

# Highlands County, Florida Variance Application

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## SECTION I. THIS SECTION FOR STAFF USE ONLY!

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

AMOUNT OF FEE \_\_\_\_\_ RECEIPT # \_\_\_\_\_ TAX MAP # \_\_\_\_\_

CASE B.O.A. # \_\_\_\_\_ HEARING DATE: B.O.A. - \_\_\_\_\_ DATE ADOPTED: \_\_\_\_\_

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**SECTION II. PLEASE PRINT OR WRITE CLEARLY ALL APPLICABLE INFORMATION.** This application and all required supplemental information must be properly completed according to the instructions. All information and exhibits submitted in connection with this application will become a permanent part of the public records of Highlands County. Please submit the application to the Zoning Department to be checked for completeness by staff before the applicable deadline. The Department accepts no responsibility for the completeness and accuracy of the application and will not advertise the application for public hearing until all required information is deemed to be accurate and complete. It is recommended that the applicant, agent, or representatives be present at the public hearing.

**The following Variance is requested pursuant to Section 12.03.205 (b) of the Code of Ordinances, Highlands County, Florida before the Board of Adjustment:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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**This application has been reviewed for completeness and determined sufficient:**

Signed: Zoning Supervisor \_\_\_\_\_

Date \_\_\_\_\_

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**1. Name of Property Owner:** (Application must be signed by the property owner. If more than one, all the owners must sign the Owners Affidavit (attached), which must accompany the application):

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

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

Telephone No. ( ) \_\_\_\_\_ E-Mail Address: \_\_\_\_\_

**2. Name of Agent:** (Complete the Agent's Affidavit (attached) from property owner, which must accompany application, giving agent authority to represent this application.)

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

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

Telephone No. ( ) \_\_\_\_\_ E-Mail Address: \_\_\_\_\_

**3. Legal Description and Strap of Property Covered by Application:** (If subdivided: lot, block, complete name of subdivision, plat book, page number, section, township, and range. If metes and bounds description: complete description, including section, township, and range.) \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

STRAP #: C - \_\_\_\_ - \_\_\_\_ - \_\_\_\_ - \_\_\_\_ - \_\_\_\_ - \_\_\_\_

**4. Street Address of Property Covered by Application:** \_\_\_\_\_

**5. Name of project, subdivision, or overall project, if part of a larger project, if applicable:** \_\_\_\_\_

\_\_\_\_\_

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## SECTION III: INFORMATION ABOUT EXISTING USE

**6. Existing Zoning District:** \_\_\_\_\_ **Existing Land Use Classification:** \_\_\_\_\_

Are the Zoning and Comprehensive Plan Consistent? [ ] Consistent [ ] Not Consistent

**7. Vesting:** Is the property vested for specific property rights? [ ] Yes [ ] No **If Yes,** list the Vesting Action or Order Number or the method used to grant vested rights (state binding letter, legal lot of record, etc.): \_\_\_\_\_

\_\_\_\_\_

8. Is this hearing being requested as a result of a code violation notice?  Yes  No **If Yes**, explain. \_\_\_\_\_

9. Has a public hearing been held on this property within the last 12 months?  Yes  No **If Yes**, in whose name and when? \_\_\_\_\_

10. **Current Use of Property** (Number of existing dwelling units, type of commercial or industrial, etc): \_\_\_\_\_

11. **Existing Size of Property:** Size of Property (width) \_\_\_\_\_ feet, (depth) \_\_\_\_\_ feet, street frontage \_\_\_\_\_ feet, water frontage \_\_\_\_\_ feet, **Total acres** \_\_\_\_\_  
If different from the total acreage, the upland, or developable portion is \_\_\_\_\_ +/- acres.

12. **Are there existing structures on the property?**  Yes  No **If Yes**, what type (CBS, Frame, Stucco, Other Multiple Units, Number of Dwellings per Building)? \_\_\_\_\_

13. **Uses on Adjacent Property:** Also indicate whether the adjacent property is within another jurisdiction and indicate that jurisdiction's FLUM and/or Zoning designations.

	Existing Uses	FLUM Designations	Zoning Districts
North			
South			
East			
West			

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**SECTION IV: REASONS FOR VARIANCE AND BURDEN OF PROOF**

14. If necessary, please give additional information not included in your variance request on page one (1) about what the requested variance is for: \_\_\_\_\_

15. Explain why this request for a variance from existing zoning regulations should be approved. (Use separate sheet if required) \_\_\_\_\_

16. How will a variance from the requirements of Chapter 12 not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this chapter would result in unnecessary hardship? \_\_\_\_\_

17. The Board of Adjustment shall find that the following requirements are met in order to approve a variance. Please provide information to tell how or why the following do or do not apply: (Use separate sheets if required)

A. What special conditions and circumstances exist on your property, land, structures, or buildings, which are peculiar to the land and/or structures which are not applicable to other properties? \_\_\_\_\_

B. The literal interpretation of the provisions of Chapter 12 would deprive the applicant of the rights commonly enjoyed by other properties in the same district under the conditions of this Chapter. \_\_\_\_\_

C. The existing special conditions and circumstances listed in 17 above did not result from any previous actions on the applicant's part. \_\_\_\_\_

D. How a granting of the variance requested will not confer upon me any special privilege that is denied by this Chapter to other lands, structures or buildings in the same district. \_\_\_\_\_

18. How is the requested variance the minimum action required to make possible the reasonable use of the land, building or structure? (Use separate sheet if required) \_\_\_\_\_

19. How will the granting of the variance be in harmony with the general purpose and intent of this Chapter and will not be injurious to the neighborhood or otherwise detrimental to the public welfare? (Use separate sheet if required) \_\_\_\_\_

20. Are there appropriate conditions and safeguards in conformity with this Chapter that could be made a part of the approval of the variance, which you would approve? \_\_\_\_\_

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**SECTION V: MAPS, OWNERS OR AGENTS AFFIDAVIT AND LIST OF PROPERTY OWNERS**

**21. Land Survey:** A copy of a land survey by a Florida registered land surveyor is required for any variance request on size of yards and for setbacks.

**22. Map Properties Within 200 Feet:** Using a map that shall be secured from the County Property Appraiser's Office, delineate the boundary of the proposed development site and its location on the map. Include each parcel of land within **200 feet** of the property covered in the application.

**23. Owners or Agents Affidavit:** An Owner's and/or Agent's Affidavit must be completed and submitted as part of all applications.

**24. List of Property Owners:** List of all current property owners within **200 feet radius** of property covered in the application, including name, mailing and site addresses of their properties. If in areas zoned Agriculture, minimum of 6 names required adjacent or in the vicinity of the variance requested. (Attach separate sheet to this application.)

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**Highlands County, Florida  
Development Services Department Application**

**OWNER'S AFFIDAVIT**

I, \_\_\_\_\_, being first duly sworn, depose and say that I am the **OWNER** of the property described 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 a part of the application, are honest and true to the best of my knowledge and belief. I understand this application must be completed and accurate before hearings can be advertised. I also understand that it is my obligation to comply with any other lawfully adopted and recorded deed restrictions or covenants that are more restrictive or impose a higher standard, and that any action of this Board does not supersede those requirements.

I authorize County staff to enter the property during the application process to complete its evaluation.  
**Please initial the appropriate line.**

No contact is required. \_\_\_\_\_

An appointment is required before entering the property. \_\_\_\_\_

\_\_\_\_\_  
Print Name of Owner

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

\_\_\_\_\_  
Address: Number and Street (P.O. Box)

\_\_\_\_\_  
City and State (Zip Code)

**STATE OF FLORIDA, HIGHLANDS COUNTY**

The Foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2016, by \_\_\_\_\_ who is personally known by me  or who has produced \_\_\_\_\_, as identification and who did take an oath:

\_\_\_\_\_  
Signature

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

Notary Public, State of Florida  
My Commission Expires: \_\_\_\_\_

**Highlands County, Florida  
Development Services Department Application**

**AGENT'S AFFIDAVIT**

I, \_\_\_\_\_, being first duly sworn, depose and say that I am the **ATTORNEY-IN-FACT, AGENT or LESSEE** of the property described 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 a part of the application, are honest and true to the best of my knowledge and belief. I understand this application must be completed and accurate before hearings can be advertised. I also understand that it is my obligation to comply with any other lawfully adopted and recorded deed restrictions or covenants that are more restrictive or impose a higher standard, and that any action of this Board does not supersede those requirements.

\_\_\_\_\_  
Print Name of Agent

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

\_\_\_\_\_  
Address: Number and Street (P.O. Box)

\_\_\_\_\_  
City and State (Zip Code)

**STATE OF FLORIDA, HIGHLANDS COUNTY**

The Foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2016, by \_\_\_\_\_ who is personally known by me  or who has produced \_\_\_\_\_, as identification and who did take an oath:

\_\_\_\_\_  
Signature

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

Notary Public, State of Florida  
My Commission Expires: \_\_\_\_\_

**HIGHLANDS COUNTY  
DEADLINES FOR PUBLIC HEARINGS  
FOR REZONES, SPECIAL EXCEPTIONS, VARIANCES,  
APPEALS, SMALL SCALE PLAN AMENDMENTS, AND  
LARGE SCALE PLAN AMENDMENTS**

The application *deadline is always at 12:00 P.M.* The hearing dates are always on Tuesdays except for holidays\*. The **BOA & P&Z/LPA meetings begin at 3:00 P.M. or soon thereafter.** The **BCC meetings begin at 9:00 A.M. or soon thereafter.**

**APPLICATION  
DEADLINES**

**BOA & P&Z/LPA  
MEETINGS**

**BCC MEETINGS**

Wednesday, October 19, 2016	December 13, 2016	January 17, 2017
Wednesday, November 16, 2016	January 10, 2017	February 21, 2017
Wednesday, December 21, 2016	February 14, 2017	March 21, 2017
Wednesday, January 18, 2017	March 14, 2017	April 18, 2017
Wednesday, February 15, 2017	April 11, 2017	May 16, 2017
Wednesday, March 15, 2017	May 9, 2017	June 20, 2017
Wednesday, April 19, 2017	June 13, 2017	July 18, 2017
Wednesday, May 17, 2017	July 11, 2016	August 15, 2017
Wednesday, June 14, 2017	August 8, 2017	September 19, 2017
Wednesday, July 19, 2017	September 12, 2017	October 17, 2017
Wednesday, August 16, 2017	October 10, 2017	November 21, 2017
Wednesday, September 20, 2017	November 14, 2017	December 19, 2017
Wednesday, October 18, 2017	December 12, 2017	January 16, 2018
Wednesday, November 15, 2017	January 9, 2018	February 20, 2018
Wednesday, December 20, 2017	February 13, 2018	March 20, 2018

**LARGE SCALE PLAN AMENDMENTS**

The Community Planning Act of 2011, eliminated the twice per year plan amendment limitation. Applicants are now able to submit Comprehensive Plan Amendments any time for review and consideration. (Applications must be complete upon submittal. *Incomplete applications will not be accepted.*)

Every Large Scale Plan Amendment (LSPA) Application requires the submission of a traffic study APPROVED by the Highlands County Engineering Department. *No deadline extensions.*

*All required material must be included in the LSPA Application submission or it will be deemed incomplete and not accepted.*

**Highlands County  
Development Services Department  
501 S. Commerce Ave, Sebring, FL 33870  
Planning – (863) 402-6650      Zoning – (863) 402-6638**

**Fee Schedule – FY 16-17**

Rural Land Stewardship (RLS)	TBD (To Be Determined)
Development of Regional Impact (DRI)	\$21,800.00
Zoning Change Only	\$1,950.00
Large Scale Comprehensive Plan (LSCP) Amendment Only	\$2,025.00
Small Scale Comprehensive Plan (SSCP) Amendment Only	\$1,125.00
PD (Planned Development District) Amendment (minor amendment excluded) Only	\$1,950.00
Special Use Permit Only	\$2,925.00
FUD (Flexible Development District) Amendment (minor amendment excluded) Only	\$1,950.00
Revision of legal on resolution, ordinance or ad when applicant provides revised legal	\$1,375.00
Concurrency Traffic Analysis Reviews for LSCP and SSCP Amendment	Contact Engineering Dept.
Special Exception Application Only	\$975.00
Special Exception Application for a Tower Only	\$1,300.00
Special Exception Application for Goats, Hogs, Sheep, and Chickens	\$0.00
Variance Application Only	\$650.00
Notice requirements, (zoning changes, LSCP, SSCP, variances, Special Use Permit, and special exceptions and the like)	Actual or pro-rated expense for public notice requirements depending on the application
Environmental Clearance Report Processing Fee (> 2 acres w/ impact)	\$425.00
“Simplified” Environmental Clearance Report Processing Fee (>2 acres no impact)	\$200.00
Environmental Exemption Fee:	
This fee is collected with other building permit fees for projects that would otherwise have to go through Environmental Clearance even though preparation of the Environmental Clearance report would be unnecessary.	
For each Residential Dwelling Unit ** Note	\$130.00
For each Commercial/Industrial Building Permit **Note	\$325.00
Developer Requested Conference *Note	\$400.00
Plat Review	\$275.00
Vacation of Plat	\$175.00
Vacation of Easement	\$130.00
Road (Vacation) Closures	\$130.00
Site Plan Review	\$425.00
Special Approval:	
Car Tent Sales Permit	\$500.00
Beverage License Review	\$150.00
Temporary Beverage License (1 to 3 days permit) Review	\$25.00

<b>Amusements:</b>	
Bingo	\$130.00
Bingo – nonprofit – no fee for a temporary permit (1 to 3 days)	\$ 0.00
Carnival	\$325.00
Rodeo	\$200.00
Palm Reading	\$325.00
Zoning/FLUM (Future Land Use Map) Confirmation Letter per property	\$20.00
Boat Dock/Boat House	\$40.00
Permit Review-New Structures	\$65.00
Shed, Carport, Driveway, Slab, Screen Room, Garage, Additions, Swimming Pools, and the like	\$40.00
Form Board, Fence and Seawall	\$20.00
CO (Certificate of Occupancy) Review	\$20.00
Addressing	\$20.00
Exempt from Planning and Zoning review: re-roof, interior remodel with no change in use, window replacement size for size, hurricane shutters, siding, and garage door.	

<b>Nuisance Abatement Fees</b>	
Standard Abatement (\$25.00 per hour)	TBD (To Be Determined)
Noticing, Abatement involving asbestos (cost of the Asbestos Survey includes an additional fee)	
Open Code Violations and/or Lien Confirmation Letter per property	\$20.00
<b>Document or Map Purchases</b>	
Zoning Text	per County policy
Comprehensive Plan (text)	\$35.00
Evaluation & Appraisal Report Document	\$ 125.00
Color Maps (each FLUM or other map)	\$20.00
Blueprint Maps (each FLUM or other map “32 x 32”)	\$ 10.00
Blueprint Maps (each FLUM or other map “24 x 36”)	\$ 5.00
Copies or Xerox charges – one sided	per County policy
Copies or Xerox charges – two sided	per County policy
Computer Discs with information	per County policy
Cassette tape – 90 minutes	per County policy
Computer Disc without information	per County policy
Garage Sale/Yard Sale Permit ***Note	\$ 5.00
<b>Vesting Order Applications</b>	
Single Lots of Record	\$ 175.00
Subdivisions (under 26 units)	\$425.00
Subdivisions (26 or more units)	\$850.00
Commercial & Industrial Property	\$850.00
Appeals (deposit on account)	\$1,625.00



**\*Note:** In an effort to better serve the people, Highlands County Planning and Zoning Staff believe effective communication early in the planning process prevents expensive setbacks later in the process. To this regard, two coordination meetings are available to facilitate effective communication between developer and staff: a pre-application meeting and an application review meeting. It is most beneficial to meet with the Highlands County Planning and Zoning Staff to review a proposal for basic conformity with county land use regulations. The pre-application meeting does well to circumvent routine problems that would otherwise cause delay and added expense. Prior to submitting the application, an application review meeting is also highly recommended to ensure the package is complete and as detailed as possible. There are no fees for the pre-application meeting or the application review meeting. All meetings requested by the developer after the pre-application meeting (excluding the application review meeting) or after an application is submitted qualify as a developer requested conference.

**\*\*Note:** No Environmental Exemption Fee will be collected on building permits to replace existing mobile homes and residential dwellings on their original lot or for constructing accessory in unoccupied structures, or remodeling or adding to existing structures.

Development Agreement Legal Review Fee: Actual cost incurred by the legal review and services rendered by the Board Attorney and/or other law firm or service for this purpose.

**\*\*\*Note:** Garage/Yard Sale Permits to be obtained and paid for at the Tax Collector's Offices.