



Gateway to Nature & Space



APPLICATION FOR VARIANCE

Please submit electronically a completed application and required submittals to the Community Development Department for payment and meeting scheduling. Chapter 34 of the Titusville Land Development Regulations contains the instructions for filing and the required exhibits. INCOMPLETE APPLICATIONS SHALL NOT BE ACCEPTED.

1. Project Location	Property Address/Location Description		
2. Applicant/ Owner	Name of Applicant/Contact		Name of Owner
	Street Address		Street Address
	City	State	Zip
	Telephone #		Telephone #
	Fax #		Fax #
	E-Mail Address		E-Mail Address
3. Applicant Status	<input type="checkbox"/> Owner <input type="checkbox"/> Tenant <input type="checkbox"/> Agent <input type="checkbox"/> Other		
4. Parcel ID		Tax Acct.	
5. Site Size	Acres:		Square Feet:
6. Property Information	Current Zoning		Current Use of Property
7. Variance(s) Requested	<i>Section Number</i>	<i>LDR Requirement</i>	<i>Variance Requested</i>
	1) _____	1) _____	1) _____
	2) _____	2) _____	2) _____
	3) _____	3) _____	3) _____
	4) _____	4) _____	4) _____
	5) _____	5) _____	5) _____
8. Narrative	Please provide a brief description of your request and the proposed project: (Please complete justification questions on page 4 of this application)		

- **All applications shall require Community Development staff review prior to submittal.**
- All applications shall be submitted to the Department electronically and officially logged in by **end of business day**.
- Incomplete applications and applications without appropriate backup information/justification will not be accepted and will not be considered to be officially submitted until the appropriate information and fees are submitted. Meeting dates for incomplete applications will not be set until all required information and fees are submitted.
- Petitions requiring review from other boards or commissions prior to being forwarded to the Board of Adjustments and Appeals (BAA) are not guaranteed placement on the BAA schedule available on the City's website.

ACKNOWLEDGEMENT

I am the owner and/or legal representative of the owner of the property described which is the subject of this application. All answers to the questions in said application and all sketches and data attached to and made a part of this application are honest and true to the best of my knowledge and belief. Should this application be granted, I understand that any condition(s) imposed upon the granting of this request shall be binding to the owner, his heirs and successors in title to possession of the subject property. I understand that I must attend all applicable meetings and have been informed of the meeting date(s) and time(s). I understand that if I fail to appear at an applicable meeting, the appropriate Board or Commission may either table or deny the request.

This matter is subject to quasi-judicial rules of procedure. Interested parties should limit contact with the City Council, Board of Adjustment & Appeals, and Planning & Zoning Commission on this topic to properly noticed public hearings or to written communication to the City Clerk's Office, City of Titusville, P.O. Box 2806, Titusville, FL 32781

/s/ _____ (Signature*)_____ (Date)

** By entering your name in the "Signature" box above, you are signing this Application electronically. You agree your electronic signature is the legal equivalent of your manual signature on this Application. By entering your name in the "Signature" box above, you consent to be legally bound by this Application's terms and conditions.*

Date received: _____

Accepted by _____

Grounds For Granting A Variance

Section 31-51 of the Land Development Regulations of the City of Titusville empowers the Board of Adjustments and Appeals to grant variances to the requirements of the Land Development Regulations and certain other codes and/or ordinances. The Board may grant a variance if, in their opinion, the strict enforcement of these rules would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district. In granting a variance, the Board must consider whether or not the applicant's particular situation meets a certain set of criteria established in Section 34-226 of the Land Development Regulations. These criteria are as follows:

- (a) Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district.
- (b) Special conditions and circumstances do not result from the actions of the applicant.
- (c) Granting the variance requested will not confer upon the applicant any special privilege that is denied by the ordinance to other lands, buildings or structures in the same zoning district.
- (d) The literal interpretation of the provisions of the ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the ordinance.
- (e) The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.
- (f) The granting of the variance will preserve the spirit of the ordinance and remain in harmony with its general purpose and intent.
- (g) In granting the variance, the public safety and welfare must be assured.
- (h) In no case shall the granting of a variance result in a change of use which would not be permitted in that zoning district.

Variance Justification

In answering the questions below, please be as specific as possible. Your answers will help the Board of Adjustments and Appeals and City staff to properly evaluate your variance request.

(Please attach a separate sheet if necessary)

1. Why are you unable to comply with the requirements? What hardship or injustice are you claiming?
2. What is special about your property that would justify treating it differently than most other properties? (Examples of important special conditions include: narrow or odd shaped lot; excessive slope of land; soil or drainage limitations; unusual location of existing buildings on the lot; etc.) If the special conditions involve an existing building or structure, when was it built and are you the original owner?
3. Is your variance request the minimum change from the requirements that you need to overcome your hardship? Explain your answer. (For example, suppose you are requesting a 5 foot variance to the side yard setback requirement in order to build a single car garage 15 feet wide. Your request would not be the minimum since a single car garage 11 feet wide would be adequate and would only require a 1 foot variance.)
4. Explain why approval of your variance request would not likely result in harm to your neighbor's properties or to the general public.



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SUBMITTAL CHECKLIST

(Development Review Procedures Manual Section 15)

Please fill out the following and submit the documents to the Community Development Department electronically. Payment of fees does not ensure a favorable decision. Additional information may include documents initially waived at the pre-application meeting but subsequently determined necessary by staff.

1.	Complete Application and Fees	<input type="checkbox"/>
2.	Warranty Deed	<input type="checkbox"/>
3.	Notarized Owner Authorization Form (If applicable)	<input type="checkbox"/>
4.	Legal Description (from a certified survey)	<input type="checkbox"/>
5.	Certified Survey (sealed and containing permanent reference points as described by Chapter 177, Florida Statutes, with bearings, distances and closures) in electronic PDF format.	<input type="checkbox"/>
6.	Digital plot or site plan, drawn to scale, illustrating the variance requested.	<input type="checkbox"/>
7.	Names, addresses and address labels for all property owners within 100 feet of the subject property. <i>Note: This listing is available from either the Brevard County Property Appraiser's Office or the City of Titusville Planning Department. Current charge for this service is \$35.00.</i>	<input type="checkbox"/>
8.	Pre-Application Meeting Date: Staff in Attendance:	<input type="checkbox"/>



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OWNER'S AUTHORIZATION FORM

Date: _____

To: City of Titusville
Attn: Planning Department
555 S. Washington Avenue
Titusville, FL 32796-3584

This authorization form is for:

- ☐ Annexation (ANX)
- ☐ Comprehensive Plan Amendment (CPA)
- ☐ Conditional Use Permit (CUP)
- ☐ Development Agreement (DA)
- ☐ Easement Vacation (EAS)
- ☐ Master Plan (MP)
- ☐ Planned Development (PD)
- ☐ Rezoning (REZ)
- ☐ Right-of-Way Vacation (ROW)
- ☐ Small Scale Amendment (SSA)
- ☐ Variance (VAR)

PROJECT DESCRIPTION: _____

PROJECT ADDRESS: _____

PARCEL ID# OR TAX ACCT #: _____

Please accept this documentation as authorization for _____
to apply for the above selected request. (Name of Applicant)

Property Owner Signature

Property Owner Name (Please Print)

Street Address

City, State, Zip code

Telephone Number

Please Note: If the property is owned by a corporation, trust, et cetera, documentation must be included with this authorization form to prove the person signing this document has the legal authority to do so. If this documentation is not submitted, the application will not be accepted.

TO BE COMPLETED BY NOTARY

State of Florida

County of _____

Subscribed and sworn to before me on this _____ day of _____, 20____,

By _____ who is personally known to me or produced
_____ as identification.

Notary Public Signature

My Commission Expires: _____
Date

**Board of Adjustments & Appeals
2025 Application Deadline and Meeting Schedule**

Application Deadline	BAA Meeting
Fri. – December 27, 2024	Wed. – January 29, 2025
Fri. – January 24, 2025	Wed. – February 26, 2025
Fri. – February 21, 2025	Wed. – March 26, 2025
Fri. – March 21, 2025	Wed. – April 23, 2025
Fri. – April 25, 2025	Wed. – May 28, 2025
Fri. – May 23, 2025	Wed. – June 25, 2025
Fri. – June 20, 2025	Wed. – July 23, 2025
Fri. – July 25, 2025	Wed. – August 27, 2025
Fri. – August 22, 2025	Wed. – September 24, 2025
Fri. – September 26, 2025	Wed. – October 29, 2025
Fri. – October 24, 2025	Wed. – November 26, 2025

Filing Instructions

- * All applications shall require Development Services Staff review prior to acceptance.
- * All applications shall be submitted to the Development Services Department and officially logged in by 4:00 p.m. on the deadline dates attached.
- * Incomplete applications and applications without appropriate backup information/justification will not be accepted and will not be considered to be officially submitted until the appropriate information is submitted. Meeting dates for incomplete applications will not be set until all required information is submitted.
- * Petitions requiring review from other boards or commissions prior to being forwarded to Board of Adjustments and Appeals (BAA) are not guaranteed placement on the BAA schedule noted above.



FEE SCHEDULE

(Updated December 10, 2024)

Ordinance No. 45-2024

APPEALS

Appeals from decision of administrative official - \$650.00

VARIANCES

Single-family and multi-family zoning districts - \$440.00

All other zoning districts - \$700.00

Subsequent items processed at the same time as the first item \$100 per additional request

Public Purpose Variances - \$700.00

VACATIONS

Vacating rights-of-way, streets and alleys - \$1,410.00

Vacating and Abandoning of Plats - \$1,475.00

Vacating easement - \$1,410.00

Street Renaming - \$630.00

ANNEXATIONS, CPA's & SSA's

Comprehensive Plan Amendment (CPA) \$3,025.00 plus \$8 per acre plus

Comprehensive Plan (Map) Amendment (CPA)
Annexation and/or Land Use Change - \$4,475.00 plus \$8 per acre plus

Small Scale Comprehensive Plan Amendment ¹ (SSA)
Annexation ¹ and/or Land Use Change - \$1,950.00 plus \$8 per acre plus

Comprehensive Plan (Text) Amendment - \$2,185.00

Land Development Regulations Amendment - \$2,575.00

ZONING/REZONINGS

Zoning/Rezoning (when not accompanied by a CPA/SSA) - \$1,875 plus \$8 per acre plus

CONDITIONAL USE PERMITS

Conditional Use Permit (CUP)- \$1,775 plus \$8 per acre plus

MASTER PLANS

Planned Industrial Park, Planned Unit Development, Urban Village Zoning and other Master Plan approval or amendment. \$1,825.00

Plus \$8.00 per acre and \$8.00 per lot/dwelling unit (The \$8.00 per acre fee for a Master Plan will not be collected when the Master Plan is accompanied by a CPA or REZ)

Development Review Committee

Development Review Committee \$250.00

Note #1: In the event that more than one amendment to the City's Comprehensive Plan is considered in a given submittal, the City reserves the right to adjust the advertising costs to reflect any economy realized by advertising more than one request in a single ad. Such adjustments will be at the discretion of the City Manager and will be accomplished in the form of a refund to the applicant after the advertising costs have been incurred. For those properties currently located outside the city limits lying south of Parrish Road, north of Kings Highway/Ranch Road, west of the Indian River, and east of the St. Johns River, the collection of annexation fee, comprehensive plan amendment fee as related to annexation petitions, and associated legal advertising fees shall be waived for all annexations under ten (10) acres or annexations defined as an improved enclave until September 30, 2014 and automatically reinstated on October 1, 2014. The said waiver of fees shall not apply to fees charges to the City by other agencies of Brevard County of annexation related services.