



# VARIANCE APPLICATION

Department of Planning & Community Development  
1234 North West Highway 19  
Crystal River, FL 34428  
352-795-4216 Ext. 306  
Fax 352-795-6245

Office Use Only: Paid _____	Date _____
Residential – \$250	Commercial - \$500

### Applicant Information:

Name: \_\_\_\_\_ Phone # \_\_\_\_\_

Street Address: \_\_\_\_\_  
CITY ST ZIP

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

### Property Information:

Alt Key #: \_\_\_\_\_ Parcel Id # \_\_\_\_\_  
(AVAILABLE AT THE CITRUS COUNTY PROPERTY APPRAISER'S WEBSITE: [www.citruspa.org](http://www.citruspa.org))

Legal Description: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.or attach description on a separate page)

Subdivision: \_\_\_\_\_ Lot: \_\_\_\_\_ Block: \_\_\_\_\_

Current Zoning District: \_\_\_\_\_

Flood Zone: \_\_\_\_\_ Base Flood Elevation: \_\_\_\_\_  
(This information shall be based on the latest Flood Insurance Rate Maps)

***The applicant for a variance has the burden of proof of demonstrating that the application for a variance complies with each of the requirements of Section 9.02.02(A).***

**Variance Request:** List the LDC Sections that pertain to the requested action.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Notes:**

1. Any variance authorized by the Planning Commission, and not used and acted upon by the applicant, or the applicant's successor in interest, within one (1) year from the date on which the decision of the Planning Commission is reduced to a written order, or if appealed, the date on which the order becomes final, shall be deemed abandoned and be void and of no further force and effect.
2. A variance shall not be granted which authorizes a use that is not permissible in the zoning district in which the property subject to the variance is located.
3. A variance shall not be granted which authorizes any use or standard that is expressly prohibited by this LDC.
4. No nonconforming use of adjacent lands, structures, or buildings in the same zoning district, and no permitted use of land, structures, or buildings in other zoning districts shall be considered grounds for the authorization of a variance.

**Attachments:**

1. Deed or other proof of ownership.
2. A site plan, if applicable and explanation to each of the provisions below.

**Variance Checklist**

In order for an application for a variance to be approved or approved with conditions, the Planning Commission shall make a positive finding, based on the evidence submitted, with regard to each of the following provisions:

Findings	<b>Provisions (Sec. 9.02.02(A))</b>
	1. <b>There is a specific hardship affecting the development of the lot resulting from the strict application of the provisions of the LDC.</b> <i>(Explain how you will be deprived of reasonable use of the land, building, or structure, equivalent to the use made of lands, buildings or structures in the same neighborhood. Show that you have an unnecessary hardship, more than mere inconvenience or a preference for more lenient standards.)</i>
	2. <b>The hardship is not a result of actions of the owner and is not based solely on a desire to reduce development costs.</b> <i>(It is not enough to say that the development will cost more in order to comply. You must show the substantial and undue nature of that additional cost as compared to others subject to the same restriction.)</i>
	3. <b>The need for the proposed variance is due to the physical shape configuration, or topographical condition of the lot in such a manner as to distinguish it from other adjacent or nearby lots or from other lots in the district.</b> <i>(An example would be a pie shaped lot where the lot narrows dramatically towards the</i>

	<i>front yard and the side yard setback prohibits you from building an addition.)</i>
	4. The proposed variance is necessary to preserve a substantial property right where such property right is generally available to other property owners of adjacent or nearby lots or other lots in the zoning district. <i>(Explain that if the variance is not approved would any development of the proposed property be possible?)</i>
	5. The grant of the proposed variance does not confer on the applicant any special privilege that is prohibited by this LDC to other lands, buildings, or structures in the same zoning district. <i>(Is what you want to do something that other properties in the same zoning district have been allowed to do? If so, how does the ordinance prevent you from doing so?)</i>
	6. The proposed variance does not substantially increase congestion on surrounding streets, does not increase the danger of fire or other hazard, and is not otherwise detrimental to the health, safety, or general welfare of the public. <i>(Will granting the variance harm public safety? (Example: A property owner may prove an unnecessary hardship exists from limitations on on-site drives and parking for a commercial use. The increased traffic and stormwater effects could prove to harm public safety)</i>
	7. The development following the proposed variance is compatible with adjacent and nearby development and does not alter the essential character of the district. <i>(Will the variance cause the character of your neighborhood to change?)</i>
	8. The variance granted is the minimum variance that results in reasonable use of the land, building, or structure. <i>(Have you looked at all other options to do what you want to do and found that the variance you are seeking is for the least amount necessary?)</i>
	9. The effect of the proposed variance is consistent with the general intent of the LDC and the specific intent of the relevant standards and criteria. <i>(Will what you are proposing have any negative effects on your neighbors or any other property or to public property?)</i>
	10. The effect of the proposed variance is consistent with the comprehensive plan. <i>(City staff will assist with this.)</i>

## Checklist for Variances in Areas of Flood Hazard

---

The Planning Commission must consider all technical evaluations regarding development in areas of flood hazard, general criteria for the grant of a variance as set forth in Section 9.02.02, and the following specific criteria

Findings	Criteria (Sec. 9.02.04)
	1. The danger that materials may be swept onto other lands to the injury of others;
	2. The danger to life and property due to flooding or erosion damage;
	3. The susceptibility of the proposed structure and its contents to flood damage and the effect of such damage on the individual owner;
	4. The importance of the services provided by the proposed structure to the public;
	5. The necessity of the structure to a waterfront location, in the case of a functionally water-dependent facility;
	6. The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;
	7. The relationship of the proposed use to the floodplain management program for that area;
	8. The safety of access to the property in times of flood for ordinary and emergency vehicles;
	9. The expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site, and;
	10. The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, water systems, streets, and bridges
	Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

**Notes:**

- The Planning Commission shall follow all procedures and requirements of Section 9.02.03 in the consideration of applications for a variance in areas of flood hazard.
- Any applicant to whom a variance is granted shall be given written notice specifying the difference between the base flood elevation and the elevation to which the building is to be built and stating that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.