

TOWN OF REDINGTON BEACH

105 164th Avenue
Redington Beach, FL 33708



Variance Application

The following **must** be furnished with this application: [incomplete applications will not be accepted]

- Completed original application
- Variance Application fee (**\$450.00 NO CREDIT CARDS**):
- Written description of hardship
- Other supporting information, as necessary

Board of Adjustment Review Standards

The Board of Adjustment shall grant no variance unless **all** the following standards are met and are proven by competent substantial evidence:

- (1) The requested variance will not be contrary to the public interest;
- (2) The need for the requested variance arises where, owing to special conditions, a literal enforcement of the provisions of the code would result in unnecessary and undue hardship;
- (3) Special conditions and circumstances exist which are peculiar to the land, structure, or building for which this variance is being sought, and which are not applicable to other similarly situated lands, structures or buildings in the same zoning district;
- (4) A literal interpretation of the provisions of the applicable code would deprive the applicant of rights commonly enjoyed by other similarly situated properties in the same zoning district under the terms of the applicable code;
- (5) The applicant has not made a second petition or application for the same request for a period of 120 days from the date of the order on a previous petition or application; and
- (6) The conditions or special circumstances peculiar to the property have not been self-created nor are the result from an action by the applicant or with prior knowledge or approval of the applicant. Further, no variance may be granted arising from illegal construction of a structure or an illegal use of the premises which would have otherwise required a permit to be issued, and which construction was commenced illegally. Further, no variance may be granted for any property in the town where the property has a pending unresolved code violation, or where the owner has failed to satisfy any recorded code enforcement lien or to have complied with any court or magistrate order related to a code enforcement violation within the town. Under such conditions, the owner shall have no legal right to obtain a variance, and the Board will have no legal right to grant such a variance.

Section 6-290(7): Any variance granted under the provisions of this Code shall expire within sixty (60) days from the date of the executed order granting the variance unless a building permit for construction or alteration has been issued in accordance with the plans and conditions upon which the variance was granted. The building official may grant extensions to this deadline if that official determines that the applicant is proceeding in good faith.

**TOWN OF REDINGTON BEACH, FLORIDA
VARIANCE APPLICATION**

(Please type or print clearly)

Property Owner(s)

Name		Email	
Address			
City		State	Zip
Phone	Fax		Cellular

Applicant

Name		Email	
Address			
City		State	Zip
Phone	Fax		Cellular

Agent (if applicable)

Name		Email	
Address			
City		State	Zip
Phone	Fax		Cellular

General Information

Property Location or Address	
Legal Description (attach additional sheet if necessary)	
Tax Parcel Number	Zoning District

Requested Action:

Describe request and applicable code section:

Required LDC Regulation(s): [list all that apply]

**TOWN OF REDINGTON BEACH
VARIANCE APPLICATION**

1. What special conditions or circumstances exist which are peculiar to the land, structure or building involved, and which are not applicable to other similarly situated lands, structures or buildings in the same zoning district?

2. What literal interpretation of the provisions of the applicable code would deprive the owner(s) of rights commonly enjoyed by other similarly situated properties in the same zoning district under the terms of the applicable code?

3. What special conditions or circumstances entitles the owner to a variance that are NOT self-created by the owner or an action taken with the owner's prior knowledge or approval?

4. Explain how the granting of the variance will not confer on the owner any special privilege that is denied by the applicable code to other similarly situated lands, structures or buildings in the same district.

5. Explain how the variance requested is the minimum variance necessary to permit the reasonable use of the lands, structures or buildings, will be in harmony with the general purpose and intent of the applicable code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

NOTICE: To ensure compliance with Florida Statutes § 454.23 (providing that it is a felony for a person not an attorney to practice law in Florida), and to ensure the Town is not a party to facilitating the unauthorized practice of law, while an Owner who is a natural person may represent her or himself at the Board of Adjustment hearing, and while a licensed attorney may represent an Owner at the hearing, relatives, contractors, architects, engineers, or other agents of the Owner will not be permitted to represent an Owner at the hearing, including calling or cross-examining witnesses or making arguments for approval. Owners or their legal counsel must be present to present cases, and the Board of Adjustment will decline to proceed with a hearing where the Owner or her or his legal counsel is not present to present the case.

Note: No variance may be granted arising from illegal construction of a structure or an illegal use of the premises which would otherwise have required a permit to be issued, and which construction was commenced illegally. Further, no variance may be granted for any property in the town where the property has a pending unresolved code violation, or where the owner has failed to satisfy any recorded code enforcement lien or to have complied with any court or magistrate order related to a code enforcement violation within the town. Under such conditions, the property owner shall have no legal right to obtain a variance, and the Board shall have no legal right to grant a variance.

<p>Section 6-290(7): Any variance granted under the provisions of this Code shall expire within sixty (60) days from the date of the executed order granting the variance unless a building permit for construction or alteration has been issued in accordance with the plans and conditions upon which the variance was granted. The building official may grant extensions to this deadline if that official determines that the applicant is proceeding in good faith.</p>

AFFIDAVIT

I (we), the undersigned, certify ownership of the property within this application, that said ownership has been fully divulged, whether such ownership by contingent or absolute, and that the name of all parties to an existing contract for sale or any options are filed with this application.

NOTICE: To ensure compliance with Florida Statutes § 454.23 (providing that it is a felony for a person not an attorney to practice law in Florida), and to ensure the Town is not a party to facilitating the unauthorized practice of law, while an Owner who is a natural person may represent her or himself at the Board of Adjustment hearing, and while a licensed attorney may represent an Owner at the hearing, relatives, contractors, architects, engineers, or other agents of the Owner will not be permitted to represent an Owner at the hearing, including calling or cross-examining witnesses or making arguments for approval. Owners or their legal counsel must be present to present cases, and the Board of Adjustment will decline to proceed with a hearing where the Owner or her or his legal counsel is not present to present the case.

I (we) certify that _____ is/are duly designated as the agent(s) for the owner, that the agent(s) is (are) authorized to provide subject matter on the application contained herein, whether verbal or written. Further, it is understood that this application must be complete and accurate, and the appropriate fee paid prior to processing.

Date: _____

Title Holder: _____

Date: _____

Title Holder: _____

Date: _____

Title Holder: _____

Date: _____

Title Holder: _____

STATE OF FLORIDA)

COUNTY OF PINELLAS)

The foregoing instrument was acknowledged before me by _____ physical presence or _____ online notarization this _____ day of _____, 20____ A.D., by _____ who is personally known to me or who has produced _____ as identification and who did (did not) take an oath.

NOTARY PRINTED NAME: _____

NOTARY SIGNATURE: _____

NOTARY STAMP