



VARIANCE APPLICATION

City of New Port Richey
 Development Department
 City Hall, 5919 Main Street, 1stFloor
 New Port Richey, FL 34652
 Phone (727) 853-1047 * Fax (727) 853-1052

CASE # _____
DRC date(s) _____
LDRB date _____
Council date (if difference between DRC/LDRB action or a sign request greater the 5') _____
Date Received: _____

- Submit one original signed and notarized application
- Submit application fee, \$750 commercial, \$500 Residential, \$750 sign, checks made payable to the *City of New Port Richey*

Property Owner and Representative Information:

Current Property Owner(s):		Phone:
Owner Address		
Owner Email Address:		
Owner's Representative(s):	Relationship to Owner:	
Representative Mailing Address:		
Representative Email Address:	Phone:	
Primary contact: <i>(This is the <u>one</u> person to whom the City will send all communication regarding this application)</i>		

Property Information:

Site Address:		
General Location:		
Size of Site:	Square Feet:	Acres:
Legal Description of Subject Property:		
Parcel Number(s):		
Zoning District: <i>(Planning and Development Department will complete this section):</i>	Future Land Use Category: <i>(Planning and Development Department will complete this section):</i>	
Existing Use and Size: <i>(Existing number of dwelling units or square footage of non-residential uses on the property)</i>		

Proposed Use: <i>(Proposed number of dwelling units or square footage of non-residential uses if different than existing use)</i>		
Does applicant/owner own property contiguous to this site?	Yes	No
If yes, provide address and legal description of contiguous property:		
Has any previous variance or appeal been filed regarding this property?	Yes	No
If yes, state the nature of the application/appeal and outcome:		
Has a Development Order or Certificate of Occupancy been refused?	Yes	No

Submittal Information:

Please submit collated, stapled, folded set of the following information:	
	Completed, notarized application - this form
	Proof of ownership in the form of a copy of the deed, title insurance policy, or other instrument demonstrating ownership
	Current signed and sealed survey of property (if necessary):
	Plot plan/site plan with the following (if necessary):
	North point
	Drawn to scale
	Property dimensions
	All existing and proposed structures and use of each
	Distances between setbacks from all property lines
	Abutting streets and other public easements
	Off-street parking spaces
	Specific variance in terms of horizontal setback (show <u>measurable required</u> setback and <u>proposed</u> setbacks)
	Photographs of existing buildings, structures, signage or other applicable objects on site
	Drawing of proposed signage: dimensions, height square footage and setback (for sign variances only)
	Depth measurement at high and low tide (provide clear photos showing measurements that relate to the subject property) (for dock variances only)
	Drawing of proposed dock on a copy of the survey (for dock variances only)
	Application fee (checks made payable to the City of New Port Richey)

Guidelines For The Granting of Variances:

<p>Please state the specific variance request(s). (Example: <i>Five-foot variance to reduce front setback along Main Street from 25 feet to 20 feet, for a fence</i>)</p>
<p>The following questions must be addressed with supporting argument and/or documentation. A variance is considered to allow the applicant relief from the literal requirements of the ordinance because of an unnecessary hardship. A variance is a relation of the terms of the zoning ordinance where such variance will not be contrary to the public interest and where a literal enforcement of the ordinance would result in unnecessary and undue hardship. Neither the Land Development Review Board nor the City Council is authorized to grant a variance to establish or expand a use that is not permitted in the particular zoning district. Variances to density cannot be granted unless specifically provided for in the Land Development Code. Variances may only be granted for height, area, size of structure, setback, etc.</p>

4. That the literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district, and under the terms of the ordinance would create unnecessary and undue hardships on the applicant (*Is what you want to do something that is regularly done on other properties in the same zoning district and, if so, how does the ordinance prevent you from doing so?*)
5. That the variance granted is the minimum variance that will make it possible the reasonable use of the land, building or structure (*Have you explored all other options to do what you want to do and found that the variance you are seeking is for the least amount necessary?*)
6. That the granting of the variance will be in harmony with the general intent and purpose of the ordinance and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare (*Will what you are proposing have any negative effects on your neighbors or any other property or to public property, and if not why?*)

Process:

A pre-application meeting must be held with City Staff to ensure the application is complete. Applications must be submitted by Friday at 10:00 am, and deemed complete, to be scheduled for review by the Development Review Committee (DRC), which is regularly scheduled on Thursdays. Case reviews are generally scheduled two weeks out from the date of submittal, and your attendance or that of your representative is required. The DRC will review the application for compliance of codes and regulations, and may require additional information, necessitating additional DRC meetings. Following the DRC, the case will be scheduled for review by the Land Development Review Board (LDRB) or City Council.

The hearing process to review this application is considered quasi-judicial and operates much like a court of law. The LDRB and City Council members act in a similar capacity as a judge and must govern themselves in accordance with the basics of due process in making decisions. Contact with any of these members about this application should be avoided. These members have been instructed to avoid all such conversations with applicants or people in opposition to or support of any Variance Application. Decisions will be made based on evidence and testimony that is presented at scheduled public hearings and not on information gathered outside of these hearings.

Attendance at meetings:

The applicant or applicant's representative needs to be present at all meetings including DRC, LDRB and/or City Council. Call Development Department Staff at 727-853-1047 to find out when this case will be scheduled for these meetings.

Authorization to visit the property:

Site visits to the property by City representatives are essential to process this application. The Owner/Applicant, as notarized below, hereby authorizes the City representatives to visit, photograph and post a notice on the property described in this application.

Authorization for owner's representative:

I _____, the **owner**, hereby **authorize**

_____ **to act as my representative(s)** in all matters pertaining to the processing and review of this application, including modifying the project. I agree to be bound by all representations and agreements made by the designated representative.

Signature of Current Property Owner(s): _____

Date: _____

Subscribed and sworn to before me this _____ day of _____, 20_____

who is personally known to me and/or produced _____ as identification.

STATE OF FLORIDA, COUNTY OF PASCO

Notary Public: _____

My Commission Expires: _____

Applicant's Affidavit:

I _____, **the owner or authorized representative**, certify that I have read and understand the contents of this application. The information contained in this application, attached exhibits and other information submitted is complete and in all aspects true and correct, to the best of my knowledge. It is also acknowledged that the filing of this application does not constitute automatic approval of the request and, further, if the request is approved, I will obtain all necessary permits to comply with all applicable orders, codes, conditions, and rules and regulations pertaining to the use of the subject property. (Applications which are filed by corporations must bear the seal of the corporation over the signature of an officer authorized to act on behalf of the corporation.)

Signature of Owner or Authorized Representative: _____

Date: _____

Subscribed and sworn to before me this _____ day of _____, 20_____

who is personally known to me and/or produced _____ as identification.

STATE OF FLORIDA, COUNTY OF PASCO

Notary Public: _____

My Commission Expires: _____