

Variance Application Submittal Instructions

The application is for the purposes of requesting a Variance, which by definition is a relaxation of the terms of the zoning ordinance where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the actions of the applicant, a literal enforcement of the ordinance would result in an unnecessary and undue hardship.

Upon submittal of a complete application and payment of fees, the request be reviewed by staff and referred to the Zoning Board of Adjustment. The Zoning Board of Adjustment meets the last Monday of each month (subject to change of date for holidays) and the application deadline is typically the last Monday of the previous month (the Community Development Department posts the annual meeting schedule with deadlines on the City's website).

The application is submitted online at the Citizen Self Service Portal:

https://energovweb25.mlbfl.org/energov_prod/selfservice/#/home, including all required documents.

**The information marked with a star (★) must be provided
to be able to submit the project.**

The application will then be reviewed by staff and referred to the Zoning Board of Adjustment at a public hearing for final action.

You may appear at the public hearing in person or be represented by an authorized agent or attorney. If you cannot attend the public hearing, you should make arrangements to have an authorized representative (authorized in writing and notarized) appear on your behalf so that the application can be acted upon in your absence. All testimony before the Zoning Board of Adjustment shall be under oath, administered by a notary public in accordance with Chapter 117, Notaries Public, Florida Statutes.

If photographs, documents, maps or other materials are provided to the board as evidence at the public hearing, you will need to leave those instruments with the secretary or the City Clerk. By law, those instruments become public records and cannot be returned to you.

The public hearing before the Zoning Board of Adjustment is considered quasi-judicial in nature. This means that the board is sitting as a judge would in a courtroom and that the decision made should be a result of the evidence presented at the hearing.

Therefore, applicants or interested individuals are **prohibited from contacting any of the board members by phone, in person, or in writing, who will be making decisions of the action.**

If you wish to appeal any determination of the Zoning Board of Adjustment, you will need a verbatim transcript of the record and copies of all the evidence presented. It will be your responsibility to make arrangements for the preparation of that verbatim record at your expense.

Online Application Information Needed:

The application should include descriptive language that provides a clear understanding of the present conditions, proposed changes, and resulting outcome. The following information will be required to be considered a complete application:

Location	Insert the property address either by searching the address or tax account number, or entering the address manually.
Plan Type	This will autofill with "Variance"
Description ★	The application should include descriptive language that provides a clear understanding of the present conditions, proposed changes, and resulting outcome.
Contacts	Provide contact information for the following including address, email, and phone number: • Applicant address, email and phone number (always required) • Property Owner address, email, and phone number (always required) • Any Representatives (e.g. Applicant, Engineer, Property Owner, Representative) <i>Contacts listed without address, email and phone number will deem the application as incomplete.</i>
Name of Project ★	Provide the name of the project
Area of Development	This is the acreage for the proposed development area. This acreage could be a portion of a larger parcel, for example, a 50-acre parcel has a master development plan and what is being submitted is only a 5-acre portion. The area of development would be 5-acres.
Use Type ★	Please select one of the use type from the two options below: • All Other Land Uses. • Single or Two-family Residences.
Existing Uses on Property	Is there anything currently developed on the property (a house, a commercial building, etc.) or is the property vacant/undeveloped?
Square Footage of Existing Use	What is the current square footage of any existing use(s)?

Proposed Uses on Property	What is the proposed use of the property? Is there more than one use proposed? If so, please provide all uses.
Square Footage of Proposed Use	What is the square footage of the proposed use? Please provide the square footage of all proposed uses.
Acknowledgement★	Complete the section that acknowledges that you/the applicant understand that financial conditions are not a consideration for granting a variance. Select from the following options: • Yes • No
Are additional applications required?	Does the request require other development applications (such as a rezoning, or preliminary plat, a waiver, etc.)?
Variance Criteria ★	Provide an explanation to support your variance request for each of the six criteria listed below: Variance Criteria 1: Special conditions and circumstances exist are peculiar to the land, structure, or building involved in this application and which are not applicable to other lands, buildings, or structures in the same zoning district. Variance Criteria 2: The literal interpretation of the provisions of the zoning ordinance will deprive you of rights commonly enjoyed by other properties in the same zoning district and would also work unnecessary and undue hardship on the applicant. Variance Criteria 3: The special conditions and circumstances referred to in Criteria 1 do not result from the applicant's own actions. Variance Criteria 4: The granting of the variance requested herein will not confer on you any special privilege that is denied by the zoning ordinance by other lands, structures, or buildings in the same zoning district. Variance Criteria 5: The variance being granted is the minimum variance that will make possible the reasonable use of the subject land, structure, or building. Variance Criteria 6: The granting of the variance requested will be in harmony of the general intent and purpose of the zoning ordinance and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

Attachments for this Application:

This application also requires that certain attachments be uploaded. An application may be saved as “draft” if additional documents are required or information needs completion before the final “submit” on the application.

- *All documents must be submitted in a PDF format.*
- *File names should match the file category, i.e. "Construction Plans.pdf" not "25879_xp Mlbofc_QT.pdf". Please limit file name to less than 30 characters.*
- *Please sign all documents with BLUE ink.*

REQUIRED DOCUMENTS ★

- ★ **Boundary Survey with Legal Description:** A Boundary survey of the subject property including acreage.
- ★ **Owner Affidavit (Signed & Notarized):** Please submit the appropriate form(s) **Individual Owner** or **Corporate Owner**. If a representative will be appointed, please submit a fully executed **Authorization to Represent Form**.
- ★ **Proof of Ownership:** Proof of ownership is required for development projects. A Warranty Deed is preferred. If a Corporation, Partnership, LLC, Trust owns the property provide proof of authority to authorize request.

SUPPORTING DOCUMENTS

(These are the supporting documents necessary for the request, such as a draft agreement, studies, reports, photographs, etc.)

- **Authorization to Represent Form (Signed & Notarized).** If the applicant or owner cannot attend the Zoning Board of Adjustment meeting, please list the name of a representative who will make the presentation, answer questions, or make decisions for the applicant or owner.
- **Variance Plan/Exhibits:** A copy of exhibit(s) identifying variance request – to scale (basic site layout on a survey, copy of site plan, etc.).
- **Review Response Letter:** This is the response letter that addresses any comments previously provided by applicable review staff.

SIGNATURE

There are two ways to provide your signature:

1. Sign it using the mouse; or
2. Type your name and the program will provide one (as shown). Remember to toggle the “Enable Type Signature” button to use this function.

FINAL REVIEW BEFORE “SUBMIT”

At this point, review the application to make sure all items are correct and completed and that required documents are uploaded.

UPON SUBMITTAL:

Once submitted, the program identifies that the application has been successfully submitted and will provide an application number. Refer to this number as necessary when communicating with City staff. Staff will perform a completeness check and send the applicant an email identifying any missing items. An invoice will be generated and sent to the billing contact once the application has been deemed complete.

The application cannot be processed until it is deemed complete.

Tracking Your Application

Once the application is submitted, progress may be tracked within the EnerGov “Dashboard”.

Tip:

“Permits” are for Building Department applications and **“Plans”** are for Community Development applications.

UPDATED 01/12/26