

TREE VARIANCE (TV) PETITION

PLEASE TYPE OR PRINT THE FOLLOWING INFORMATION:

PETITIONER: _____ PHONE: _____

ADDRESS: _____

LOCATION OF SUBJECT SITE: _____

ADDRESS: _____

LEGAL DESCRIPTION OF PROPERTY (IF UNPLATTED, GIVE APPROXIMATE LOCATION)

OWNER OF AFFECTED PROPERTY: _____

ZONING OF PROPERTY ON WHICH VARIANCE REQUESTED: _____

VARIANCE FROM SECTION _____ OF THE TREE ORDINANCE IS SOUGHT

RELATIVE TO REASONS AND JUSTIFICATION FOR REQUESTED

VARIANCE:

Sworn to and subscribed before me this _____ day of _____, 20____.

Notary Public

Signature of Petitioners

My Commission expires: _____

Address: (Street, City)

_____ Personally Known

_____ Produced Identification

_____ Type of ID _____

_____ Did take an Oath

_____ Did NOT take an Oath

Phone:

FOR USE WHEN PETITIONER IS NOT OWNER OF SUBJECT PROPERTY

This is to certify that I am the owner of subject property described above in the PETITION FOR TREE VARIANCE and that I have authorized _____ to make and file the aforesaid petition for variance.

Sworn to and subscribed before me this _____ day of _____, 20____.

Notary Public

Signature of Petitioners

My Commission expires: _____

Address: (Street, City)

Type of ID _____

Type of ID _____

Did take an Oath

Did NOT take an Oath

Phone:

PETITION FEE IS EQUAL TO A DEPARTMENTAL HOURLY RATE OF \$67.85 FOR STAFF TIME INVOLVED IN PROCESSING PETITION AND COSTS OF NOTIFICATION. THIS MUST BE PAID PRIOR TO CONSIDERATION BY THE CITY COMMISSION.

TO BE COMPLETED BY THE COMMUNITY DEVELOPMENT DEPARTMENT

FEE: \$67.85 hourly staff rate plus \$50.00 RECORDING FEE (separate check please), property owner notification and legal ad costs to be determined by City Clerk (954) 344-1065.

ACCEPTED BY: _____ DATE: _____

CASE#: _____

Procedures and tests for a Tree Variance - SECTION 212(K)

TEST FOR A VARIANCE

In order for a variance to be granted, all of the following facts and conditions must be found to exist:

1. That there are unique and special circumstances or conditions applying to the property in question that do not generally apply to other properties in the same zoning district.
2. That the applicant did not cause the unique and special circumstances or conditions above, nor are these circumstances or conditions the result of mere ignorance or disregard of the provisions from which relief is sought.
3. That the literal interpretation of this code section will result in undue hardship to the applicant; and that such hardship is not self-created by any person having an interest in the property nor is a result of mere ignorance or disregard of the provision from which relief is sought.
4. That the strict application of this code section will deprive the applicant of reasonable use of the property for which the variance is sought.
5. That the variance sought is the minimum variance which makes possible the reasonable use of the property.

Petitioners must identify how each of the five tests have been satisfied in the justification for the variance. This justification must be submitted as part of the variance petition.