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**VARIANCE APPLICATION**  
City of Vero Beach Planning Department  
1053 20th Place - P.O. Box 1389  
Vero Beach, FL 32961-1389  
(772) 978-4550 / Fax (772) 778-3856

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**PLEASE READ THOROUGHLY**

This is to assist you in applying to the Planning and Zoning Board for a variance. The variance process is explained more completely in the City Code of Ordinances, Chapter 66. You may wish to consult this chapter, as well as obtain the services of an attorney, engineer, architect, real estate professional, planner or other professionals, in completing this application. This information is intended to provide a summary only.

**WHO MAY APPLY FOR A VARIANCE**

Only property owners may seek variances. A copy of the deed showing ownership must be attached to the application. Tenants, attorneys, engineers or others may act as an agent for the owner. However, the property owner's signature must be on the application and a letter of authorization from the property owner must be attached to the application.

**COMPLETING THE APPLICATION**

Please answer all questions fully. Reference to a site plan is not considered a fully answered question. Applications that include answers to questions that only refer the reader to a site plan will not be accepted. Only completed applications which include the necessary supporting information will be accepted. Submit the application, supporting information and the \$540.00 application fee to the City Planning Department. The additional advertising costs are to be paid prior to the application being scheduled for a Board meeting. Please make checks payable to the City of Vero Beach.

**PLANNING AND ZONING BOARD**

The Planning and Zoning Board meetings are public hearings. The Board normally meets the 1<sup>st</sup> and 3<sup>rd</sup> Thursday of each month at 1:30 p.m. in the City Hall Council Chambers. The exact dates of the meeting can be verified with the Planning Department (978-4550). Pursuant to Section 66.05 of the City of Vero Beach Code of Ordinances, an aggrieved person may appeal to the City Council a final decision of the Planning and Zoning Board pursuant to appeal procedures provided in Section 64.03 by submitting an appeal request application and nonrefundable application fee to the Planning and Development Department within ten days of the Planning and Zoning Board's decision. The City Council shall conduct a de novo hearing. After public hearing, the City Council may affirm, affirm with appropriate conditions and safeguards as are in conformity with the intent and purpose of the code, reverse, or modify the decision of the Planning and Zoning.

## NECESSARY SUPPORTING INFORMATION

In order to properly review your application, certain supporting information is necessary. A description of this supporting information follows. You may also submit any additional information that you feel would support the application. Please note that omitted items or errors in calculations may delay consideration.

The following supporting information is necessary:

- 1) The fully completed application to the Board of Adjustment with a copy of the deed showing ownership and a letter of authorization from the property owner, if the owner is not the applicant, and application and advertising fees.
- 2) At least one legible copy of plans illustrating the details of this request. The plans must be on 8-1/2" X 11" paper. Additional copies of plans may be submitted on larger sized paper. Plans shall include, where necessary, but not be limited to, the following specifications and information:
  - A) Lot and/or building site lines with dimensions and designated setbacks (including accessory structures);
  - B) Location of structures, decks, pools, drives, parking spaces, water and electric meter locations, air conditioning units, exterior mechanical and pool equipment, and the types of screening of those items;
  - C) Location of easements, water courses, and other essential site features;
  - D) Location and width of existing or proposed streets or other public ways and pedestrian walks abutting the site;
  - E) Site Data:
    1. Land area
    2. Zoning
    3. Height of existing and/or proposed structure
    4. Building area in square feet
    5. Paved area in square feet
    6. Landscaped area in square feet
    7. Amount of required parking spaces
    8. Amount of existing parking spaces;
  - F) Adjacent area information:
    1. Names and addresses of adjoining property owners
    2. Current zoning
    3. Sketch of approximate location of adjacent structures (with measurements);
  - G) Any additional backup material for exhibits or studies that you feel is appropriate.

3. In addition to the five questions on Page 6, the following must be addressed per Zoning Code Section 66.03 for the Planning and Zoning Board's consideration:

Section 66.02. General Review Criteria for Variance Applications: The Planning and Zoning Board shall deny an application for variance if it is found that approval would:

- (a) Constitute any change in the districts shown on the zoning map;
- (b) Impair adequate supply of light or air to adjacent property;
- (c) Unreasonably increase the congestion in public streets;
- (d) Increase the danger of fire or panic;
- (e) Imperil the public safety;
- (f) Unreasonably increase overcrowding of land;
- (g) Imperil the health or general welfare of the inhabitants of the City of Vero Beach.

## CITY OF VERO BEACH PLANNING AND ZONING BOARD

### GENERAL GUIDELINES FOR PRESENTATIONS OF VARIANCE APPLICATIONS

- Describe the existing improvements to the property of the proposed variance. A detailed description of the size of the property, the type of development on the property, the setbacks of any structures on the property and what surrounds the property is very helpful to the Planning and Zoning Board.
- Describe exactly what you want to accomplish at the site.
- Describe what the Code of Ordinances requires you to accomplish that is inconsistent with your plans and, thus, creates a need for a variance.
- Describe in detail the variance requested.
- Address the five questions listed on the application form (Section 66.03) and the issues outlined in Section 66.02 of the Code of Ordinances. Address the questions one at a time and be as detailed as possible. Reference to a site plan is not an acceptable method of addressing the questions. In addressing the issue of hardship, please relate your request to the physical characteristics of the property. You will need to convince the Planning and Zoning Board that a unique circumstance exists that makes compliance with the Code of Ordinances a hardship. You may want to try to provide an answer to the question “Why is your land different to a degree that it should be treated differently than anyone else’s land?” Personal hardships such as health or financial issues that change with ownership of the property are not valid reasons for granting a variance.
- An easily readable, large format drawing depicting the proposed variance or special exception is extremely helpful in providing the Board with a clear understanding of the requested variance or special exception.
- Be ready to discuss the facts and details related to your application at the Planning and Zoning Board meeting.

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# VARIANCE APPLICATION

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Application # \_\_\_\_\_

I request a hearing regarding the terms of the Zoning Ordinances of the City of Vero Beach. This request relates to the property and zoning requirements set forth in this application.

1. PROPERTY ADDRESS \_\_\_\_\_
2. PROPERTY OWNER \_\_\_\_\_ PHONE \_\_\_\_\_
3. OWNER ADDRESS \_\_\_\_\_
4. APPLICANT \_\_\_\_\_ PHONE \_\_\_\_\_
5. APPLICANT ADDRESS \_\_\_\_\_
6. RELATIONSHIP OF APPLICANT TO OWNER [i.e. same, attorney, engineer, architect, etc.]  
\_\_\_\_\_
7. PROPERTY PARCEL ID NUMBER \_\_\_\_\_
8. FULL LEGAL DESCRIPTION OF THE PROPERTY [as described in the deed]: \_\_\_\_\_  
\_\_\_\_\_
9. ZONING DISTRICT \_\_\_\_\_
10. VARIANCE REQUESTED \_\_\_\_\_  
\_\_\_\_\_
11. CITY CODE SECTION(S) INVOLVED \_\_\_\_\_
12. IS THIS REQUEST THE MINIMUM VARIANCE POSSIBLE? Yes / No
13. HAS THIS REQUEST BEEN BEFORE THE BOARD PREVIOUSLY? Yes / No Date:

I give permission to the members of the City staff to inspect the property for the purpose of this application. I declare that all statements made herein are true, based upon the best available information, and I understand that willful false statements and the like are misdemeanors of the second degree under Section 837.06, Florida Statutes. Such willful false statements may jeopardize the validity of my application or any decision issued thereon. I have fully read the information outlining the Board procedures and application requirements. With this application I am submitting the necessary supporting materials listed.

Owner's Signature \_\_\_\_\_ Date \_\_\_\_\_

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# REQUIRED QUESTIONS FOR VARIANCE APPLICATION

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Please answer each of the following questions fully. These questions will assist the Planning and Zoning Board to determine whether your application meets the minimum criteria for obtaining a variance as described in Chapter 66 of the Code of Ordinances. Use additional pages if necessary. The Planning and Zoning Board will not accept reference to a site plan as the answer to any of these questions.

1. Explain in detail how application of the Zoning Ordinance causes an exceptional and unique hardship?

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2. Can you establish that the exceptional and unique hardship is not due solely to the owner's actions? Please explain fully.

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3. If granted, will the variance be compatible with the physical characteristics of the neighborhood? Please explain fully.

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4. If granted, will the variance be in harmony with the intent and purpose of the Code? Please explain fully.

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5. If granted, is the variance the minimum necessary in order to alleviate the exceptional and unique hardship?

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