council as to whether the variance should be approved or rejected or modified and the Mayor and Council, following a public hearing, may approve, reject or modify the variance request. In the event property is constructed in violation of the Ordinances, the violation status remains until such time as the condition is rectified and placed in conformity with the Ordinances. Violations of the Ordinances may be subject to the enforcement provisions of this Code and all penalties permissible by law. A variance that is granted under this ordinance does not excuse prior violations including those that have resulted or may result in enforcement action by the City of Tybee Island.

ADOPTED THIS 26<sup>th</sup> DAY OF August, 2010.

  
MAYOR

ATTEST:

Doreen Woods  
CLERK OF COUNCIL

FIRST READING:

8/12/10

SECOND READING:

8/26/10

ENACTED:

8/26/10

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Section 5-090(f): Notwithstanding any other provision of the Code of Ordinances, no application for a variance may be accepted nor may any variance be granted with respect to any property that is then not in compliance with the requirements of Ordinances for the condition on which the variance, unless the applicant files with the application a detailed written explanation of how, when, and by whom the need for a variance was created. In such a case, the planning commission shall make a recommendation to the Mayor and Council as to whether the variance should be approved or rejected or modified and the Mayor and Council, following a public hearing, may approve, reject or modify the variance request. In the event property is constructed in violation of the Ordinances, the violation status remains until such time as the condition is rectified and placed in conformity with the Ordinances. Violations of the Ordinances may be subject to the enforcement provisions of this Code and all penalties permissible by law. A variance that is granted under this ordinance does not excuse prior violations including those that have resulted or may result in enforcement action by the City of Tybee Island.