

CASE #: \_\_\_\_\_

SUBMITTAL DATE: \_\_\_\_\_ AMOUNT DUE: \_\_\_\_\_ PAYMENT DATE: \_\_\_\_\_

### PRACTICAL DIFFICULTY VARIANCE APPLICATION

The following Items are to be submitted, along with this application, **at least 30 days prior to the public hearing:**

- Two (2) copies of the property survey, completed in the last ten years, which contains the legal description, land area, and existing improvements on the site that has been signed and sealed by a surveyor licensed in the State of Florida;
- Seven (7) copies of a site plan showing the request, drawn to scale, of size between 11x17" and 36x48";
- Emailed copy of the survey and site plan to [bberry@stpetebeach.org](mailto:bberry@stpetebeach.org).
- The Application Fee, payable to the City of St. Pete Beach (non-refundable)

#### OWNER/AGENT INFORMATION:

Identification	Name	Address	Phone #
Owner			
Applicant/ Agent			
Owner Email Address:		Applicant/Agent Email Address:	

#### PROPERTY FOR PROPOSED VARIANCE:

Zoning Designation	Future Land Use Designation	Lot Area
Legal Description:		
Parcel ID:		
Address:		
Explanation of Request: _____		
_____		
_____		
_____		
_____		

**Findings Necessary for Granting Request:** In order for an application for a practical difficulty variance to be approved or approved with conditions, the Board of Adjustment 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 these requirements. Please explain in detail how your case meets these requirements (attach additional sheets if necessary):

1. How substantial the variance is in relation to the requirement sought to be varied;
  
  
  
  
  
  
  
  
  
  
2. Whether an adverse change will be produced in the character of the neighborhood;
  
  
  
  
  
  
  
  
  
  
3. Whether the difficulty can be obviated by some method feasible for the applicant to pursue other than by a variance; and
  
  
  
  
  
  
  
  
  
  
4. Whether, in view of the manner in which the difficulty arose, the interest of justice will be served by allowing the variance.

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<b>Signature of Applicant</b>	<b>Date</b>	<b>Signature of Authorized Agent</b>	<b>Date</b>
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**For office use only:**

Hearing Date: \_\_\_\_\_ Fees: \_\_\_\_\_

Board Action:  Approved as requested  Approved with conditions  Denied  Continued

## 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 the City will not accept or process an incomplete application.

\_\_\_\_\_ 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 except for administrative (de-minimis) 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 or City Manager, 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 becomes voided.

\_\_\_\_\_ I understand that if any application filed under the provisions of this Code is denied, no subsequent application seeking substantially the same or similar approval shall be filed within six months of the final decision on the original application.

\_\_\_\_\_ I understand that any person aggrieved by the final decision of the Board of Adjustment or City Commission has the right to file a petition in the Pinellas County Circuit Court within 30 calendar days after the decision. Appeals of decisions made by the City Manager for administrative variances are to a hearing officer designated by the City Commission and must be made within 30 days from the date of the final administrative 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 if applicable.

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

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

**Owner's Authorization for Agent**

Community Development Department

City of St. Pete Beach, Florida

I/WE

\_\_\_\_\_  
(print name of property owner)

hereby authorize

\_\_\_\_\_  
(print name of agent)

to represent me/us in an application for

\_\_\_\_\_  
(type of application: variance, conditional use, zoning, etc.)

\_\_\_\_\_  
Signature of Owner

\_\_\_\_\_  
Signature of Owner

\_\_\_\_\_  
Print Name of Owner

\_\_\_\_\_  
Print Name of Owner

The forgoing instrument was acknowledged before me this \_\_\_\_\_ day of  
\_\_\_\_\_ 2021 by \_\_\_\_\_ or who is  
personally known \_\_\_\_\_ produced  
\_\_\_\_\_ as identification.

\_\_\_\_\_  
(Notary Signature)

\_\_\_\_\_  
(Date)

My Commission Expires \_\_\_\_\_



**PUBLIC HEARING SIGN POSTING AFFIDAVIT**

Applicant, \_\_\_\_\_, agrees to post the sign(s) in a conspicuous place, at the principal access to the property, in full view of the public, and not more than five (5) feet from the nearest street right of way or easement a minimum of seven (7) days in advance of the Public Hearing for unnecessary or undue hardship variances and practical difficulty variances, or seven (7) days in advance of the final administrative decision for administrative (de-minimis) variances, and remain in place until the requested action has been heard and decided. Multiple sign postings shall not be more than three hundred (300) feet apart. If the subject parcel(s) abut more than one (1) street, notices shall be posted along each street. When the subject parcel(s) does not front a public road, the sign shall be posted at the point on a public road by which the property is, or can be, reached.

The sign shall be maintained in good readable condition by the applicant. If the said sign is destroyed, lost, or becomes unreadable, the applicant or applicant's representative shall obtain a replacement sign. Any sign posted in accordance with these requirements shall be removed from the property and disposed of by the applicant or applicant's agent not later than 24 hours following the final decision.

**Applicant/Agent (must fill out agent authorization form):**

Name(print): \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_  
*Signature* *Date*

STATE OF FLORIDA        )  
   ) SS:  
 PINELLAS COUNTY        )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2021 by: \_\_\_\_\_ who appeared before me, and is personally known to me, or has produced \_\_\_\_\_ as identification, and did take an oath.

My commission Expires:

NOTARY:

Print Name: \_\_\_\_\_ Notary

Public, State of Florida

(Notarial Seal)

DEAR APPLICANT:

PLEASE COMPLETE THE ATTACHED AFFIDAVIT WHEN FINAL DATES HAVE BEEN DETERMINED FOR YOUR APPLICATION. PRESENT THE COMPLETED NOTARIZED AFFIDAVIT TO COMMUNITY DEVELOPMENT AND YOU WILL BE GIVEN THE SIGN(S) TO POST ON THE SUBJECT PROPERTY.

It is your responsibility to post the sign(s) in a conspicuous place, at the principal access to the property, in full view of the public, and not more than five (5) feet from the nearest street right of way or easement a minimum of seven (7) days in advance of the public hearing for unnecessary and undue hardship variances or final administrative decision for administrative variances. The sign(s) must remain in place until the requested action has been heard and decided by the City Commission, Planning Board, Board of Adjustment, Historic Preservation Board, City Manager, or withdrawn. Multiple sign postings cannot be more than three hundred (300) feet apart. If the subject parcel(s) abut more than one (1) street, notices shall be posted along each street. When the subject parcel(s) does not front a public road, the sign shall be posted at the point on a public road by which the property is, or can be, reached.

You must maintain the sign(s) in good readable condition. If the said sign is destroyed, lost, or becomes unreadable, you or your representative shall obtain a replacement sign. Any sign posted in accordance with these requirements shall be removed from the property and disposed of by the applicant or applicant's representative not later than 24 hours following the final decision by the City Commission, Planning Board, Board of Adjustment, Historic Preservation Board, or City Manager.

A Notary Public is available in City Hall; 155 Corey Avenue.