

## PROCEDURES FOR REQUESTING A VARIANCE FROM ARTICLE 11: SUBDIVISION, PLATTING, AND REQUIRED IMPROVEMENTS

The following is a step by step procedure as to how to apply for a variance:

- A. All submitted documents must be in electronic form and submitted by email. Contact Jaylene Davis at [jdavis@pbcgov.org](mailto:jdavis@pbcgov.org) or 561-684-4023 with any questions.
- B. A letter is written, requesting the variance, addressed to Scott Cantor, P.E., Director, Engineering Department - Land Development Division, 2300 North Jog Road, West Palm Beach, FL 33411-2745. The letter must be signed by either the owner, an agent authorized in writing (notarized) to act on the owner's behalf, or another person having a written contractual interest in the land for which the variance is proposed. **The letter must include the Section(s), from Article 11, of the requested variance.**
- C. Submit the following completed Zoning Forms:
  - Form #1 General Application – Public Hearing and DRO Administrative Processes;
  - Form #2 Affidavit of Completeness and Accuracy
  - Form #5 Liens and Fines Determination or Form #6 Liens and Fines Certification Form
  - Form #8 Disclosure of Ownership Interests – Applicant and/or Form #9 Disclosure of Ownership Interests – Property
  - Form #43 Type 2 Variance Supplemental Application.
- D. A letter must be provided by the owner(s) stating they own the property. Attach a copy of the recorded warranty deed.
- E. Submit a list of all Condominium Associations, POA's, HOA's, or equivalent within 500 feet of the property line of the affected area (Ord. 2016-016). See Palm Beach County ULDC Article 2, Table 2.B.5.C Courtesy Notice Requirements, for additional details.
- F. If the applicant is an agent, the following must be adhered to: If the owner is a corporation, a corporate resolution must be provided by the name(s) of the owner(s) as shown on the dedication of the plat, endorsing the requested variance and authorizing the agent (state name & firm) to represent them and consent to any conditions which may be placed on approval, and must be notarized. Attach an executed Land Development Consent Form.
- G. Complete the attached Justification of Application.
- H. Electronic plans, and surveys, digitally-signed, no larger than 24"x36", must be submitted with the variance areas being outlined. If needed, submit a copy of the plat.
- I. All lake slope variances are to have the following:
  1. A Hold Harmless and Indemnity Agreement from the homeowners association releasing the County from any and all liability that may occur due to the non-standard lake bank slopes; and
  2. Palm Beach County be added as an additional insured on the homeowners association general liability insurance.
  3. A copy of cross-section lake slopes, signed & sealed, from the Engineer-of-Record.
- J. To satisfy Zoning Commission Public Hearing requirements:
  1. Public notification signs must be posted as required by ULDC Article 2.B.5.
  2. Proof of posting must be provided by the deadline according to the Zoning calendar.
- K. The deadline for submittal of the application and plans is the same as the Zoning calendar for Zoning Commission submittals and resubmittals.
- L. Application Fees:
  - \$5,585.00 Application
  - 317.00 Legal Ad
  - 53.00 Liens & Fines Research (per PCN)
- M. After the application is certified, a Public Hearing date is scheduled (usually the first Thursday of the month), the Legal Ad is placed by the Zoning Division and the following documents must be submitted within 14 calendar days:
  1. A map and list of property owners of real property and cooperatives (PDF files), located within 500 feet of the periphery of the subject site, indicating the property address and property control number, whose names and addresses are known by reference to the latest published ad valorem tax records of the PBC Property Appraiser.
    - When real property consists of a condominium, the list must include the condominium association and all real property owners living within 500 feet.
    - If the area within 500 feet is owned by the applicant or partner in interest, the 500 foot notification boundary shall be extended from these parcels to the next adjacent parcel not owned by the Applicant or partner in interest.
    - Notification shall be sent to each owner as the ownership appears on the last approved tax roll.
    - In the Exurban and Rural Tiers, the 500 feet shall be extended to 1,000 feet unless otherwise approved by the Land Development and Zoning Directors.

2. A paper and PDF notarized affidavit stating that the said list is complete and accurate, and is based on the latest official tax rolls.
  3. A PDF copy of all of the address labels (in addition to the ones placed on the envelopes)
  4. Legal size, white, self-adhesive envelopes with enough stamps for first class postage (forever stamps) and labeled with each property owner name and address, that are addressed with the following return address in the upper left-hand corner:
    - Palm Beach County Engineering & Public Works, Land Development Division, 2300 N Jog Rd, West Palm Beach, FL 33411
    - International mail shall include associated the necessary forms and postage.
    - It is recommended that one of the envelopes be addressed to the applicant in order to receive a copy of the Courtesy Notice letter.
    - The PDF copy of the address labels and the envelopes shall include all adjacent POAs and all municipalities and Counties within one mile of the subject site, and if the site is located within a future annexation area, the associated municipality.
- N. The Zoning Commission determines the final disposition of the Variance Request.



