





# REQUIRED SUPPORT DOCUMENTS

---

## VARIANCE

### PRE-APPLICATION MEETING

Prior to submitting a variance application package, the property owner(s) or applicant must first meet with a member of the Planning Department staff. 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
- Advertisement fee (please submit payment on separate check)
- Copy of survey showing existing conditions
- Copy of survey showing proposed improvements for which the variance is requested
- Legal description of the subject property
- List of names and addresses of property owners within 150 feet of the subject property. List must be provided by Volusia County Property Appraiser's Office (Request Form is attached to the application)
- 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.

## **SUPPLEMENTARY**

1. Financial disadvantages to the property owner shall not constitute conclusive proof of unnecessary hardship within the purpose of zoning.
2. The Planning and Zoning Board does not possess the power to grant a variance permitting a use of land or building that is not permitted as a principle use or structure of 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 for the expiration date.
5. The decision by the Planning and Zoning Board relating to the application for a variance shall become final fifteen (15) days for 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 Planning and Zoning Board 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.

## **ADDITIONAL INFORMATION – APPLICANTS PLEASE NOTE!**

Advertising fees associated with a variance request covers the cost of advertising in the local newspaper and does not include the cost of notifying property owners within 150 feet of the subject property. The applicant is responsible for notifying property owners within 150 feet of the subject property, by mailing a Notification Letter that is prepared by the Planning Department, by Certified Mail/Return Receipt. All Return Receipts collected are required to be turned into the Planning Department for the case file, either as copies or the originals.

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



**SURROUNDING OWNERS REQUEST FORM**



**Surrounding Property Owners: \$25.00 Pre-Paid Flat Fee (please allow 5 business day for processing)**

**To be completed by Property Owner or Agent:**

**Date of Request:** \_\_\_\_\_

Tax Parcel Number: \_\_\_\_\_

**Check one below:**

- 1. Adjacent only:
- 2. Radius:  Number of feet needed \_\_\_\_\_ (ie 100, 300, 500 ft)

Owner or Agent Name: \_\_\_\_\_

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

Phone Number: \_\_\_\_\_ Email Address (required if information is to be sent in electronic format): \_\_\_\_\_@\_\_\_\_\_

Owner or Agent Signature: \_\_\_\_\_ Date \_\_\_\_\_

**Select Desired Format:**

Printed List (To be pick-up) Certified Printed List Required? (Circle yes if needed) **Yes**

**If picking up a printed list please  office to pick up from:**

- DeLand  New Smyrna Beach  Daytona Beach  Orange City

**OR**

Your selection from one of the electronic formats below. If an electronic format is chosen, it will be emailed to the email address provided above.

- Text (Tab Delimited)
- Excel (.xls)
- Lotus 1-2-3 (.wks)
- Dbase (.dbf)

Please read the disclaimer below and initial. Request will not be processed without customer initials.

**DISCLAIMER: Volusia County Property Appraiser and staff are constantly working to provide and publish the most current and accurate information possible. No warranties, expressed or implied are provided for the data herein, its use, or its interpretation. No responsibility or liability is assumed for inaccuracies or errors. Please govern yourself accordingly.**

**Customer Initials:** \_\_\_\_\_

**Received by Staff:** \_\_\_\_\_ **PA Office:** \_\_\_\_\_ **Paid?** \_\_\_\_\_

**Forward Request to:** Sandy Hulvey, Volusia County Property Appraiser's Office  
123 W. Indiana Avenue, Room 102  
Deland, Florida 32720  
Phone 386-822-5720 or FAX 386-740-5179