



City of New Smyrna Beach

Administrative Variance Application

City of New Smyrna Beach
210 Sams Avenue
New Smyrna Beach, Florida 32168
Telephone: 1 (386) 424-2132
Fax: 1 (386) 424-2148

Location

Address: PID Owner:

Planning Application Request

Office Use Only	Request Type <input style="background-color: yellow;" type="text"/>	Planning & Zoning Bd Hearing <input type="text"/>
Tracking No. <input type="text"/>	Case No. <input type="text"/> File Status <input style="background-color: yellow;" type="text"/>	Board of Adjustment Hearing <input type="text"/>
<input type="text"/>	Date Submitted <input type="text"/> Date Closed <input type="text"/>	Accepted By <input style="background-color: yellow;" type="text"/>
<input type="text"/>	Project Name <input type="text"/>	

Applicant Information

Please submit your Application Accurately with ALL required Attachments

Applicant Name <<<<<<< **MUST BE A PERSON**

Home Phone # Business:

Mailing Address Unit

Num Street Name Type Dir

City/State/Zip

City State Zipcode

Owner Name

Mailing Address Unit

Num Street Name Type Dir

City/State/Zip Phone #

City State Zipcode

Request

Zoning District

Subject Property Location Unit

Num Street Name Type Dir

Property Acreage

Notes

Fees

Request Type Fee	<input type="text"/>
Advertisement Fee	<input type="text"/>
Total Fee	<input style="background-color: #cccccc;" type="text"/>
Exempt from Fee	<input type="checkbox"/>

Required Attachments	Payments
----------------------	----------

1. **Completed Application Form**
2. **\$50.00 Application Fee**
3. **Required support documents (see attached)**

No	Date	Amount	Type	Ck #
Balance Due		<input style="background-color: #cccccc;" type="text"/>		

INFORMATION AND DOCUMENTS SUBMITTED ARE COMPLETE AND ACCURATE TO THE BEST OF MY KNOWLEDGE.

Signature of Applicant

Date

Print Applicant Name

Note: Application and all required support documents must be submitted in order for application to be considered complete.



REQUIRED SUPPORT DOCUMENTS

ADMINISTRATIVE VARIANCE

PRE-APPLICATION MEETING

Prior to submitting a variance application package, the property owner(s) or applicant must first meet with the Planning Manager or his/her designee. The purpose of the pre-application meeting is to determine whether a variance could be granted, to acquaint the applicant with the procedures to obtain variance approval and to acquaint staff with the proposed variance request.

REQUIRED SUPPORT DOCUMENTS

- Completed application form
- Application fee
- Survey less than two years old showing existing improvements and proposed activity
- Legal description of the subject property
- Certification from the landowner of record that the applicant has authorization to make application for the requested construction, if applicant is not owner
- Tax ID number of the subject property
- Letter of response from the applicant addressing the following:
 1. Special circumstances exist which are peculiar to the subject property owner's land, structure, or building, and do not generally apply to the neighboring lands, structures, or buildings in the same district or vicinity.
 2. Strict application of the provisions of the *Land Development Regulations* would deprive the subject property owner of reasonable rights commonly applicable to other properties in the same district or may preclude a benefit to the community in general.
 3. The special circumstances and conditions that exist do not result from the direct or indirect actions of the present property owner(s) or past property owner(s). This criterion shall not be satisfied if the present or past property owner(s) created, to any degree, the hardship that is the subject of the variance request.

4. That granting of the variance will not cause substantial detriment to the public welfare or impair the purposes and intent of the *Land Development Regulations*.
5. That granting of the variance will not constitute a grant of special privilege that is denied by the *Land Development Regulations* to other lands, structures or buildings in the same district.
6. The administrative variance request does not exceed 10% of the required setback or other dimensional requirement for which the variance is sought.

SUPPLEMENTARY

1. Financial disadvantages to the property owner shall not constitute conclusive proof of unnecessary hardship within the purpose of zoning.
2. The Planning Manager does not possess the power to grant a variance permitting a use of land or building that is not permitted as a principal use or structure or accessory use or structure, in the district involved.
3. Unless otherwise specified at the time the variance is granted, the variance applies to the subject property and not to the individual who applied. Consequently, the variance is transferable to any future owner of the subject property, but cannot be transferred by the applicant to a different site.
4. A variance applies for an indefinite period of time unless otherwise specified at the time the variance is granted. If an expiration time is designated, the applicant may request one (1) extension of one (1) year from the expiration date.
5. The decision by the Board of Adjustment relating to the application for a variance shall become final fifteen (15) days from the date the Board renders its decision, unless the fifteenth day is a Saturday, Sunday or legal holiday, in which event, the decision of the Board shall become final the next day which is not a Saturday, Sunday, or legal holiday.
6. If the Board of Adjustment has taken action on a petition for a variance, and the applicant fails to obtain approval of the requested variance, the Board shall not consider the same requested variance for a period of one (1) year from the date of such action.

**APPLICATIONS THAT DO NOT CONTAIN ALL REQUIRED SUPPORT DOCUMENTS
WILL NOT BE ACCEPTED.**