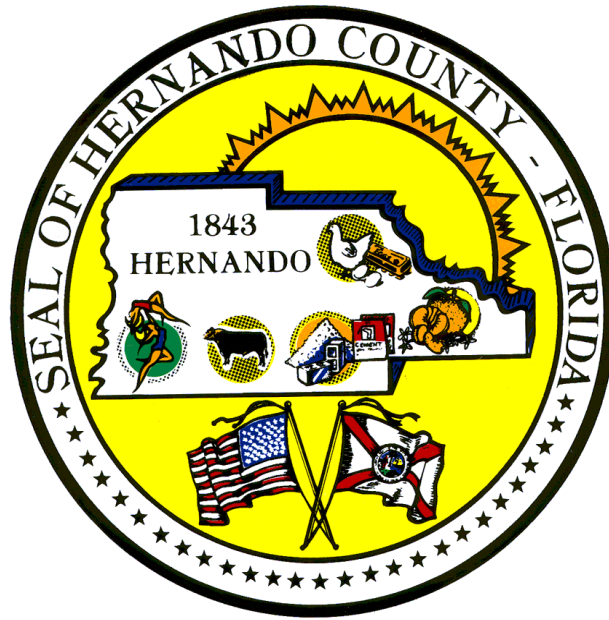


# **Hernando County Development Department**

## **Variance Appeal Application**



**Main Office  
789 Providence Blvd  
Brooksville, FL 34601  
352- 754-4050  
FAX 352-754-4416**

## INSTRUCTIONS FOR APPEALS FOR DIMENSIONAL VARIANCES

### Variance Appeal Application Fee \$250.00

- A. Each appeal for dimensional variance shall be typewritten or neatly printed and shall contain or include the following:
1. One (1) original and one (1) copy of the completed "VARIANCE APPEAL" application. (pages 3 & 4 attached)
  2. One (1) copy Proof of Ownership (copy of Deed or Contract for Sale). If the property is under contract for sale contingent upon this hearing, a copy of the deed of the present owner must be supplied.
  3. Owner/agent affidavit. (page 5 attached)
  4. Representative for petitioner needs a notarized letter of authorization from the owner.
  5. Two (2) copies of a site plan, meeting at a minimum the following requirements:
    - a. Building and parking size and location, existing and proposed;
    - b. Setbacks from property lines of all buildings, existing and proposed;
    - c. All existing and proposed adjacent streets, alleys, and other public ways;
    - d. The site data shall be drawn accurately, neatly and to scale.
- NOTE: SITE PLAN CAN BE NO LARGER THAN 11" X 17".**
6. One (1) copy of a sketch showing all property owners within 250 feet of the boundaries of the property covered by this application.
  7. One (1) copy of a list of the names and addresses of all property owners within 250 feet of the boundaries of the property covered by this application.
- NOTE: Sketch and list must be obtained from the county's current tax roll (contact Hernando County Property Appraiser's Office, phone 754-4190), or a current record search may be performed by a title company.**
8. Fee of \$250.00, payable in cash or by check to Hernando County Development Department.
  9. One (1) copy of a written narrative describing the requested variance. The narrative should indicate that a literal enforcement of the provisions of the ordinance would cause undue hardship to the petitioner (see page 6 attached).
  10. Acknowledgment of Conditions (page 7 attached).
  11. One (1) sealed survey, if any structures exist on the property which are being considered for a variance.
- B. Withdrawal of applications shall be in writing and at least five (5) days prior to the scheduled hearing. No refunds of fees will be issued.

C. **Legal Notice:**

1. The Development Department, after setting a date for the Public Hearing, will type the required legal notice and deliver the notice to a local newspaper of general circulation.

D. **Mailing Notice:**

1. The Development Department shall mail a notice of the upcoming public hearing to all owners of property within 250 feet of the boundaries of the property covered in the application.

E. **Required Posting of Sign:**

1. The petitioner shall post the property, for which the application has been made, with a sign supplied by the Development Department. The sign shall be posted at least fifteen (15) days prior to the meeting.
2. After posting the sign, the petitioner will sign an affidavit certifying he has met the requirements of Item 1 above.
3. The sign is to remain posted on the property until after the scheduled hearing before the Board of County Commissioners.
4. The sign posting affidavit shall be delivered to the Development Department at least seven (7) days prior to the scheduled hearing date.

When all requirements have been met, the petition will be presented to the Board of County Commissioners for action. The Board of County Commissioners has final authority for granting or denying all requests for dimensional variances.

Failure to meet any of the requirements is grounds for denial of the request.

# VARIANCE APPEAL

## APPLICATION FOR PUBLIC HEARING BY HERNANDO COUNTY BOARD OF COUNTY COMMISSIONERS

**This application must be completed and returned, with all exhibits and other items listed on page 1 of the instruction sheet, to this office before advertisement may be made for a public hearing. Bear in mind that the variance requested must be justified and the mere filing of the application or appearance at the public hearing does not assure approval of said application. The applicant is required to appear in person or by agent at the public hearing.**

**Are any other applications pending?** (rezoning, conditional use, special exception, vacation of right-of-way, etc.)    ~ Yes        ~ No

If yes, please indicate type of application \_\_\_\_\_

DATE \_\_\_\_\_

1. Name of applicant (print) \_\_\_\_\_

Mailing Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_ Phone \_\_\_\_\_

2. Legal description of property covered by this application \_\_\_\_\_

\_\_\_\_\_

Section \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_

3. Size of property covered by this application \_\_\_\_\_

4. Highway and street boundaries \_\_\_\_\_

5. Zoning district classification \_\_\_\_\_

6. Variance being requested \_\_\_\_\_

**The undersigned understands this application and all other applicable items listed on page 1 of the instruction sheet must be submitted completely and accurately before a hearing can be advertised.**

SIGNATURE \_\_\_\_\_

# VARIANCE APPEAL

## APPLICATION FOR PUBLIC HEARING BY HERNANDO COUNTY BOARD OF COUNTY COMMISSIONERS

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**The undersigned understands this application and all other applicable items listed on page 1 of the instruction sheet must be submitted completely and accurately before a hearing can be advertised.**

SIGNATURE \_\_\_\_\_

**AFFIDAVIT**

State of \_\_\_\_\_ County of \_\_\_\_\_

I, \_\_\_\_\_, hereby acknowledge that:

” (I am the Owner)

” (I am the legal representative of the owner) of the property described, which is the subject matter of this application; that all the answers to the questions in said application, all sketches and data attached to and made a part of this application, and all information given verbally at any public hearings involving this petition are honest and true to the best of my knowledge and belief.

\_\_\_\_\_  
Signature

Print Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

STATE OF FLORIDA  
COUNTY OF HERNANDO

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_\_\_ by \_\_\_\_\_, who is personally known to me or who has produced \_\_\_\_\_ as identification.

\_\_\_\_\_  
Signature of Notary

\_\_\_\_\_  
Print, Type, or Stamp Commissioned  
Name of Notary Public  
NOTARY PUBLIC, STATE OF FLORIDA

## INFORMATION SHEET

The following is a reprint of a portion of Hernando County Code of Ordinances, Appendix A, Article V, Section 3. This section describes the rules under which the Governing Body must act in granting a variance.

A. Authority of the Governing Body.

(2) The Governing Body may authorize upon appeal a variance from the terms of the ordinance that will not be contrary to the public interest when due to special conditions, a literal enforcement of the provisions of the ordinance would result in unnecessary and undue hardship. In order to authorize any variance from the terms of the ordinance, the Governing Body shall consider:

- a. That 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. That the special conditions and circumstances do not result from the actions of the applicant;
- c. That granting the variance requested will not confer on the applicant any special privilege that is denied by this ordinance to other lands, buildings, or structures in the same zoning district;
- d. That 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 and would work unnecessary and undue hardship on the applicant;
- e. That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure;
- f. That the granting of the variance will be in harmony with the general intent and purpose of the Land Development Regulations and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

(3) The Governing Body may prescribe appropriate conditions and safeguards in conformity with the Land Development Regulations. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of the ordinance.

(4) The Governing Body may prescribe a reasonable time limit within which the action for which the variance is required shall be begun or completed or both.

D. Variations:

(3) A variance shall not be granted to allow a use not otherwise permitted in the zoning district.

## ACKNOWLEDGMENT OF CONDITIONS

I have reviewed the information sheet regarding Appendix A, Article V, Section 3 of the Hernando County Code of Ordinances, and understand the conditions that are required in order to receive authorization for a variance appeal.

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Owner/Legal Representative



# Hernando County Government PDF Fill-in Forms Instructions



## Overview


Hernando County fill-in forms use the features provided with Acrobat 4.0 products. Currently, there is no computation, validation or verification of the information you enter and you are still responsible for entering all required information (instructions may require some information to be handwritten on the form).

## Software Requirements


To view, complete and print Hernando County fill-in forms you'll need the freely available Acrobat 4.0 Reader (or later) software installed on your computer. **Important Note: Acrobat Reader does not allow you to save your completed forms to disk.** (The ability to save completed forms is available commercially with the Adobe Acrobat 3.0 (or later) product suite.)

## Completing the Form



- Select the hand tool  from the Acrobat toolbar menu. You can use the hand tool to move the page around so that you can view all the areas on it.
- Position the hand pointer inside a form field and click. The "I-beam" pointer allows you to type text. The arrow pointer allows you to select a field, a check box, a radio button, or an item from a list.
- Press Tab to accept the field change and go to the next field.
- Multi-line fields require you to press Enter (or Return) to progress to the next line. When you've completed the field, press Tab to proceed to the next field.
- To Go Back to the previous field, press Shift + Tab to accept the current field change and go to the previous field.
- Some check box fields require you to click on the box or press Enter to produce a check mark. (Not all check boxes are formatted like this, some require just a typed "X")

## Printing the Form

- Use your mouse to select an area of the form that is not inside a form field, before printing your form. If a form field is active (contains the blinking bar) the contents will not print.
- If the fill-in form is displayed within your web browsers' window be sure to use the printer button  on the Acrobat toolbar menu to print the form instead of your web browsers print function.
- **Reminder: The Acrobat Reader does not allow you to save your filled-in form to disk. Your only permanent record of the filled in form will be your printout.** Therefore, do not close the program until you are sure the printout is acceptable and you've printed all the copies you'll need.

