

## 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 Joanne M. Keller, 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
  - 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 300 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, Note 5.
- 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.
  3. Public notification letters will be sent out by the Zoning Division to property owners within 300 feet of the application site and the mailing fee is determined after the application is certified for Public Hearing. A separate invoice will be provided at that time. The applicant is responsible for sending public notification letters to any property owners within 300 feet that have foreign addresses. The letters will be provided to the applicant at the appropriate time.
- 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:
  - \$4,717.00 Application
  - 313.00 Legal Ad
  - 52.00 Liens & Fines Research (per PCN)
  - + Mailing fee (to be determined after certification)
- M. After the application is certified, a Public Hearing date is scheduled (usually the first Thursday of the month), the mailing fee is determined (to be paid immediately) and the Legal Ad is placed by the Zoning Division.
- N. The Zoning Commission determines the final disposition of the Variance Request.



