



To be Completed by Staff

Application No. _____

Date Received: _____

Received by: _____

APPLICATION FOR VARIANCE

Please submit electronically a completed application and required submittals to the Community Development Department for payment and meeting scheduling. Chapter 34 of the Titusville Land Development Regulations contains the instructions for filing and the required exhibits. **INCOMPLETE APPLICATIONS SHALL NOT BE ACCEPTED.**

1. Project Location	Property Address/Location Description		
2. Applicant/ Owner	Name of Applicant/Contact		Name of Owner
	Street Address		Street Address
	City	State Zip	City State Zip
	Telephone #		Telephone #
	Fax #		Fax #
	E-Mail Address		E-Mail Address
3. Applicant Status	<input type="checkbox"/> Owner <input type="checkbox"/> Tenant <input type="checkbox"/> Agent <input type="checkbox"/> Other		
4. Parcel ID		Tax Acct.	
5. Site Size	Acres:		Square Feet:
6. Property Information	Current Zoning		Current Use of Property
7. Variance(s) Requested	<i>Section Number</i>	<i>LDR Requirement</i>	<i>Variance Requested</i>
	1)	1)	1)
	2)	2)	2)
	3)	3)	3)
	4)	4)	4)
	5)	5)	5)
8. Narrative	Please provide a brief description of your request and the proposed project: (Please complete justification questions on page 4 of this application)		

All applications shall require Community Development staff review prior to submittal.

- All applications shall be submitted to the Department electronically and officially logged in by 4:00 p.m. on deadline dates. 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 the Board of Adjustments and Appeals (BAA) are not guaranteed placement on the BAA schedule available on the City's website.

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.

This matter is subject to quasi-judicial rules of procedure. Interested parties should limit contact with the City Council, Board of Adjustment & Appeals, and Planning & Zoning Commission on this topic to properly noticed public hearings or to written communication to the City Clerk's Office, City of Titusville, P.O. Box 2806, Titusville, FL 32781

/s/

(Signature*)

(Date)

** By entering your name in the "Signature" box above, you are signing this Application electronically. You agree your electronic signature is the legal equivalent of your manual signature on this Application. By entering your name in the "Signature" box above, you consent to be legally bound by this Application's terms and conditions.*

FOR OFFICE USE ONLY

Date Received: _____
Accepted By: _____
Hearing Date: _____
Case Number: _____

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 34-226 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.



SUBMITTAL CHECKLIST

Please fill out the following and submit the documents to the Community Development Department electronically. Payment of fees does not ensure a favorable decision. Additional information may include documents initially waived at the pre-application meeting but subsequently determined necessary by staff.

1.	Complete Application and Fees
2.	Warranty Deed
3.	Notarized Owner Authorization Form (If applicable)
4.	Legal Description (from a certified survey)
5.	Certified Survey (sealed and containing permanent reference points as described by Chapter 177, Florida Statutes, with bearings, distances and closures) in electronic PDF format.
6.	Digital plot or site plan, drawn to scale, illustrating the variance requested.
7.	Names, addresses and address labels for all property owners within 100 feet of the subject property. <i>Note: This listing is available from either the Brevard County Property Appraiser's Office or the City of Titusville Planning Department. Current charge for this service is \$35.00.</i>
8.	Pre-Application Meeting Held – Date: Staff in Attendance:

Applicant Signature**

Date

/s/ _____

*** By entering your name in the "Signature" box above, you are signing this Application electronically. You agree your electronic signature is the legal equivalent of your manual signature on this Application. By entering your name in the "Signature" box above, you consent to be legally bound by this Application's terms and conditions.*

**Board of Adjustments & Appeals
2020 Application Deadline and Meeting Schedule**

Application Deadline	BAA Meeting
Fri. – December 20, 2019	Wed. – January 29, 2020
Fri. – January 31, 2020	Wed. – February 26, 2020
Fri. – February 28, 2020	Wed. – March 25, 2020
Fri. – March 27, 2020	Wed. – April 29, 2020
Fri. – April 24, 2020	Wed. – May 27, 2020
Fri. – May 29, 2020	Wed. – June 24, 2020
Fri. – June 26, 2020	Wed. – July 29, 2020
Fri. – July 31, 2020	Wed. – August 26, 2020
Fri. – August 28, 2020	Wed. – September 23, 2020
Fri. – September 25, 2020	Wed. – October 28, 2020
Fri. – October 23, 2020	Wed. – November 25, 2020

Filing Instructions

- * All applications shall require Development Services Staff review prior to submittal to the City Clerk's Office.
- * All applications shall be submitted to the Development 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 FORM

Date: _____
To: City of Titusville
Attn: Planning Department
555 S. Washington Avenue
Titusville, FL 32796-3584

This authorization form is for:

- Annexation (ANX)
- Comprehensive Plan Amendment (CPA)
- Conditional Use Permit (CUP)
- Development Agreement (DA)
- Easement Vacation (EAS)
- Master Plan (MP)
- Planned Development (PD)
- Rezoning (REZ)
- Right-of-Way Vacation (ROW)
- Small Scale Amendment (SSA)
- Variance (VAR)

PROJECT DESCRIPTION: _____

PROJECT ADDRESS: _____

Please accept this documentation as authorization for _____
to apply for the above selected request. (Name of Applicant)

Property Owner Signature

Property Owner Name (Please Print)

Street Address

City, State, Zip code

Telephone Number

Please Note: If the property is owned by a corporation, trust, et cetra, documentation must be included with this authorization form to prove the person signing this document has the legal authority to do so. If this documentation is not submitted, the application will not be accepted.

TO BE COMPLETED BY NOTARY

State of: _____

County of: _____

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

Form of Identification _____

Notary Public My Commission Expires: _____
Date



FEE SCHEDULE

(Updated July 1, 2018)

Resolution No. 11-2018

APPEALS

Appeals from decision of administrative official - \$475 plus advertisement fee
****Variances and Appeals Advertisement* - \$150 each advertisement

VARIANCES

Single-family and multi-family zoning districts - \$265 plus advertisement fee
All other zoning districts - \$525 plus advertisement fee
Subsequent items processed at the same time as the first item \$100 per additional request
****Variances and Appeals Advertisement* - \$150 each advertisement
****The applicant will be responsible for all re-advertising fees when an applicant deferral is initiated*

VACATIONS

Vacating rights-of-way, streets and alleys - \$935 plus advertisement fee
****Street Vacations Advertisement* - \$400 total for 2 advertisements

Vacating easement - \$935 plus advertisement fee
****Easement Vacations Advertisement* - \$400 total for 2 advertisements

ANNEXATIONS, CPA's & SSA's

Comprehensive Plan (Map) Amendment (CPA)
Annexation and/or Land Use Change - \$1,575 plus \$8 per acre plus advertisement fee
(Applications may be combined)
****Comprehensive Plan Amendment Advertisement (display ad)* ¹ - \$1,675 total for 2 advertisements
****Annexation Advertisements (display ad)* - \$1,250 total for 2 advertisements

Comprehensive Plan (Text) Amendment - \$735 plus advertisement fee
****Text Change Advertisement (display ad)* - \$1,675 total for 2 advertisements

Small Scale Comprehensive Plan Amendment ¹ (SSA)
Annexation ¹ and/or Land Use Change - \$1,575 plus \$8 per acre plus advertisement fee
(Applications may be combined)
(exclusive of those annexations accompanying water service agreements)
****Small Scale Amendment Advertisement* ¹ - \$200 advertisement fee
****Annexation Advertisements (display ad)* - \$1,250 total for 2 advertisements

ZONING/REZONINGS

Zoning/Rezoning (when not accompanied by a CPA/SSA) - \$1,575 plus \$8 per acre plus
****Zoning/Rezoning Advertisement* ² - \$200 advertisement fee

CONDITIONAL USE PERMITS

Conditional Use Permit (CUP)- \$1,575 plus \$8 per acre plus
****Conditional Use Permit Advertisement* - \$175 advertisement fee

Note #1: In the event that more than one amendment to the City's Comprehensive Plan is considered in a given submittal, the City reserves the right to adjust the advertising costs to reflect any economy realized by advertising more than one request in a single ad. Such adjustments will be at the discretion of the City Manager and will be accomplished in the form of a refund to the applicant after the advertising costs have been incurred. For those properties currently located outside the city limits lying south of Parrish Road, north of Kings Highway/Ranch Road, west of the Indian River, and east of the St. Johns River, the collection of annexation fee, comprehensive plan amendment fee as related to annexation petitions, and associated legal advertising fees shall be waived for all annexations under ten (10) acres or annexations defined as an improved enclave until September 30, 2014 and automatically reinstated on October 1, 2014. The said waiver of fees shall not apply to fees charges to the City by other agencies of Brevard County of annexation related services.