Variance Application Package

Hillsborough County Florida
Development Services

Instructions to Applicants for Requests Requiring Public Hearing:

I. Prior to completing this application:

If you have any questions regarding your proposed project prior to submittal of this application, please email ZoningIntake-DSD@HCFL.gov.

Please ensure you gather items that will need to be submitted prior to submitting your application as incomplete applications will not be accepted. Some of the items necessary may be obtained as follows:

- **Property information** such as folio numbers, future land use, current zoning, section/township/range and other information may be obtained by using the Hillsborough County Map Viewer and searching for the necessary address in the search bar at the top.
- **Sunbiz Forms** may be obtained by visiting Sunbiz.org.
- **A Copy of the Current Recorded Deed(s)** may be obtained by visiting the Hillsborough County Property Appraiser's website at HCPAFL.org and conducting a Property Search. Search by folio number or property address and select the correct result. Scroll down to 'Sales History' and select the most recent 'Instrument Number'. Select one of the results to view and save the current recorded deed.
- **Close Proximity Property Owners List** may be requested by emailing gisdept@hcpafl.org. Include all folio numbers and the notice buffer distance area in the request. *Please Note:* If your property has an Agricultural Future Land Use Designation (A, AR, AM, AE) or a Future Land Use Designation of RES-1 you must obtain a list of all property owners within 500 feet of the subject property. For all other Future Land Use Categories you must obtain a list of all property owners within 300 feet of the subject property. If the property contains more than one future land use category, the greatest applicable notice distance shall apply per LDC Section 10.03.02.E.1. If the notice distance extends to include parcels in an adjacent county jurisdiction, those property owners will need to be included in the list. Contact the property appraiser's office for the applicable county jurisdiction to obtain that list.

II. Application submittal:

Part A and Part B of the submittal requirements include specific requirements and their requisite forms necessary for a complete and sufficient application submission.

- **Part A** will verify the property owner has authorized the application and includes forms and documents needed to verify the area for the proposed change.
- **Part B** includes the specific additional submittal requirements for the type of application being submitted.

Documents must be submitted as separate PDF documents with a minimum image resolution of 300 dpi labeled according to their contents and submitted in a single email to ZoningIntake-DSD@HCFL.gov. Incomplete submittals will receive an email indicating the documents that are missing and will require a full resubmittal.

IMPORTANT: Review the entire application (both Parts A and B) for completeness prior to submission. Ensure you have your complete application submitted by 3:00 PM on the cut-off day for your desired hearing or your application will miss the cut-off and be continued to the next hearing date. Incomplete applications will not be accepted.

III. Post-application submittal:

Complete submittals will receive a payment request email. The deadline to make the payment is **one business day** after you receive this request. Failure to complete the payment by the deadline will result in application delays and/or additional Fastrack fees. Please view our current fee schedule for a list of zoning fees. Payments must be made through the HillsGovHub portal. Instructions on how to create an account and how to make a payment are also available.

Remember, the Hillsborough County Land Development Code requires public notice for this category of application. After payment is received, you will receive a Letter of Notice that must be sent to all addresses on the Close Proximity Property Owners List and/or HOA list. A Certificate of Mailing must also be provided. Instructions on completing your Letter of Notice and obtaining a Certificate of Mailing, will be sent with the Letter of Notice via email. Mailing deadlines and the deadline to submit the certificate of mailing will also be included on this email.

Hillsborough County Florida
Development Services

Submittal Requirements for Applications Requiring Public Hearings

Official Use Only

Application No:_____ Intake Date: _____

Hearing(s) and type: Date: _____ Type: _____ Receipt Number: _____

Date: _____ Type: _____ Intake Staff Signature:_____

Applicant/Representative: _____Phone:_____

Representative's Email: _____

The following information is used by reviewing agencies for their comments and should remain constant, with very few exceptions, throughout the review process. Additional reviews, such as legal description accuracy, compatibility of uses, agency reviews, etc., will still be conducted separately and may require additional revisions.

The following ownership information must be provided and will be verified upon the initial submittal. If you are viewing this form electronically, you may click on each underlined item for additional information.

Part A: Property Information & Owner Authorization Requirements

	Included	N/A	Requirements
1	❑		**Property/Applicant/Owner Information Form**
2	❑	❑	**Affidavit(s) to Authorize Agent** (if applicable) NOTE: All property owners must sign either the Application form or the Affidavit to Authorize Agent. If property is owned by a corporation, submit the Sunbiz information indicating that you are authorized to sign the application and/or affidavit.
3	❑	❑	**Sunbiz Form** (if applicable). This can be obtained at Sunbiz.org.
4	❑		**Property/Project Information Sheet** All information must be completed for each folio included in the request.
5	❑		**Identification of Sensitive/Protected Information and Acknowledgement of Public Records**
6	❑		**Copy of Current Recorded Deed(s)**
7	❑		**Close Proximity Property Owners List**
8	❑		**Legal Description** for the subject site.
9	❑	❑	**Copy of Code Enforcement/Building Code Violation(s)** (if applicable)
10	❑	❑	**Fastrack Approval** (if applicable)

Additional application-specific requirements are listed in Part B.

Hillsborough County Florida
Development Services

Property/Applicant/Owner Information Form

Official Use Only

Application No:_____ Intake Date: _____

Hearing(s) and type: Date: _____ Type: _____ Receipt Number: _____

Date: _____ Type: _____ Intake Staff Signature:_____

Property Information

Address: _____ City/State/Zip:_____

SEC-TWN-RN:_____ Zoning: _____Future Land Use: _____Property Size:_____

Folio(s): _____

Property Owner Information

Name: _____Daytime Phone: _____

Address: _____City/State/Zip:_____

Email:_____ Fax Number: _____

Applicant Information

Name: _____Daytime Phone: _____

Address: _____City/State/Zip:_____

Email:_____ Fax Number: _____

Applicant's Representative (if different than above)

Name: _____Daytime Phone: _____

Address: _____City/State/Zip:_____

Email:_____ Fax Number: _____

I hereby swear or affirm that all the information provided in the submitted application packet is true and accurate, to the best of my knowledge, and authorize the representative listed above to act on my behalf on this application.

_____
Signature of the Applicant

_____
Type or print name

I hereby authorize the processing of this application and recognize that the final action taken on this petition shall be binding to the property as well as to the current and any future owners.

_____
Signature of the Owner(s) – (All parties on the deed must sign)

_____
Type or print name

Hillsborough County Florida
Development Services

Affidavit to Authorize Agent

(If applicant is other than owner)

State of Florida
County of Hillsborough

_____
(Name of all property owners), being first duly sworn, depose(s) and say(s):

1. That (I am/we are) the owner(s) and record title holder(s) of the following described property, to wit:

   Address or general location:_____Folio No(s): _____

2. That this property constitutes the property for which a request for a: _____

   _____ (Nature of request) is being applied to the Board of County Commissioners, Hillsborough County.

3. That the undersigned (has/have) appointed_____ as (his/their) agent(s) to execute any permits or other documents necessary to affect such permit.

4. That this affidavit has been executed to induce Hillsborough County, Florida, to consider and act on the above-described property;

5. That (I/we), the undersigned authority, hereby certify that the foregoing is true and correct.

Signed (Property Owner)	Signed (Property Owner)
Type or Print Name	Type or Print Name

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me by means of ❑ physical presence or ❑ online notarization, this_____ day of_____,
_____ , by_____
(year) (name of person acknowledging)

❑ Personally Known OR ❑ Produced Identification
Type of Identification Produced_____

(Signature of Notary taking acknowledgment)

Type or Print Name of Notary Public

Commission number Expiration date

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me by means of ❑ physical presence or ❑ online notarization, this_____ day of_____,
_____ , by_____
(year) (name of person acknowledging)

❑ Personally Known OR ❑ Produced Identification
Type of Identification Produced_____

(Signature of Notary taking acknowledgment)

Type or Print Name of Notary Public

Commission number Expiration date

Hillsborough County Florida
Development Services

Property/Project Information Sheet

Official Use Only

Application No:_____

Proposed Project Name (If applicable): _____Related Applications: _____

Proposed Utilities: ❑ Public water ❑ Private Well ❑ Public Wastewater ❑ Septic Tank

Service Area: ❑ Urban ❑ Rural ❑ City of Temple Terrace ❑ City of Tampa

Is subject parcel (s) subject to foreseen lot splitting? ❑ Yes ❑ No

Code Enforcement/Building Code violation No. (if applicable):_____

List each folio within the proposed project along with the corresponding information for each. (Use additional sheets if necessary).

Folio Number	Owner(s) Name(s) as listed on the deed	Acreage	Current Zoning*	Future Land Use Category	S/T/R**
	Total Acreage:				

* If Current Zoning is PD, list PD application number as well.

** Section/Township/Range

Hillsborough County Florida
Development Services

Identification of Sensitive/Protected Information and Acknowledgement of Public Records

Pursuant to Chapter 119 Florida Statutes, all information submitted to Development Services is considered public record and open to inspection by the public. Certain information may be considered sensitive or protected information which may be excluded from this provision. Sensitive/protected information may include, but is not limited to, documents such as medical records, income tax returns, death certificates, bank statements, and documents containing social security numbers.

While all efforts will be taken to ensure the security of protected information, certain specified information, such as addresses of exempt parcels, may need to be disclosed as part of the public hearing process for select applications. If your application requires a public hearing and contains sensitive/protected information, please contact Hillsborough County Development Services to determine what information will need to be disclosed as part of the public hearing process.

Additionally, parcels exempt under Florida Statutes §119.071(4) will need to contact Hillsborough County Development Services to obtain a release of exempt parcel information.

Are you seeking an exemption from public disclosure of selected information submitted with your application pursuant to Chapter 119 FS? ❑ Yes ❑ No

I hereby confirm that the material submitted with this application

❑ Includes sensitive and/or protected information.

Type of information included and location_____

_____

❑ Does not include sensitive and/or protected information.

Please note: Sensitive/protected information will not be accepted/requested unless it is required for the processing of the application.

If an exemption is being sought, the request will be reviewed to determine if the application can be processed with the data being held from public view. Also, by signing this form I acknowledge that any and all information in the submittal will become public information if not required by law to be protected.

Signature: _____

(Must be signed by applicant or authorized representative)

Intake Staff Signature: _____ Date: _____

Hillsborough County Florida
Development Services

Specific Submittal Requirements for Variances

This section provides information on items that must be addressed/submitted for a Variance and will be subsequently reviewed when the application is assigned to a planner. Where certain information does not apply to a project, a notation shall appear on the plan stating the reason, for example, "No existing water bodies within project." Additionally, the explanations and justifications for when certain information does not apply to the project shall be included in the Narrative. If Hillsborough County determines the submitted plan lacks required information, the application shall not proceed to hearing as provided for in Section 6.2.1.1.A. Additionally, the required information is only the minimum necessary to schedule an application for hearing and Hillsborough County reserves the right to request additional information during review of the application.

If you are viewing this form electronically, you may click on each underlined item for additional information.

For any items marked N/A, justification must be provided as to why the item is not included.

Part B: Project Information

	Included	N/A	Additional Submittal Requirements for a Variance
1	☐		**Project Description/Written Statement of the Variance Request**
2	☐		**Variance Criteria Response**
3	☐	☐	**Attachment A** (if applicable)
4	☐		**Survey/Site Plan**
5	☐	☐	**Supplemental Information** (optional/if applicable)

Hillsborough County Florida
Development Services

Application No: _____

Project Description (Variance Request)

1. In the space below describe the variance including any history and/or related facts that may be helpful in understanding the request. This explanation shall also specifically identify what is being requested (e.g., Variance of 10 feet from the required rear yard setback of 25 feet resulting in a rear yard of 15 feet). If additional space is needed, please attach extra pages to this application.

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

2. A Variance is requested from the following Section(s) of the Hillsborough County Land Development Code:

_____

_____

_____

Additional Information

1. Have you been cited by Hillsborough County Code Enforcement? ❑ No ❑ Yes
   If yes, you must submit a copy of the Citation with this Application.
2. Do you have any other applications filed with Hillsborough County that are related to the subject property?
   ❑ No ❑ Yes If yes, please indicate the nature of the application and the case numbers assigned to the application(s):

   _____
3. Is this a request for a wetland setback variance? ❑ No ❑ Yes
   If yes, you must complete the Wetland Setback Memorandum and all required information must be included with this Application Packet.
4. Please indicate the existing or proposed utilities for the subject property:
   ❑ Public Water ` ❑ Public Wastewater ❑ Private Well ❑ Septic Tank
5. Is the variance to allow a third lot on well or non-residential development with an intensity of three ERC's?
   ❑ No ❑ Yes If yes, you must submit a final determination of the *"Water, Wastewater, and/or Reclaimed Water – Service Application Conditional Approval – Reservation of Capacity"* prior to your public hearing.

Hillsborough County Florida
Development Services

Application No: _____

Variance Criteria Response

1. Explain how the alleged hardships or practical difficulties are unique and singular to the subject property and are not those suffered in common with other property similarly located?

_____

_____

_____

2. Describe how the literal requirements of the Land Development Code (LDC) would deprive you of rights commonly enjoyed by other properties in the same district and area under the terms of the LDC.

_____

_____

_____

3. Explain how the variance, if allowed, will not substantially interfere with or injure the rights of others whose property would be affected by allowance of the variance.

_____

_____

_____

4. Explain how the variance is in harmony with and serves the general intent and purpose of the LDC and the Comprehensive Plan *(refer to Section 1.02.02 and 1.02.03 of the LDC for description of intent/purpose).*

_____

_____

_____

5. Explain how the situation sought to be relieved by the variance does not result from an illegal act or result from the actions of the applicant, resulting in a self-imposed hardship.

_____

_____

_____

6. Explain how allowing the variance will result in substantial justice being done, considering both the public benefits intended to be secured by the LDC and the individual hardships that will be suffered by a failure to grant a variance.

_____

_____

_____

Hillsborough County Florida
Development Services

Attachment A – To Be Completed For All Wetland Setback Variance Requests

Application No: _____

Variance requests that include a variance to encroach into the Wetland Setback require additional information to be submitted and reviewed by the Natural Resources staff prior to processing the application. A review fee of $260.00 is also required in addition to the Variance application fee.

Email this completed form and all documents to be submitted to NaturalResources@HCFL.gov for a sufficiency check. Natural Resources staff will sign the form and return it within 3 business days. **PLEASE NOTE:** This signed form must be included in the submittal made to ZoningIntake-DSD@HCFL.gov. Submittal to Natural Resources and subsequent processing time must be taken into account when considering cut-off dates. Only final, complete submissions to ZoningIntake-DSD@HCFL.gov by the necessary cut-off date will secure a hearing date.

Additional Submittal Requirements

- Any correspondence from other jurisdictional agencies pertinent to the request.
- Scaled tree survey showing trees 5 inches DBH (trunk diameter at 4 ½ feet above grade) located within 30 feet of the proposed encroachment. Any trees proposed for removal must be marked with an "X"
- Site Plan Requirements (must be to scale):
  - Official approval by the Environmental Protection Commission (EPC) of the wetland line. A survey of the wetland line signed by EPC and dated no less than 5 years ago must be provided unless the property is in a platted subdivision and the plat shows an approved wetland setback line that is not deemed expired. The administrator may require a new approved EPC wetland delineation even if the existing delineation has not expired, if the site conditions appear to have changed and the wetland line location appears to have shifted.
  - Wetland setback line clearly identified.
  - A cross-section of the Wetland Conservation/Preservation Area setback identifying proposed improvements, existing grade elevations, proposed finished grade elevations & any special design (i.e., retaining walls) to minimize encroachments into the setback (see example below).
    - Label each area of the encroachment into the wetland setback, providing the maximum depth and width of encroachment and the total square footage of encroachment.
    - Identify the type of vegetation within the setback.

Specific Variance Requested:

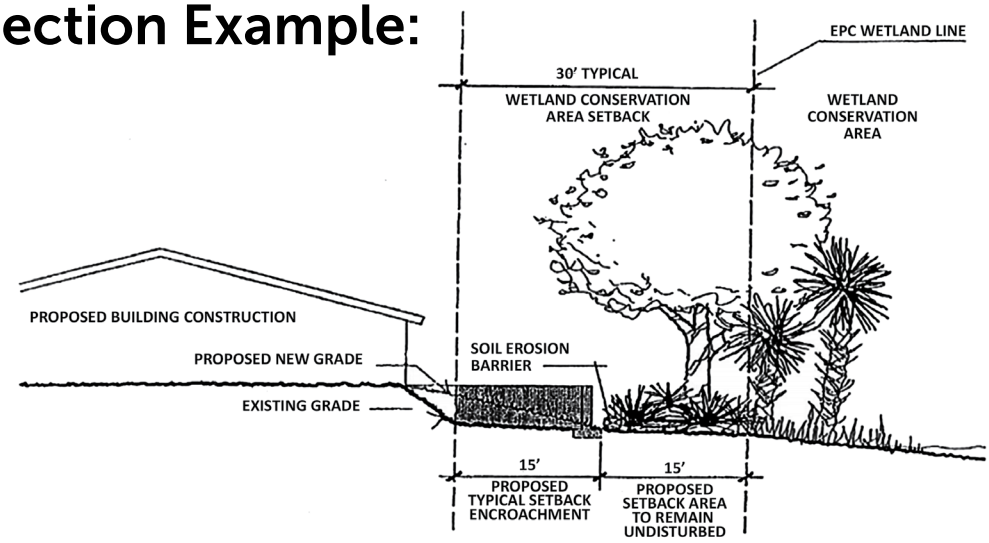
_____

_____

_____

Preliminary Review and Site Plan Sufficiency Check Conducted By: _____
(Signature of Natural Resources Staff Member)

Cross Section Example:

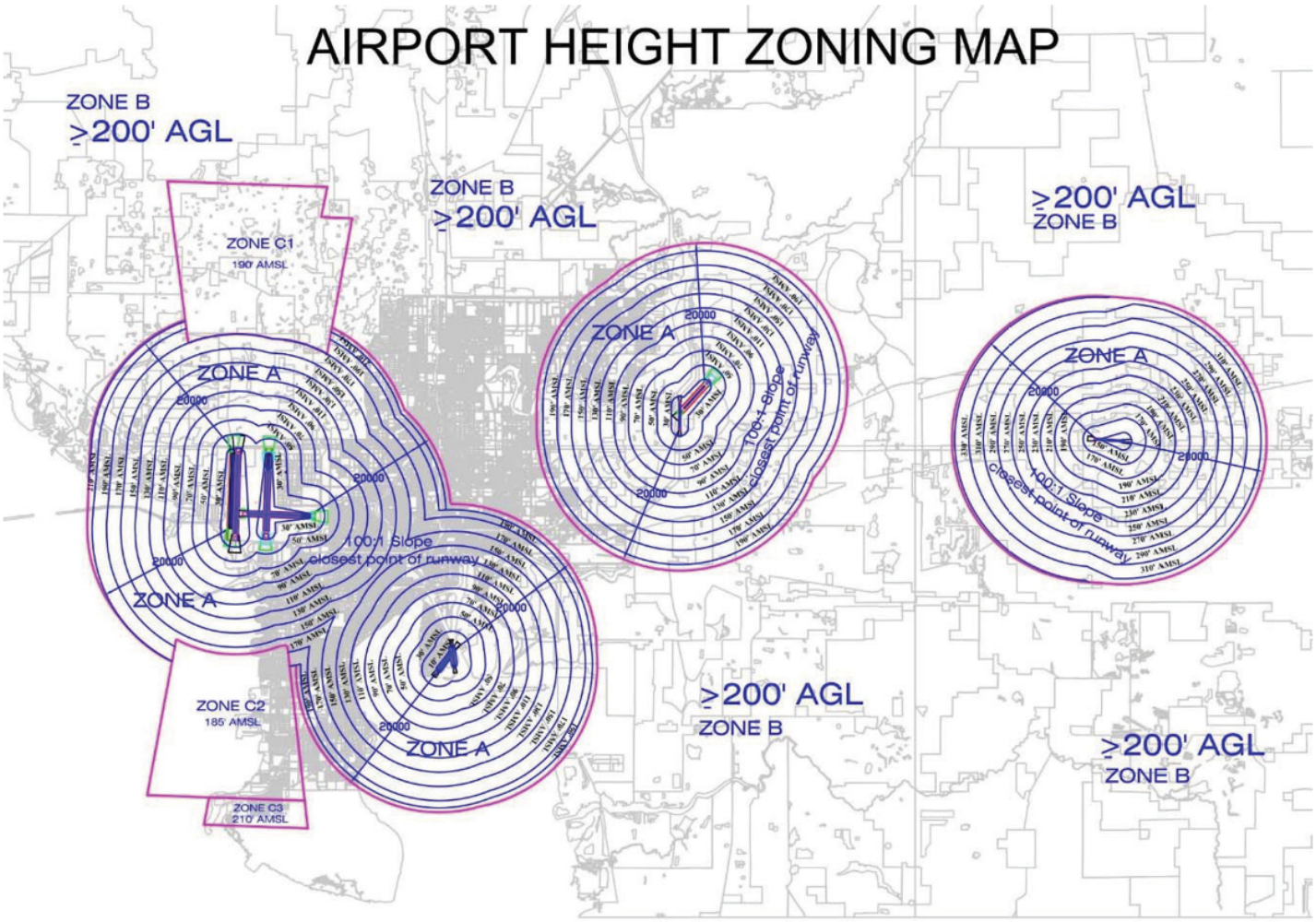


Hillsborough County Florida
Development Services

Airport Hazard Evaluation

(Effective June 1, 2017)

Properties located within the map areas depicted below may be subject to a separate Airport Height Zoning Permit approval process by the Hillsborough County Aviation Authority (HCAA), which includes a Determination of "No Hazard" from the Federal Aviation Administration (FAA), pursuant to the HCAA's Airport Zoning Regulations. FAA Determinations can take up to 45 days to complete. Additionally, pursuant to an Interlocal Agreement between the HCAA and Hillsborough County, any Land Development Proposal within proximity to Tampa International Airport and Tampa Executive Airport and Educational facilities and landfills located within certain mapped areas will be transmitted to HCAA for review.

For additional information and questions:
Tampa International Airport Information Link: TampaAirport.com/Airport-height-zoning

Contact: Sierra LePore, Director of Planning / Tampa International Airport
Phone: (813) 217-1806 E-Mail: slepore@tampaairport.com