



**BUILDING AND ZONING DIVISION
COUNTY OF VOLUSIA
PRE- APPLICATION MEETING FORM**

You must set up a pre-application meeting **before** submitting your application. Please call extension 2777 from one of the following numbers to set up an appointment: From the DeLand area at (386) 943-7059, from Daytona/Ormond Beach at 248-8115, and from New Smyrna Beach/Oak Hill at 424-6815 or fax this completed form to (386) 626-6570.

The following background information is required to schedule a pre-application meeting. County staff will use this to research the project site in preparation for the meeting. Although this is the minimal amount of background material required, more information is welcome. Please reference the list of Recommended Pre-Application Materials. Please attach additional sheets or plans as needed.

APPLICANT	OWNER
Name: _____	Name: _____
Address: _____	Address: _____
City/State/Zip: _____	City/State/Zip: _____
Phone: _____ Fax: _____	Phone: _____ Fax: _____
E-Mail Address: _____	E-Mail Address: _____
Contact Person: _____	Contact Person: _____

My application will be: (Please check the type of request)

- ___ A Rezoning from _____ to _____.
- ___ A Special Exception/Conditional Use for a _____.
- ___ A Variance to _____.
- ___ A Minor/Major Amendment to _____.

PROJECT INFORMATION

Tax parcel number(s): _____

Address of parcel: _____

Size of parcel: _____ Existing zoning: _____

Future Land Use: _____

Existing Use of Property: _____

You are recommended to submit the following with this form:

- A signed and sealed survey of the property (should be no more than 2 years old)
- Legal description of the subject property, if not on the survey
- A site plan to scale (for Special Exceptions & Variances)
- Written description of the request

Violation(s): _____

TRS Meeting Date: _____

EMD Required: YES NO

N/C Lot Letter Required: _____

Unrecorded Subdivision: _____

Other: _____

STAFF USE ONLY

Planner's Comments/Notes: _____

Notifications Discussed

Date Submitted: _____ Taken By: _____ Time: _____ a.m./p.m.

VARIANCE PROCESS

APPLICATION PROCEDURE

Applications for variances may be obtained online at www.volusia.org, or from one of the two (2) Building and Zoning Division locations:

123 West Indiana Avenue, DeLand
250 N. Beach Street, Daytona Beach

(386) 943-7059
(386) 254-4685

CHECKLIST

Information needed to complete the application includes:

- 1. A description of the variance requested.
- 2. The property owner's name, address, and telephone number.
- 3. If the owner is not the applicant, the applicant's name, address and telephone number.
- 4. Information on utilities.
- 5. The tax parcel number and address of parcel.

NOTE: THE PARCEL NUMBER CAN BE OBTAINED FROM ANY OF THE FOUR (4) VOLUSIA COUNTY PROPERTY APPRAISER'S OFFICES: 123 W. INDIANA AVENUE, DELAND; 250 NORTH BEACH STREET, DAYTONA BEACH; 810-A COMMED BOULEVARD, ORANGE CITY; OR 113 EAST CANAL STREET, NEW SMYRNA BEACH.

- 6. General location of the site.
- 7. The number of acres in the parcel.
- 8. The square footage of each proposed building, if applicable.

ADDITIONAL REQUIREMENTS - CHECKLIST

The completed application must be returned in person to the Building and Zoning Division.

- 1. The application fee.
- 2. A notarized authorization form from the owner or an attorney representing the owner.
- 3. Two (2) copies of the legal description.
- 4. Two (2) current (no older than two years) surveys of the property prepared by a Florida Registered Land Surveyor.
- 5. Five (5) copies of a site plan that complies with Section 1003.00(A)(4) of the Zoning Ordinance and one 8 1/2" X 11" reduced copy of survey.
- 6. Written petition as described in Section 1003.01 of the Zoning Ordinance.
- 7. Additional information required for a variance from Section 600.01 (Non-conforming lot):
 - a. The survey must show the location, site, and dimensions of existing structure(s), and distances of structure from all lot lines.
 - b. A copy of the deed(s)

APPLICATION DEADLINE

The deadline to submit applications to the Building and Zoning Division is 12:00 noon, forty-five (45) days prior to the Planning and Land Development Regulation Commission (PLDRC) public hearing.

The Building and Zoning Division has three (3) working days from the date you submit your application to determine if it is complete and correct. If your application is found to be lacking any of the requested information, or if the data and exhibits are inaccurate, it will not be considered "filed" for the purpose of processing, nor will it be placed on the PLDRC agenda unless a correct application is submitted within 3 working days after the filing deadline date.

PUBLIC NOTIFICATION

1. At least 10 days prior to the PLDRC public hearing, the applicant shall mail a letter of notification to owners of all property abutting the request site. (This includes property across the street.) Letters are to be sent by certified mail and are to contain an explanation of the request; the legal description of the property; and times, dates, and places of the PLDRC public hearing and the County Council public hearing. A sample letter can be obtained from the Building and Zoning Division. The names and addresses of the adjoining property owners are to be obtained from any of the three (3) Volusia County Property Appraiser's Offices: 123 West Indiana Avenue, DeLand; 250 North Beach Street, Daytona Beach; or 810-A Commed Boulevard, Orange City.
2. The applicant shall erect a Public Hearing Notice Poster on the property at least ten days prior to the PLDRC hearing. The poster will be furnished by the Building and Zoning Division. The poster shall remain in place until final action has been taken on the request. Maintenance of the poster is the responsibility of the applicant. If for some reason a new poster is required, the Building and Zoning Division will furnish it upon request by the applicant.
3. An affidavit certifying compliance with these notification requirements and bearing the notarized signature of the applicant must be submitted to the Building and Zoning Division prior to the PLDRC public hearing. A copy of the letter mailed to adjacent property owners and certified mail receipts must accompany the affidavit.
4. For further public notification, the Building and Zoning Division will prepare a legal advertisement for publication in the local newspaper.

WRITTEN STAFF REPORT

For each application filed, the Building and Zoning Division will prepare a written report for consideration by the Planning and Land Development Regulation Commission. The report will include comments on Comprehensive Plan consistency, existing land use, zoning, traffic, environment, availability of public services, and will conclude with a recommendation. A copy of this report is forwarded to the applicant approximately 10 days prior to the PLDRC Hearing date.

PLANNING AND LAND DEVELOPMENT REGULATION COMMISSION PUBLIC HEARING

ANY NEW INFORMATION TO BE PRESENTED AT THE PLANNING AND LAND DEVELOPMENT REGULATION COMMISSION FOR ANY APPLICATION WILL BE GROUNDS TO CONTINUE AN APPLICATION TO THE NEXT PLANNING AND LAND DEVELOPMENT REGULATION COMMISSION. APPLICANTS SHALL INFORM AND PROVIDE STAFF WITH THE NEW INFORMATION PRIOR TO THE PLANNING AND LAND DEVELOPMENT REGULATION COMMISSION.

The PLDRC is a body consisting of seven (7) members appointed by the Volusia County Council. A public hearing is held the second Tuesday of every month, at 9:00 a.m. in the County Council Meeting Room on the second floor of the Thomas C. Kelly Administration Center, 123 West Indiana Avenue, DeLand. Following the public hearing and discussion of each application, the Commission votes on the application. They may accept, modify, return or seek additional information. An application will not be heard by the PLDRC unless the Public Notification requirements described above have been satisfied.



VARIANCE APPLICATION
THE ZONING ORDINANCE OF VOLUSIA COUNTY, FLORIDA

PLEASE PRINT OR TYPE

Pre-Application Meeting Date: _____.

APPLICANT:

Name _____ E-Mail Address _____
Street Address _____ Phone _____
City _____ State _____ Zip _____

STATUS:

___ Owner ___ Agent for Owner ___ Attorney for Owner ___ Contract Purchaser

OWNER:

Name _____
Street Address _____ Phone _____
City _____ State _____ Zip _____

This is a request for a Variance for a _____ on
_____ zoned property. The Comprehensive Plan Land Use Designation is _____.
Zoning Classification(s)

Size of Parcel _____ Tax Parcel #: _____

Address of Property: _____

This property is located on the _____ side of _____ Rd./St./Ave.,
approximately _____ ft./mi. N-S-E-W from its intersection with _____ Rd./St./Ave. The
property is near _____ in the
community of _____, and/or adjacent to the City of _____.

Circle applicable Utility: Private Septic/Well Central Sewer/Water by: _____ Other: _____

APPLICATION WILL NOT BE ACCEPTED UNLESS ALL OF THE FOLLOWING ARE ATTACHED:

- Two (2) signed and sealed surveys of the property (no more than 2 years old).
Two (2) copies of the legal description (furnished on 3 1/2 inch computer disk or CD-ROM, if possible).
Authorization of Owner (if applicant is other than the Owner or Attorney for the Owner).
5 Copies of site plan (to scale) complying with § 1104.00 of the Zoning Ord., and 1 reduced to 8 1/2 " x 11".
Non-conforming lot letter, if applicable.
Written petition as described in Section 1003.01(a)(4) (complete attached form).
Pre-Application Meeting Form
Application fee.

Case # _____

ADDITIONAL INFORMATION FOR VARIANCE FROM SECTION 600.01 (NONCONFORMING LOT)

- < The survey must show location, site and dimensions of existing structure(s), and distances of structure from all lot lines.
- < A copy of the Deed(s).

ALL SUBMITTALS MUST BE MADE IN PERSON BY 12:00 NOON ON DEADLINE DATE AND FEES MUST BE PAID BEFORE APPLICATION WILL BE ACCEPTED.

IF THIS APPLICATION IS APPROVED, ALL OTHER COUNTY ORDINANCES SHALL BE COMPLIED WITH AND FEES PAID.

This request will be considered at the Planning and Land Development Regulation Commission Public Hearing on _____(mo/day/yr), in the County Council Chambers of the Thomas C. Kelly Administration Center, 123 West Indiana Avenue, DeLand, Florida, beginning at 9:00 a.m.

Under Section 1003.04, if a Variance does not begin to serve the purpose for which it was granted within 12 months from the date of rendition, or if its use is abandoned for 12 consecutive months from the date of rendition, it shall expire.) However, the zoning enforcement official may extend the variance for up to an additional 12 month period of time if the applicant can demonstrate that a good-faith reliance has been on-going to accomplish the approved variance.

APPLICANT'S RIGHTS FOR APPEAL OR REHEARING AND RES JUDICATA ARE STATED IN SECTIONS 1002.00 AND 1005.00 OF THE ZONING ORDINANCE 80-8, AS AMENDED.

ANY NEW INFORMATION TO BE PRESENTED AT THE PLANNING AND LAND DEVELOPMENT REGULATION COMMISSION FOR ANY APPLICATION WILL BE GROUNDS TO CONTINUE AN APPLICATION TO THE NEXT PLANNING AND LAND DEVELOPMENT REGULATION COMMISSION. APPLICANTS SHALL INFORM AND PROVIDE STAFF WITH THE NEW INFORMATION PRIOR TO THE PLANNING AND LAND DEVELOPMENT REGULATION COMMISSION.

Signature of Applicant: _____

Signature of Applicant: _____

- - - - - DO NOT WRITE BELOW THIS LINE - - - - -

Date Submitted: _____ Accepted/Reviewed By.: _____

FILING FEE PAID: _____ RECEIPT#: _____ OFFICE: _____

AMANDA ROW ID: _____

CITY NOTIFICATION REQUIRED (1,320 ft.) YES _____ NO _____

NAME OF CITY _____

**VOLUSIA COUNTY
WRITTEN PETITION FOR A VARIANCE**

Section 1003.01 (4) of the Zoning Ordinance of Volusia County, Ordinance 80-8, as amended, requires that each applicant for a Variance submit a written petition as part of the application. The written petition must clearly describe how the Variance request satisfies all of the specific conditions necessary for the granting of the Variance, as listed in the Ordinance.

The following items must be completed in sufficient detail to allow the Building and Zoning Division to determine if the application complies with the Ordinance (use additional sheets if necessary):

- A. What special condition(s) and circumstance(s) exist which are peculiar to your land, structure, building, or sign and are not applicable to other lands, structures, buildings, or signs in the same zoning classification? Were these special condition(s) and circumstance(s) the result of actions by you?

- B. How would literal interpretation of the Zoning Ordinance deprive you of rights commonly enjoyed by other properties in the same zoning classification and be an unnecessary and undue hardship on you?

- C. Explain how the Variance(s) you are requesting is/are the minimum Variance(s) that will make it possible for you to make reasonable use of your land, building, structure or sign:

D. The general intent and purpose of the Zoning Ordinance and the Volusia County Comprehensive Plan Ordinance No. 90-10 is to lessen congestion in the streets; to promote public health, safety, morals, and the general welfare; to properly provide for the use of land and governmental services; and to preserve the character, appearance, and aesthetic qualities of Volusia County by regulating signs.

1. Is your request for Variance(s) consistent with this intent and purpose?

and

2. Explain how your request for Variance(s) will not be injurious to the surrounding area:

Applicant's Signature

Date

Applicant's Signature

Date

NOTARIZED AUTHORIZATION OF OWNER

I/We, _____,
(owners name)
as the sole or joint fee simple title holder(s) of the property described as: _____

(legal description or parcel number)

authorize _____ to act as my agent
(applicant's name)

to seek _____ on the above property.
(special exception, rezoning, or variance)

My application will be heard at a public hearing on _____(mo/day/yr) before
the Planning and Land Development Regulation Commission (PLDRC) and on
_____(mo/day/yr) before the Volusia County Council (if applicable), unless
continued or rescheduled at the public hearing.

OWNER'S SIGNATURE

OWNER'S SIGNATURE

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me this _____
(date)
by _____, who is personally
(name of person acknowledging)
known to me or who has produced _____ as
(type of identification)
identification and who did not take an oath.

NOTARY PUBLIC, STATE OF FLORIDA

Type or Print Name:

Commission No.: _____

My Commission Expires: _____

VARIANCE
NOTICE TO ADJOINING PROPERTY OWNERS

Dear _____:

This is to inform you that I have filed an application for a Variance, Case Number _____, for a Public Hearing with the Volusia County Planning and Land Development Regulation Commission (PLDRC). The Hearing will be held on _____(mo/day/yr). The Public Hearing will be held in the County Council Chambers, Thomas C. Kelly Administration Center, 123 West Indiana Avenue, DeLand, Florida, commencing at 9:00 a.m.

I am requesting this Public Hearing for the purpose of seeking a Variance to the Zoning Ordinance 80-8, as amended. The requested variance is:

in the _____ zoning classification(s).

All interested parties may appear at these hearings to hear this request.

The legal description of my property is as follows:

The size of the property is _____ square feet/acres.

The property is located at _____

Appeals and Rehearing and Administrative Res Judicata are stated in Sections 1002.00, 1004.00, and 1005.00 of the Zoning Ordinance No. 80-8, as amended.

APPLICANT NAME: _____
(Signature)

(Print Name)

ADDRESS: _____

PARCEL NUMBER(S): _____

PHONE: Area Code (_____) _____

For more information, contact Building and Zoning in DeLand at (386) 943-7059; from the Daytona/Ormond Beach area at 248-8115; and from the New Smyrna Beach/Oak Hill area at 424-6815, Monday through Friday, 8:00 a.m. to 5:00 p.m.

Name	Tax Parcel # (12 digits)	Certified Mail Receipt Number

(Use additional pages if necessary)

Our policy is to recommend that cases be continued as a matter of course by the PLDRC unless an Affidavit of Compliance has been submitted one week before the PLDRC meeting in order to be heard on the scheduled date. **ADJACENT PROPERTY OWNERS THAT ARE LISTED AS CONFIDENTIAL ON THE CURRENT TAX ROLL MUST BE NOTIFIED BY PROVIDING THE CERTIFIED MAIL TO THE DELAND PROPERTY APPRAISER'S OFFICE.**

Case Number _____ Hearing Date _____
 Typed or Printed Name _____
 Signature _____
 Address _____
 Parcel Number(s) _____

STATE OF FLORIDA
 COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ (Date) by _____ (Name of Person), who has produced _____ (Type of Identification) as identification and who did not take an oath.

 NOTARY PUBLIC
 STATE OF FLORIDA

MAILING ADDRESS:
 County of Volusia
 Building and Zoning Division
 Room 205
 123 West Indiana Avenue

DeLand, Florida 32720-4604