



**APPLICATION FOR VARIANCE**

(Please type or print clearly in blue or black ink)

To be completed by City Staff:

Application No. V- \_\_\_\_\_

Date Submitted: \_\_\_\_\_

Section 1. APPLICANT / PROPERTY OWNER(S) / AGENT INFORMATION:

Name of Property Owner(s) \_\_\_\_\_

Residence Address \_\_\_\_\_

City, State, Zip \_\_\_\_\_

Mailing Address \_\_\_\_\_

City, State, Zip \_\_\_\_\_

Telephone Number \_\_\_\_\_ Fax No. \_\_\_\_\_

Email Address \_\_\_\_\_

Name of Agent, if any \_\_\_\_\_

Mailing Address \_\_\_\_\_

City, State, Zip \_\_\_\_\_

Telephone Number \_\_\_\_\_ Fax No. \_\_\_\_\_

Email Address \_\_\_\_\_

Section 2. PROPERTY INFORMATION:

Physical Address of Property \_\_\_\_\_

or, if not available, provide a general location (Example: NW corner of "A" and "B" Streets)

\_\_\_\_\_

Legal Description of Property: Lot: \_\_\_\_\_ Block: \_\_\_\_\_ PB/PG: \_\_\_\_\_

Subdivision: \_\_\_\_\_

or TOWNSHIP: \_\_\_\_\_ RANGE: \_\_\_\_\_ SECTION: \_\_\_\_\_ PARCEL #: \_\_\_\_\_

Parcel ID No. (assigned by Brevard County): \_\_\_\_\_

Section 3. CURRENT ZONING CLASSIFICATION (e.g. R2 Single Family Residential).

\_\_\_\_\_

Section 4. REFERENCES TO CODE / LAND DEVELOPMENT REGULATIONS.

Identify the section(s) of the Rockledge Code of Ordinances and/or Land Development Regulations from which you are seeking a variance.

\_\_\_\_\_

Section 5. DESCRIPTION OF SPECIFIC CONDITIONS.

Variations are considered when they are not contrary to the public interest and where, owing to special conditions, a literal enforcement of the regulations would result in an unnecessary hardship.

Section 23.20(C)(1)(a-f) of the Land Development Regulations sets forth six (6) specific conditions that the Board of Adjustment must consider before it authorizes any variance. Please provide descriptive information for each condition set forth below.

- (1) That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, buildings or structures in the same zoning district.

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- (2) That special conditions and circumstances listed above do not result from actions of the applicant.

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- (3) That granting the variance requested will not confer on the applicant any special privilege that is denied by these regulations to other lands, buildings, or structures in the same zoning district.

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- (4) That literal interpretation of the provisions of these regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of these regulations, and would work unnecessary and undue hardships on the applicant.

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- (5) That the reasons set forth in the application justify the granting of the variance, and that the variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure.

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- (6) That the granting of the variance will be in harmony with the general intent and purpose of the zoning code and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

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While these conditions may seem unduly harsh and stringent to the individual applicant, it must be understood that the zoning regulations were enacted for the benefit of the community as a whole by requiring an organized and controlled pattern of community development.

It should be noted that the difficulties or hardships must be peculiar to that particular property and not general in character, since difficulties or hardships shared with others in the area as to the reasonableness of the zoning generally, will not support a variance. If the hardship is one that is common to the area, the remedy is to seek a change of zoning for the neighborhood.

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Section 6. SIGNATURES OF OWNERS AND/OR AGENTS:

Sign Name (Property Owner): \_\_\_\_\_

Print Name (Property Owner): \_\_\_\_\_

Sign Name (Property Owner): \_\_\_\_\_

Print Name (Property Owner): \_\_\_\_\_

Sign Name (Agent): \_\_\_\_\_

Print Name (Agent): \_\_\_\_\_

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Section 7. ATTACHMENTS AND EXHIBITS.

The following documents must be included when submitting the application package:

As to Section 1.

- A copy of the recorded deed or other legal instrument indicating proof of ownership
- If an agent is listed, a notarized letter or statement of authorization from the property owner(s) authorizing the agent to represent the owner(s) in connection with this application, OR a recorded Power of Attorney, Personal Representative Deed, Trustee Agreement, etc., in the agent's name.

As to Section 2.

- Legal description of the property. If described in metes and bounds, provide the description in hard copy and electronic format (Microsoft Word is preferred).
- Brevard County Property Appraiser's Map reflecting the boundaries of the subject property and indicating properties within a five hundred foot (500') radius of the subject property. The map must be scaled at 1"=200'.
  - A list of the names and addresses of all property owners within the 500' radius of the subject property. The list must correlate numerically with the map.
  - Mailing labels containing the names and addresses of those property owners within the 500' radius of the subject property, as in the previous item.

As to Section 5

- Supply in letter form a complete description of the variance requested, giving all details and pertinent information, and the specific reason for the requested variance. The section(s) of the Land Development Regulations from which the variance is requested should be referenced.

As to Application.

- A check in the amount of \$250.00 payable to the City of Rockledge. This amount represents the filing fee associated with the request, and includes the cost of legal advertising, document recording, etc. In the event that the costs exceed the fee amount, the applicant will be responsible to pay the difference.

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NOTICES TO APPLICANT

- Your application will not be processed unless it is complete and all attachments and exhibits are included.
- Once it has been determined that your application is complete, processing will begin and the required public hearing(s) will be scheduled for the first available opportunity.
- Please be aware that you, as applicant, owner, agent, or as an interested party, are prohibited from contacting individually any of the members of the Planning Commission either by telephone, in person, or in writing (including electronic mail).
- You will have the opportunity to provide input in open forum during the scheduled public hearing(s).
- All public hearings are conducted in accordance with the State of Florida Open Meetings Laws / Government in the Sunshine.