

APPLICATION FOR VARIANCE
Chapter 50, Land Development Code
Levy County, Florida

Filing Date: _____

Petition Number: _____

Fee: \$ 350.00 _____

Validation Number: _____

**TO THE LEVY COUNTY BOARD OF ADJUSTMENT
AND CODE ENFORCEMENT:**

A Variance is to grant relief to a person from the requirements of this Ordinance which permits construction in a manner otherwise prohibited by this Ordinance where specific enforcement would result in an unnecessary hardship or a taking.

I. APPLICANT AND REQUEST INFORMATION: Please print unless otherwise specified-	
Applicant's Name _____	Owner's Name _____
Address _____	Owner's Signature _____
zip _____	Address _____
Phone Number(____) _____	zip _____
Nature of the Variance : Describe generally the nature of the Variance.	

This application is hereby made to the Board of Adjustment and Code Enforcement of Levy County, Florida pursuant to the provisions of Chapter 163, Florida Statutes, the adopted Levy County Comprehensive Plan and the Levy County Zoning Ordinance Section 50-851, petitioning for a Variance on the following described property:

II. PARCEL INFORMATION:		
Parcel Number (s)	Section/Township/Range	Acreage
1. _____	_____	_____
2. _____	_____	_____
Total Acreage:		_____
Subdivision name (if applicable): _____		

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III. SECTION (S) OF CODE WHICH IS THE SUBJECT OF THE VARIANCE:

1. _____
2. _____
3. _____

Current Use (Actual) and Improvements on the Property: (i.e., Single family home, well, septic, pole barn, etc...) _____

Directions to the Property: (Please start directions from a State or County Road): _____

IV. TO BE SUPPLIED AT THE TIME OF SUBMISSION: Attach the items in the order listed below. The application will not be processed without these items. Any information changes must be submitted, in writing to the Development Department and received one week prior to the Board of Adjustment Public Hearing.

*** Upon completion of the above application, **please submit the original and 8 copies** to the Levy County Development Department, 622 East Hathaway Avenue, Bronson, Florida, for processing.

Property Description

- Property Deed:** The most recent one pertaining to the proposed amendment property; obtained from the Clerk of the Circuit Court's Office.

- Certified property boundary Survey:** Provide a certified legal boundary survey of the proposed amendment site. If the proposed Variance use is located on only part of the site, indicate that area when applicable. The survey must be signed and sealed by a registered Professional Surveyor and mapper (PSM), or a Licensed Professional Surveyor Engineer (LPS). * **The boundary survey must locate all existing and proposed structures; geological and geographical features. Provide three (3) signed and sealed and six (6) copies.**

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Maps: All required maps and information can be obtained at the Levy County Property Appraiser's Office.

- Property Appraiser's Parcel Map:** Clearly identify the proposed site using a color or pattern on a page of the land owners atlas or a township map.

Documentation:

- Existing Conditions and Compatibility on Property adjacent to the proposed amendment site.** Provide a cover letter for this application which documents in writing how you believe the requested Variance will be compatible with the adjoining development. Describe the special conditions that are peculiar to the land or structure in question that justifies a variance. Explain how the request is the minimum variance from the code that will allow a reasonable use of the property or structure and that the special conditions do not result from actions of the applicant.

In order for the board of adjustment to authorize any variance from the terms of this article, the application for variance or other evidence, or both must show:

- 1) That the application has been submitted including all information in the application form and any additional information reasonably required by the development department director, and including a plat or survey prepared by a licensed surveyor showing:
 - a. Existing boundaries.
 - b. Both the centerline and edge of right-of-way os adjoining roads or easements.
 - c. All existing structures, and the distance from such structures to:
 1. The property line
 2. The setback lines required for that zoning district
 - d. The size of the parcel of land for which a variance is requested, in square feet.

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- e. The area of impervious surface, such as under roofs or pavement, in square feet.
 - f. The specific physical characteristic of the lot or the land which necessitates the variance.
 - g. Proposed structures, including their proposed location, dimensions, area and relationship to required setbacks or lot coverage.
 - h. The locations of all structures on adjoining parcels of land.
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- 2) That special conditions and circumstances exist which are peculiar to the land, structure or building in question and which are not applicable to other lands, structures or buildings in the same zoning district.
 - 3) That the special conditions and circumstances do not result from the actions of the applicant;
 - 4) That granting the variance requested will not confer on the applicant any special privilege that is denied to other properties in the same zoning district under the terms of the code and would work unnecessary and undue hardship on the applicant;
 - 5) That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure;
 - 6) That 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 the code and would work unnecessary and undue hardship on the applicant.
 - 7) That the grant of the variance will be in harmony with the general intent and purpose of this article, and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.
 - 8) That the grant of the variance will be consistent with the provisions of the comprehensive plan.

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V. **COMPREHENSIVE PLAN:** The proposed use must be compatible with the Comprehensive Plan. Refer to the adopted Levy County Comprehensive Plan for applicable goals, objectives and policies. For assistance, call the Levy County Planning Department at 352/486-5405.

VI. The Applicant states that she/he has read and understands the instructions and submission requirements stated in this application. Approval granted by said Commission in no way constitutes a waiver from any applicable Local, State, or Federal regulation.

I hereby certify that the information contained in this application and its supplements are true and correct, and that I am the legal owner or authorized agent of the above described property.

Applicant's Signature _____ Date _____

VII. APPLICATION INSTRUCTIONS:

- (a) An application for a Variance must be accompanied by a fee of \$350.00. Please note, application fee may be subject to change. **The application will not be processed for a Public Hearing until staff has reviewed the application and found it complete.**
- (b) If the applicant is not the owner of record of the property, the owner must agree to this application either by signing the application form, or by submitting a notarized letter authorizing the applicant to act as an agent. **Owner's authorization is required at the time this application is submitted.**
- (c) All required documentation and submission material is required to accompany the application at the time the request is submitted. Applications are screened for completeness. Depending on the proposed use, additional information may be required. Failure to provide all information and submission material required shall delay the public review of the application until such time as all materials are received.
- (d) The minimum criteria for the applicable zoning district must be met uniformly by every variance. These standards are not exclusive of any other standards which may be established by the Board of Adjustments due to particular circumstances which are unique to the property for which the variance is being requested.

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(e)The Variance applications are processed once a month. Applications received by the first day of the month will tentatively be scheduled, advertised and presented at a public hearing the following month. Applications received after the first day of the month will not be scheduled for the following month.

(f) Applications may be submitted as follows:

In Person: Levy County Zoning Department is located on Alternate 27 (622 East Hathaway), within the Levy County Building and Zoning Office.

By Mail: Levy County Zoning Department, Levy County Courthouse, Post Office Box 672 Bronson, Florida, 32621.

(g) This office will prepare and place at least one poster on the property involved in the request. This office will prepare the poster and posting instructions will be included.

(h) Abutting property owners will be notified by mail of the request. “Abutting property” is any property immediately adjacent or contiguous to the property which is the subject of this request or located within 300' (three hundred feet) of the subject property lines including, immediately across any road or public right-of-way for said property.

(i) It is highly advised that **the applicant or representative be present** at the Public Hearing by the Board of Adjustments. The Board, at its discretion, may defer action, or take decisive action on any application, regardless of attendance by the applicant, owner or representative thereof.

Additional Assistance: If you require further information, please contact the Levy County Zoning Department at (352) 486-5203 or visit the above address in person.

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OFFICE USE ONLY:

Board of Adjustment Public Hearing Date: _____

Board of Adjustment Action: Approval Denial

Notes, Instructions and Comments:
