



**City of Temple Terrace  
Community Development Department**

11250 N. 56<sup>th</sup> Street  
Post Office Box 16930  
Temple Terrace, Florida 33617  
Tel: (813) 506-6480 Fax: (813) 506-6471

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**BOARD OF ADJUSTMENT (BOA)  
VARIANCE APPLICATION INSTRUCTION SHEET**

From filing to final decision, a variance petition typically takes one (1) month. The planner assigned to your petition will be your main contact person throughout the process. Feel free to call whenever you have questions.

**Deadline and Completeness Review**

The 2010 Board of Adjustment deadline schedule for submitting variance applications is located on the last sheet of this packet. Applications are considered officially "filed" only when all required information has been provided. Applications received after the submission deadline date will be scheduled for the subsequent BOA meeting. All applicants are encouraged to schedule a pre-application meeting with a member of the planning staff prior to submitting the variance application.

**Public Notice**

Once the application is deemed complete, the petition is scheduled for a public hearing before the Board of Adjustment. The owners of all property lying within one hundred (100) feet of the perimeter of the subject property will be notified. A legal notice advertising this public hearing will be published in the newspaper. In addition, the Community Development Department will provide you with a sign, advertising the hearing date and time. This sign should be posted at the front of the subject property and adjacent to the public right-of-way. These actions are required by law to occur at least ten (10) days prior to the public hearing date.

**Staff Report**

The planner assigned to your petition will prepare a staff report for the Board of Adjustment. The staff report includes background information on the subject property, as well as findings related to the Land Development Code. The planner will evaluate the variance petition to determine whether or not the request meets all of the criteria described on the variance application form. The staff report will contain a recommendation to approve or deny the variance request. A copy of the staff report will be mailed to you on the Friday before the Board of Adjustment meeting.

**Board of Adjustment**

The Board of Adjustment makes the final decision, taking into consideration the staff report and the testimony of the staff, the applicant and the public. The Board meets on the fourth Thursday of each month, with public hearings beginning at 7:00 p.m. The public hearing begins with a presentation of background information by the planner assigned to your petition. This is followed by a presentation of the applicant, should you so choose to speak on your behalf. The planner will then present an analysis and recommendation followed by an opportunity for public comment. Upon hearing all of the evidence and testimony relative to the variance petition, the Board shall render a decision.

**Official Notice**

If the variance petition is approved by the Board of Adjustment, the variance is officially recorded with the Clerk of the Circuit Court, and the applicant receives a copy of the approved variance by U.S. Mail.



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**BOARD OF ADJUSTMENT (BOA)  
VARIANCE APPLICATION CHECKLIST**

1. Application fee of \$275. The applicant is also responsible for associated advertising costs and recording fees. Applicant will be invoiced separately for these associated advertising and recording costs. (Ordinance No. 1137, Adopted April 5, 2005) Checks should be made payable to: City of Temple Terrace.
2. A completed application that includes the Applicant's daytime phone number and mailing address. All "Hardship Criteria" must be addressed for the application to be considered complete.
3. The application must be signed by all persons having a legal or equitable ownership interest in the property, (additional pages may be attached to the application as necessary), or a letter of authorization for the petitioner to work in their behalf, if other than property owner(s). All signatures must be notarized.
4. A legal description of the property must be included as part of the application package.
5. One copy of an up-to-date, scaled survey that identifies property boundaries, all existing improvements (buildings, patios, driveways, sidewalks, decks, etc.), and yard setback dimensions.
6. Identification of specific location on the property where the variance is being requested. This can be shown on a copy of survey or a separate drawing that clearly depicts the variance request.
7. Any additional information, drawings, or pictures that support or clarify the necessity of the variance request.

**NOTE:** All information should be submitted in black and white, and at a size no larger than 11"x17". However, information may be provided at a larger size and/or in color, if the applicant provides 10 copies of each set of information.

For assistance please contact:

Brad Parrish, Senior Planner  
Community Development Department  
11250 N. 56<sup>th</sup> Street, 2<sup>nd</sup> Floor  
Temple Terrace, FL 33617  
Tel: 813-506-6480  
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**VARIANCE APPLICATION FORM**

Application Number: \_\_\_\_\_

Name of Applicant: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

Name of Owner: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

**GENERAL INFORMATION:**

Property location: \_\_\_\_\_

Legal description of the property including parcel acreage, plat reference and folio number  
(attach extra sheets if necessary):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Existing zoning and use of property:

\_\_\_\_\_  
\_\_\_\_\_

Surrounding zoning and use of property (attach extra sheets if necessary):

\_\_\_\_\_  
\_\_\_\_\_

List any previous action (variance, rezoning, etc.) on the property:

\_\_\_\_\_  
\_\_\_\_\_

**VARIANCE REQUEST:**

Reason for request: \_\_\_\_\_

\_\_\_\_\_

Check those that apply and specify request:

<input type="checkbox"/> Side Yard To: _____	<input type="checkbox"/> Rear Yard To: _____
<input type="checkbox"/> Side Yard To: _____	<input type="checkbox"/> Front Yard To: _____
<input type="checkbox"/> Other: _____	

In evaluating whether or not sufficient justification exists upon which to make a determination of hardship in the granting of a variance, the Board of Adjustment should make a finding that the application meets **all** of the following criteria. Any variance granted shall be the minimum variance which makes possible the reasonable use of the land, building(s) or property. Please provide a brief, written justification explaining how the following criteria are being met:

- (1) \_\_\_\_\_ Extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography; **and**  
 \_\_\_\_\_  
 \_\_\_\_\_
- (2) \_\_\_\_\_ Application of the provisions of the zoning/sign code to the particular piece of property would create an unnecessary hardship; **and**  
 \_\_\_\_\_  
 \_\_\_\_\_
- (3) \_\_\_\_\_ Conditions are peculiar to the particular piece of property involved; **and**  
 \_\_\_\_\_  
 \_\_\_\_\_
- (4) \_\_\_\_\_ Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the Land Development Code.  
 \_\_\_\_\_  
 \_\_\_\_\_

**SIGNATURE OF APPLICANT/OWNER:**

I hereby certify that I am (we are) owner(s) of record of the above described property or I (we) have written permission from the owner(s) of record (copy attached) to request this action. I hereby certify that the information submitted on this application is true and correct to the best of my knowledge at the time of application. Staff review is preliminary to Board of Adjustment action and does not reflect the views and/or any action of the Board of Adjustment nor does it constitute a commitment for variance. Every attempt has been made to minimize the variance requested.

_____	_____
<b>Signature of Applicant/Owner(s)</b>	<b>Date</b>

**OWNER AFFIDAVIT**

I (we) \_\_\_\_\_, being first duly sworn, depose and say that I am (we are) the owner(s) of the property described herein and which is the subject matter of the proposed hearing; that all the answers to the questions in this application, and all sketches, data, and other supplementary matter attached to and made part of this application, are honest and true to the best of my (our) knowledge and belief. I (we) understand this application must be completed and accurate before a hearing can be advertised. I (we) further permit the undersigned agent to act as our representative in any matter regarding this petition. I (we) authorize City staff to visit the site as necessary for proper review of this petition. (If there are any special conditions such as guard dogs, locked gates, restricted hours, etc., please give the name and phone number of someone who can allow access.)

\_\_\_\_\_  
Signature of Owner(s)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Notary Public

**AUTHORIZED AGENT**

The agent may be the owner or another person designated by the owner to answer questions and to represent the petition at the public hearings. The agent **must** attend the public hearings. All correspondence will be sent to the agent.

\_\_\_\_\_  
Signature of Agent

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Notary Public

## 2010 BOARD OF ADJUSTMENT DEADLINES

SUBMITTAL DEADLINE FOR VARIANCE APPLICATION FROM APPLICANT	SUBMITTAL DEADLINE FROM STAFF TO CITY CLERK	BOARD OF ADJUSTMENT PUBLIC HEARING DATE
12/23/09	01/07/10	01/22/10
01/22/10	02/04/10	02/25/10
02/25/10	03/04/10	03/25/10
03/25/10	04/01/10	04/22/10
04/22/10	05/06/10	05/27/10
05/27/10	06/03/10	06/24/10
06/24/10	07/01/10	07/22/10
07/22/10	08/05/10	08/26/10
08/26/10	09/02/10	09/23/10
09/23/10	10/07/10	10/28/10
10/28/10	10/28/10	11/18/10
11/18/10	12/02/10	12/23/10

### VARIANCE TIMELINE

- ✓ Variance applications must be received by Community Dev't staff by dates listed above
- ✓ CD staff sends completed application to City Clerk for processing by dates listed above
- ✓ City Clerk sends Public Hearing advertisement to newspaper at least 10 days prior to hearing
- ✓ Staff places signs on property at least 10 days before hearing
- ✓ Staff sends notice to surrounding property owners at least 10 days prior to hearing
- ✓ Staff recommendations are sent to City Clerk at least 1 week before BOA meeting
- ✓ BOA public hearing is at 7pm on the 4<sup>th</sup> Thursday of each month
- ✓ Disposition to applicant and permitting on the day following BOA decision