

# City of Temple Terrace



## Guide to Variances Application and Process

October 2014

## **VARIANCE: PROCEDURE OVERVIEW**

A variance is a limited exception to the usual requirements of the Land Development Regulations (LDR). A variance is requested when a property owner has a unique and unusual hardship, usually created by the physical characteristics of the land which make it difficult to develop under standard regulations. A variance application must go to a public hearing before the Board of Adjustment and may only be granted if it meets all the requirements specified in the LDR. 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** Public notice of the request will be done with a newspaper ad, posting of a sign, and a letter to property owners within 100 feet of the property 10 days prior to the public hearing.

**Step Four** 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.



# VARIANCE APPLICATION

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

Date: \_\_\_\_\_

### Variance – Schedule of Fees and Charges

Residential	\$500.00*
Sign Variances	\$450.00*
	*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 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

**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. Publicly held corporations must provide the name and address of the corporation and principal executive officers.

**ALL OF THE ABOVE INFORMATIONAL ITEMS ARE REQUIRED TO MOVE FORWARD**



**AUTHORIZED AGENT AFFIDAVIT**

I \_\_\_\_\_ (Owner) hereby grant authorization to \_\_\_\_\_ (Authorized Agent) to act in my behalf with the City of Temple Terrace Community Development Department while conducting activities related to obtaining applications or permits. These activities specifically include signing all documents requiring signature of “representative”/”applicant”.

\_\_\_\_\_ (Authorized Agent) is to be considered an agent of my business and therefore the signature of said agent is binding and causes me to assume all responsibilities connected to or associated with the signature as they may relate to my property.

I \_\_\_\_\_ (Owner) relieve the City of Temple Terrace Community Development of, and agree to hold the City of Temple Terrace Community Development Department harmless from, any and all responsibility, claims or other actions arising from or related to the Department’s acceptance of the above agent’s signature for permit/application-related activities. I further understand that it is my sole responsibility to grant and terminate any such authorization and to ensure that the Department receives timely notice of any such grant or termination.

\_\_\_\_\_  
Signature of Owner

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

**Notary for Owner’s Signature:**

**Notary for Agent’s Signature:**

State of \_\_\_\_\_ County of \_\_\_\_\_

State of \_\_\_\_\_ County of \_\_\_\_\_

The foregoing was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by \_\_\_\_\_, who is personally known to me, or who produced \_\_\_\_\_ as identification.

The foregoing was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by \_\_\_\_\_ who is personally known to me, or who produced \_\_\_\_\_ as identification.

\_\_\_\_\_  
**Notary Public Signature**

\_\_\_\_\_  
**Notary Public Signature**

\_\_\_\_\_  
Print, Type, or Stamp Name of Notary  
My Commission expires: \_\_\_\_\_

\_\_\_\_\_  
Print, Type, or Stamp Name of Notary  
My Commission expires: \_\_\_\_\_

(SEAL)

(SEAL)



**ADDITIONAL OWNER SIGNATURE SHEET**

**Application Number** \_\_\_\_\_

I (we), the undersigned, attest and affirm that all representations made in this application are true and accurate to the best of my knowledge.

\_\_\_\_\_  
**Name** *(Please Print)*

**ADDRESS:** \_\_\_\_\_

\_\_\_\_\_  
**Signature**

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

\_\_\_\_\_  
**Name** *(Please Print)*

**ADDRESS:** \_\_\_\_\_

\_\_\_\_\_  
**Signature**

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

**STATE OF FLORIDA  
COUNTY OF HILLSBOROUGH**

Sworn to (or affirmed) and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_, who is personally known to me OR has produced \_\_\_\_\_ as identification.

(type of identification produced)

\_\_\_\_\_  
(Notary Public Signature)

Notary Stamp

\_\_\_\_\_  
(print, name of Notary Public)

# 2016 BOARD OF ADJUSTMENT (BOA) MEETINGS SCHEDULE

SUBMITTAL DEADLINE	SUBMITTAL DUE TO CLERK	BOA MEETING
12/18/15	01/04/16	01/28/16
01/29/16	02/08/16	02/25/16
02/26/16	03/07/16	03/24/16
03/25/16	04/04/16	04/28/16
04/29/16	05/09/16	05/26/16
05/27/16	06/06/16	06/23/16
06/24/16	07/01/16 ***	07/28/16
07/29/16	08/08/16	08/25/16
08/26/16	09/02/16 ***	09/22/16
09/23/16	10/03/16	10/27/16
10/27/16 ***	10/31/16 ***	11/17/16 *
11/18/16	11/29/16 ***	12/22/16

\*The regularly scheduled November meeting falls on Thanksgiving; the meeting is therefore rescheduled to one week earlier.

\*\*\* Earlier deadline due to upcoming holidays.