

City of Tampa
Planning and Development Department

Land Development Coordination

VARIANCE REVIEW BOARD APPLICATION

This process requires public notice, sign posting and a public hearing before the Variance Review Board.

Please read the application thoroughly and respond to all questions. This is your opportunity, as well as the public hearing, to convince the Board that you meet the criteria to be granted a variance.

Staff cannot fill out the paperwork for you. Staff can guide you through the process, but cannot tell you how to write the responses to the hardship criteria on Exhibit A-1.

Variance Review Board Application Important Information

Please Read All Instructions Before Completing and Submitting the Application

****INCOMPLETE APPLICATIONS CANNOT BE ACCEPTED OR PROCESSED.**
Please do not ask staff to accept incomplete applications**

A complete application will consist of Exhibits A and A-1, (if applicable) and a legible site plan drawn to scale or dimensioned.

The Variance Review Board meets the second Tuesday of the month, unless there is a holiday.

Do not drop off an application without seeing a staff member.

Staff cannot fill out the paperwork for you. Staff can guide you through the process, but cannot tell you how to write the responses to the hardship criteria on Exhibit A-1.

Parts of the application must be notarized. Please do not sign the application unless you are in front of a notary.

Your site plan must be clear as to the request and must show all trees within 20' of the property.

Please **do not** email information such as the pictures of the signs to staff. Please either submit hard copies or upload the documents into the Accela system.

Please read the Public Hearing Checklist at the end of the application. It is a summary sheet on how to do notice. Notice is required to be done no less than thirty days before the hearing. The notice deadline is on a Sunday, so please do not wait until the last day to do notice. Notice must be turned in no later than 15 days prior to the hearing. If it is not, your case will be moved to another agenda and you will need to do notice for the new hearing.

When getting the list from the Hillsborough County Property Appraiser's office, don't forget the dated map which will show your property and the properties within 250'. This must be submitted as part of your notice requirements. Be specific as to the request. The Variance Review Board will review the submitted site plan, which must be clearly stated on the application, site plan and mailed notice (Exhibit B). For example, the request must be "To reduce the side yard from 7' to 4' for the construction of a residential addition", not "side yard to 4'". The latter is considered a missed notice and will result in a delay of your hearing.

The mailed notice is done via certificate of mail, not certified mail.

Don't forget your participating organization.

The sign must be completed and posted in a conspicuous place in front of the property where it is easily seen.



**PLANNING AND DEVELOPMENT
LAND DEVELOPMENT COORDINATION
CITY OF TAMPA
INSTRUCTIONS FOR VARIANCE APPLICATION**

****INCOMPLETE APPLICATIONS CANNOT BE ACCEPTED OR PROCESSED.****

****Please do not ask staff to accept incomplete applications****

To submit a variance application, Exhibits A, A-1, D (if applicable), Public Hearing Notice Checklist and a legible site plan showing all trees on the subject property and within 20 feet of the property must be submitted.

PLEASE READ INSTRUCTIONS THOROUGHLY

Note: *Please be aware that these guidelines are intended only as a guide to assist you in submitting your Variance Review Board (VRB) application. These guidelines are derived from Chapter 27 of the City Code and City of Tampa policies. Please refer to the Code or contact staff for any concerns or clarifications regarding these guidelines.*

I. PREAPPLICATION COUNSELING

Prior to submittal of an application, it is *recommended* that the applicant schedule a conference with a staff member from the Land Development Coordination Division of the Planning and Development Department (phone: 813-274-3100). The purpose of the conference is to advise the applicant regarding the review standards and process for the application. **Staff is NOT PERMITTED to advise you how to answer the questions for the Hardship Criteria required for approval.** The office is located at 1400 North Boulevard and office hours are from 8 AM to 4:30 PM, Monday through Friday.

II. MINIMUM REQUIREMENTS FOR APPLICATION

ALL FORMS MUST BE TYPEWRITTEN OR **NEATLY** PRINTED, UNLESS OTHERWISE NOTED
Exhibits A, A-1 and D, and the required site plan, must be completed and submitted at time of application.

VARIANCE APPLICATION FEES

\$416.50 for general and wetland setback variance requests
or

\$834.50 for requests made as a result of a citation from either Inspectional Services Division or Code Enforcement or as a result of work performed without permits

Application Fee can be paid by either money order, cashier's check, business check or credit card.
PERSONAL CHECKS and CASH ARE NOT ACCEPTED.

III. SUBMITTAL OF AN APPLICATION:

The applicant package shall be submitted to:
Land Development Coordination Division
1400 North Boulevard
Tampa, Florida 33607
(813) 274-3100

IV. SCHEDULING OF APPLICATIONS:

The Land Development Coordination Division (LDC) will assign a public hearing date at time of submittal. Please note that the Board limits itself to ten cases per month and that the deadline is usually six weeks prior to the hearing. Please schedule your variance needs accordingly. Staff does not have the authority to exceed the ten cases established by the Board.

V. NOTIFICATION OF PUBLIC HEARING

All notice must be done in accordance with Section 27-149 of the City of Tampa Code of Ordinances. Please note that the list received from the Hillsborough County Property Appraiser cannot be produced more than six (6) months prior to the date of the filing for the pending application.

Please see the summary sheet, which is part of the application and which must be signed by the applicant or agent. A copy will be provided to you for assistance in completing the notice requirements correctly.

Notice must be done at least thirty days prior to the hearing and proof of notice returned at least 15 days prior to the hearing.

Notice must be specific and descriptive. For example, a side yard on Exhibit B should state "Reduce the side yard from 7' to 4' for the construction of a residential addition", not "Reduce side yard". The latter will be considered a missed notice and you will need to redo notice and may need to be heard at a later hearing.

SITE PLAN REQUIREMENTS

An application for a variance requires submittal of a site plan. Only **one** copy of the site plan is required.

The variance request will be evaluated based on the appropriateness of the site plan in regards the requirements of Chapter 27. If the variance is granted, the Site Plan will be **binding** upon the owner and his successors in title. Development of the property shall only occur in strict conformance with the approved site plan. Any proposed changes to the approved site plan should be discussed with the Land Development Coordination Division to determine whether the proposed change requires additional approval by the Variance Review Board.

Prior to submittal of the Variance Application, the Land Development Coordination Division recommends that the applicant discuss the site plan with the City personnel, especially a representative of the Building Department. This discussion will serve to guide the applicant in preparing his site plan; however, the applicant remains responsible for compliance with all applicable City Codes.

EXISTING CONDITIONS and PROPOSED IMPROVEMENTS

1. Approximate location, size, and type of existing trees, water bodies, vegetation and other significant natural features both on the property and within 20' of the property.
2. Name and location of all existing street and alley rights-of-way.
3. Location, size and height of all existing and proposed buildings or additions.
4. Proposed or existing building setbacks.

Application for Variance - Variance Review Board

Print Form

City of Tampa
Land Development Coordination
1400 North Boulevard
Tampa, FL 33607
(813) 274-3100



Date Rec'd: _____ Rec'd By: _____
Application Number: _____
Tentative PH Date & Time: _____
Other Applications on File: _____
Current Zoning District: _____

EXHIBIT A

PROPERTY OWNER'S INFORMATION

Name(s): _____
Address: _____
City: _____
State: _____ Zip Code: _____
Phone Number: _____
email address: _____

APPLICANT'S INFORMATION

Name(s): _____
Address: _____
City: _____
State: _____ Zip Code: _____
Phone Number: _____
email address: _____

AGENT/CONTACT

Name(s): _____
Address: _____
City: _____ State: _____ Zip Code: _____
Phone Number: _____ email address: _____

PARCEL INFORMATION

Location Address (List all): _____
Folio Number(s) (List all): _____

Variance Requested
(Be specific as the
dimensions):

Please check the Plat, Survey, Title Policy and all other documentation relating to your property prior to design and construction. The City of Tampa and its staff **DO NOT** review for compliance with individual private deed restrictions and covenants during permit review. The issuance of a building permit by the City of Tampa signifies that the project is in compliance with the zoning codes of the City of Tampa and City of Tampa and Florida building code. The issuance of a building permit **DOES NOT** insure compliance with private deed restrictions or covenants.

Proposed Work:
(What is being built
because of the
request.)

Application for Variance - Variance Review Board

Application Number: _____

City of Tampa
Land Development Coordination
1400 North Boulevard
Tampa, FL 33607
(813) 274-3100



EXHIBIT A-1

STATEMENT OF HARDSHIP

The following information is provided to establish that the requested variance meets the hardship criteria as stated in Chapter 27 of the City of Tampa Code of Ordinances.

The Variance Review Board shall only be authorized to grant variances in cases where the VRB expressly finds that the applicant has demonstrated practical difficulties or unnecessary hardships and that the request ensures the public health, safety and general welfare are protected. When reviewing a variance application, the VRB shall base its decision on substantial competent evidence in the official record and shall consider the following criteria:

- (1) The alleged hardships or practical difficulties are unique and singular with respect to the property, or with respect to a structure or building thereon, and are not those suffered in common with other properties, structures, or buildings similarly located.
- (2) The hardship or practical difficulty does not result from the actions of the applicant. A self-created hardship or practical difficulty shall not justify a variance.
- (3) The variance, if granted, will not substantially interfere with or injure the health, safety, or welfare of others whose property would be affected by allowance of the variance.
- (4) The variance is in harmony with, and serves the general intent and purpose of, this chapter and the adopted Tampa Comprehensive Plan.
- (5) Allowing the variance will result in substantial justice being done, considering both the public benefits intended to be secured by this chapter and the individual hardships or practical difficulties that will be suffered due to a failure of the board to grant a variance.

Response to
Questions 1
through 5:
(You may
use
additional
paper if
necessary.
You may
respond in
paragraph
form.)

Application for Variance - Variance Review Board

City of Tampa
Land Development Coordination
1400 North Boulevard
Tampa, FL 33607



GOOD NEIGHBOR NOTICE FOR PARTICIPATING ORGANIZATIONS/ NOTICE TO PARTICIPATING NEIGHBORS

EXHIBIT B

VARIANCE PUBLIC HEARING

Date : _____

Public Hearing Date: _____ Application Number: VRB- _____

Location Address: _____

Variance Requested:

(Be Specific as to the
Dimensional Request)

Eaves and Gutters are
requested to be
allowed to encroach
beyond the reduced
setback

Dear Participating Neighbor/Participating Organization:

Please be advised that the Variance Review Board of the City of Tampa will hold a public hearing on the aforementioned date, at 6:30 PM at 315 E. Kennedy Blvd., 3rd Floor, City Council Chambers, Tampa Florida, at which public hearing all parties in interest and citizens may appear and be heard as to any and all matters pertinent to the variance application as described above. Please contact me at the information provided below should you have any questions concerning my variance application. As public hearings are occasionally canceled or postponed, confirmation of the time and date of the public hearing can be obtained by calling me prior to the public hearing date.

If you would like to comment on this variance request, please feel free to contact the VRB at VRB@tampagov.net. Please include the application number in your email.

Applicants, Petitioners, Respondents, Parties, Violators, and those receiving mailed notice who require an interpreter to participate in this public hearing or meeting should go to the following City webpage to request an interpreter: <https://www.tampagov.net/interpreter-service>

Los Solicitantes, los Peticionarios, los Enquestados, las Partes, los Infractores y los que reciben un aviso por correo que requieren un intérprete para participar en esta audiencia o reunión pública deben ir a la siguiente página web de la Ciudad para solicitar un intérprete: <https://www.tampagov.net/interpreter-service>

"In accordance with the Americans with Disabilities Act and Section 286.26 Florida Statutes, persons with disabilities needing special accommodations to participate in this meeting should contact the City Clerk's office at least forty-eight (48) hours in advance of the meeting."

APPLICANT/AGENT CONTACT INFORMATION

Applicant/Agent Name(s): _____

Applicant/Agent Phone No.: _____

Applicant/Agent email address: _____

Applicant/agent
(signature): _____

Print: _____

Application for Variance Review Board

City of Tampa
Land Development Coordination
1400 North Boulevard
Tampa, FL 33607
(813) 274-3100



Application Number: _____

AFFIDAVIT OF COMPLIANCE

EXHIBIT C

Applicant Name(s): _____

"That I am (we are) the applicant(s) or agent(s) for the following described property:"

Parcel Address (List all): _____

"That this property constitutes the property for which a variance approval is requested according to Application Number:"

Application Number: _____

"That attached is a copy of the postmarked Certificate of Mailing receipt for notice (s) to participating neighbors within 250 feet of the subject parcel and a copy of the notice mailed out (Exhibit B), which notices were mailed on:"

Date Mailed: _____

"That participating organizations which received notice via regular mail."

"That the original list of the property owners (with addresses and legal descriptions, according to the most current ad valorem tax record as produced by the Hillsborough County Property Appraiser) and Parcel Notice Map, is attached and made a part of this Affidavit."

"That two (2) photographs showing the placement of and language on the "notification sign" be made a part of this Affidavit."

Signature (applicant/
agent): _____

(Print): _____

Signature (applicant/
agent): _____

(Print): _____

Sworn to and subscribed on this date: (Enter date here): _____

Identification or personally known: _____

Notary Signature: _____

Commission Expiration (Stamp or date): _____

AFFIDAVIT TO APPLY FOR A ZONING CODE RELATED APPLICATION and AUTHORIZED AGENT FOR AN APPLCIATION TO THE CITY OF TAMPA

Multiple authorizations may be necessary if there is more than one property owner.

EXHIBIT D

Application Number: _____

Property Address (List all): _____

Folio Numbers (List all): _____

"That I am (we are) the owner(s) and record title holder(s) of the property noted herein"

Property Owner's Name(s): _____

"That this property constitutes the subject of the application for a (please check the appropriate box):"

- Rezoning Substantial Change Incremental Review Variance Review Board
- Alcoholic Beverage 1 Alcoholic Beverage 2 Special Use 1 Special Use 2 Other
- Design Exception 1 Design Exception 2 Formal Decision

I, THE UNDERSIGNED APPLICATION/AGENT, HEREBY CERTIFY THAT ALL INFORMATION ON THIS APPLICATION IS TRUE AND COMPLETE AND HEREBY AUTHORIZE AND ALLOW REPRESENTATIVES OF THE CITY TO ACCESS THE PROPERTY UNDERGOING REVIEW FOR THE ABOVE REFERENCED REQUEST. IF MY PROPERTY IS GATED, I WILL PROVIDE ACCESS TO THE PROPERTY UPON REQUEST FROM THE CITY. IN THE EVENT A PETITION FOR REVIEW IS FILED, I WILL ALLOW THE POSTING OF A NOTICE SIGN ON MY PROPERTY, EVEN IF THE REVIEW IS FILED BY A THIRD PARTY.

"That this affidavit has been executed to induce the City of Tampa, Florida, to consider and act on the above described application and the information contained in the application is true and accurate."

"That the undersigned has(have) appointed and does(do) appoint the agent(s) stated herein as his(their) agent(s) solely to execute any application(s) or other documentation necessary to affect such application(s)." (if applicable)

Agent's Name(s): _____

The undersigned authorizes the above agent(s) to represent me (us) and act as my (our) agent(s) at any public hearing on this matter. Yes No *Only applies to rezonings, VRB, special use 2 and AB 2 requests.*

The undersigned authorizes the above agent(s) to agree to any conditions necessary to effectuate this application. Yes No

"That I(we), the undersigned, hereby certify that the foregoing is true and correct"

Signature (owner): _____ Signature (applicant/agent): _____

(Print): _____ (Print): _____

Sworn to and subscribed on this date: Date: _____ **Sworn to and subscribed on this date:** Date: _____

Identification or personally known: _____ Identification or personally known: _____

Notary Signature: _____ Notary Signature: _____

Commission Expiration (Stamp or date): _____ Commission Expiration (Stamp or date): _____

PUBLIC HEARING NOTICE CHECK LIST

APPLICANTS RESPONSIBILITY

VRB _____

NOTICE MUST BE DONE NO LATER THAN 30 DAYS PRIOR TO PUBLIC HEARING DATE

MAIL NOTICE

Participating Neighbors (all property owners within 250-feet of the subject property and dated variance/buffer notice map upon which the list is based, obtained from the Hillsborough County Property Appraiser's office or via its official website/Web-based GIS service). Please note that the list received from the Hillsborough County Property Appraiser cannot be produced more than six (6) months prior to the date of the filing for the pending application.

- **Mailed by "certificate of mailing"** through the United States Post Office (receipt submitted with *the Affidavit of Compliance*)

Participating Organizations (all organizations registered at www.tampagov.net/ldc)

- **Mailed by regular mail** to the address of the authorized representative of the participating organization. The participating organization must receive a copy of the submitted survey or site plan, as applicable.

POST SIGN(S)

Sign Posting (Post sign located on or near the front of the subject property, adjacent to and visible from the street or public right of way and not within a building or obstructed by any site feature, no less than thirty (30) days and, no more than sixty (60) days prior to the public hearing. If the property maintains two (2) or more street frontages, at least one (1) sign must be posted per property frontage.)

- **Take two (2) photographs of each sign** to be attached to the Affidavit of Compliance, which show the posted sign on the subject property and the language as written on the sign when posted.

NO LATER THAN 15 DAYS PRIOR TO PUBLIC HEARING DATE (AFFIDAVIT MUST BE RECEIVED BY THE CITY)

SUBMITTAL OF AFFIDAVIT OF COMPLIANCE (Exhibit C)

- **Submitted to: Land Development Coordination, 1400 N Boulevard, Tampa, FL. 33607 or uploaded in the Accela system.**

- Affidavit attachments, must include:

The certificate of mailing to the property owner and/or participating neighbors;

The ad valorem tax rolls used for providing notice to property owners and/or participating neighbors.

The official list of property owners **and** dated variance/buffer notice map upon which the list is based, obtained from the Hillsborough County Property Appraiser's office or via its official website/Web-based GIS service, shall be considered the most current tax roll, so long as the list has been produced no more than six (6) months prior to the date of the filing for the pending application;

A copy of the mailed notice letter;

The required photographs of the sign(s) (one picture up close, clearly showing what was written on the sign) and one further away, showing where the sign was posted; and,

The list of participating organizations which were provided good neighbor notice, including the mailing address and authorized representative.

I reviewed and understand the above requirements for public hearing notice.

APPLICANT SIGNATURE

DATE

This must be submitted at the time of application intake. A copy will be provided to you to assist in the completion of notice.