



**VILLAGE OF PALM SPRINGS
BOARD OF ADJUSTMENT**

VARIANCE REQUEST APPLICATION

(Filing Fee: Commercial & Multi-Family \$500.00 - Single Family \$300.00)

* Plus a \$250.00 refundable expense deposit)

FOR VILLAGE USE ONLY

ADMINISTRATIVE COMMENTS	BOARD OF ADJUSTMENT ACTION
Type of Variance: _____ _____	Public Hearing Date: _____
Size of Parcel _____	sq. feet Continuances Granted: _____
Building Permit No. _____	Final Action Taken:
Dimensions of Lot _____	
Comments or Recommendation:	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
Land Development Director	_____

The undersigned applicant hereby petitions the Village of Palm Springs Board of Adjustment to call a public hearing(s) after due public notice, the cost of which is hereby assumed by the undersigned for purpose of considering a variance to the Village's land development code, as described herein.

APPLICANT NAME: _____

ADDRESS: _____

INSTRUCTIONS FOR COMPLETION OF APPLICATION

1. All properties within a single application must be contiguous (immediately adjacent) to one another, and the Administrative Official may require more than one (1) application if the property concerned contains more than five (5) acres, or the fee paid for one (1) application would not equal the cost of processing same.
2. No application shall be accepted by the Village Clerk for filing unless it is presented on the official forms provided by the Village, and is filed with **ten (10) copies including two (2) signed and sealed original, including all exhibits.**
3. Before an application is deemed “filed”, it must be complete (with all required information as stated below), and filing fees and expense deposit must be received by the Village Clerk.
4. An application is complete only when it is executed in affidavit form (sworn) by:
 - a. The owner or owners of at least seventy-five (75%) percent of the property described in the application; or
 - b. The tenant or tenants, with the owner’s written (sworn) consent; or
 - c. The duly authorized agent(s), with the owner’s power of attorney (if not a member of the Florida Bar);or
 - d. The contract purchasers, with the filing of a copy of the Contract of Sale and Purchase; or
 - e. Land Development Director
 - f. Any person aggrieved by a development order, requirement, decision or determination of the Land Development Director when appealing same.

NATURE OF THE REQUEST FOR VARIANCE

Section _____ of the Village of Palm Springs, Land Development Code requires _____

I request a variance to permit: _____

DESCRIPTION OF PROPERTY

A copy of the latest recorded deed is attached hereto as **Exhibit A**. The Property Control No. _____ and the subject property is located approximately _____ feet from the intersection _____ and _____, on the (north, east, south, west) side of _____ street.

JUSTIFICATION OF APPLICATION

1. Chapter 34, Section 34-605 of the Code of Ordinances, Village of Palm Springs, requires a statement of special reasons or basis for the variance request. This statement should be predicated on the objectives presented in Section 34-605(e)(1) of the Code, and if in writing the statement may be presented at the Board of Adjustment meeting at the discretion of the applicant or should be attached as **Exhibit B**. The statement must include comments on each of the following individually:
 - a. That special condition 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 land development district.
 - b. That the special conditions and circumstances do not result from the actions of the applicant.
 - c. That 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 land development district.
 - d. That literal interpretation of the provisions of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same land development district under the terms of this chapter and would work unnecessary and undue hardship on the applicant.
 - e. That the variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure.
 - f. That the granting of the variance will be in harmony with the general intent and purpose of this chapter.

- g. That such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

**THE FOLLOWING REQUIRED GRAPHIC INFORMATION
SHALL BE ATTACHED TO THIS APPLICATION, AND MARKED AS REQUIRED**

1. **Exhibit C:** at least two (2) of the surveys submitted must be sign and sealed by a Land Surveyor licensed by the State of Florida at a scale prescribed by the Village containing the following:
 - a. An accurate legal description of the property.
 - b. A computation of the size of the tract to the nearest one-tenth (1/10) of an acre.
 - c. The survey must have been prepared for the current property owner, contract purchaser, or owners' agent or attorney, and regardless of when prepared, must contain all updated information such as latter property revisions including but not limited to fencing, walls, structures, driveways or walkways.
2. **Exhibit D:** The location of the subject parcel plotted by the Mapping Department of the Palm Beach County Property Appraiser's Office showing all property within three hundred (300') feet of the subject parcel.
3. **Exhibit E:** Two (2) sets of Mailing labels for all property owners, within three hundred (300') feet of the subject parcel as recorded in the latest official tax rolls prepared by the Palm Beach County Property Appraiser's Office.
4. **Exhibit F:** A statement of the applicant's equitable or title interest in the property, accompanied by one of the following:
 - a. If joint and several ownership, a written consent by all owners of a record, or
 - b. If a contract purchaser, a copy of the Contract for Sale and Purchase, plus the written consent of the owners, or
 - c. If an authorized agent, a copy of the Agency Agreement, or Power of Attorney giving the consent of the owners, or
 - d. If a lessee, a copy of the Lease Agreement and written consent of the owners, or
 - e. If a corporation or other business entity, the name of the officer or person responsible for the application and written proof that said person has the authority to represent the corporation or other business entity, or

- f. If more than one owner, the title owners of at least seventy-five percent (75%) of the property described in the application must provide written consent.
5. **Exhibit G:** Each application for variance shall include the following information to be shown on a Site Plan of the property, at least two (2) sets of site plans submitted must be signed and sealed originals:
- a. The exact location of all structures on the property, showing distance from the property line(s) and other structures.
 - b. The exact location of the property related to the public street or easement on which the property fronts.
 - c. The exact location of driveways and fences of the subject property.
 - d. An accurate indication of what and where the variance is as it related to the existing structures on the property and to the nearest property or properties which the relief sought would affect.
 - e. All pertinent information, such as drawings of details, landscaping, detailed measurements, parking, public and private utilities, and other information designed to provide a factual basis for the consideration of the variance shall be included on the Site Plan.
 - f. Plans for Multiple Dwelling Units **are to be reviewed for off-street parking and landscaping by the Land Development Director prior** to filing an Application for Variance.

OFFICIAL FILING FEE

- 1. The Official Filing fee for each request for variance to a single family residential use shall be three hundred (\$300.00) dollars and five hundred (\$500.00) dollars for all others. This fee is not refundable.
- 2. * An expense deposit of two hundred fifty (\$250.00) dollars shall be made at time of filing, and any unused portion shall be refunded after final action. Should there be expenses over and above the two hundred fifty (\$250.00) dollars deposit, the Applicant shall remit the balance to the Village upon being notified of the amount due, and prior to public hearing on the application.
- 3. Payment may be made only in U.S. Currency, cashiers, personal or business check on a U.S. bank. All checks shall be made payable to the Village of Palm Springs. The issuance of a non-collectable check shall be subject to an additional administrative fee of one hundred (\$100.00)

dollars. Checks issued on non-sufficient funds (“NSF”) or closed accounts shall be prosecuted as provided by law.

APPLICANT’S CERTIFICATION

The undersigned swear or affirm, under the penalty of perjury, that (I)(We) understand and will comply with the provisions of the Code of Ordinances of the Village of Palm Springs, and in particular Section 34-605 (e) (1). The undersigned further certify that the above statements made herein, together with all exhibits attached hereto, or later presented at a hearing in this cause, are true to the best of (my)(our) knowledge and belief.

Witness:

Applicant:

Printed Name: _____

Applicant:

Printed Name: _____

(Street Address)

(City and State)

(Telephone)

APPLICANT IS:

_____ Owner

_____ Contract Purchaser

_____ Other (explain) _____

NAME OF OWNER(S) IF OTHER THAN APPLICANT

(Name)

(Address)

(Telephone)

FOR OFFICIAL VILLAGE ACTION – DO NOT WRITE ON THIS PAGE

DATE OF OFFICIAL ACCEPTANCE: _____ OFFICIAL FILE NUMBER: _____

DATE OF AGENDA CERTIFICATION: _____ LAND USE DISTRICT: _____

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