



# VILLAGE OF TEQUESTA

Department of Community Development

345 Tequesta Drive

Tequesta, Florida 33469

Ph: 561-768-0451 / Fax: 561-768-0698

www.tequesta.org

**DEPARTMENTAL USE ONLY**

Ck. # \_\_\_\_\_

Fee Paid: \_\_\_\_\_

Intake Date: \_\_\_\_\_

**PROJECT #:**

## APPLICATION FOR VARIANCE

**PLANNING & ZONING BOARD (Single Family)**

Meeting Date: \_\_\_\_\_

**VILLAGE COUNCIL**

Meeting Date: \_\_\_\_\_

**PROJECT NAME:** \_\_\_\_\_

**PROJECT ADDRESS:** \_\_\_\_\_

Applicant Name: \_\_\_\_\_

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

Applicant Phone No.: \_\_\_\_\_ Fax No.: \_\_\_\_\_

Cell Phone No.: \_\_\_\_\_ E-mail Address: \_\_\_\_\_

*Provide written approval from the property owner, if other than the applicant.*

Property Owner's Name: \_\_\_\_\_

Property Owner's Address: \_\_\_\_\_

Property Owner's Phone No.: \_\_\_\_\_ Fax No.: \_\_\_\_\_ E-mail Address: \_\_\_\_\_

**NATURE OF VARIANCE:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

SIGNATURE OF APPLICANT: \_\_\_\_\_ DATE: \_\_\_\_\_

**NOTE: APPLICANT SHALL INCLUDE THE FOLLOWING ITEMS WITH THIS APPLICATION:**

- 1) Current survey or site plan of property showing all structures and setbacks.
- 2) Drawings to scale of proposed improvements.
- 3) Variance Criteria Response – page 2 of application.
- 4) Any other documentation pertinent to this application.
- 5) List and map of all property owners within 300' radius of the outermost perimeter of subject property, obtained from PBC Property Appraisers Office. Labels of each property owner must be affixed to stamped self-adhesive envelopes with a Village of Tequesta return address label.
- 6) 15 Copies of all submittal documents.
- 7) Application Fee of:

A) Single Family:	\$ 300.00	C) Multiple Family	\$ 1000.00
B) Duplex:	\$ 700.00	D) Commercial	\$ 1000.00

To cover all additional administrative costs, actual or anticipated, including, but not limited to, engineering fees, consultant fees and special studies, the applicant shall compensate the village for all such costs prior to the processing of the application or not later than 30 days after final application approval whichever is determined as appropriate by the village. Failure to make such payment may be grounds for not issuing a building or zoning permit, certificate of occupancy or completion.

Costs associated with advertising for public hearings and other public notice requirements are the responsibility of the applicant. The fee shall be paid prior to such application being scheduled for a public hearing requiring notice.

**JUSTIFICATION OF VARIANCE:** You must provide a response to each of the following questions per Zoning Code Sec. 78-65 (2) a.-f. If additional space is needed, please attach extra pages to this application. If your variance request is related to the public waters of the state comprising the Loxahatchee River and the Intracoastal Waterway and all creeks, canals or waterways or tributaries connected therewith, located within the geographical boundaries of the Village, you must also address the ten criteria listed in the Sec.76-7 (next page).

1. 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.

---

---

---

---

2. The special conditions and circumstances do not result from the actions of the applicant.

---

---

---

---

3. Granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, buildings or structures in the same zoning district.

---

---

---

---

4. Literal interpretation of the provisions of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this chapter and would work unnecessary and undue hardship on the applicant.

---

---

---

---

5. The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.

---

---

---

---

6. The grant of the variance will be in harmony with the general intent and purpose of this chapter and such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

---

---

---

---

**Sec. 76-7. Variances. (to be completed only if Variance request is related to Waterway Control)**

(a) Any person desiring a variance from the terms of this chapter shall make application for such variance to the zoning board of adjustment of the village in accordance with the procedures set forth in this section.

(b) In order to authorize any variance from the terms of this chapter, the Board of Adjustment MUST find with respect to the proposed project as follows:

(1) The variance being requested meets the definition of the term "variance" as that term is used and understood in chapter 78, zoning.

*Variance means a variation from the district requirements of this chapter which is granted by the zoning board of adjustment, where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the physical characteristics of that particular property and not the result of the actions of the owner, agent, or applicant, a literal enforcement of this chapter would result in unnecessary and undue hardship.*

---

---

(2) No hazardous condition would be created.

---

---

(3) The flow of water would not be impeded or interfered with.

---

---

(4) No obstruction to navigation would occur.

---

---

(5) It would not interfere with traditional public uses of the waterway including, but not limited to, swimming, fishing, or boating.

---

---

(6) It would not create an appreciable obstruction of waterway views or otherwise detract from aesthetic values.

---

---

(7) It would not appreciably disrupt, interfere with, or disturb marine or benthic life.

---

---

(8) It would not contribute to the pollution of the waterway or the degradation of its condition.

---

---

(9) It would not interfere with the lawful rights of riparian owners.

---

---

(10) It would be consistent with any other applicable laws, rules or plans.

---

---