

APPLICATION FOR ZONING VARIANCE

This application must be **typed or printed in black ink** and submitted with **three (3) copies**, providing for a total of four complete applications with all required attachments, to:

**Planning and Development Department
Zoning Section
Ed Ball Building
214 North Hogan Street, 2nd Floor
Jacksonville, Florida 32202**

Application No.

V-

Set for Public Hearing on:

Notice of Violation:

FOR INFORMATION REGARDING THIS FORM, CALL: **(904) 255-8300**.

For Official Use Only

1. Date Submitted:	2. Date Filed:	3. Current Zoning District(s):	4. Future Land Use Map Category (FLUMs)	5. Applicable Section of Ordinance Code:
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Variance Sought:

Amount of Fee _____ Council District _____ Planning District _____ Zoning Panel No. _____

Number of Signs to be Posted _____ Zoning Code _____ Zoning Clerk Initials _____

Previous Zoning Applications filed? _____ If yes, state Application No(s) _____

Neighborhood Association? _____

TO BE COMPLETED BY APPLICANT

6. Complete Property Address: _____ _____ Real Estate Number: _____ Date lot was recorded: _____	7. Between Streets: _____ and _____
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8. Variance Sought:

9. In whose name will the Variance be granted? _____

10. Land Area (Acres) _____	Utility Services Provider	
	well _____	city water _____
	septic tank _____	city sewer _____

***** NOTICE TO OWNER/AGENT *****

Section 656.101(k), Ordinance Code, defines a variance as “a *relaxation of the terms of the Zoning Code which 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 the Zoning Code would result in an unnecessary and undue hardship*”.

Section 656.132(a) Ordinance Code, provides that, with respect to action upon requests for zoning variances, the Planning Commission shall grant a variance only if it makes a positive finding, based upon substantial competent evidence, on each of the following criteria:

11. Provide answers to the following questions. You may attach a separate sheet if necessary. Failure by the applicant to adequately substantiate the need for the variance and to meet the criteria set forth below may result in a denial.

(i). The proposed request is consistent with the definition of a variance;

(ii). There are practical or economic difficulties in carrying out the strict letter of the regulation;

(iii). The request is not based exclusively upon a desire to reduce the cost of developing the site, but would accomplish some result which is in the public interest, for example, furthering the preservation of natural resources by saving a tree or trees.

(iv). The proposed variance will not substantially diminish property values in, nor alter the essential character of the area surrounding the sites and will not substantially interfere with or injure the rights of others whose property would be affected by approval of the variance;

(v) The proposed variance will not be detrimental to the public health, safety or welfare, result in additional public expense, the creation of nuisances, or conflict with any other applicable law; and

(vi) The effect of the proposed variance is in harmony with the spirit and intent of the Zoning Code.

12. Attachments - One of each of the following should be included in each copy of the application, providing for four (4) complete copies. All copies, with the exception of the 2 required large site plans, should be on 8 1/2" x 11" paper.

___ Survey (as required by the Current Planning Section)

___ Site Plan as required per instructions. (2 copies on 8 1/2 x 11 and 2 copies on 11 x 17 or larger)

___ Letter of Authorization for Agent is required if application is made by any person other than the property owner.

___ Legal description, may be either lot and block or metes and bounds, including real estate assessment number(s) of the subject property

***** NOTICE TO OWNER / AGENT *****

Please review your application. All spaces noted as "TO BE COMPLETED BY APPLICANT" must be filled in for the application to be accepted.

No application will be accepted as "Complete and filed" until all the requested information has been supplied and the required fee has been paid. The acceptance of an application as being complete does not guarantee its approval by the Planning Commission. **You (or your agent) must be present** at the public hearing.

The required signs **must be posted** on the property within five (5) working days after the filing of this application. The sign(s) must remain posted and maintained until a final determination has been made on the application. **Proof of notice publication must be submitted to the Current Planning Division of the Planning and Development Department, Florida Theatre Building, 128 East Forsyth Street, Suite 700, Jacksonville, Florida 32202, (904) 630-1902, PRIOR TO THE HEARING.**

Also, an agent's letter of authorization must be attached if the application is not signed by the owner of record and also if someone attends the meeting on the applicant's behalf without prior authorization.

<p>FILING FEES</p> <p>RESIDENTIAL DISTRICTS..... \$250.00</p> <p>NON-RESIDENTIAL DISTRICTS..... \$500.00</p>	<p>NOTIFICATION COSTS: \$7.00 PER ADDRESSEE</p> <p>ADVERTISING COSTS: BILLED TO OWNER /AGENT</p>
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***** Applications filed to correct existing zoning violations are subject to a double fee. *****

I HEREBY CERTIFY THAT I HAVE READ AND UNDERSTAND the information contained in this application, that I am the owner or authorized agent for the owner with authority to make this application, and that all of the information contained in this application, including the attachments, is true and correct to the best of my knowledge.

PLEASE PRINT:

Name and address of Owner(s)

Name and address of Authorized Agent(s)

Name: _____

Name: _____

Address: _____

Address: _____

City: _____

City: _____

State: _____ Zip: _____

State: _____ Zip: _____

Email: _____

Email: _____

Daytime Telephone: _____

Daytime Telephone: _____

SIGNATURE OF OWNER(S)

SIGNATURE OF AUTHORIZED AGENT(S)

The Agent's letter of authorization must be attached if application is not signed by the owner of record

Instruction for Zoning Variances

An Application for Zoning Variance is filed with Planning and Development Department, Zoning Section, Ed Ball Building, 214 North Hogan Street, 2nd Floor, Jacksonville, Florida 32202, (904) 255-8300. All applications must be complete when filed. The following is a step by step guide to help persons interested in applying for a Zoning Variance.

Items 1 thru 5

These blocks are for official use only and will be completed by the Zoning Section Staff.

Item 6 - Complete Property Address

Enter the street address, the real estate number(s), and the date that the lot was officially recorded as shown on the original deed for the parcel. Real estate numbers can best be obtained through the Property Appraiser's Office in the Claude Yates Building on 231 E. Forsyth Street, Room 270.

Item 7 - Intersecting Streets

This question seeks the names of the two streets closest to the applicant's property, not including the street on which ingress and egress will occur. Normally, these streets intersect the street on which the proposed development is located.

Item 8 - Variance Sought

Enter the sought request, or relaxation of the specific code requirement, as a function of the zoning district requirements. If more than one variance is requested, list each request separately.

Item 9 - Name that the Variance will be granted in and transferability

Here the applicant must identify the entity to which the variance will be granted. If the variance is granted personal, and is not transferable, the use is valid only for the period that the named individual owns the property, as long as other provisions related to commencement are met. Upon sale of the property an Amendment to Final Order must be filed to transfer the variance to another individual. If however, a variance is granted transferable, the specific code relaxation is attached to the property and the rights granted therein automatically transfer with the property upon sale of the same.

Item 10 - Land Area (Acres) and Utility Services Provider

Please write here the total acres of the proposed variance and indicate whether the utilities will be provided by JEA, private well and septic tank, or another provider.

Item 11 - Provide answers to questions regarding variance standards and criteria.

Special attention should be given to answers provided here. These questions represent the criteria used by the Planning Commission to grant a variance, but only if it makes a positive finding, based upon substantial competent evidence, on each of the criteria listed in the above section of this application. Failure by the applicant to adequately substantiate the need for the variance and to meet the criteria set forth may result in a denial.

Item 12 - Attachments

An Application for Zoning Variance **must** consist of four (4) complete sets of the application and all required attachments. All required attachments should be provided **on** 8 ½” x 11” paper, with the exception of two of the four application sets, which will include site plans at 11” x 17” or larger.

- Survey - *(signed and sealed by a licensed surveyor within the last five (5) years or as required by Current Planning Division.)*
- Legal description *(either lot and block or metes and bounds)*
- Site Plan
- Letter of Authorization for Agent is **required** if application is made by **any person other than the property owner.**

Also, a larger scale drawing may be required for commercially zoned property with an existing structure or otherwise as required by the Planning and Development Department’s Zoning Section. The same shall also show existing improvements on the property.

The following information **must be shown** on the site plan.

- A. Property dimensions and total land area
- B. Buildings *(including dimensions and total lot coverage area)*
- C. Parking spaces and dimensions *(including handicap)*
- D. Loading and unloading area, if applicable, with turn around area and dimensions
- E. Landscape areas and dimensions
- F. Ingress and egress *(driveways, alleys and easements)*
- G. Adjacent streets and right-of-way
- H. North arrow , map scale, and date of drawing
- I . Signage *(if any)*
- J. Building setbacks per Zoning Code
- K. Adjacent zoning districts and property uses

All drawings must be drawn to scale. Failure to have a "to-scale" drawing with each of the items above shown could result in your application being deferred or denied by the Planning Commission.

When your **completed** application is submitted to the Planning and Development Department, Zoning Section, Ed Ball Building, 214 North Hogan Street, 2nd Floor, Jacksonville, Florida 32202, (904) 255-8300, a list of property owners *(addressee)* within the 350 feet radius of the property will be prepared by the Department.

NOTE: There is a 21-day appeal period after an application is approved before the final order can be issued.

Agent Authorization

Date: _____

**City of Jacksonville
City Council / Planning and Development Department
117 West Duval Street, 4th Floor / 128 East Forsyth Street
Florida Theatre Building, Suite 700
Jacksonville, Florida 32202**

Re: Agent Authorization for the following site location:

Gentleman:

You are hereby advised that the undersigned is the owner of the property described in

Exhibit 1 attached hereto. Said owner hereby authorizes and empowers

_____ to act as agent to file application(s) for

_____ for the

above referenced property and in connection with such authorization to file such applications, papers, documents, requests and other matters necessary for such requested change.

(Owner's Signature)

**STATE OF FLORIDA
COUNTY OF DUVAL**

The foregoing affidavit was sworn and subscribed before me this _____ day of

_____ (month), _____ (year) by

_____, who is personally known to me or has

produced _____ as identification.

(Notary Signature)

Legal Description