

(DO NOT WRITE IN THIS SPACE. FOR OFFICE USE ONLY.)

Petition No. VAR\_\_\_\_\_ Date Complete Appl. Received: \_\_\_\_\_ Fee Receipt No. \_\_\_\_\_

Date Hearing Advertised: \_\_\_\_\_ Date of Hearing: \_\_\_\_\_

**Circle One:** The Owner or his agent has or has not submitted a petition regarding the subject property within the last twelve months.

# City of Dade City

## - PETITION FOR VARIANCE -

(I)  (We) \_\_\_\_\_ of \_\_\_\_\_  
(Name) (Mailing Address)

\_\_\_\_\_, request that the Board of Adjustment of the City

of Dade City decides on the following request that may properly come before the Board. A Variance is requested from the Dade City Zoning Ordinance and the

\_\_\_\_\_ Zoning District of the Schedule of District Regulations.

The description of the subject property is as follows:

Street Address:
Parcel I.D. No(s).
Subdivision or Plat:
Future Land Use Map Designation:
Current Zoning Classification:
Parcel Size:
Current On-Site Use:
The proposed use(s) will be

A variance is a relaxation of the terms of the Zoning Ordinance where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the actions of the applicant, a literal enforcement of this ordinance would result in unnecessary and undue hardship on the land. As used in this ordinance, a variance is authorized only for height, area, and size of structure or size of yards and open spaces. Establishment or expansion of a use otherwise prohibited or not permitted shall not be allowed by variance, nor shall a variance be granted because of the presence of nonconformities in the zoning classification or district or adjoining zoning classifications or districts.

**I. Submittal Requirements - Please submit three collated, stapled, folded sets of information**

An application is not complete without all requirements submitted. Incomplete applications will not be scheduled for review by the Development Review Committee or the Board of Adjustment. Other items may be required depending on the request. All data and exhibits submitted with the application or at a public hearing will become part of the public record.

- \_\_\_ Completed, notarized application – this form (one original and two copies);
- \_\_\_ Proof of ownership in the form of a copy of the deed, title insurance policy, or other instrument demonstrating ownership;
- \_\_\_ Current signed and sealed survey of property;
- \_\_\_ Plot plan/site plan with the following:
  - \_\_\_ North point;
  - \_\_\_ Drawn to-scale;
  - \_\_\_ Property dimensions;
  - \_\_\_ All existing and proposed structures and use of each;
  - \_\_\_ Distances between setbacks from all property lines;
  - \_\_\_ Abutting streets and other public easements;
  - \_\_\_ Off-street parking spaces;
  - \_\_\_ Specific variance in terms of horizontal setback (show measurable required setback & proposed setbacks)
- \_\_\_ Photographs of existing buildings, structures, signage or other applicable objects on site;
- \_\_\_ Drawing of proposed signage: dimensions, height, square footage and setback – for sign variances only\*;
- \_\_\_ Application fee \$300 (checks made payable to the **City of Dade City**)

**II.** The following questions on the next page must be completely addressed with supporting argument and/or documentation. A variance is considered to allow the applicant relief from the literal requirements of the ordinance because of an unnecessary hardship. A variance is a relaxation of the terms of the zoning ordinance where such variance will not be contrary to the public interest and where a literal enforcement of the ordinance would result in unnecessary and undue hardship. The Board of Adjustment is authorized to grant a variance to establish or expand a use that is not permitted in the particular zoning district. Variances to density cannot be granted unless specifically provided for in the Land Development Code. Variances may only be granted for height, area, size of structure, setback, landscaping etc.

In stating the grounds for support of the application, an unnecessary hardship must be shown. This is a hardship that is peculiar to the specific land, structure or building involved and hardship that is not shared generally with other properties, or most, in the same zoning district. An economic hardship does not qualify as a justification for granting a variance (i.e. it is too expensive to build it that way). It is very important to show how your particular situation differs from others and how that situation provides a unique, undue and unnecessary hardship on your property.

You should show that that hardship does not exist because of your own actions and that granting the variance will not confer special privileges that are not enjoyed by other property owners. You should show that granting the variance will not adversely affect other properties and/or the character of the zoning district. The Board of Adjustment cannot grant a variance that may be detrimental to the public interest.

The Board of Adjustment may attach appropriate and reasonable safeguards, or conditions, to the granting of a variance. These conditions are a part of the approval and strict conformance must be observed. The Board of Adjustment is not bound to grant a variance simply because a request is made. The applicant must show the facts and the law applicable to this situation. A carefully prepared application listing the grounds on which the variance is sought is a prime requisite to possible favorable Board action.

III. Explain how your request meets the Variance criteria. A variance from the terms of the Dade City Zoning Ordinance shall not be granted by the Board of Adjustment unless and until a written application for variance is submitted demonstrating:

A. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district; ***(Explain which of these conditions make your situation different from other properties)***


B. That the special conditions and circumstances do not result from the actions of the applicant; ***(Explain how the situation was created)***


C. That granting the variance requested will not confer on the applicant any special privilege that is denied by this ordinance to other lands, buildings or structures in the same district; ***(Is what you want to do something special that other properties in the same zoning have not been allowed to do?)***


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D. That the literal interpretation of the provisions of the ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of the ordinance and would work unnecessary and undue hardship on the applicant; ***(Is what you want to do something that is regularly done on other properties in the same zoning district and, if so, how does the ordinance prevent you from doing so?)***


E. That the variance is the minimum variance that will make possible the reasonable use of the land, building, or structure. ***(Have you explored all other options to do what you want to do and found that the variance you are seeking is for the least amount necessary?)***


F. That the granting of the variance will be in harmony with the general intent and purpose of the ordinance and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare ***(Will what you are proposing have any negative effects on your neighbors or any other property or to public property, and if not why?)***

Has any type of application been filed within the last twelve months in connection with these premises?

Yes  No If so, briefly state the nature of the previous request.


(I)  (We) understand that this petition becomes a part of the permanent records of the Board of Adjustment.

(I)  (We) hereby certify that the above statements and the statements or showings made in any paper or plans submitted herein are true to the best of  (my)  (our) knowledge and belief.

