



## City of Ormond Beach Variance Application - Conforming Criteria

Planning Department

22 South Beach Street, Room 104, Ormond Beach, FL 32174

(386) 676-3238

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### INSTRUCTIONS

Variance applications are reviewed and acted upon by the Board of Adjustment and Appeals. The Board considers the criteria responses by the applicant, Planning staff's analysis as well as any written and/or verbal testimony provided by citizens or surrounding property owners. Applicants should perform a pre-application meeting prior to submitting an application. **Assistance is available by e-mailing [comdev@ormondbeach.org](mailto:comdev@ormondbeach.org) or calling (386) 676-3238.**

### PROPERTY INFORMATION

Project Name:	
Project Address:	
Volusia County parcel number(s):	

### VARIANCE REQUEST

Description of variance:								
Variance 1:	Code section:		Required setback:		Requested setback:		Requested variance:	
Variance 2:	Code section:		Required setback:		Requested setback:		Requested variance:	
Variance 3:	Code section:		Required setback:		Requested setback:		Requested variance:	

### APPLICANT INFORMATION (provide an authorization letter if not the property owner)

Name:	
Address:	
City, State, Zip code:	
Telephone:	
E-mail:	

PROPERTY OWNER	
Same as applicant	
Name:	
Address:	
City, State, Zip code:	
Telephone:	
E-mail:	

**CONFORMING CRITERIA**

Section 1-16(D)(3) of the Land Development Code requires that the Board of Adjustment and Appeals make a finding based on substantial competent evidence on each of the following criteria. Additional pages, photographs, surveys, plot plans, or other materials may be attached as exhibits.

**Provide and detail what "special conditions and circumstances exist which are peculiar to a. the land, structure, or building involved and which are not applicable to other lands, structures or buildings in the same zoning district.";**

**b. Discuss and verify that "the special conditions and circumstances do not result from the actions of the applicant.";**

**c. Explain why "Literal interpretation of the provisions of these zoning regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of these zoning regulations and would work unnecessary and undue hardship on the applicant.";**

**CONFORMING CRITERIA**

**d. Detail and explain why "No practical alternative exists and the variance, if granted, is the minimum variance that will make possible the reasonable use of the land, building or structure.";**

**e. Detail and explain why "The variance request is not based exclusively upon a desire to reduce the cost of developing the site. Financial disadvantages or physical inconvenience to the applicant shall not in and of themselves constitute conclusive proof of unnecessary hardship.";**

**f. Detail and explain why "The proposed variance will not substantially increase congestion on surrounding public streets, the danger of fire, or other hazard to the public.";**

**g. Detail and explain why "The effect of the proposed variance is in harmony with the general intent of this Land Development Code and the specific intent of the relevant subject areas of this Land Development Code and will not substantially diminish property values in, nor alter the essential character of, the area surrounding the site."; and**

**CONFORMING CRITERIA**

Detail and explain why "Granting the variance requested will not confer on the applicant h. any special privilege that is denied by this Land Development Code to other lands, buildings or structures in the same zoning district."

**ABUTTING PROPERTY OWNERS**

Please provide abutting property owners signatures or provide letters indicating their position toward the variance request.

Signature	Street Address	For	Against

**FEE REQUIREMENT**

Check type	Type of Application	Application fee	Advertising fee	Total fee
	Variance	\$350	\$425	\$775
	After the fact variance	\$700	\$425	\$1,125

**KEY SUBMITTAL REQUIREMENTS**

1.	Completed application.	
2.	Required fee.	
3.	Proof of ownership.	
4.	Letter of authorization, if the applicant is not the property owner.	
5.	Property survey.	
6.	Plot plan showing the variance request (exact dimensions required).	
7.	Statement/letters of no objections from abutting property owners.	
8.	See BOAA calendar for submittal and action dates.	
9.	Approved variances have a 30 day appeal period prior to permit issuance.	

**CERTIFICATION**

By submitting this application, I hereby certify that the information provided is true and correct to the best of my knowledge and that I am aware of the application submittal requirements and the review process for this application. I authorize Ormond Beach staff to access the subject property during typical business hours to review the variance application.

Signature: \_\_\_\_\_

STATE OF FLORIDA

COUNTY OF \_\_\_\_\_

The forgoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_ as \_\_\_\_\_ (title\*) for \_\_\_\_\_ (name of corporation\*), who ( ) provided \_\_\_\_\_ as identification, or ( ) who is personally known to me.

\_\_\_\_\_

Notary Public, State of Florida  
My Commission Expires:

\* If you are executing this document on behalf of a corporation please complete the spaces with your title and the name of your company as indicated.