

**PUTNAM COUNTY
PLANNING & DEVELOPMENT SERVICES**

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Palatka, FL 32177
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Planning 386-329-0491
Zoning: 386-329-0316
Building: 386-329-0307
Code Enforcement: 386-329-0317

Administrative Variance (Deviation) Application

1. Name of property owner(s) _____ Address(es) (Street, City, State, Zip) _____

2. Contact Phone: _____

3. Email (for Final Order distribution): _____

4. Parcel ID number(s): _____

5. 911 Address: _____

6. Driving Directions from to the property from Palatka: _____

7. Size of property to be covered by the Administrative Variance _____ +/- acres

8. Zoning Designation: _____ Future Land Use Designation: _____

9. Type of Administrative Variance

Setback Reduction – subject to limitations stipulated in LDC Section 45-836(13):

Applicable property line(s): _____

Reduction Amount(s): _____

Fence

Presentation Waiver

Height Extension _____ (2' Maximum)

Screening & Buffering Requirements

Right-of-way/Easement Standards

Lighting Standards

Other: _____

Parking Requirements

10. Please use the checklist below to ensure completion of application requirements:

Completed and Notarized Application

Site Plan

Application Fee Paid in Full

Recorded Deed with legal Description

11. Statement of eligibility for proposed administrative variance (Required): _____

12. The proposed administrative variance is found to be in the public interest and where, owing to condition peculiar to the property, a literal enforcement of the Land Development Code will result in unnecessary and undue hardship on the landowner. Please state the applicant's hardship:

13. Signature(s) of Property Owner(s) : Address(es) and Telephone Number(s):

(sign)

(print)

(sign)

(print)

STATE OF _____

COUNTY OF _____

The foregoing instrument was acknowledged before me by means of physical presence or online notarization,

this ____ day of _____ 20____, by _____ who is
(Print Signer's Name)

personally known to me or who has produced _____ as identification.
(Type of Identification)

Notary Stamp

(Print, Type, or Stamp Commissioned Name of Notary)

Signature of Notary Public

NOTE: In the event that a resubmittal is requested, a signed resubmittal acknowledgement must be submitted within 30 days of said request. If the acknowledgment is not received within this timeframe, the application will be closed, and a new application with the applicable fee will be required.

WHAT IS AN ADMINISTRATIVE VARIANCE?

An administrative variance allows the Administrative Deviation Committee (ADC) to authorize a modification to limited portions of the Land Development Code (LDC) without the need for a public hearing before the Zoning Board of Adjustment. **Note: Please be advised, any opposition to an administrative variance could result in denial of the applicant's request.**

ELIGIBILITY

The following items are eligible for an administrative variance:

- Reduction of required setbacks:
 - Front (20' maximum reduction, minimum 10' separation from property line)
 - Side (15' maximum reduction, minimum 3' separation from property line)
 - Rear (15' maximum reduction, minimum 3' separation from property line)
 - Waterfront (5' Maximum) subject to the requirements of Article VI, Division 3 of the Putnam County Land Development Code.

Note: If the parcel has received a variance in the past, the previous setback reduction and proposed setback reduction may not exceed the aforementioned maximums.

- Fence
 - Presentation: Where there is an existing fence, wall, or continuous landscape hedge, or other circumstance on the abutting parcel making construction and maintenance difficult or impossible, this provision may be administratively waived by the Administrative Deviation Committee upon written request.
 - Height: Extend up to an additional 2 feet.
- Landscaping
 - Existing natural vegetation of sufficient height and density may be counted towards screening requirements.
 - Conditions in place on the property prior to the effective date of the LDC which prevent compliance with the buffering and screening requirements may be relaxed.

Note: Subject to interpretation by the Administrative Deviation Committee.

- Lighting Standards
 - The lighting requirements in LDC Article VII may be modified by administrative variance provided that the applicant establishes such an increase meets the standards specified in LDC Article VII, Division 9, Section 45-601.
- Parking & Loading Requirements
 - Parking requirements can be reduced depending on particular circumstances outlined in LDC Article VII, Division 7. Please review this section to see if you are eligible.
- Right-of-way and Easement Standards
 - The Administrative Deviation Committee may authorize a reduction in the width requirements of private rights-of-way or easements prescribed in Article VII, Division 11 of the Land Development Code.

THE PROCESS

1. Staff shall within five (5) working days of receiving an application shall determine if it is sufficient. If the application is found to be insufficient, notice shall be provided to the applicant specifying the deficiencies, and no further action will be taken until the deficiencies are remedied. After receiving a sufficient application, staff will issue written notices of the requested administrative variance to all adjacent landowners.

- a. The notice shall be sent via certified U.S. mail at least fourteen (15) days prior to the Committee meeting, and
- b. The notice shall advise the abutting landowners of the date of the Committee meeting and that valid objections or concerns with the proposed administrative variance must be submitted in writing prior the determination date.

2. Staff may conduct at least one site visit to the parcel that is the subject of the application, and post a notice on the property at least 14 days prior to the final determination on the administrative variance. Submittal of a completed application represents express permission for Staff to enter onto the property to conduct a site visit. Site visits will be conducted during regular business hours (8:30 am to 5:00 pm Monday through Friday). Denial or refusal to grant such access shall be grounds rejecting the application.

3. Written objections based on LDC Section 45-836(9), may be submitted to the Administrative Deviation Committee before the committee formally considers an application. Written objections will not result in the immediate denial application but the committee must consider those findings in making a determination.

4. Decisions of the Administrative Deviation Committee may be appealed to the Zoning Board of Adjustment within 30 days of the decision. Appellants will be required of paying for the cost of an appeal as defined in the BOCC Fee Schedule. At any time before the Zoning Board of Adjustment hears and decide such an appeal, any County Commissioner may elect to transfer the appeal to the Board of County Commissioner, which shall then hear and decide the appeal.

5. Before applying for a variance, please call planning staff at 386-329-0491 to schedule a pre-application meeting.

Article 9, Division 4, Section 45-836(9) Issuance Criteria

Subject to the general conditions in the Land Development Code, the Administrative Deviation Committee may authorize a variance, based on substantial competent evidence that the criteria listed in (9) below are met.

(9) In order to authorize an administrative deviation, the Committee must determine whether the need for the proposed deviation arises out of the physical surroundings, shape, topographic conditions or other physical or environmental conditions that are limited to the specific property involved. The Committee shall not grant an administrative deviation unless a positive finding is made on each of the following criteria:

- a. There are practical or economic difficulties in carrying out the strict letter of the regulation;

- b. The request is not based exclusively upon a desire to reduce the cost of developing the site, but would accomplish some result that is in the public interest, such as, for example, furthering the preservation of natural resources by saving a tree or trees;
- c. The proposed deviation will not substantially diminish property values in, nor alter the essential character of, the area surrounding the site and will not substantially interfere with or injure the rights of others whose property would be affected by the deviation;
- d. The proposed deviation will not be detrimental to the public health, safety or welfare, result in additional public expense, the creation of nuisances, or conflict with any other applicable law;
- e. The effect of the proposed deviation is in harmony with the spirit and intent of the Zoning Code.

At the discretion of the Administrative Deviation Committee, the issuance criteria for Variances considered by the Zoning Board of Adjustment, as provided in LDC Section 45-833, may also be analyzed by the Administrative Deviation Committee in order to form a decision of any given application. At a minimum, each application for an Administrative Variance must include a written statement from the applicant addressing the issuance criteria listed in LDC Section 45-836(9).