



Town of Dundee

135 Main St PO Box 1000 Dundee, Florida 33838 (863) 419-3114 Fax (863) 419-3186

APPLICATION FOR VARIANCE

Applicant

The following information is required for submission of an application for a Variance consideration by The Town of Dundee Board of Adjustments.

Please print or type the required information below.

Name of Property Owner: _____

Mailing Address: _____ Phone: _____

Name of Representative, if applicable: _____

Mailing Address: _____ Phone: _____

Property Identification

Property Address or General Location: _____

Present Use of the Property: _____

Existing Structures Located on the Site: _____

Total Acreage: _____ Number of Residents on Site: _____

Assessed Property Value: _____ Taxable Value: _____

Legal Description of the Property: _____

Section: _____ Township: _____ Range: _____

Subdivision: _____ Parcel I.D.#: _____

Planning and Zoning Information

Current Zoning District Classification: _____

Variance requested: _____

A statement substantiating the need and justification for the approval of Variance use sought relative to the development and/or improvement of the Town: _____

(Please use an additional sheet of paper to complete this portion of your application)

Signature of Applicant: _____

Print Name: _____ **Date:** _____

FILE #: _____ **Date Paid:** _____ **Fee Paid:** _____

Check #: _____ **Receipt #:** _____

Definition of a Variance

Article 9 of the Town of Dundee Land Development Code includes the following definition for variance:

“A variance is a relaxation of the terms of this zoning ordinance where said variance will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the actions of the petitioner or applicant, a literal enforcement of the requirements of this ordinance would result in unnecessary and undue hardship on the land. A variance is authorized only for height, area, and size of structure or size of yards in open spaces. Establishment or expansion of a use otherwise prohibited or not permitted shall not be allowed by variance; nor shall a variance be granted because of the presence of nonconformities in the zoning classification or district or adjoining zoning classifications or districts.”

Criteria for Granting a Variance

The granting of a variance shall be based on a determination by the board of adjustment that the request will not be contrary to the public interest and the intent of this code, and that strict enforcement of the regulation in question would create an undue and unnecessary hardship for the applicant. Considerations of health, convenience or economics shall not be considered as justification for a variance. Approval of a variance shall be based solely on the following criteria, **all of which** must be fully satisfied.

Please explain how your request satisfies these criteria.

1. Special conditions and circumstances exist which are peculiar to the land or structure involved and which are not applicable to other lands or structures in the same land use classification. *(Example: There is a sinkhole on part of the property)*

2. The special conditions and circumstances do not result from the actions of the applicant. *(Example: The property was a nonconforming lot of record when the applicant purchased it.)*

3. The requested variance, if approved, will not confer on the applicant any special privilege that is denied by the provisions of this code to other lands or structures in the same land use classification. *(Example: Allowing a three-story structure in a zone that only allows for two-story structures would confer a special privilege on the applicant)*

- 4. Literal interpretation of the provisions of this code would deprive the applicant of rights commonly enjoyed by other properties in the identical land use classification and will constitute an unnecessary and undue hardship on the applicant. *(Example: Forcing setbacks on a parcel with a wetland so that the applicant cannot build their house)*

- 5. That the variance granted is the minimum variance that will make possible a reasonable use of the land or structure. *(Example: If a 5-foot variance to a setback will allow the homeowner to build, then a 10 foot variance will not be granted)*

- 6. That the granting of the variance will be in harmony with the general intent of this code, and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare. *(Example: Allowing a 5 foot variance to the front setback is in harmony with the general intent of setbacks and will not cause injury to the area or be detrimental to the public welfare.)*

By signing this form, I confirm the following:

- The statements above are true and accurate to the best of my knowledge
- I understand that the Board of Adjustments may not approve my request
- I understand that the application fee is non-refundable.

Signature of Applicant: _____

Print Name: _____

Date: _____

OWNER'S SIGNATURE PAGE

(I) (We), _____ being duly sworn, depose and say that (I) (we) own one or more of the properties involved in this petition and that (I) (we) authorize the Town of Dundee to process this petition for Variance, in accordance with all adopted Town rules and regulations, and in conformance with State law.

Further (I) (we) or any agent or lessee of the subject property authorized by (me) (us) to file this petition, deposes and say that the statements and answers contained in the application and any information attached thereto, present the arguments in behalf of this petition to the best of (my) (our) ability; and that the statements and information referred to above are in all respects true and correct to the best of (my) (our) knowledge and belief.

OWNERS

Signature of Owner

Printed Name of Owner

Signature of Owner

Printed Name of Owner

Signature of Owner

Printed Name of Owner

Signature of Owner

Printed Name of Owner

STATE OF FLORIDA
COUNTY OF POLK

OWNER'S NOTARIZATION

The foregoing instrument was acknowledged before me this ___ day of _____, 20___, by _____, who is personally known to me or who has produced a driver's license as identification and who did not take an oath.

Notary Public
Notarial Seal and Commission
Expiration Date

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AGENT, LESSEE, OR BUYER'S SIGNATURE PAGE

(I) (We), _____ being
duly sworn, depose and say that (I) (we) serve as _____ for the owner(s)
(agent or lessee)
in making this petition and that the owner(s) (has) (have) authorized (me) (us) to act in this
capacity.

Further, (I) (we) depose and say that the statements and answers herein contained and other
information attached hereto present the arguments on behalf of the petition herein requested to
the best of (my) (our) ability and that the statements and information above referred to are in all
respects true and correct to the best of (my) (our) knowledge and belief.

AGENT, LESSEE, OR BUYER(S)

Signature of Agent, Lessee, or Buyer(s)

Printed Name of Agent, Lessee, or Buyer(s)

Signature of Agent, Lessee, or Buyer(s)

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STATE OF FLORIDA
COUNTY OF POLK

AGENT, LESSEE, OR BUYER(S) NOTARIZATION

The foregoing instrument was acknowledged before me this ____ day of _____,
20____, by _____, who is personally known
to me or who has produced a driver's license as identification and who did not take an oath.

Notary Public
Notarial Seal and Commission
Expiration Date