

VARIANCE APPLICATION CHECKLIST



Required Exhibits

Warranty Deed	
Owner's Authorization – If the applicant is not the current owner	
The following information is required and should be indicated on the application itself:	
Complete Legal Description	
Lot Width, Length, Area	
Variance Section #, Section Requirement & Variance Requested	
If more than one variance, identify each on application	
Define reason for Variance request	
Correct Fees	

To be Completed by the City Clerk

Application No.: _____

Date Received: _____

Received by: _____

**CITY OF TITUSVILLE, FLORIDA
APPLICATION FOR VARIANCE
(Chapter 47, Article VII, Land Development Regulations)**

Instructions for filing

1. Use a different application for each request dealing with a separate project site.
2. Include three copies of a plot or site plan, drawn to scale, showing the variance requested. For plans larger than 11" by 17" include **15 copies**.
3. If you already have a legal survey of the property, include **one copy** of the survey with your application.
4. If the application is signed by a person other than the property owner, the owner's authorization form must be signed by the owner and attached.

Applicant's Name: _____ Telephone #: _____

Address: _____

Property Owner's Name: _____ Telephone #: _____

Address: _____

Legal description of property on which variance is requested: Section ____ Township ____ Range ____

Dimensions: Width _____ Length _____ Area (acres) _____

Property Address: _____

Current Zoning: _____ Current use of property: _____

Section No.	Variance(s) Requested Requirement	Variance Requested
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

The reason for this request is:

ACKNOWLEDGEMENT

I am the owner and/or legal representative of the owner of the property described which is the subject of this application. All answers to the questions in said application and all sketches and data attached to and made a part of this application are honest and true to the best of my knowledge and belief. Should this application be granted, I understand that any condition(s) imposed upon the granting of this request shall be binding to the owner, his heirs and successors in title to possession of the subject property. I understand that I must attend all applicable meetings and have been informed of the meeting date(s) and time(s). I understand that if I fail to appear at an applicable meeting, the appropriate Board or Commission may either table or deny the request.

Board of Adjustment & Appeals date: _____ time: _____

Signature of Applicant

Grounds For Granting A Variance

Section 31-51 of the Land Development Regulations of the City of Titusville empowers the Board of Adjustments and Appeals to grant variances to the requirements of the Land Development Regulations and certain other codes and/or ordinances. The Board may grant a variance if, in their opinion, the strict enforcement of these rules would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district. In granting a variance, the Board must consider whether or not the applicant's particular situation meets a certain set of criteria established in Section 47-144 of the Land Development Regulations. These criteria are as follows:

- (a) Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district.
- (b) Special conditions and circumstances do not result from the actions of the applicant.
- (c) Granting the variance requested will not confer upon the applicant any special privilege that is denied by the ordinance to other lands, buildings or structures in the same zoning district.
- (d) The literal interpretation of the provisions of the ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the ordinance.
- (e) The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.
- (f) The granting of the variance will preserve the spirit of the ordinance and remain in harmony with its general purpose and intent.
- (g) In granting the variance, the public safety and welfare must be assured.
- (h) In no case shall the granting of a variance result in a change of use which would not be permitted in that zoning district.

Filing Instructions

- All applications shall require Engineering Services Staff review prior to submittal to the City Clerk's Office.
- All applications shall be submitted to the Engineering Services Department and officially logged in by 4:00 p.m. on the deadline dates attached.
- Incomplete applications and applications without appropriate backup information/justification will not be accepted and will not be considered to be officially submitted until the appropriate information is submitted. Meeting dates for incomplete applications will not be set until all required information is submitted.
- Petitions requiring review from other boards or commissions prior to being forwarded to Board of Adjustments and Appeals (BAA) are not guaranteed placement on the BAA schedule noted above.

**Owner's Authorization For:
Variance Application**

DATE: _____

TO: City of Titusville
Attn: Engineering Services Department
555 S. Washington Avenue
Titusville, FL 32796-3584

RE: _____
(Address and/or Legal Description)

Please accept this document as authorization for _____
Name of Applicant

To apply for a Variance for the property described above.

Owner's Signature

Owner's Name

Street Address

City, State, Zip Code

Telephone Number

State of _____

County of _____

Sworn to and subscribed before me this _____ day of _____.

Form of Identification _____

Notary Public My Commission Expires: _____
(Date)

**Board of Adjustments & Appeals
2009 Application Deadline and Meeting Schedule**

Application Deadline	BAA Meeting
Wed. – December 24, 2008	Wed. – January 28, 2009
Fri. – January 23, 2009	Wed. – February 25, 2009
Fri. – February 27, 2009	Wed. – March 25, 2009
Fri. – March 27, 2009	Wed. – April 29, 2009
Fri. – April 24, 2009	Wed. – May 27, 2009
Fri. – May 22, 2009	Wed. – June 24, 2009
Fri. – June 26, 2009	Wed. – July 29, 2009
Fri. – July 24, 2009	Wed. – August 26, 2009
Fri. – August 21, 2009	Wed. – September 23, 2009
Fri. – September 25, 2009	Wed. – October 28, 2009
Fri. – October 23, 2009	*Wed. – November 25, 2009
Wed. – November 25, 2009	*Wed. – December 23, 2009
Wed. – December 23, 2009	Wed. – January 27, 2010

**Meeting dates subject to change/cancellation due to holidays.*

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**CITY OF TITUSVILLE
ENGINEERING SERVICES DEPARTMENT
FEE SCHEDULE**

*****EFFECTIVE: September 22, 2009 (Res. #40-2009)*****

APPEALS

Appeals from decision of administrative official -	\$450 plus advertisement fee
<i>***Variances and Appeals Advertisement -</i>	\$150 each advertisement

VARIANCES

Single-family and multi-family zoning districts -	\$450 plus advertisement fee
All other zoning districts -	\$750 plus advertisement fee
<i>***Variances and Appeals Advertisement -</i>	\$150 each advertisement
Subsequent items processed at the same time as the first item	\$100 per additional request
<i>***The applicant will be responsible for all re-advertising when an applicant deferral is initiated.</i>	

LAND DEVELOPMENT REVIEW FEES

Class I Improvement Review

Residential – Single Family Lot -	\$100
Non-Residential Lot	\$250
Right-of-Way Reviews -	\$200
Minor Division (maximum 3 lots)	\$500

Class II Site Plan Review

Site Plan Pre-Application Review	\$250.00 plus \$10.00 per Acre
Site Plan Engineering Review	\$1,000.00 plus \$100.00 per Acre
*Site Plan Multifamily Engineering Review	\$1,000.00 plus \$100.00 per Unit
Site Plan Marina Facilities	\$1,000.00 plus \$100.00 per Slip
Late Resubmittal Re-instatement Review	\$500.00 prior to 90 days from delinquent response date. After 90 days new review fees will be required.
Amendments to Approved Site Plans:	
Minor Changes (less than 10%)	\$250.00
Major Changes (greater than 10%)	One-Half (1/2) Original Fee

*A Site Plan Multifamily Engineering Review is a non-plated development such as an apartment or condominium development.

Class II Subdivision Review Fees

Subdivision Pre-Application Review	\$250.00 plus \$10.00 per Acre
Subdivision Sketch Plat Review	\$500.00 plus \$15.00 per Lot
Subdivision Preliminary Plat w/ Engineering	\$2,000.00 plus \$30.00 per Lot
Subdivision Final Plat	\$1,000.00 plus \$20.00 per Lot
Minor Division (maximum 3 lots)	\$1,000.00
Late Resubmittal Reinstatement Fee	\$500.00 prior to 90 days from delinquent response date. After 90 days new review fees will be required.
Amendments to Approved Site Plans:	
Minor Changes (less than 10%)	\$250.00
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**CITY OF TITUSVILLE
ENGINEERING SERVICES DEPARTMENT
FEE SCHEDULE**

*****EFFECTIVE: September 22, 2009 (Res. #40-2009)*****

Landscape Review Fees (Class I and Class II)

Landscape Review Subdivision	\$500.00 plus \$10.00 per Lot
Landscape Review Non-Subdivision	\$500.00 plus \$50.00 per Acre
Single Family Lot Landscape Review	\$75.00
Tree Review Fee (greater than 2 acres)	\$750.00 plus \$75.00 per Acre
Tree Removal Request	\$50.00 plus \$20.00 per Tree

LAND DEVELOPMENT PERMIT FEES

Class I Site Development Permit Fees

Land Alterations/Clearing	\$300.00 plus \$50.00 per Acre
Stormwater Improvements	\$300.00 plus \$10.00 per Acre
Residential Driveway Connection	\$100.00 ea
Commercial Driveway Connection	\$250.00 ea
Parking Lot Restriping/Resurfacing	\$100.00 plus \$2.00 per Stall
Parking Lot New Construction	\$300.00 plus \$5.00 per Stall
ROW – Open Cuts/Directional Drill	\$200.00 ea
Utility Construction	2.5% of Cost (\$100.00 min.)
Road Repairs	\$100.00 plus \$50.00 per L.F.
Sidewalks	\$50.00 plus \$1.00 per L.F.
Single Family Lot Final Inspection	\$100.00
Trash Enclosure	\$250.00 ea
Utility Service Connection	\$100.00 ea

Class II Site Development Permit Fees

Pre-Construction Conference	\$500.00
Subdivision Permits	2.5% of Site Construction Cost
Non-Subdivision Permits	2.5% of Site Construction Cost

Class I and Class II Site Development Miscellaneous Fees

Permit Extension Request	10% of Original Permit Fee (\$50.00 min.)
Expired Permit Reinstatement	35% of Original Permit Fee (\$100.00 min.)
Permit Re-Inspections	\$100.00 ea re-inspection
Permit Transfers	\$100.00 ea
Permit Modifications	\$350.00 ea
Work without a permit	Double Permit Fee
After Hours Inspection Fee	\$100.00 per hour(2 hr. min.)

LAND DEVELOPMENT CLOSEOUT REVIEW FEES

Potable Water Clearance	\$100.00
Sanitary Sewer Clearance	\$100.00
Reclaimed Water Clearance	\$100.00
Stormwater Management Systems Clearance	\$100.00
Utility Service Request	\$100.00
Final Closeout & Site CO Request	\$150.00

**CITY OF TITUSVILLE
ENGINEERING SERVICES DEPARTMENT
FEE SCHEDULE**

*****EFFECTIVE: September 22, 2009 (Res. #40-2009)*****

LAND DEVELOPMENT MISCELLANEOUS FEES

Public Record Recording Fee	\$50.00 plus Brevard County filing charges
Flood Zone Determination/Certification	\$50.00 ea
Maintenance of Traffic (MOT) Plan Review	\$200.00 ea
Special Events Permit	\$100.00 plus \$25.00 per day
Fire Hydrant Flow Test	\$160.00 ea
Force Main Pressure Test (existing tap)	\$140.00 ea
Force Main Pressure Test (new tap)	\$500.00 ea

Note #1: For all permit fees not listed above, the permit fee shall be based on 2.5% of approved site development construction cost but not less than \$100.00. All proposed site development construction cost must be approved by the Administrator.

Note #2: Refunds: A 10% administrative fee will be charged on all refunds requested if the request is within thirty (30) days of payment receipt and no work has been performed or completed. Once work has been started or the request is after the initial thirty (30) day period no refunds will be granted.

Note #3: A surcharge shall be assessed on each permit fee in the amount of 0.3 mil per dollar valuation. Fee to be charged on all permits issued regardless of type, rounded to the nearest cent including fees required under this chapter and the provisions of the Land Development Regulations, Volume II of the Code. The funds generated by the surcharge shall be used exclusively for the training of department personnel and the purchase of technological tools and equipment for the department.