

requirements. The application is available on the Community Development's website at:

<http://www.bocc.citrus.fl.us/devservices/landdev/applications/variance.pdf>

- The public will be notified of the application review, which includes notification to abutting property owners by mail, advertising in a newspaper of general circulation, and a sign posted on the property.
- The PDRB holds a public hearing on the variance application. At that time County staff will present their analysis. The PDRB will have the applicant state their case. After that, the hearing will be open to the public for comments. When the PDRB closes the public portion of the hearing, they will publicly discuss the merits of the case and vote on whether to grant, deny or continue the variance. At that time the applicant receives the decision from the PDRB.

What's next?

- When a variance is granted, the activity or development must occur within one year of the date of approval. The activity must also fully comply with the site plan and conditions approved by the PDRB. Any alteration or deviation from the approved plan may require a new public hearing.
- The applicant will need to obtain a Development Order with an approved variance application.
- Any permission granted under Section 3300. of the LDC shall become null and void if the permission as granted is not executed within the time fixed by the PDRB, but not to exceed one year from the date of variance approval.

- The PDRB, cannot hear the same (or essentially the same) application again within a period of 12 months, unless the board finds that a material change in the situation justifies a rehearing.
- In the event that an application is again made or desired to be made within a period of one year from the date of denial, the applicant shall state expressly in writing the material change that has occurred to justify rehearing of the application.
- In the event that the PDRB agrees to rehear an application, the applicant shall make a new application and pay all applicable fees.
- A change of ownership of property or any interests doesn't constitute a material change in the situation.

Questions or More Information

- If you have any questions or need more information, please call:

Land Development Division

General Information: (352) 527-5239

Fax: (352) 527-5252

Web: http://www.bocc.citrus.fl.us/devservices/landdev/land_development.htm

The Citrus County Land Development Division provides staff support to:

- The Board of County Commissioners
- The Planning & Development Review Board

Land Development Division
Planning for the Future

November 2010

What Is A Variance?



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What is a variance?

- A variance is a request to deviate from standards and requirements of the Land Development Code (LDC) in order to proceed with a proposed development. All variance requests are required to undergo a Level 2 public hearing review.
- The need for the proposed variance arises out of the physical surroundings, shape, topographical condition, or other physical or environmental conditions that are unique to the specific property involved.

Planning and Development Review Board (PDRB)

- The PDRB action is a Level 2 review. Applications processed for final review and approval by the PDRB are considered at advertised public hearings.
- Applications considered by the PDRB may be reviewed by the Technical Review Team (TRT) and (if applicable) recommendations of the TRT are provided to the PDRB.

Relief

- The PDRB may grant a variance from strict application of any provision of the LDC except as provided in Section 2130.
- Any person desiring to undertake a development activity not in conformance with the standards and requirements of the LDC may apply for a variance in conjunction with an application for development approval.

Basic Rules:

- Uses which do not comply with the LDC and the Citrus County Comprehensive Plan shall not be eligible for a variance.
- The PDRB may prescribe appropriate conditions and safeguards including reasonable time limits to an approved variance request.
- **The PDRB cannot grant a variance from the Comprehensive Plan, nor can they authorize a use or activity that is not generally permitted in the land use district.**

Burden of Proof

- The PDRB shall not vary the requirements of any provisions of the LDC unless it makes a positive finding based on substantial competent evidence on each of the following:
 1. Special conditions and circumstances exist that are peculiar to the land, structure, or building involved and are not applicable to other lands, structures, or buildings in the same district.
 2. Special conditions and circumstances do not result from action of the applicant.
 3. Granting the variance request will not confer upon the applicant any special privilege that is denied by the LDC to other lands, buildings, or structures in the same district.

4. Literal interpretation of the provisions of the LDC would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of the LDC and would work unnecessary and undue hardship on the applicant.
 5. The variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure.
 6. Granting the variance shall serve to protect valuable natural resources including ecologically significant wildlife habitat for species listed in Section 4175., of the LDC, or protected tree(s) as defined in Section 4340.C. of the LDC.
 7. Granting the variance will be in harmony with the general intent and purpose of the LDC and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.
- In addition to the normal procedures and requirements for a variance, a variance from floodplain regulations requires the PDRB to consider additional factors.

Process

- The process usually begins when an applicant is denied a building permit, notified at a pre-application meeting, or informed from County staff, that a variance is needed. (An applicant can apply before a permit.)

An applicant may apply for a Variance with the Land Development Division at 3600 West Sovereign Path, Suite 141 Lecanto, Florida 34461, with the submittal