



## TOWN OF HOWEY-IN-THE-HILLS, FLORIDA

### PETITION FOR VARIANCE CHECKLIST AND REQUIREMENTS

#### **VARIANCE APPLICATION CHECKLIST**

- General Land Development Application
- Application Fee and Estimated Deposit
- Description of the Variance and how it complies with Sec. 4.13.04
- List of property owners within 300 feet
- One signed and sealed survey of the property (no more than 2 years old).
- Legal Description
- Notarized Authorization of Owner (if applicant is other than owner or attorney for owner).

#### **PUBLIC NOTIFICATION (Sec. 4.13.03)**

The applicant shall provide written notice to property owners within 300 feet regarding his intention to seek a variance. Notice shall be sent by certified mail no later than ten (10) days prior to the scheduled meeting and shall include the date, time and place of the public hearing and a description of the proposed variance. A notice letter will be provided to the applicant by the Town.

In addition to written notice Town staff shall also post a notice on the subject property ten days prior to the public hearing and publish a notice of the hearing in a newspaper of general circulation at least ten (10) days prior to the public hearing.

#### **VARIANCE HEARING PROCESS**

The Planning and Zoning Board shall review the application for variance at their next available meeting following receipt of a completed application. The Planning and Zoning Board shall make a recommendation to the Town Council acting as the Board of Adjustment as to whether to approve, approve with changes or deny the variance. Upon receipt of the recommendation from the Planning and Zoning Board, the Board of Adjustment shall schedule a public hearing on the variance application and shall approve, approve with changes or deny the variance.

**VARIANCE REQUIREMENTS**

The following items must be completed in sufficient detail to allow the Town to determine if the application complies with the criteria for approving a variance.

Describe the requested variance. Attach any supplemental information that can assist in understanding the variance request and the negative impacts that the application of the land development code may have on the subject property.

A variance is required to be requested from Town Council for any building exceeding 5,000 sf.

- 1. What special condition(s) and circumstance(s) exist that are peculiar to your land, structure, building, or sign and are not applicable to other lands, structures, buildings, or signs in the same zoning classification?

The parcel is too small to meet the minimum requirements for a VMC/PUD project. In discussions with staff, this may have been assigned to this site in error.

- 2. Were these special condition(s) and circumstance(s) the result of actions by you?  YES  NO If Yes, Explain.

- 3. Would literal interpretation of the code deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the City Code?  YES  NO If Yes, Explain

A rezone to NC (Neighborhood Commercial) would allow the owner to develop the property for a veterinary office, which would benefit the surrounding residents. The variance for the extra 1,000 sf of space would be a benefit that others could apply for as well.

4. Will granting the variance requested confer on the applicant any special privilege that is denied by code to other lands, buildings or structures in the same zoning district?  YES  NO Explain

The variance from 5,000 sf to 6,000 sf of space would allow the property to be developed and would not impose any special privilege that surrounding property owners could not also enjoy.

5. Explain how the Variance(s) you are requesting is/are the minimum Variance(s) that will make it possible for you to make reasonable use of your land, building, structure or sign.

The NC (Neighborhood Commercial) zoning would allow for the development of the veterinary office. The variance from 5,000 sf to 6,000 sf would make the office large enough to fit all the necessary offices and equipment required for this type of business. This proposed building is actually about a 15% reduction from the optimal site preferred for a veterinary office.

6. Would the granting of the variance be in harmony with the general intent and purpose of the Code and the city's comprehensive plan?  YES  NO Explain

The property in it's current state is vacant and is of no benefit to the owner or community. The development of a veterinary office, would benefit the surrounding residents and bring care closer to where they live.

7. Would the granting of the variance be injurious to the area involved or otherwise detrimental to the public welfare?  YES  NO Explain

The proposed business operates during normal business hours, does not have excessive traffic generation and would benefit the surrounding residents.

  
Print Applicant Name

Julie Farr  
Applicant Signature

4/3/24  
Date