

VARIANCE PETITION APPLICATION

Variance from Setbacks Required for a Particular Zoning District

LDC section 9.04.00 & Code of Laws section 2-83 – 2-90

Chapter 3 J. of the Administrative Code

PROJECT NAME: _____

APPLICANT CONTACT INFORMATION

Name of Property Owner(s): _____

Name of Applicant if different than owner: _____

Address: _____ City: _____ State: _____ ZIP: _____

Telephone: _____ Cell: _____ Fax: _____

E-Mail Address: _____

Name of Agent: _____

Firm: _____

Address: _____ City: _____ State: _____ ZIP: _____

Telephone: _____ Cell: _____ Fax: _____

E-Mail Address: _____

BE AWARE THAT COLLIER COUNTY HAS LOBBYIST REGULATIONS. GUIDE YOURSELF ACCORDINGLY AND ENSURE THAT YOU ARE IN COMPLIANCE WITH THESE REGULATIONS.

PROPERTY INFORMATION

Provide a detailed legal description of the property covered by the application: (If space is inadequate, attach on separate page)

Property I.D. Number: _____ Section/Township/Range: ____/____/____

Subdivision: _____ Unit: ____ Lot: ____ Block: ____

Metes & Bounds Description: _____ Total Acreage: ____

Address/ General Location of Subject _____

Property: _____

ADJACENT ZONING AND LAND USE

	Zoning	Land Use
N		
S		
E		
W		

Minimum Yard Requirements for Subject Property:

Front: _____ f.t.

Corner Lot: ☐ Yes ☐ No

Side: _____ f.t.

Waterfront Lot: ☐ Yes ☐ No

Rear: _____ f.t.

Chapter 8 of the Administrative Code requires that the applicant must remove their public hearing advertising sign(s) after final action is taken by the Board of County Commissioners. Based on the Board's final action on this item, please remove all public hearing advertising sign(s) immediately.

ASSOCIATIONS

Complete the following for all registered Association(s) that could be affected by this petition. Provide additional sheets if necessary. Information can be found on the Board of County Commissioner's website at <http://www.colliergov.net/Index.aspx?page=774>.

Name of Homeowner Association: _____

Mailing Address: _____ City: _____ State: _____ ZIP: _____

Name of Homeowner Association: _____

Mailing Address: _____ City: _____ State: _____ ZIP: _____

Name of Homeowner Association: _____

Mailing Address: _____ City: _____ State: _____ ZIP: _____

Name of Homeowner Association: _____

Mailing Address: _____ City: _____ State: _____ ZIP: _____

Name of Homeowner Association: _____

Mailing Address: _____ City: _____ State: _____ ZIP: _____

NATURE OF PETITION

On a separate sheet, attached to the application, please provide the following:

1. A detailed explanation of the request including what structures are existing and what is proposed; the amount of encroachment proposed using numbers, i.e. reduce front setback from 25 ft. to 18 ft.; when property owner purchased property; when existing principal structure was built (include building permit number(s) if possible); why encroachment is necessary; how existing encroachment came to be; etc.
2. For projects authorized under LDC Section 9.04.02, provide a detailed description of site alterations, including any dredging and filling.
3. Pursuant to LDC section 9.04.00, staff shall be guided in their recommendation to the Hearing Examiner, and the Hearing Examiner shall be guided in the determination to approve or deny a variance petition by the criteria (a-h) listed below. Please address the following criteria:
 - a) Are there special conditions and circumstances existing which are peculiar to the location, size and characteristics of the land, structure, or building involved.

- b) Are there special conditions and circumstances which do not result from the action of the applicant such as pre-existing conditions relative to the property which is the subject of the variance request.
 - c) Will a literal interpretation of the provisions of this zoning code work unnecessary and undue hardship on the applicant or create practical difficulties on the applicant.
 - d) Will the variance, if granted, be the minimum variance that will make possible the reasonable use of the land, building or structure and which promote standards of health, safety or welfare.
 - e) Will granting the variance requested confer on the petitioner any special privilege that is denied by these zoning regulations to other lands, buildings, or structures in the same zoning district.
 - f) Will granting the variance be in harmony with the intent and purpose of this zoning code, and not be injurious to the neighborhood, or otherwise detrimental to the public welfare.
 - g) Are there natural conditions or physically induced conditions that ameliorate the goals and objectives of the regulation such as natural preserves, lakes, golf course, etc.
 - h) Will granting the variance be consistent with the Growth Management Plan?
4. Official Interpretations or Zoning Verifications: To your knowledge, has there been an official interpretation or zoning verification rendered on this property within the last year?

☐ Yes ☐ No

If yes, please provide copies.

**Pre-Application Meeting and Final Submittal Requirement Checklist for:
Variance
Chapter 3 J. of the Administrative Code**

The following Submittal Requirement Checklist is to be utilized during the Pre-Application Meeting and at time of application submittal. At time of submittal, the checklist is to be completed and submitted with the application packet. Please provide the submittal items in the exact order listed below with cover sheets attached to each section. **Incomplete submittals will not be accepted.**

REQUIREMENTS FOR REVIEW	REQUIRED	NOT REQUIRED
Completed Application (download current form from County website)	<input checked="" type="checkbox"/>	
Pre-Application Meeting Notes	<input checked="" type="checkbox"/>	
Project Narrative	<input checked="" type="checkbox"/>	
Completed Addressing Checklist	<input checked="" type="checkbox"/>	
Property Ownership Disclosure Form	<input checked="" type="checkbox"/>	
Conceptual Site Plan 24" x 36" and one 8 ½" x 11" copy	<input type="checkbox"/>	<input type="checkbox"/>
Survey of property showing the encroachment (measured in feet)	<input checked="" type="checkbox"/>	
Affidavit of Authorization , signed and notarized	<input checked="" type="checkbox"/>	
Deeds/Legal(s)	<input type="checkbox"/>	<input type="checkbox"/>
Location map	<input type="checkbox"/>	<input type="checkbox"/>
Current aerial photographs (available from Property Appraiser) with project boundary and, if vegetated, FLUCFCS Codes with legend included on aerial	<input type="checkbox"/>	<input type="checkbox"/>
Historical Survey or waiver request, if applicable	<input type="checkbox"/>	<input type="checkbox"/>
Environmental Data Requirements or exemption justification	<input type="checkbox"/>	<input type="checkbox"/>
<i>Once the first set of review comments are posted</i> , provide the assigned planner with draft Agent Letter and address of property owners	<input type="checkbox"/>	<input type="checkbox"/>
Electronic copy of all documents and plans *Please advise: The Office of the Hearing Examiner requires all materials to be submitted electronically in PDF format.	<input checked="" type="checkbox"/>	

ADDITIONAL REQUIREMENTS FOR THE PUBLIC HEARING PROCESS:

- Following the completion of the review process by County review staff, the applicant shall submit all materials electronically to the designated project manager.
- Please contact the project manager to confirm the number of additional copies required.

Planners: Indicate if the petition needs to be routed to the following reviewers:

<input type="checkbox"/>	Bayshore/Gateway Triangle Redevelopment: Executive Director	<input type="checkbox"/>	Historical Review:
<input type="checkbox"/>	City of Naples: Robin Singer, Planning Director	<input type="checkbox"/>	Immokalee Water/Sewer District:
<input type="checkbox"/>	Conservancy of SWFL: Nichole Johnson	<input type="checkbox"/>	Parks and Recreation Director: Olema Edwards
<input type="checkbox"/>	Emergency Management: Dan Summers; and/or EMS: Artie Bay	<input type="checkbox"/>	School District (Residential Components): Amy Lockheart
<input type="checkbox"/>	Other:	<input type="checkbox"/>	

FEE REQUIREMENTS

- ☐ **Pre-Application Meeting:** \$500.00
- ☐ **Variance Petition:**
 - ☐ **Residential-** \$2,000.00
 - ☐ **Non-Residential-** \$5,000.00
 - ☐ **5th and Subsequent Review-** 20% of original fee
- ☐ **Estimated Legal Advertising Fee for the Office of the Hearing Examiner:** \$1,125.00
- ☐ **After The Fact Zoning/Land Use Petitions:** 2x the normal petition fee
- ☐ **Listed Species Survey (if EIS is not required):** \$1,000.00

Fire Code Plans Review Fees are collected at the time of application submission and those fees are set forth by the Authority having jurisdiction. The Land Development Code requires Neighborhood Notification mailers for Applications headed to hearing, and this fee is collected prior to hearing.

As the authorized agent/applicant for this petition, I attest that all of the information indicated on this checklist is included in this submittal package. I understand that failure to include all necessary submittal information may result in the delay of processing this petition.

All checks payable to: Board of County Commissioners.

The completed application, all required submittal materials, and the permit fee shall be submitted to:

Growth Management
Community Development Department
Zoning Division
ATTN: Business Center
2800 North Horseshoe Drive
Naples, FL 34104

Applicant Signature

Date

Printed Name