

City of Temple Terrace



Guide to Variances Application and Process

January 2011

VARIANCE: PROCEDURE OVERVIEW

A variance is a limited exception to the usual requirements of the zoning ordinance. The purpose of the hearing is to authorize a variance based on those situations where the peculiar physical characteristics of a site make it difficult to develop under standard regulations. A variance is granted in order to bring the disadvantaged property up to the level of use enjoyed by nearby properties in the same zone. A variance must go to a public hearing before the Board of Adjustment. From filing to final decision, a variance petition typically takes two (2) months. The planner assigned to your petition will be your main contact person throughout the process.

Step One The Property Owner/Applicant conducts a Pre-Application Conference with the Community Development Department staff to discuss the proposed project.

Step Two Once the application is deemed complete, the petition is scheduled for a public hearing before the Board of Adjustment. The Community Development Department will place a sign on the site, advertising the hearing date and time. The planner assigned to your petition will prepare a staff report for the Board of Adjustment and schedule a public hearing with the Board. In evaluating whether or not sufficient justification exists to make a determination of hardship in the granting of a variance, the Board of Adjustment will make a finding that the application meets all of the following criteria:

- (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.

The department will generate a staff report including background information on the property, as well as findings to meet the criteria listed above. The report will give staff's recommendation to approve or deny the variance request.

Step Three: 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 public hearing begins with a presentation of background information by the planner assigned to your petition and may be followed by a presentation of the applicant. Applicants are encouraged to attend the hearing. Upon hearing all of the evidence and testimony relative to the variance petition, the Board shall render a decision based on consistency with the City of Temple Terrace Code.



CITY OF TEMPLE TERRACE

"A City for Living"

COMMUNITY DEVELOPMENT DEPARTMENT

11250 N. 56TH STREET
TEMPLE TERRACE, FL 33617
(813)506-6460 FAX (813)506-6471
www.templeterrace.com

VARIANCE APPLICATION

Application Number: _____

Date: _____

Variance – Schedule of Fees and Charges

Residential	\$275.00*
Sign Variances	\$300.00*
	*Plus Advertising Cost

* Advertising Cost is to pay for the legal advertisement required by Florida Statute in the local newspaper as well as notice to the surrounding property owners. These advertising requirements are performed by the City Clerk and the property owner will be billed separately by that department subsequent to advertising.

Name of Owner: _____

Mailing Address: _____

Telephone: _____ Fax: _____

E-mail Address: _____

Name of Applicant: _____

Mailing Address: _____

Telephone: _____ Fax: _____

E-mail Address: _____

NOTE: Please fill out the Authorized Agent Affidavit if the variance is being applied for by someone other than the property owner.

GENERAL INFORMATION:

General Location: _____

Property's Street Address(es): _____

Acreage/Size of Property: _____

Previous Variances Approved, if any: _____

Please indicate that the following information is included in the application package:

- Executed Variance Application
- Application Filing Fee
- Copy of Deed showing current owners of record.
- Electronic Copy of Legal Description. Must to be submitted in Microsoft Word format.
- Survey or Plat. Identify the specific location on the property where the variance is being requested.
- Justification Letter - written description of the purpose of the request.

IF ALL THE REQUIRED INFORMATION DETAILED ABOVE IS NOT SUBMITTED AT THE TIME OF APPLICATION, THE VARIANCE APPLICATION PACKET WILL NOT BE ACCEPTED BY THE COMMUNITY DEVELOPMENT DEPARTMENT.

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 of authorized agent affidavit 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.

APPLICANT NAME: _____

ADDRESS: _____

CITY/ST/ZIP: _____

SIGNATURE OF APPLICANT/OWNER

DATE

NOTE: All persons having a legal or equitable ownership interest in the property must sign the application (attach an *Additional Owner Information Sheet* if necessary). Publicly held corporations must provide the name and address of the corporation and principal executive officers.

2011 BOARD OF ADJUSTMENT SCHEDULE

SUBMITTAL DEADLINE FOR VARIANCE APPLICATION	BOARD OF ADJUSTMENT PUBLIC HEARING DATE
12/27/10	01/27/11
01/24/11	02/24/11
02/21/11	03/24/11
03/28/11	04/28/11
04/25/11	05/26/11
05/23/11	06/23/11
06/27/11	07/28/11
07/25/11	08/25/11
08/22/11	09/22/11
09/26/11	10/27/11
10/24/11	TBD**
11/21/11	12/22/11

** TO BE DETERMINED - November meeting falls on Thanksgiving; if a meeting is necessary the Community Development Department will work out an acceptable date.