



CITY OF BROOKSVILLE VARIANCE PETITION/CHECKLIST

Petitioner: _____ **Petition#** _____

Address: _____

Phone# _____ **Email:** _____

TO BE PROVIDED BY PETITIONER

___ **Explanation of Requested Variance(s)** (Written by petitioner)

___ **Appointment of Agent** (Use if Petitioner is not landowner and/or the Petitioner has named another party to present or represent the petition to the Planning and Zoning Commission.)

___ **Petition** (Standard form attached)

___ **Pictures** (Optional)

___ **Proof of Ownership** (i.e., Copy of Deed)

___ **Owner or Agent Affidavit** (Standard form attached)

___ **Sketch of adjacent properties located within 150 feet of subject site, including list of addresses for certified mailing.** (Obtain this information from the Property Appraiser's office.)

___ **Sketch of adjacent properties located within 150 feet through 300 feet of subject site, including list of addresses for standard mailing.** (Obtain this information from the Property Appraiser's office.)

___ Site Plan	___ Parcel Plat/Drawing	___ Landscaping	___ Buffer Areas
	___ Parcel Dimensions	___ Streets	___ Parking/Circulation
	___ Building Sizes	___ Setbacks	

___ **Vicinity Map** depicting the general location of the Property.

___ **Notice Sign** provided to the petitioner to be posted within three (3) days after application submittal and maintained through the public hearing date.

REVIEW FEE - \$250.00 (See Resolution 2008-20) \$ _____

CERTIFIED LETTERS (\$1.00 Administrative Cost + Certified/Return Receipt + postage per letter) \$ _____

STANDARD LETTERS (\$1.00 Administrative Cost + postage per letter) \$ _____

Check # _____ Receipt# _____ **TOTAL** \$ _____

ALL ADVERTISED PUBLIC HEARING NOTICES ARE PAID BY THE PETITIONER. (Newspaper bills petitioner directly)

RECORDING FEES TO BE DETERMINED AFTER APPROVAL/DENIAL OF SUBJECT PETITION.

Petitioner's Portion Complete Planning and Zoning Commission Meeting Date: _____

Reviewed for sufficiency completed by: _____ Date: _____

NOTE: The Variance review process is a land use determination which does not constitute a permit for either construction on or use of the property. Nor is the action considered a Certificate of Concurrency. Prior to use of or construction on the property, the petitioner must receive approvals from the appropriate City Departments and/or other governmental agencies that may have regulatory authority over the proposed use/development.

The granting of a land use determination does not protect the owner from civil liability for recorded deed restrictions which may exceed City land use ordinances. Homeowner's associations or architectural review committees may require submission of plans for their review and approval. The applicant for this land use request should contact the local association (if there is one) and review the Public Records for all restrictions that may be applicable to this property.

CRITERIA FOR VARIANCE APPROVAL

The granting of a variance requires that the Planning and Zoning Commission make the following specific findings:

- That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other land, structures or buildings in the same Zoning District,
- That such special conditions and circumstances did not result from the action or negligence of the applicant,
- That granting the variance requested will not confer upon the applicant any special privileges denied by this Code to other lands, buildings or structures in the same Zoning District,
- That literal interpretation of the provisions of the Code would deprive the applicant of rights commonly enjoyed by other properties in this same Zoning District under the terms of this Code and would work unnecessary and undue hardship on the applicant,
- That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure, and
- That the granting of the variance will be in harmony with the general intent and purpose of this Code and that such variance will not interfere with the rights of or be injurious to others or otherwise detrimental to the public interest or welfare.

APPEALS OF PLANNING AND ZONING COMMISSION DECISIONS

The decision of the Planning and Zoning Commission is final. The Planning and Zoning Commission's decision may be challenged by any person with standing under State law by petition for writ of certiorari to the circuit court.

CITY OF BROOKSVILLE VARIANCE PETITION
Application for Public Hearing

Date: _____

Print or Type all information. If you need any assistance, call the Community Development Department at (352) 544-3810.

APPLICANT:		
Mailing Address: _____		
Daytime Telephone: _____	FAX No: _____	E-Mail Address: _____
REPRESENTATIVE:		
Mailing Address: _____		
Daytime Telephone: _____	FAX No: _____	E-Mail Address: _____
PUBLIC CONTACT PERSON:		
Daytime Telephone: _____	FAX No: _____	E-Mail Address: _____
Will Expert Witness be utilized during the public hearings?		
Legal Description: Write below the complete legal description of the property. Include Section, Township and Range; and if applicable, Subdivision Name, Lot, Block, and Unit Number. Attach additional sheet if necessary.		
Size of Area Covered by Application:		
Highway and Street Boundaries:		
Current Zoning Classification:		
Variance Requested:		
Has a public hearing been held on this property within the past twelve months?		
ACKNOWLEDGMENT		
This acknowledgment must be signed in the presence of a Notary Public.		
I, _____, hereby state and affirm that all information submitted within this petition is in all respects true and correct to the best of my knowledge and belief and that:		
<input type="checkbox"/> I am the owner of the property covered under this application.		
<input type="checkbox"/> I am the legal representative of the owner or lessee of the property described, which is the subject matter of this application.		
_____ Signature of Applicant or Representative		
STATE OF FLORIDA		
COUNTY OF HERNANDO		
The foregoing instrument was acknowledged before me this _____ day of _____, 20____, by _____ who is personally known to me or who has produced _____ as identification.		
_____ Signature of Notary Public		_____ Notary Seal/Stamp

APPOINTMENT OF AGENT

**CITY OF BROOKSVILLE
COUNTY OF HERNANDO
STATE OF FLORIDA**

I, _____, the owner(s) in fee simple of the below described real property hereby appoint _____ as my (our) agent to file required petitions, sign required documents, make representations as to issues of fact and to appear, as may be necessary, before the appropriate City of Brooksville authority. My agent shall also have the authority to commit myself as owner to the necessary future performance conditions as may be directed by the appropriate City authority as a condition of granting my petition.

(Insert Legal Description Below)

Dated: _____

Signed in the presence of:

WITNESSES:

LANDOWNER(S):

Signature _____
Print Name _____

OWNER OR AGENT AFFIDAVIT

**CITY OF BROOKSVILLE
COUNTY OF HERNANDO
STATE OF FLORIDA**

I, _____, being duly sworn, hereby depose and say _____ is the owner of the herein described property to-wit:

(Insert Legal Description Below)

Signature _____ Print Name _____ Date _____