

City of Safety Harbor Application for ZONING VARIANCE

Date Received:	
File Number:	
Staff Reviewer:	

1. PROPERTY OWNER:

Name:		
Address:		
Telephone:	Fax:	E-Mail:

2. PETITIONER (if same as property owner, write "Same"):

Name:		
Address:		
Telephone:	Fax:	E-Mail:

3. AGENT FOR PETITIONER:

Name:		
Address:		
Telephone:	Fax:	E-Mail:

4. SITE INFORMATION:

Address:			
Acres:	Sq. Ft.	Parcel ID#:	
Subdivision:	Lot#	Block#:	
Present Zoning:			
Any Special or Unique Characteristics:			

5. VARIANCE REQUEST:

Code Section	Requirement	Deviation

6. WRITTEN DESCRIPTION OF HARDSHIP:

7. REQUIRED INFORMATION:

- An aerial map or scaled survey that fully explains the request, including existing and proposed dimensions that are applicable to the request

- Proof of Ownership (Copy of Warranty Deed, Title Certification, etc.)

8. APPLICATION FEES (Must be paid prior to processing):

Type	Review Fee	Public Notice Fee	Total
VARIANCE	\$250*	\$50	\$300

* Plus \$25.00 per each additional code section request to be varied beyond one code section

NOTORIZED AFFIDAVIT

I and/or we, the undersigned certify ownership of the property within this application, certify that said ownership has been fully divulged, whether such ownership be contingent or absolute, and that the names of all parties to any existing contract for sale or any options to purchase are filed with this application.

I/we, certify that _____ and _____ is/are duly designated as the agent(s) for the owner, that the agent(s) is/are authorized to provide subject matter on the application contained herein, whether verbal or written, and appear at any public hearing(s) involving this petition. Further, it is understood that this application must be complete and accurate, and the fee paid prior to processing.

STATE OF FLORIDA
COUNTY OF PINELLAS

Sworn to (or affirmed) and subscribed before me by means of physical presence or online notarization, this _____ day of _____ 20__ by _____ . They are Personally Known OR

Produced Identification _____ Type of identification

_____ Signature of Title Holder

_____ Printed Name of Title Holder

_____ Signature of Title Holder

_____ Printed Name of Title Holder

_____ Signature of Notary

_____ Name of Notary [typed, printed or stamped]

**NOTARY
STAMP**

BOARD OF APPEALS STANDARDS

- A. The Board has no authority to consider or grant the following variances:
 - 1. Variances which permit the establishment of a use in a zone or district in which such use is not permitted by the regulations of the zoning district involved;
 - 2. Variances which permit the establishment of a lot or parcel which must be combined under the terms of this Code or which is part of a larger parcel which when established does not meet the area or width requirements of the applicable zoning district;
 - 3. Variances which permit an increase in density above that allowed by the applicable zoning district or Comprehensive Plan designation;
 - 4. Variances which would purport or modify any definitions set forth by the Code;
 - 5. Variances which relate in any way to a nonconforming use.

B. No variance shall be granted by the Board of Appeals unless a positive finding, based upon substantial competent evidence, either presented at a public hearing held by the Board or reviewed personally by the Board members, is made on each of the following standards:

- *The need for the proposed variance arises out of the physical surroundings, shape, topographical condition, or other physical or environmental conditions that are unique to the specific property involved.*
- *Strict applications of the provisions of the Code involved will deprive the applicant of reasonable use of the property meaning that the Code’s intent will not be furthered and the application of the Code to the applicant is unfair.*
- *Granting the variance will not confer any special privilege that is not allowed for other lands, buildings, or structures in the same zoning district.*
- *The variance granted is the minimum necessary that will afford relief.*
- *The conditions or special circumstances peculiar to the property have not been self created.*
- *Is not based upon the presence of nonconformities or other variances granted in the district or adjoining neighborhood.*
- *Is not based upon conditions, including financial, personal to the applicant.*

- *Will not substantially diminish property value, nor alter the essential character of the neighborhood.*
 - *Will not have a detrimental effect upon the public interest, health, safety and welfare.*
 - *Will not create a negative impact upon the provisions of an adequate level of service for public facilities by the community.*
 - *Conforms to the general intent of this Code, requirements of the Comprehensive Plan and requirements of the Rules Concerning the Administration of the Countywide Future Land Use Plan pertaining to the adjustment of intensity standards.*
- C. In granting any variance the Board of Appeals may prescribe appropriate conditions and safeguards in conformity with the provisions of this Code as may be necessary to ensure compliance with the standards for approval, or to minimize any potentially injurious effect of granting such variance.
- D. The variance granted under the provision of this Section shall expire within one (1) year from the date the Board heard the application and granted the variance unless a building permit for construction has been obtained. If the building permit ever expires for lack of work and one year has passed since the Board heard the application and granted the variance, the variance shall expire.
- E. Upon receiving a request in writing at least 30 days prior to the scheduled expiration date, the Board of Appeals may grant one 6 month extension provided proper public notification has been given.
- F. The Board may reconsider a decision or a variance application only if a request for rehearing is made within 45 days of the date of the original action taken by the Board, and shall be advertised for the next available Board of Appeals meeting. Before reconsidering one of its decisions, the Board of Appeals, after hearing testimony, must make a finding that evidence not previously considered by the Board exists and will be presented. The action to rehear shall be authorized only upon a motion of a Board member who voted on the prevailing side in the original Board action, and upon an affirmative vote by a majority of the Board members present and voting upon the original Board action. Upon an affirmative vote to rehear the decision or variance application, the Board must reconsider the request in accordance with the terms of this Section.
- G. An application seeking action identical to a prior application that was denied cannot be filed for a period of one (1) year from the date the denial became final.