



TOWN OF OCEAN RIDGE

6450 North Ocean Boulevard, Ocean Ridge, Florida 33435
(561) 732-2635 Main ♦ (561) 737-8359 Fax
oceanridgeflorida.com ♦ info@oceanridgeflorida.com

LAND DEVELOPMENT CODE VARIANCE APPLICATION

(Town Code Section 63-73)

The undersigned applicant(s) hereby petitions the Town of Ocean Ridge Board of Adjustment to call a public hearing(s) after due public notice, the cost of which is hereby assumed by the undersigned for the purpose of considering a variance to the Town's Land Development Code, as described herein.

APPLICANT(S) NAME: _____

PROPERTY ADDRESS: _____

INSTRUCTIONS FOR COMPLETION OF APPLICATION

1. All properties within a single application must be contiguous (immediately adjacent) to one another, and the Administrative Official may require more than one (1) application if the property concerned contains more than five (5) acres, or the fee paid for one (1) application would not equal the cost of processing the same.
2. No variance application shall be accepted by the Town Clerk for filing unless it is presented on the official forms provided by the town, and is filed with **an original plus nine (9) copies, including all exhibits as listed below, for a total submission of ten (10) packets.**
3. Mailing labels, GIS property list, and map **obtained from the Palm Beach County Property Appraiser's Office** for all properties within 300' of the subject property must be submitted with the application.
4. Before any application is deemed "filed", it must be complete (with all required information as stated below), and the **filing fee of \$900** must be received by the Town Clerk.
5. An application is complete only when it is executed in affidavit form (sworn) by:
 - a. the owner or owners of at least seventy-five (75%) per cent of the property described in the application; or
 - b. the tenant or tenants, with the owners' written (sworn) consent; or
 - c. the duly authorized agent(s), with the owners' power of attorney (not including members of the Florida Bar); or
 - d. the contract purchasers, with the filing of a copy of the Contract of Sale and Purchase; or
 - e. the Administrative Official; or
 - f. any person aggrieved by a development order or requirement.

NATURE OF THE REQUEST FOR VARIANCE

Section _____ of the Town of Ocean Ridge Land Development Code requires _____

The applicant requests a variance to permit: _____



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DESCRIPTION OF PROPERTY

A copy of the latest recorded deed is attached hereto as **Exhibit A**. The Property Control No. _____ and the subject property is located approximately _____ feet from the intersection of _____ and _____, on the (north, east, south, west) side of _____ Street.

JUSTIFICATION OF VARIANCE

1. Section 63-34 of the Town of Ocean Ridge Land Development Code requires a statement of special reasons or basis for the variance request. This statement should be predicated on the objectives presented in Sections 63-2 and 63-34 of the Code, and should be attached and marked as **Exhibit B**. **The statement must include comments on each of the following individually, marked “a” through “g” as listed below:**

- a. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved, and which are not applicable to other lands, structures, or buildings in the same zoning district.
- b. That the special conditions and circumstances do not result from the actions of the applicant.
- c. That granting the variance requested will not confer on the applicant any special privilege that is denied by the Zoning Ordinance to other lands, buildings, or structures in the same zoning district.
- d. That literal interpretation of the provisions of the Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the Ordinance and would work unnecessary and undue hardship on the applicant.
- e. That the variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure.
- f. That the granting of the variance will be in harmony with the general intent and purpose of the Ordinance.
- g. That such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.



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THE FOLLOWING REQUIRED GRAPHIC INFORMATION
SHALL BE ATTACHED TO THIS APPLICATION, AND MARKED AS REQUIRED

1. **Exhibit C:** Survey which must be sealed by a Land Surveyor licensed by the State of Florida at a scale prescribed by the Town containing the following (only the original submitted must be sealed. The other 9 submitted may be copies:
 - a. An accurate legal description of the property.
 - b. A computation of the size of the tract to the nearest one-tenth (1/10) of an acre.
 - c. The survey must have been prepared for the current property owner, contract purchaser, or owners' agent or attorney, and regardless of when prepared, must contain all updated information such as latter property revisions including but not limited to fencing, walls, structures, driveways or walkways.
2. **Exhibit D:** The location of the subject parcel plotted by an engineer or surveyor registered in the State of Florida on a copy of the official's zoning map of the Town or a reasonable facsimile thereof.
3. **Exhibit E:** A property owners' location drawing showing all property owner's information required below and their relation to the subject parcel:
4. **Exhibit F:** a statement of the applicant's equitable or title interest in the property, accompanied by one of the following:
 - a. If joint and several ownership, a written consent by all owners of a record, or
 - b. if a contract purchaser, a copy of the Contract for Sale and Purchase, plus the written consent of the owners, or
 - c. If an authorized agent, a copy of the Agency Agreement, or Power of Attorney giving the consent of the owners, or
 - d. If a lessee, a copy of the lease agreement and written consent of the owners, or
 - e. If a corporation or other business entity, the name of the officer or person responsible for the application and written proof that said person has the authority to represent the corporation or other business entity, or
 - f. If more than one owner, the title owners of a least seventy-five (75) percent of the property described in the application must provide written consent.
5. **Exhibit G:** Each application for variance shall include the following information to be shown on a Site Plan of the property:



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- a. The exact location of all structures on the property, showing distance from the property line(s) and other structures.
- b. The exact location of the property related to the public street or easement on which the property fronts.
- c. The exact location of driveways and fences of the subject property.
- d. An accurate indication of what and where the variance is as it relates to the existing structures on the property and to the nearest property or properties which the relief sought would affect.
- e. All pertinent information, such as drawings of details, landscaping, detailed measurements, parking, public and private utilities, and other information designed to provide a factual basis for the consideration of the variance shall be included on the Site Plan.
- f. Plans for Multiple Dwelling Units **are to be reviewed for off-street parking and landscaping by the Administrative Official prior** to filing an Application for Variance.

HISTORIC PROPERTY ADDENDUM

- 1. The applicant represents that the structure on the property described herein does not have "significant historic value", because of the following: (attach additional sheet(s), if necessary):

- 2. The applicant represents that the cost and practical feasibility of repairing or restoring the structure on the property described herein is not reasonable because of the following:



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APPLICANT'S CERTIFICATION

STATE OF FLORIDA
COUNTY OF PALM BEACH

The undersigned Applicant(s) swears or affirms, under penalty of perjury, that he/she (they) understand and will comply with the provisions of the Town of Ocean Ridge Land Development Code, and in particular Sections 63-73 and 63-34. The undersigned further certifies the foregoing statements made herein, together with all exhibits attached hereto, or later presented at a hearing in this cause, are true to the best of his/her (their) knowledge and belief.

Applicant Signature

Witness Signature

Printed Name of Applicant:

Printed Name of Witness:

APPLICANT IS:

Name(s) of Owner(s) if Other Than Applicant

- Owner
- Contract Purchaser
- Other _____
(Explain)

Phone: _____

SWORN TO AND SUBSCRIBED BEFORE ME THIS _____ DAY OF _____, 20__.

Notary Public, State of Florida

Notary Stamp:

FOR OFFICIAL TOWN USE ONLY

Date of Official Acceptance: _____

Official File Number: _____

Filing Fee Paid: \$ _____

Public Hearing Date: _____

Town Clerk Signature: _____