



APPLICATION FOR VARIANCE

Santa Rosa County Community Planning, Zoning & Development Division
6051 Old Bagdad Highway
Milton, FL 32583

Phone: (850) 981-7075

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E-Mail: planning@santarosa.fl.gov

Website: www.santarosa.fl.gov

Must be completed with all necessary information prior to acceptance

INSTRUCTIONS:

Please submit the completed application with the following attachments to the Community Planning, Zoning and Development Division. Failure to submit all of the requirements may delay your request.

- ___ 1. Please include application fee of **\$235.00 plus \$1.52 for each letter** to be addressed to each property owner within a **150'** radius of the property lines. This fee includes a \$220.00 review/advertisement fee and a \$15.00 sign fee. **(NOTE: Any structure greater than 35' in height requires notification to property owners within 500 feet of the involved property.)** This fee will be calculated at the time the application is submitted.
- ___ 2. A sealed survey, by a certified surveyor, indicating square footage of property.
- ___ 3. A site plan of property drawn to scale showing the property lines, dimensions, structures (existing and proposed), abutting streets, legal description and any other pertinent information must be attached to this application.
- ___ 4. The following information from the Property Appraiser's Office:
 - a. A printout with a parcel map, indicating all of the surrounding property owners within 150 feet of the applicant's property for the requested action. **(NOTE: Any structure greater than 35' in height requires notification to property owners within 500 feet of the the involved property.)**
 - b. Mailing labels (2 complete sets) with the surrounding property owners' names and addresses to be obtained from the Property Appraiser from the official tax records.
 - c. The Property Appraiser's parcel map of the proposed site identifying the selected property owners within 150' radius.
- ___ 5. A notarized letter of authorization from the property owner. If the applicant is other than the property owner, provide a notarized authorization from the property owner. If the property is under contract for sale and the applicant is the buyer of the property, a copy of the sales agreement will suffice. Our intention is to ensure that proper authorization has been granted for this request.
- ___ 6. A letter stating what your specific request is, what extraordinary, or peculiar conditions pertain to the requested property or building in question, whether these same conditions apply to other properties or buildings in the vicinity, whether the authorization of this variance request will impair public safety, or unreasonably increase congestion on public streets, or diminish or impair established property values within the surrounding area or whether the granting of this variance request will impair the intent of the zoning ordinance.

REQUIREMENTS:

- A. A sealed survey, by a certified surveyor, indicating square footage of property.
- B. A site plan of property drawn to scale showing the property lines, dimensions, structures (existing and proposed), abutting streets, legal description and any other pertinent information must be attached to this application.
- C. The application must be submitted to the Community Planning, Zoning and Development Division at least **30 business days** prior to the next **regularly scheduled meeting** of the **Board of Adjustments (BOA)**.
- D. Certified letters of public notice regarding the BOA meeting to decide this application for Variance will be mailed by the Planning Department to all surrounding property owners as required by Article 2.04.03 of the Santa Rosa County Land Development Code. However, it is the applicant's responsibility to obtain the following information from the **Property Appraisers Office**, located in the Santa Rosa County Administrative Complex at 6495 Caroline Street Suite K in Milton (983-1880). **Please note that the Property Appraisers Office only provides this information; other questions about the application or the process must be directed to the Planning and Zoning Office.**
 - ❑ A printout with a parcel map, indicating all of the surrounding property owners within 150 feet of the applicant's property for the requested the action. (NOTE: Any structure greater than 35' in height requires notification to property owners within 500 ft. of the involved property.)
 - ❑ Mailing labels (2 complete sets) with the surrounding property owners' names and addresses to be obtained by the Property Appraiser from the official tax records.
 - ❑ The Property Appraiser's parcel map of the proposed site identifying the selected property owners within the 150' radius.
- E. The Planning Department will post a sign on the property prior to said meeting.
- F. If the variance applies to a sign, dock, seawall, pier, boathouse or boatlift, the applicant is required to go through sign or coastal construction zoning compliance review prior to submitting the variance applications.
- G. If the applicant is other than the property owner, provide a notarized authorization from the property owner. If the property is under contract for sale and the applicant is the buyer of the property, a copy of the sales agreement will suffice. Our intention is to ensure that proper authorization has been granted for this request.

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Any appeals of the decision made by the Board of Adjustments must be submitted in writing to the Community Planning, Zoning and Development Division within 15 calendar days after the Board of Adjustment Meeting.

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** FOR OFFICIAL USE ONLY **	
Application No. _____ -V- _____	Date Received: _____
FEE: _____	Receipt: _____
FLUM Designation: _____	Zoning District: _____

1.	Applicant Information	
a.	Applicant/Representative Name: All representatives must provide notarized letter of authorization from property owner	
b.	Applicant/Representative Business Name:	
c.	Applicant/Representative Mailing Address:	
d.	Applicant/Representative Phone Number:	
e.	Property Owner Name: (if other than applicant)	
2.	General Property Information	
a.	Street Address of Property:	
b.	Parcel or Tax ID Number of Property:	
c.	Zoning District:	
d.	Size of Parcel:	
e.	What is the present use of the property?	
3.	Variance Information	
a.	Describe the requested variance with exact dimensions of plan. Specify which type of variance this request addresses. (Example: rear variance from 50' to 40' or west side setback from 10' to 8.5')	

b.	Describe what the Variance is for. (Example: addition to house, construction of new house or commercial building, swimming pool, dock, fence, etc.)	
c.	What extraordinary or peculiar conditions pertain to the requested property or building in question? (Example: exceptional narrowness, shallowness, size or shape of parcel or exceptional topographic conditions) NOTE: Overbuilding of the land is not considered a special circumstance.	
d.	Is this Variance request a self-inflicted hardship?	Yes or No
e.	Do you currently have a Code Enforcement Violation which pertains to this Variance request?	Yes or No
4. Please Answer the Following:		
<p>Our staff analysis to the Board answers the basic criteria from Article 2.04.00 of the Santa Rosa County Land Development Code. You are encouraged to comment on each of the following Variance code criteria. The burden of proof falls upon the applicant. Therefore, please read the attached variance information from the Santa Rosa County Land Development Code carefully. If necessary, a letter may be written addressing the criteria of the Code to support your reason for request. The applicant should be as detailed as possible.</p>		
a.	Do these same conditions apply to other properties or buildings in the vicinity?	Yes or No
Please Explain:		
b.	Will the authorization of this Variance request impair public safety?	Yes or No
Please Explain:		

c.	Will the authorization of this Variance request unreasonably increase the congestion in public streets?	Yes or No
	Please Explain:	
d.	Will the authorization of this Variance request diminish or impair established property values within the surrounding area?	Yes or No
	Please Explain:	
e.	Will the authorization of this Variance request impair the intent of the zoning ordinance?	Yes or No
	Please Explain:	
5.	Other Information You Should Be Aware Of:	
a.	Do you authorize the Community Planning, Zoning and Development Division staff and members of the Zoning Board of Adjustment reasonable access to this property?	Yes or No
b.	I understand that all decisions made by the Board of Adjustment is subject to appeal and that if approved, this request will not be fully released for final development processes until the appeal time has successfully passed.	Yes or No
c.	I understand that approval by the Board of Adjustment does not authorize the construction and/or land clearing to occur on this site and that any further site plan requirements and Building Permits may be required	Yes or No
d.	I understand that determinations by the Board of Adjustment shall be valid for a period not to exceed 36 months and must be used by the applicant within said 36 month period.	Yes or No

Taken from the Santa Rosa County Land Development Code:

2.04.00 SPECIAL EXCEPTIONS AND VARIANCES: The BOA shall have the following duties and powers:

- A. Variances: To authorize upon appeal in specific cases such variance from the terms of this ordinance as will not be contrary to public interest. Where, owing to special conditions, a literal enforcement of the provisions of this ordinance will result in unnecessary hardship and so that the spirit of this ordinance shall be observed and substantial justice done. Such special conditions shall be limited to exceptional physical characteristics inherent in the specific piece of property such as exceptional narrowness, shallowness, shape, adverse topographic conditions as would result in peculiar and practical difficulties. Any variance shall not be contrary to the public interest and when owing to conditions peculiar to the property and not of the actions of the applicant, a literal enforcement of the ordinance would result in unnecessary and undue hardships. A variance can be authorized for any provision within the Land Development Code which does not impair the intent of the zoning ordinance, zoning district map, and/or amend the Comprehensive Plan. Variances shall not be authorized for such provisions as minimum lot size, maximum density, permitted and/or conditional uses, road frontage (except where permitted by Special Exception or as specifically provided below), and other similar provisions.

Variances for road frontage may be authorized only under the following conditions:

1. The parcel was established by contract for deed prior to the date that road frontage requirements were effective for the subject property. Such contract for deed must be in writing and properly witnessed to be considered valid for the purposes of this provision.
 2. The applicant agrees to and coordinates joint access with such adjoining parcel as specified by the Planning Department. Any access for the parcel shall be designed and constructed to allow for and facilitate joint access by the adjacent parcel.
- B. No variances shall be authorized under this provision unless the Board finds that all of the following conditions exist:
1. The special circumstances or conditions applying to the building or land in question are peculiar to such property and do not apply generally to other land or buildings in the vicinity.
 2. The variance is necessary for the preservation and enjoyment of a substantial property right and not merely to serve as a convenience to the applicant.
 3. The authorization of the variance will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, the danger of fire, imperil the public safety, unreasonably diminish or impair established property values within the surrounding area or in any other respect impair the health, safety, comfort, morals or general welfare of the inhabitants of Santa Rosa County.
 4. The variance will not impair the intent of the zoning ordinance or zoning district map.
 5. To permit the reduction of parking or loading requirements whenever the character or use of a building is such as to render unnecessary the full provision of parking or loading facilities as specified herein or whenever the strict enforcement of such provision would impose an unreasonable hardship as contrasted with merely granting an advantage or convenience.

Additionally, variances from access management connection standards may be granted where the effect of the variance would be to enhance the safety or operation of the roadway.