



## VARIANCE PROCEDURES

104 N. Riverside Drive

Edgewater, FL 32132

[planning@cityofedgewater.org](mailto:planning@cityofedgewater.org)

(386) 424-2400 ext. 1502

### **The following is not all inclusive; it is the applicant's responsibility to ensure compliance with all applicable codes.**

1. Non-administrative variances are approved/denied by the Planning & Zoning Board (P&ZB).
2. A non-administrative variance application shall be completed by the applicant and submitted to the Development Services Department with appropriate fees.
3. Proposed Use – please describe proposed construction/use, i.e., size of structure, type of structure
4. Description of request – please describe the exact variance you are requesting, i.e., type of construction or structure, distance from property line, height of building/fence, etc.
5. Explanation of hardship – please detail why the variance is needed, i.e., why the proposed development cannot meet the requirements in the Land Development Code.
6. Upon receipt of the completed application, the Development Services Department shall forward the application for review by the Technical Review Committee and provide a staff report and recommendation to the P&ZB.
7. Staff may visit the property to take photos for inclusion in the P&ZB agenda.
8. Approximately 10-days prior to the P&ZB meeting Staff will send notice of the request to adjacent property owners, the applicant/owner will receive a copy of said notice.
9. Approximately 10-days prior the P&ZB meeting staff will post a notice of the public hearing on the property; this notice must remain until after the hearing at which time the applicant/or property owner can remove the notice.
10. The Friday before the meeting Staff will email a copy of the agenda to the applicant/owner.
11. The P&ZB may prescribe appropriate conditions for any variance and may prescribe a time limit for application of the variance.
12. Expiration - Unless specifically stated otherwise, a variance shall expire two (2) years after final action, unless a building permit or certificate of occupancy has been issued.
13. Appeals - Appeals of P&ZB variance decisions shall be made to the City Council within fifteen (15) days of the P&ZB decision in a manner and form required by the City Council. If the variance is approved and no appeal is filed an Order of Variance will then be issued.
14. The issuance of an Order of Variance does not authorize construction; a building permit must be applied for and issued prior to any development.

**For additional information or questions please contact the Development Services, Planning Division**



5. Is the proposed action the minimum action available to **permit reasonable use** of the property?  
 Yes  No Please explain\_\_\_\_\_

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6. Are the physical characteristics of the subject site unique and not present on adjacent sites?  
 Yes  No Please explain\_\_\_\_\_

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7. Are the circumstances creating the need for the variance the result of actions by the applicant or actions proposed by the applicant?  Yes  No Please explain\_\_\_\_\_

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8. Will the granting of the proposed variance cause substantial detriment to the public welfare or impair the purposes and intent of the Land Development Code?  Yes  No Please explain\_\_\_\_\_

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**AGREEMENT FOR CONSULTANT, ENGINEERING, PLANNING, ENVIRONMENTAL, LEGAL, ADVERTISING COSTS & ON-SITE INSPECTIONS**

The City of Edgewater contracts for certain consultant, engineering, planning, environmental and legal services related to its review of development projects. All fees charged by any such consultant, engineering, planning, environmental, on-site inspections and/or legal service providers are required to be paid by the **owner/applicant**. In addition, the **owner/applicant** is required to pay all advertising and recording costs in connection with application submitted by the undersigned.

The undersigned agrees that it shall be liable to the City for one hundred percent (100%) of the actual costs, both direct and indirect, of coordinating and reviewing the application submitted by the undersigned, including, but not limited to, the following:

- Engineering Review and Approval Fees*
- Planning Consultant Fees*
- On Site Inspection and Approval Fees*
- Legal Fees*
- Advertising Costs*
- Recording Costs*

The owner/applicant does hereby acknowledge that on-site inspections by City staff, consultants, elected and appointed officials are permitted on said property.

The undersigned agrees to pay the above-referenced fees within thirty (30) days of receipt of an invoice for same and further agrees to pay to the City interest on the unpaid balance at the rate of one percent (1%) per month for any fees not remitted within thirty (30) days of receipt of an invoice for same. No site inspections, Development Order or Certificates of Occupancy will be issued until all of the above-referenced fees are paid in full.

**OWNER/APPLICANT:**

\_\_\_\_\_  
Owner Signature Title

\_\_\_\_\_  
Print Name Date