

Request for Variance

FOR OFFICE USE ONLY			
Date ___/___/___	Fee \$ _____	Case Number _____	
Planning and Zoning Board Variance <input type="checkbox"/> City Commission Variance <input type="checkbox"/> FEMA Flood Map _____			
Parcel ID Number: Section _____ Township _____ Range _____ Subdivision _____ Block _____ Lot _____			

APPLICANT (OWNER) INFORMATION

Name of Owner: _____

Mailing Address: _____

Phone Number(s): Day _____ Evening _____

Other _____ E-mail address: _____

AGENT INFORMATION (if different than property owner)

Name of Agent: _____

Mailing Address: _____

Phone Number(s): Day _____ Evening _____

Other _____ E-mail address: _____

SUBJECT PROPERTY INFORMATION

Property Address: _____

Land Use/Zoning: _____ FEMA Flood Zone: _____

Site Area: _____ Lot Width: _____ Lot Depth: _____

Legal Description: Lot(s): _____ Block: _____ Subdivision: _____

Description/Use of Adjacent Properties:

North: _____ East: _____

South: _____ West: _____

VARIANCE REQUESTED: _____

**INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.
PLEASE REFER TO THE "LIST OF REQUIRED SUBMITTALS"**

City Staff will visit the subject property during review of the requested variance. By signing this application, the applicant agrees to comply with the decision(s) of the Planning and Zoning Board/City Commission, perform according to the submitted site development plan, and conform to all conditions of approval. The applicant's signature affirms that all information contained within this application packet has been read and that the applicant understands that a Planning and Zoning Board/City Commission application may involve substantial time and expense. Filing an application does not guarantee approval.

Required attachments and filing fee must accompany this application. The date of the application shall be the date that the application is determined complete with all required attachments and fees.

I certify that the information contained herein is correct to the best of my knowledge. All provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not. The granting of a permit does not presume to give authority to violate or cancel the provisions of any other state or local law regulating construction or the performance of construction.

SIGNATURE OF PROPERTY OWNER _____ **DATE** _____

PRINT NAME _____

Note: To accept an agent's signature, a notarized letter of authorization from the property owner must accompany this application.

STATE OF FLORIDA COUNTY OF PINELLAS

Before me personally appeared _____ who said the he/she executed the above instrument of his/her own free will and accord with full knowledge of the purpose therefore; and, who is personally known to me or who has produced _____ as identification and who did (did not) take an oath. Sworn to and subscribed in my presence this _____ day of _____ 20_____.
My commission expires: _____ Notary Public: _____

Planning and Zoning Board/City Commission Variance Fees

BASE FEE:.....\$ 350.00
Each additional variance:.....\$ 50.00

Please Note: Application fees are non-refundable.

1. Application must be submitted by 3:00 p.m. on the deadline date in order to be heard at the next regular meeting.

DEADLINE & SCHELDULE

Application	Meeting
December 7, 2009	January 21, 2010
January 11, 2010	February 18, 2010
February 8, 2010	March 18, 2010
March 8, 2010	April 15, 2010
April 5, 2010	May 20, 2010
May 10, 2010	June 17, 2010
June 7, 2010	July 15, 2010
July 6, 2010	August 19, 2010
August 9, 2010	September 16, 2010
September 7, 2010	October 21, 2010
October 11, 2010	November 18, 2010
November 8, 2010	December 16, 2010
December 6, 2010	January 20, 2011

2. Before the Board can hear any case twenty (20) copies of the following must be submitted along with the appropriate fee(s) to the Community Improvement Department by the established Deadline date:
 - A. Completed application.
 - B. Proof of ownership (1 copy).
 - C. A survey of the property showing all existing site improvements sign and sealed by a surveyor within the past three years, or a survey older than three years with an affidavit by the owner attesting that the survey accurately indicates what exists today.
 - D. A narrative from the applicant demonstrating the following:
 - (1). Special conditions and circumstances exist that apply to the building, structure, or land for which the variance(s) is sought;
 - (2). Existing conditions and circumstances are such that strict application of the provisions of the Land Development Regulations would deprive the applicant of reasonable use of said structure or land equivalent to the use of structures or lands in the same district and permitted by Code.
 - (3). The conditions and circumstances are not the result of the actions of the applicant, the applicant's agents, or the applicant's predecessors in the title.
 - E. Site plans, building plans, elevations and/or drawings clearly describing the proposed project.
 - F. If the applicant cannot appear in person, a designated representative shall be present and a letter so stating shall be submitted with the application.

3. Applicants to the Board are required to notify neighbors within a 200-ft radius of their property. Notices will be prepared by the City for hand delivery or certificate of mailing delivery by the applicant. If hand delivered, a signature of the property owner and date of delivery is required. If notices are sent via certificate of mailing, the postal receipt shall be returned to the Community Improvement Department not less than 10 days prior to the date of the public hearing. When condominium or cooperative apartment fall within the 200-foot radius, notices may be delivered to the manager or president of the condo association for distribution to the individual owners.

NOTE: The Community Improvement Department shall provide sufficient copies of the public notices for distribution.

4. A granted variance shall be valid for one year.
5. The Board shall prescribe a reasonable time limit within which the action for which the variance is required shall be commenced; such time period shall not exceed twelve (12) months from the date of the hearing.
6. The staff report will be available to the applicant following distribution to the Board (approximately one week).
7. To remain in effect after one year, one of the following must have occurred:
 - A. An extension of time has been approved by the Board;
 - B. Building permits relating to the requested variance have either been applied for, or granted;
 - C. A site plan review relating to the requested variance has been applied for or approved by the Planning and Zoning Board.

Any requests for an extension of time relating to a variance(s) must be in writing and received by the City Manager or specified designee at least three weeks prior to its expiration date in order for the request to be placed on the approving board's agenda.

In reviewing a variance request, the Planning and Zoning Board as applicable, shall find that the following criteria has been considered:

- (1). The variance is in fact a variance as set forth within the Land Development Regulations and within the province of the Planning and Zoning Board based upon the opinion of the City Attorney;
- (2). Special conditions or circumstances exist which are peculiar to the building, structure, or land use for which the variance is sought and do not apply generally to buildings, structures, or lands in the same district;
- (3). Strict application of the provisions of the land development regulations would not permit the applicant reasonable use of the building, structure, or land;
- (4). The peculiar conditions and circumstances existing are not the result of the actions of the applicant, the applicant's agents or the applicant's predecessors in title;
- (5). The reasons set forth in the application justify the granting of the variance;
- (6). The variance proposed to be granted is the minimum variance that will make possible the reasonable use of the building, structure or land;
- (7). Owing to special conditions, a literal enforcement would result in unnecessary hardship. Special conditions to be considered pursuant to this section of the Land Development Regulations shall include, but not limited to, the following circumstances:
 - A. Redevelopment. If the proposed project involves the redevelopment or utilization of an existing developed or partially developed site.
 - B. Substandard lot(s). If the proposed project involves the utilization of an existing legal nonconforming lot(s).
 - C. Neighborhood character. If the proposed project promotes the established development pattern of a block face, including setbacks, building height, and other

- dimensional patterns.
 - D. Public facilities. If the proposed project involves the development of public parks, public facilities or public utilities.
 - E. Architectural and/or engineering consideration. If the proposed project utilizes architectural and/or engineering features that would render the project more disaster resistant.
- (8). The granting of the variance will be in harmony with the general purpose and intent of Chapter 70 of the City Code; and,
- (9). The granting of the variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

I have read and understand the preceding nine (9) variance requirements.

Applicant

_____/_____/_____
Date

1.	Completed Application.				
2.	Proof of ownership of the property.				
3.	A survey of the property showing all existing site improvements, signed and sealed by a surveyor within the past three years or a survey older than three years with an affidavit by the owner attesting that the survey accurately indicates what exists today.				
4.	Applicants narrative demonstrating that: (a) special conditions/circumstances exist to the land, structure or building; (b) a literal interpretation of the provisions of the code would deprive the applicant of the rights enjoyed by other properties; (c) special conditions /circumstances do not exist due to actions of the applicant, or their agents or predecessors in title.				
5.	Site plans, building plans and/or drawings clearly describing the proposed project.				
6.	If applicant cannot appear in person, a designated representative shall be present and a letter so stating shall be submitted with the application.				

In the performance of its functions, the Planning and Zoning Board, and its members or employees, may enter upon and land and make examinations and surveys and place and maintain necessary monuments and marks thereon. **(Section 70-10 of the Land Development Regulations).**

I have read the attached instructions, requirements and completed the check list.

Applicant Signature

Date