

**CITY OF TARPON SPRINGS, FLORIDA
Board of Adjustment Application**

Return to:
Planning & Zoning Division
324 E. Pine Street
Tarpon Springs, FL 34689
(727) 942-5611

(Please type or print clearly)

Property Owner(s)

Name		Email	
Address			
City		State	Zip
Phone	Fax		Cellular

Applicant

Name		Email	
Address			
City		State	Zip
Phone	Fax		Cellular

Agent (if applicable)

Name		Email	
Address			
City		State	Zip
Phone	Fax		Cellular

General Information

Property Location or Address		
Legal Description (attach additional sheets as necessary)		
Tax Parcel Number(s)	Land Use Category	Zoning District

Requested Action: [please check all that apply]

- Setback variance
 Fence height variance
 Sidewalk waiver
 Other _____
 Parking variance
 FAR variance
 Appeal or re-hearing

Describe Request: (attach additional sheets as necessary)

Required LDC Regulation(s): [list all that apply]

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The following **MUST** be furnished with this application: [incomplete applications will not be accepted]

- Completed original application
- Application fee:
 - Variance Request \$250.00 each
 - Appeal of Administrative Decision \$250.00 each
- Actual advertising cost for each required ad – billed when ad invoice is received divided among applicants – must be paid prior to hearing or hearing will be continued
- Actual postage cost for mailing labels application – billed when ad invoice is received – must be paid prior to hearing
- Cost for Public Notice Placard – billed when ad invoice is received – must be paid prior to hearing
- Property survey, signed and sealed by a professional land surveyor
- Written description of hardship
- Proof of ownership (a copy of the deed which conveyed title to the present owner of the property)
- Other supporting information, as necessary

Board of Adjustment Review Standards

The Board of Adjustment shall grant no variance unless all of the following standards are met and are proven by competent substantial evidence:

- (1) The need for the requested variance arises out of the physical surroundings, shape, topographical conditions, or other physical or environmental conditions that are unique to the specific property involved, and which do not apply generally to property located in the same zoning district.
 - (a) Preservation of a Protected Tree(s) or Native Tree(s), but not an Invasive Tree(s), as defined in Sections 133, Tree Protection and Preservation, and 134, Landscaping and Screening, of the LDC, may be considered as a relevant environmental condition under this subsection.
 - (b) Location of the property in the Historic District within the City may also be considered as a unique physical condition. However, any variance applied for within the Historic District shall be found to be compatible with the character of the properties within that District before any variance may be granted. In addition, any variance applied for within the Historic District shall be considered by the Board of Adjustment only after the Board considers the comments and recommendations of the Heritage Preservation Board.
- (2) The conditions or special circumstances peculiar to the property have not been self-created or have resulted from an action by the applicant or with prior knowledge or approval of the applicant. Specifically, no variance may be granted arising from illegal construction of a structure or an illegal use of the premises which would have otherwise required a building permit or other specific permit to be issued and which construction or which use was commenced unlawfully. Under such conditions, the property owner shall have no legal right to apply for a variance and the Board will have no legal right to grant such a variance.
- (3) Literal enforcement of the requirements of the City of Tarpon Springs' Comprehensive Land Development Code would have the effect of denying the applicant reasonable use of the property, or legally conforming buildings or other structures, and the requested variance is the minimum variance that will make possible the reasonable use of the property; and
- (4) Granting the variance will not confer any special privilege that is not allowed for other lands, buildings, or structures in the same zoning district; no variance will be granted that extends to the applicant a use of property that is not commonly enjoyed by other persons in similar circumstances.
- (5) Granting the variance will not substantially diminish property values in the surrounding area, substantially interfere with, or injure the rights of others whose property would be affected by approval of the variance, alter the essential character of the neighborhood, or create a nuisance.

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AFFIDAVIT

I (we), the undersigned, certify ownership of the property within this application, that said ownership has been fully divulged, whether such ownership by contingent or absolute, and that the name of all parties to an existing contract for sale or any options are filed with this application. I (we) certify that _____ is/are duly designated as the agent(s) for the owner, that the agent(s) is (are) authorized to provide subject matter on the application contained herein, whether verbal or written, and appear at any public hearing(s) involving this petition. Further, it is understood that this application must be complete and accurate and the appropriate fee paid prior to processing.

Date: _____	Title Holder: _____
Date: _____	Title Holder: _____
Date: _____	Title Holder: _____
Date: _____	Title Holder: _____

STATE OF FLORIDA)
COUNTY OF PINELLAS)

The foregoing instrument was acknowledged before me this _____ day of _____, A.D., 20 ____
by _____, who is personally known to me or who has produced
_____ as identification and who did (did not) take an oath.

NOTARY PUBLIC
Name: _____
Signature: _____
Stamp: