

VARIANCE PETITION APPLICATION (VA)
LDC section 9.04.00 & Code of Laws section 2-83 – 2-90
Chapter 3 J. of the Administrative Code

Applicant Contact Information

Name of Property Owner: _____

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

Phone: _____ E-Mail: _____

Name of Applicant: _____

Name of Agent: _____

Firm: _____

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

Phone: _____ E-Mail: _____

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 description on a separate sheet.

Property Address: _____ Property ID Number: _____

Section/Township/Range: _____/_____/_____

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

Metes & Bounds Description:

Current Zoning: _____ Land Use of Subject Property: _____

Adjacent Zoning and Land Use

	Zoning	Land Use
N		
S		
E		
W		

Minimum Yard Requirements for Subject Property

Corner Lot:	Yes	No	Waterfront Lot:	Yes	No
Required Yards:			Provided Yards:		
Front: _____ ft.			Front: _____ ft.		
Sides: _____ ft.			Sides: _____ ft.		
Rear: _____ ft.			Rear: _____ ft.		
Rear Accessory: _____ ft.			Rear Accessory: _____ ft.		

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.

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- 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.

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 [Civic Associations and Communities](#) page on the county website. Applicant is responsible for and shall confirm the current mailing addresses for each association as registered by the Florida Department of State, Division of Corporations.

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: _____

Pre-Application Meeting and Final Submittal Requirement Checklist
Variance (VA)
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
Application Form	☒	
Pre-Application Meeting Notes	☒	
Project Narrative	☒	
Completed Addressing Checklist	☒	
Property Ownership Disclosure Form	☒	
Conceptual Site Plan (measured in feet)	☒	
Affidavit of Authorization , signed and notarized	☒	
Survey of property showing the encroachment (measured in feet)	☒	
Deeds/Legal(s)	☒	
Location map	☒	
Current aerial photographs (available from Property Appraiser) with project boundary and, if vegetated, FLUCFCS Codes with legend included on aerial	☒	
Historical Survey or waiver request, if applicable	☐	☐
Environmental Data Requirements or exemption justification	☐	☐
Once the first set of review comments are posted, provide the assigned planner with draft Agent Letter, address of property owners, and certification.	☒	
REQUIREMENTS FOR PUBLIC HEARING:		
Following the completion of the review process by County review staff, the applicant shall submit all materials electronically to the assigned planner. Please contact the assigned planner to confirm the number of additional copies, if required. 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.		
Planners: Indicate if the petition needs to be routed to the following review agencies:		
☐ Bayshore/Gateway Triangle CRA	☐ Historical and Archaeological Review	
☐ City of Naples Planning Director	☐ Immokalee Water/Sewer District	
☐ Conservancy of SWFL: Nichole Johnson	☐ Parks and Recreation Director	
☐ Emergency Management Director	☐ School District (Residential Components): Amy Lockhart	
☐ Other:		

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Pre-Application & Review Fee Requirements

Pre-Application Meeting fees are applied as credit towards review fees upon submittal of application, if received within nine months from the date the pre-application meeting is held.

- | | |
|---|---------|
| ☒ Pre-Application Meeting: \$500.00 | \$_____ |
| ☒ Variance Petition: | |
| ○ Residential: \$2,000.00 | \$_____ |
| ○ Non-Residential: \$5,000.00 | \$_____ |
| ○ 5 th and Subsequent Review: 20% of original fee | \$_____ |
| ☐ After The Fact Zoning/Land Use Petitions: 2x the normal petition fee | \$_____ |
| ☐ Listed Species Survey (if EIS is not required): \$1,000.00 | \$_____ |
| Fee Subtotal: | \$_____ |

Public Notice Fee Requirements

- | | |
|---|---------|
| ☒ Legal Advertising Fee for the Office of the Hearing Examiner: \$50.00
(Applicable per advertisement) | \$_____ |
| ☒ Property Owner Notifications: \$1.50 non-certified mail, \$3.00 certified return receipt mail
(Petitioner to pay this amount prior to advertisement of petition) | |
| Fee Subtotal: | \$_____ |
| Pre-application fee credit: | \$_____ |
| Total Fees Required: | \$_____ |

As the authorized agent/applicant for this petition, I attest that all 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.

The completed application, all required submittal materials, and fees shall be submitted to:

Growth Management Community Development Department | GMCD Portal:

<https://cvportal.colliercountyfl.gov/cityviewweb>

Questions? Email: GMDClientServices@colliercountyfl.gov

Applicant Signature

Date

Printed Name

Sample Agent Letter Template to Property Owners and Associations within 150 feet

[Company Letterhead]

[Date]

Name
Address
City, State, Zip

Dear Property Owner:

Please be advised that the sender has made a formal application to Collier County for a variance from the requirements of the zoning regulations as they apply to the following described property:

[Description: distance from nearest intersection, fronting street or access road.
Verify with planner]

It is our intent to ask the County to allow us to [describe nature of variance] on the aforementioned property. In order to provide you an opportunity to become fully aware of our intention, we will be contacting you directly within the next few days or you may choose to telephone the sender for further information. In any event, please be advised that we are interested in assuring you that our request should not adversely affect your property interest.

Sincerely,

[Applicant's name, address, and phone number where you can be contacted]