



VARIANCE APPLICATION PACKET

1331 South Boulevard
Chipley, Florida 32428
Phone (850) 415-5093

E-Mail : dmcDonald@washingtonfl.com

DEFINITION, LDC SECTION 6.04.00

A relaxation of the literal terms of the Washington County Land Development Code (LDC) where such 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 applicant, a literal enforcement of this regulation would result in unnecessary and undue hardship. Establishment or expansion of a use otherwise prohibited shall not be allowed by variance, nor shall a variance be granted because of the presence of nonconformities in the district or classification, or in adjoining district or classifications.

PROCEDURE

- 1) **Application.** Submit a “Variance Application,” \$50 Application Fee and sketch or engineered site plan. Allow up to ten (10) business days for processing. Applications for variances should be conducted concurrently with Development Review.
- 2) **Property Owner Notification.** Coordinate the dates of the public hearing with the Planning Department and submit a draft public notification letter (See “Public Notification Templates”) for review and approval. Upon approval, obtain the mailing list of property owners within 150 feet of the subject property from the Planning Department, and send notification letters via certified mail.
- 3) **Planning Commission Meeting.** Attend a regularly-scheduled Planning Commission Meeting. Meetings are typically held on the first (1st) Tuesday of each month but are subject to change. Confirm all dates with the Planning Department. Applicant will be required to make a presentation on his/her proposed amendment during the Planning Commission Meeting. The Planning Commission will consider the “Required Findings” in accordance with LDC Section 8.02.02 (See “Required Findings” below) and make a recommendation to the Board of County Commissioners (BCC).
- 4) **Board of County Commissioners Meeting.** Meetings are typically held on the last Thursday of each month but are subject to change. Confirm all dates with the Planning Department. The BCC will consider the “Required Findings” and the recommendation of the Planning Commission and take final action concerning the proposed variance.
- 5) **Municipality Meeting.** Variances for property located within a municipality governed by the Washington County Land Development Code may require a Public Hearing before the local governing body of the municipality. Confirm all dates with the Planning Department. The local governing body of the municipality will consider the “Required Findings,” the actions taken by the Planning Commission and Board of County Commissioners, and take final action concerning the proposed variance.

REQUIRED FINDINGS, LDC SECTION 8.02.02

The local governing body shall not vary the requirements of any provision of the LDC unless it makes a positive finding, based on substantial competent evidence, on each of the following:

- 1) There are practical or economic difficulties in carrying out the strict letter of the regulation.
- 2) The variance request is not based exclusively upon a desire to reduce the cost of developing the site.
- 3) The proposed variance will not substantially increase congestion on surrounding public streets, the danger of fire, or other hazard to the public.
- 4) The proposed variance will not substantially diminish property values in, nor alter the essential character of the area surrounding the site.
- 5) The effect of the proposed variance is in harmony with the general intent of this Code and the specific intent of the relevant subject area(s) of the Code.

PUBLIC NOTIFICATION TEMPLATES

Property Owner Notification Letters

“NOTICE OF PUBLIC HEARING REGARDING VARIANCE APPLICATION

In accordance with Section 10.02.08 of the Land Development Code of Washington County, Florida, notification is hereby provided to all real property owners which are located within 500 feet of the affected property for which a variance is proposed. A variance is proposed for as hereby described:

Description of Variance:

Affected Property:

Parcel Number and/or Address, if applicable: _____

Provide Legal Descriptions and Location Map:

The Washington County Planning Commission will hold a public hearing regarding the above-mentioned proposed development on:

_____ at 5:00 p.m. CST in the Washington County Board of County Commissioners Board Room located at 1331 South Boulevard, Chipley, Florida 32428.

The Board of County Commissioners will hold a second hearing which will be held regarding the abovementioned proposed amendment on:

_____ at 9:00 a.m. CST in the Washington County Board of County Commissioners Board Room located at 1331 South Boulevard, Chipley, Florida 32428.

Records pertaining the abovementioned request are available for public review at the Washington County Planning Office located at 1331 South Boulevard, Chipley, Florida 32428. For additional information, contact the Planning Office at (850) 415-5093 or dmcdonald@washingtonfl.com.”

Required Deliverables to Planning:

1. Draft copy of notification letter – Submit to Planning Office for review and approval with application prior to distribution.
2. List of property owners within 150 feet of subject property (Planning Office will provide.)
3. Certified mail receipts (green cards) – To be submitted to Planning Office prior to Neighborhood Information Meeting.



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VARIANCE APPLICATION

Section 1: Application Contact Information

Name: _____

Address: _____

Phone: _____

Email: _____

Section 2: Property Information

Parcel ID: _____

Site Address: _____

Owner Name: _____

Owner Address: _____

Acreage: _____

Land Use Designation: _____

Section 3: Variance Justification

Attach documentation if additional space is needed.

Variance Request:

Reason for Variance

Applicant Certification

I certify that the information provided in this application is true and accurate to the best of my knowledge and belief. I understand that knowingly providing a false statement in writing with the intent to mislead a public servant in the performance of his/her official duty shall be subject to a misdemeanor of the second degree pursuant to Section 837.06, Florida Statutes.

Applicant Signature

Date

Office Use Only (List Applicable LDC Sections Below)

SAMPLE VARIANCE LETTER TO ADJOINING PROPERTY OWNERS

Date: _____

Re: Variance Application

Dear Property Owner(s):

In accordance with the Washington County Land Development Code, I/we are notifying you as a neighboring property owner that the Washington County Planning Commission will be holding a Public Hearing on:

Date: _____ Time: _____ P.M.

And the Washington County Board of County Commissioners will be holding a Public Hearing on:

Date: _____ Time: _____ P.M.

At: Washington County
Board of County Commissioners
1331 South Blvd
Chipley, FL 32428

Regarding my/our Application for Variance on the property located at:

I am requesting a variance for the following reason:

Anyone who is concerned with this matter may attend a Public Hearing, or write to:

Washington County Planning Department
1331 South Blvd
Chipley, FL 32428

Letters must be received before the Public Hearings. In addition to mailing the letter, a copy may be faxed at 850- 638-6304, or email to dmcDonald@washingtonfl.com to ensure timely receipt.

Sincerely,

Signature or Printed Name

Variance Application Steps (Use as a check-off list)

- 1) Submit a letter with your request for a variance. Your letter should address the following:
 - a) **Required Findings.** The local governing body shall not vary the requirements of any provision of this Code unless it makes a positive finding, based on substantial competent evidence, on each of the following:
 - i) There are practical or economic difficulties in carrying out the strict letter of the regulation.
 - ii) The variance request is not based exclusively upon a desire to reduce the cost of developing the site.
 - iii) The proposed variance will not substantially increase congestion on surrounding public streets, the danger of fire, or other hazard to the public.
 - iv) The proposed variance will not substantially diminish property values in, nor alter the essential character of, the area surrounding the site.
 - v) The effect of the proposed variance is in harmony with the general intent of this Code and the specific intent of the relevant subject area(s) of the Code.
- 2) Include an application fee of \$50.00.
- 3) The application must be submitted at least 30 days prior to the next regularly-scheduled Planning Commission meeting.
- 4) A letter notifying the property owners about your request for a variance needs to be submitted for review and approval by the Planning Office, along with the list of the names and addresses of the property owners within 150 feet of the subject property.
- 5) Your request needs to include drawings reflecting your proposed request. Your request also needs to include verification of property ownership or an Agent Authorization Form to apply for the owner.
- 6) Upon approval to the adjoining property notification letter, these letters need to send out as “Certified Mail” at least 15 day before the Planning Commission hearing date.
- 7) The “Green Cards” from the “Certified Mail” need to be returned to the Planning Office.
- 8) You or your representative need to be present at the Planning Commission and Board of County Commissioners hearings when your application is considered.