



BUILDING DIVISION
5240 Babcock St., N.E., Suite 105, Palm Bay, FL 32905
Phone: (321) 953-8924 • Fax: (321) 953-8925

**CITY OF PALM BAY
BOARD OF ADJUSTMENTS AND APPEALS
VARIANCE APPLICATION**

City Ordinance Section 52.043. Whenever an interested party disagrees with any decision of the City Official regarding the meaning or interpretation of any provision of any building, construction, fire or electrical code, such party or a duly authorized agent may appeal the decision of the city official to the Board of Adjustments and Appeals. Appeals shall be in writing and on forms provided by the City Official. All appeals shall be filed with the city within fifteen (15) days after the decision is rendered by the City Official.

This application must be fully complete, legible, including all enclosures and required exhibits, and returned to the Building Division of Palm Bay, Florida. The applicant, or his/her representative, is required to attend the Board of Adjustments and Appeals meeting to explain the variance request and will be notified of the date and time of the Board meeting. The Board of Adjustments and Appeals holds its meetings at the City Hall Council Chambers, 120 Malabar Road, S.E., Palm Bay, Florida.

- 1) NAME _____
STREET ADDRESS _____ PHONE # _____
MAILING ADDRESS (if different from above)
STREET _____
CITY _____ STATE _____ ZIP _____
- 2) LEGAL DESCRIPTION OF PROPERTY COVERED BY THIS APPLICATION: _____

SECTION _____ TOWNSHIP _____ RANGE _____
- 3) STREET ADDRESS OF PROPERTY COVERED BY THIS APPLICATION: _____

- 4) EXISTING ZONING CLASSIFICATION OF PROPERTY (Example - R-2, HC, etc...): _____

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5) HAS A VARIANCE APPLICATION PREVIOUSLY BEEN FILED? _____ YES _____ NO

IF SO, STATE THE NATURE OF THE PREVIOUS APPLICATION, WHETHER THE REQUEST WAS APPROVED OR DENIED, AND DATE OF ACTION: _____

6) DESCRIBE THE EXTENT OF THE VARIANCE REQUEST: _____

7) CITE THE APPLICABLE SECTION(S) OF THE CODE AND ITS REQUIREMENTS FROM WHICH THE VARIANCE IS REQUESTED (Example – City Code of ordinances Sec 170):

8) GIVE WRITTEN EXPLANATIONS(S) DEMONSTRATING HOW THE VARIANCE MEETS THE FOLLOWING CONDITIONS:

a) That special conditions and circumstances exist which are peculiar to the land, structures or buildings involved and which are not applicable to other lands, structures, or buildings _____

b) That literal interpretation of the provisions of the Code(s) would deprive the applicant of rights commonly enjoyed by others. _____

c) That special conditions and circumstance referred to above do not result from the actions of the applicant.

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9) THE FOLLOWING EXHIBITS MAY BE REQUIRED TO COMPLETE THIS APPLICATION:

- a) A hearing fee of \$ _____
- b) A drawing to scale which shows structures (if any) and the variance desired (submit 12 copies).
- c) A survey prepared by a registered surveyor showing all property lines, structures, and other information as required.
- d) Are you the property owner of record? _____ Yes _____ No

IF NO, A NOTARIZED LETTER FROM THE PROPERTY OWNER MUST BE ATTACHED GIVING CONSENT TO THE APPLICANT TO REQUEST THE ADJUSTMENTS AND APPEALS VARIANCE.

I, THE UNDERSIGNED UNDERSTAND THAT THIS APPLICATION MUST BE COMPLETE AND ACCURATE BEFORE CONSIDERATION BY THE BOARD OF ADJUSTMENTS AND APPEALS, AND CERTIFY THAT ALL THE ANSWERS TO THE QUESTIONS IN SAID APPLICATION, AND ALL DATA AND MATTER ATTACHED TO AND MADE A PART OF SAID APPLICATION ARE HONEST AND TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING ADJUSTMENTS AND APPEALS VARIANCE APPLICATION AND THAT THE FACTS STATED IN IT ARE TRUE.

Signature of Applicant _____ **Date** _____

Printed Name of Applicant _____