



VARIANCE APPLICATION PACKET

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

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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,” \$250 Application Fee for variances related to a Minor Development Review, and \$500 Application Fee for variances related to a Major Development Review. Include a 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.** The Planning Department will notify all property owners within 300 feet of the subject property by sending notification letters via certified mail, return receipt requested. However, the Planning Department requests reimbursement for mailing costs.
- 3) **Planning Commission Meeting.** Attend a regularly-scheduled Planning Commission Meeting. Meetings are typically held on the first (1st) Monday of each month but are subject to change. Confirm all dates with the Planning Department. The Planning Commission will consider the “Required Findings” in accordance with LDC Section 8.02.01.C., (See “Required Findings” below) and make a recommendation to the Board of County Commissioners (BCC). The Planning Commission will make a determination for variance requests associated with Minor Development Review Applications.
- 4) **Board of County Commissioners Meeting.** Meetings are typically held on the third 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 for variance requests associated with Major Development Review Applications.
- 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 8.02.01.C.

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.
6. That special conditions and circumstances which are peculiar to the land, structure, or building involved and which are not applicable to other lands, buildings, or structures in the same land use district.
7. That the special conditions or circumstances do not result from the applicant or the applicant's predecessors in title.
8. That the literal interpretation of this Land Development Code would work an unnecessary and undue hardship on the applicant, depriving the applicant of rights commonly enjoyed by other properties in the same land use district under the terms of this Land Development Code and other applicable Building Codes of the County.
9. That approval of the variance requested will not confer on the applicant any special privilege that is denied by this Land Development Code to other lands, buildings, or structures in the same land use district.
10. That the requested variance is the minimum variance from this Land Development Code to make possible the reasonable use of the land, building, or structure.
11. That approval of the variance will be in harmony with the general intent and purposes of this Land Development Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

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

- 3+ Submit a Variance application.
 - 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 the criteria included in Section 8.02.01.C, Land Development Code.
- 2) Include an application fee of \$250.00 for a variance related to a Minor Development Review Application. \$500 for a variance related to a Major Development Review Application.
- 3) The application must be submitted at least 30 days prior to the next regularly-scheduled Planning Commission meeting.
- 4) 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.
- 5) Planning Department to notify the adjoining property owners within 300 feet with notification letter. These letters are sent out as "Certified Mail" at least 15 day before the Planning Commission hearing date.
- 6) You or your representative need to be present at the Planning Commission and Board of County Commissioners hearings when your application is considered.



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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)