

# City Of Starke

## **BUILDING, ZONING & PLANNING**

*Post Office Drawer C \* 209 N. Thompson Street*

*Starke, Florida 32091*

*Ph.: (904) 964-5027 \* Fax: (904) 964-3998*

### INSTRUCTIONS FOR FILING VARIANCE

A variance is a relaxation of the terms of the Land Development Code where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the property or structures thereon so that the spirit of the Land Development Code (LDC) shall be observed and prohibited or not permitted shall not be allowed by variance.

- The application may be filed by the property owner or his/her authorized agent at the City of Starke Zoning Department, City Hall, 209 N. Thompson Street, Starke, Florida, at least 15 days prior to the public hearing of the Board of Adjustment.
- The applicant/agent shall fill out the application. If agent represents owner please attach notarized letter of authorization to the application.
- List of property owners within 300 feet of the property involved in the application. This list can be obtained from the Bradford County Property Appraisers Office located at the Bradford county Courthouse.
- The fee for filling for a variance is \$750.
- The applicant is responsible to post sign(s) on the property seeking the variance. The sign shall be posted not less than 15 days prior to the scheduled hearing by the Board of Adjustment. The signs shall be erected on each street side of property. Signs will be given to applicant at the time application is made. Once hearing is over the applicant will remove all sign(s). On site investigations of the sign(s) will be made by the Zoning Office and pictures taken at that time. Failure to post signs in a timely manner will prohibit application from being heard at the hearing.
- Any citizen will have the opportunity to be heard at the hearing, and are normally allowed five (5) minutes to speak. The application will be granted or denied at the hearing. If you think you may want to appeal the decision of the Board, you will need a record of the proceedings, and for such purpose you should ensure that verbatim record of the proceedings is made at your expense, which record includes the testimony and evidence upon which the appeal is based.
- The Zoning Office will place a legal notice of the time and place of the public hearing in the Bradford County Telegraph at least 10 days prior to the hearing.
- The following information is required to be submitted along with the application.
  1. Copy of Deed, written request for variance from the terms of the LDC indicating the section of the LDR from which the variance is sought and stating the grounds on which it is requested, with particular reference to the types o findings which the Board of Adjustment must base the decision.
  2. Copy of Plot Plan (Scale 1" = 100')

# VARIANCE APPLICATION

PROPERTY OWNER: \_\_\_\_\_

MAILING ADDRESS: \_\_\_\_\_

CITY, STATE, ZIP CODE: \_\_\_\_\_

TELEPHONE NO: \_\_\_\_\_ CELL NO: \_\_\_\_\_

**TITLE HOLDER'S REPRESENTATIVE (AGENT), if applicable:**

NAME: \_\_\_\_\_

MAILING ADDRESS: \_\_\_\_\_

CITY, STATE, ZIP CODE: \_\_\_\_\_

TELEPHONE NO: \_\_\_\_\_ CELL NO: \_\_\_\_\_

A VARIANCE IS REQUESTED INCONFORMITY WITH THE LAND DEVELOPMENT CODE TO PERMIT A VARIANCE FROM. \_\_\_\_\_

ON THE PROPERTY DESCRIBED BELOW, AND IN CONFORMITY WITH THE SITE PLAN DATED, \_\_\_\_\_

**LOCATION AND USE**

PARCEL ID# \_\_\_\_\_

SECTION: \_\_\_\_\_ TOWNSHIP: \_\_\_\_\_ RANGE: \_\_\_\_\_

TOTAL ACREAGE OF LAND TO BE CONSIDERED UNDER THIS PETITION: \_\_\_\_\_

LOCATION (911 ADDRESS): \_\_\_\_\_

CURRENT USE OF LAND: \_\_\_\_\_  
Commercial, Industrial, Residential, Agricultural, Vacant, etc.

FUTURE LAND USE PLAN MAP CATEGORY: \_\_\_\_\_

ZONING CLASSIFICATION: \_\_\_\_\_

YES, A PREVIOUS PETITION FOR A VARIANCE WAS MADE WITH RESPECT TO THESE PREMISES

APPLICATION NO: \_\_\_\_\_

NO, A PREVIOUS PETITION FOR A VARIANCE WAS NOT MADE WITH RESPECT TO THESE PREMISES.

**I HEREBY CERTIFY THAT ALL OF THE INFORMATION CONTAINED IN THIS APPLICATION AND ALL DOCUMENTS ATTACHED HERewith ARE TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF.**

**IF TITLE HOLDERS(S) ARE REPRESENTED BY AN AGENT, A LETTER OF SUCH DESIGNATION FROM THE TITLE HOLDERS(S) ADDRESSED TO THE LAND DEVELOPMENT CODE ADMINISTRATOR MUST BE ATTACHED.**

_____	_____
Printed Applicant/Agent Name	Printed Applicant/Agent Name
_____	_____
Applicant/Agent Signature	Applicant/Agent Signature
_____	_____
Date	Date

**FOR OFFICIAL USE ONLY: PLEASE DO NOT WRITE BELOW THIS LINE**

**DATE FILED:** \_\_\_\_\_ **VARIANCE FILE NUMBER:** \_\_\_\_\_

**FEE AMOUNT:** \$ \_\_\_\_\_ **RECIEPT #:** \_\_\_\_\_

**DATE OF BOARD OF ADJUSTMENT PUBLIC HEARING:** \_\_\_\_\_

**DATE NOTICE PUBLISHED:** \_\_\_\_\_

**PUBLISHED IN: BRADFORD COUNTY TELEGRAPH**

**BOARD OF ADJUSTMENT DECISION:**

\_\_\_\_\_ GRANTED                      \_\_\_\_\_ DENIED

\_\_\_\_\_  
BOARD OF ADJUSTMENT CHAIRMAN SIGNATURE

\_\_\_\_\_  
DATE

## CONDITIONS FOR GRANTING VARIANCE

### **THE BOARD OF ADJUSTMENT MAY GRANT A VARIANCE AFTER MAKING THE FOLLOWING FINDINGS:**

1. Special circumstances exist that are peculiar to the particular land, structure, or building involved and are not applicable to other lands, structures, or buildings in the same zoning district.
2. A literal interpretation of the provisions of this Code would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this Code.
3. The special circumstances are not a result of the actions of the applicant.
4. Granting the variance requested will not confer upon the applicant any special privilege that is denied by this Code to other lands, structures, or buildings in the same district.
5. The existence of nonconforming uses of neighboring land, buildings, or structures in the same district or of permitted or nonconforming uses in other districts does not constitute the reason for the requested variance.
6. The variance requested is the minimum variance that will make possible the reasonable use of the land, building, or structure.
7. The requested variance will be in harmony with the general purpose and intent of this Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.
8. The variance is not a request to permit a use of land, building, or structure not permitted by right or by special exception in the district involved.
9. There are practical or economic difficulties in carrying out the strict letter of the Code.
10. The variance request is not based exclusively upon a desire to reduce the cost of developing the site.
11. The proposed variance will not substantially increase congestion on surrounding public streets, the danger of fire, or other hazard to the public.
12. The proposed variance will not substantially diminish property values in, nor alter the essential character of, the area surrounding the site.
13. Compliance with the subdivision regulations would cause unusual or extraordinary difficulties because of exceptional and unique conditions of topography, access, location, shape, size, drainage, or other physical features of the site.