



## Glades County

### **Instructions and Application Procedures VARIANCE**

Complete the attached application and submit all required information. You will be notified when the application has been deemed complete and staff sufficiency review has begun.

Please note that it is the applicant's responsibility to "make the case". The applicant must provide a complete and accurate application, address the standards relevant for the type of land use change requested, and provide sufficient information and reasons based on the County's Comprehensive Plan and Land Development Regulations to indicate why the requested action should be granted.

**STEP 1.** The Applicant (person requesting the land use changes) must submit all of the items listed in the Required Items List to the Department. You will be notified when the application has been deemed complete and staff sufficiency review has begun..

**STEP 2.** After review and approval of the submitted items, the Community Development Department shall set the public hearing date and shall send the Notice of Public Hearing to the newspaper, the applicant, and the property owner, as applicable, at least 2 weeks prior to the hearing date.

**STEP 3.** Upon receipt of the Notice of Public Hearing, the applicant shall immediately mail a copy, by Certified Mail, Return Receipt Requested, to all property owners within 300 feet of the boundary of the Variance, and shall submit the signed receipts to the Community Development Department.

**STEP 4.** A public hearing will be held before the Planning and Zoning Board sitting as the Board of Adjustment of Glades County to consider the petition. The applicant, or their agent, is required to attend the public hearing.

The Board will not accept lengthy technical reports or other written materials the day of the meeting. Submit all supporting documentation with your application otherwise your hearing date may be continued and you will be required to pay a re-advertisement fee.

In granting any Variance, the Board of Adjustment may prescribe conditions of approval in conformity with the intent of the Glades County Code of Laws and Ordinances, including but not limited to buffering and landscaping, restrictions on operations and reasonable time limits within which the action for which Variance is required shall be begun or completed, or both.

Violation of such conditions will be deemed a violation of the Code. Failure to begin or complete, or both, such required conditions within specified time limits shall void the Variance.

**STEP 5.** After the public hearing, the Community Development Department will mail the applicant a Final Order stating that the application was denied or approved and the conditions of approval.

Any aggrieved party who wishes to appeal the final decision of the Board of Adjustment must file an appeal with a court of competent jurisdiction within 30 days from the date of the decision letter.

A completed application, supporting documents and appropriate filing fee must be submitted by the application deadline in order for it to be scheduled for the next available hearing date. Incomplete applications will not be scheduled until they are complete. Applications received after the deadline will be held until the next month so that legal notice requirements can be met and sufficient time is allowed for review and report preparation.

### **Required Items List**

**Please submit only one copy of each of the items listed for the initial staff review.**

After staff review is complete, and prior to the Board of Adjustment public hearing, the applicant will be contacted and will be required to supply a further nine (9) copies of the information for distribution to the Board members.

All map exhibits or site plans shall be provided on 11" X 17" sheets, drawn legibly at an appropriate scale.

- Application for Variance (form attached).
- Narrative titled, "Response to Standards for Considering a Variance"
- A legal description and survey sketch (provided by a Florida Licensed Engineer or Surveyor) for the property that is the subject of the application. If you are applying for a change on only a portion of the property, submit a legal description and survey sketch for the parent tract, the portion of the property that is the subject of the application, and any easements to the subject site. Provide all legal descriptions in digital format. It can be emailed to [jallen@myglades.com](mailto:jallen@myglades.com)
- Aerial photograph or tax map overlay of affected area, highlighting the area of the Variance.
- A site plan of an appropriate scale showing placement of structures, access, off-street parking, loading areas and required yards, and any other items relevant to the requested use.

- A copy of a recorded deed indicating current ownership of the subject property.
- Title search, opinion on title, or title insurance policy for the property.
- Proof that all County taxes have been paid.
- List of names and addresses of all property owners within 300 feet of the property taken from the latest Glades County ad valorem tax records. If the subject property is adjacent to a street, canal or the like, the 300 feet distance begins from the opposite side of the street or canal.
- Nonrefundable application fee of \$500.00 made out to the Glades County Board of County Commissioners



## Glades County VARIANCE APPLICATION

Case Number: \_\_\_\_\_

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

### Parties involved in the Application

**Authorization from the property owner is required if the applicant is not the property owner.**

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

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

City: \_\_\_\_\_

State: \_\_\_\_\_

Zip Code: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Fax Number: \_\_\_\_\_

Email Address: \_\_\_\_\_

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

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

City: \_\_\_\_\_

State: \_\_\_\_\_

Zip Code: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Fax Number: \_\_\_\_\_

Email Address: \_\_\_\_\_

Name of Agent: \_\_\_\_\_

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

City: \_\_\_\_\_

State: \_\_\_\_\_

Zip Code: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Fax Number: \_\_\_\_\_

Email Address: \_\_\_\_\_

### Parcel and Subject Site Information

1. Parcel ID #: \_\_\_\_\_

2. Parcel Address: \_\_\_\_\_

3. Provide driving directions to the property from the nearest major intersection; side streets, landmarks, etc. should be included. \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

4. Acreage of Parcel: \_\_\_\_\_
5. Zoning Designation: \_\_\_\_\_
6. Future Land Use Map Designation: \_\_\_\_\_
7. What is the current use of the Parcel: \_\_\_\_\_  
\_\_\_\_\_
8. Describe any improvements on the Parcel (if none so state): \_\_\_\_\_  
\_\_\_\_\_
9. Is there a current or recent use of property that is/was a violation of county regulations? \_\_\_\_\_  
\_\_\_\_\_
10. Have there been any land use applications concerning all or part of this property in the last year? If so, indicate date, nature and applicant's name: \_\_\_\_\_  
\_\_\_\_\_

### Variance Information

1. Describe the Variance request: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
2. Describe physical characteristics of the property that makes the Variance necessary: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
3. What is the cause of the physical characteristic? \_\_\_\_\_  
\_\_\_\_\_
4. What is the minimum Variance necessary to meet your need? \_\_\_\_\_  
\_\_\_\_\_
5. Are any other land use changes, i.e. rezoning, FLUM amendment, special exception, necessary for your intended use? \_\_\_\_\_

### Standards for Considering a Variance

A Variance is a relaxation of the terms of the development standards of the Land Development Regulations where such Variance 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 regulations would result in unnecessary and undue hardship on the applicant. A Variance can only relax the physical requirements of the regulations such as height, area, and size of structure or size of yards, buffers and open spaces. Establishment or expansion of a use or density otherwise prohibited or not

permitted is not be allowed by Variance. A Variance won't be granted, or justified, because of the presence of other non-conforming structures or uses in the zoning classification or district or adjoining zoning classifications or districts. Requirements (Land Use) may not be varied. Variances will not be permitted that will allow erection, installation or occupancy of a building or structures that does not meet the standards for residential dwelling.

An argument that compliance with the regulations will be more expensive for the applicant is not a valid reason in and of itself to be granted a Variance. Neither shall a Variance be granted in order to evade or frustrate the clear intent of the regulations.

**Attach a narrative, titled “Response to Standards for Considering a Variance”, to this application answering the following items:**

1. Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district;
2. The special conditions and circumstances do not result from the actions of the applicant;
3. Literal interpretation of the provisions of the Glades County Code of Laws and Ordinances would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this Code and would work unnecessary and undue hardship on the applicant;
4. Granting the Variance requested will not confer on the applicant any special privilege that is denied by this Code to other lands, buildings, or structures in the same zoning district;
5. The Variance, if granted, is the minimum Variance that will make possible the reasonable use of the land, building, or structure;
6. The grant of the Variance will be in harmony with the general intent and purpose of this Code, will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.

## Affidavit of Applicant

1. By my signature hereto, I certify that the information contained in this application is true and correct, that all sketches, data, and other supplementary matters attached to and made part of this application are honest and true to the best of my knowledge and belief. I understand that deliberate misrepresentation of such information will be grounds for denial and reversal of this application and/or revocation of any approval based upon this application.
2. I do hereby authorize County staff to enter upon the property described and which is the subject matter of the proposed application at any reasonable time for purposes of site inspection.
3. I do hereby authorize the placement of a public notice sign(s) upon the property described and which is the subject matter of the proposed application at a location(s) to be determined by County staff.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Printed Name of Applicant

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

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_  
20\_\_\_\_\_, by \_\_\_\_\_ who is personally known to me or has  
produced \_\_\_\_\_ as identification and who  did  did not take an  
oath.

\_\_\_\_\_  
Signature of Notary

\_\_\_\_\_  
Printed Name of Notary

Stamp Seal Below

## Owner's Consent

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

I am a:

- Partial Owner  
 Full Owner  
 Other, explain \_\_\_\_\_

In the following described property.

Property I.D. Number: \_\_\_\_\_

Property address: \_\_\_\_\_  
\_\_\_\_\_

I hereby give the applicant, \_\_\_\_\_, permission to file this request for a Variance to use the above described property for: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I understand that conditions, limitations and restrictions may be placed upon the use or operation of the property and that misstatements upon application or in any hearing may result in the termination of this Variance.

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

\_\_\_\_\_  
Printed Name of Owner

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

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_  
20\_\_\_\_, by \_\_\_\_\_ who is personally known to me or has produced \_\_\_\_\_ as identification and who  did  did not take an oath.

\_\_\_\_\_  
Signature of Notary

Stamp Seal Below

\_\_\_\_\_  
Printed Name of Notary