VARIANCE APPLICATION

Applicants must acknowledge understanding of the following. Initial each of the statements below. If you do not understand any of these, staff will explain them to you.

_____ I understand that a non-conforming use or structure in a particular zoning district does not, in any way, provide justification for the granting of a variance. Furthermore, the existence of a permitted use or structure in adjacent districts does not constitute grounds for a variance.

_____ On all variances, a majority vote is required. Action on this application by the BOA/City Commission may be continued to a later meeting.

_____ I understand that if a variance is approved by the BOA/City Commission, the applicant is required to obtain the appropriate building permits within 1 year from the date of the decision. If no permit is obtained within 1 year, the approval from the Board/City Commission becomes voided.

_____ I understand that any person aggrieved by the final decision has the right to file a petition in the Pinellas County Circuit Court within 30 calendar days after the decision. Permits for construction may be granted prior to the expiration of this 30-day period, but an appeal will be grounds for revocation of the permit.

_____ I understand that I, as the applicant, or my authorized representative must be present at all scheduled public meetings on the application.

After acknowledgement of these conditions, complete the application form on the following pages.

Signature of Applicant                                  Date
VARIANCE APPLICATION

Case Number: __________________________

APPLICANT/AGENT: PROPERTY OWNER:

Name: ________________________________ Name: ________________________________
Address: ______________________________ Address: ________________________________
City: ______________ State: _____ City: ________________ State: ______
Zip: ___________ Phone: _______________ Zip: ___________ Phone: _______________

PROPERTY:

Address: ________________________________________________________________

Parcel ID: ______________________________________________________________

Current Zoning: ___________ FLUM Designation: ___________ Lot Area: _______

Existing Use: ___________ Proposed Use: _______________________________________

DETAILS OF THE REQUEST: (Add additional sheets if necessary)

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

Attach the following supporting documentation to this application:

- Recent survey of the property
- A site plan, drawn to scale, illustrating the proposed variance.

This application, together with all required supporting document, shall be submitted by 12:00 noon on the stated filing date for the Board of Adjustment/City Commission. Failure to do so will delay your application to a later date.

Signature of Applicant Date Signature of Authorized Agent Date

For office use only:

Hearing Date: __________________________ Fees: __________________________

Board Action: ☐ Approved as requested ☐ Approved with conditions ☐ Denied
☐ Continued
In order for an application for a variance to be approved or approved with conditions, the Board of Adjustment or the City Commission must make a positive finding with regard to each of the provisions below, which are also located in Division 3 of the Land Development Code. The applicant has the burden of proof demonstrating that the application for the variance complies with each of the requirements. Please explain in detail how your case meets these requirements (attach additional sheets if necessary):

1. Conditions and circumstances exist that are peculiar to the subject land, structure or building and do not apply generally to neighboring lands, structures or buildings in the same zoning district which have complied with these regulations without hardship.

2. The strict application of the provisions of the land development regulations would deprive the applicant of reasonable use of such land, structure or building.

3. The peculiar conditions and circumstances are not the result of the actions of the applicant.

4. The proposed variance will not have the effect of changing any district boundary on the zoning map.
5. The variance shall not permit a non-conforming use or permit a use not specifically permitted in the zoning district.

6. The variance shall not increase density or intensity over that which is permitted in the Comprehensive Plan.

7. The granting of a variance will be in harmony with the general purpose and intent of the land development regulations and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

8. The variance proposed is the minimum variance that will make possible the reasonable use of the land, structure and building.

Signature of Applicant                Date                Signature of Authorized Agent                Date