



## Town of Loxahatchee Groves

155 F Road, Loxahatchee Groves, Florida 33470

Phone (561) 793-2418

Fax (561) 793-2420

### VARIANCE APPLICATION

**The application fee is \$3,050.00**

The Town accepts cash or check forms of payment. If paying by check you would make it out to Town of Loxahatchee Groves. Thank you.

|                    |  |
|--------------------|--|
| Project Name       |  |
| Date Received      |  |
| Application Number |  |
| Fee Receipt Number |  |

#### General Data

|   |                             |
|---|-----------------------------|
| Description of Variance Request             |                             |
| Town ULDC Reference                         | Article _____ Section _____ |
| Variance Request Address                    |                             |
| General Application Number (Staff Assigned) |                             |

#### Site Data

|                                       |  |
|---------------------------------------|--|
| Parcel Control Number(s)              |  |
| Current FLU                           |  |
| Existing Use                          |  |
| Current Zoning                        |  |
| Proposed Use                          |  |
| Frontage                              |  |
| Pat, Subdivision, Legal Lot of Record |  |

#### Adjacent Land Use Summary

| Adjacent Uses | Existing Use | FLU | Zoning |
|---------------|--------------|-----|--------|
| North         |              |     |        |
| South         |              |     |        |
| East          |              |     |        |
| West          |              |     |        |



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### Required Attachments

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- [ ] Attachment A – Applicant’s Notice Affidavit & Property Appraiser Information List
- [ ] Attachment B – Statement of Consistency with Section 150-010 of the Town Code
- [ ] Attachment C – Statement of Consistency with Section 150-020 of the Town Code
- [ ] Attachment D – Statement of Access Consistent with Section 100-035 of the Town Code



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**ATTACHMENT A – Applicant’s Notice Affidavit & Property Appraiser List**

STATE OF FLORIDA  
COUNTY OF PALM BEACH

\_\_\_\_\_ /

BEFORE ME THIS DAY PERSONALLY APPEARED \_\_\_\_\_, WHO BEING DULY SWORN, DEPOSES AND SAYS THAT:

1. He/she is the owner, or the owner’s authorized agent, of the real property legally described in Attachment A;
2. The accompanying Property Owners List is, to the best of his/her knowledge, a complete and accurate list of all property owners, mailing addresses and property control numbers as recorded in the latest official tax rolls for all property within one thousand five hundred (1500) feet of the real property described in Attachment A, or all property within one thousand five hundred (1500) feet of all contiguous property owned whole or in part by the owner of the real property described in Attachment A, if applicable; and
3. He/she will cause the real property described in Attachment A to be posted with a notice of public hearing on a sign provided by the County in accordance with the requirements of Article 2.C.1.D.7.c of the County’s Unified Land Development Code.

FURTHER AFFIANT SAYETH NOT.

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_(Name of Person Acknowledging) who is personally known to me or who has produced \_\_\_\_\_(type of identification) as identification and who did (did not) take an oath.

\_\_\_\_\_  
(Signature of Person Taking Acknowledgement)

\_\_\_\_\_  
Applicant’s Signature

\_\_\_\_\_  
(Name of Acknowledger Typed, Printed or Stamped)

\_\_\_\_\_  
Applicant’s Name (Print)

\_\_\_\_\_  
(Title or Rank)

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
(Serial Number, if any)

\_\_\_\_\_  
City, State, Zip Code

\_\_\_\_\_  
(Notary’s Seal)

(\_\_\_\_\_)\_\_\_\_\_  
Telephone



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**ATTACHMENT B – Statement of Consistency with Variance Authority**  
**Section 150-010 of the Town Code**

**1. Consistency with Section 150-010 (A).**

The Town Council has the authority to grant a variance to certain provisions of the Land Development Regulations. Please indicate which of the following section(s) of the Town Code permit the proposed variance(s):

- Section 150-010 (A) (1) Height: \_\_\_\_\_
- Section 150-010 (A) (2) Yards: \_\_\_\_\_
- Section 150-010 (A) (3) Parking and Loading: \_\_\_\_\_
- Section 150-010 (A) (4) Landscaping and Buffers: \_\_\_\_\_
- Section 150-010 (A) (5) Separation of Uses: \_\_\_\_\_
- Section 150-010 (A) (6) Plot Coverage: \_\_\_\_\_
- Section 150-010 (A) (7) Other/Not Prohibited: \_\_\_\_\_

**2. Consistency with Section 150-010 (B).**

Would the proposed variance(s) allow a use which is specifically or by inference prohibited in any zoning district classification, including an increase in density, or any provisions of the Town Land Development Regulations that specifically prohibit waiver or modification?

- Yes \_\_\_\_\_
- No \_\_\_\_\_

**3. Consistency with Section 150-010 (C).**

Have plans been previously submitted and approved and a permit(s) issued, but additional work not shown on the approved plans been performed?

- Yes \_\_\_\_\_
- No \_\_\_\_\_

Has the property been previously subdivided and as a result an existing structure is in violation of the provisions of the Town Land Development Regulations?

- Yes \_\_\_\_\_
- No \_\_\_\_\_



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### **ATTACHMENT C – Statement of Consistency with Variance Considerations** **Section 150-020 of the Town Code**

A variance will not be contrary to the public interest if the applicant has demonstrated by competent substantial evidence that the following criteria are met. Please provide a response to each criterion below:

**1. That special conditions and circumstances exist which are unique to the property, or the intended use of the property, that do not generally apply to other properties in the same zoning district.**

**Response:** \_\_\_\_\_

#### **AND**

**2. That any alleged hardship is not self-created is not self-created by any person having an interest in the property and is not the result of mere disregard for, or ignorance of, the provisions of the Code, but is instead the result of one or more of the special condition(s) found above.**

**Response:** \_\_\_\_\_

#### **AND**

**3. That literal interpretation of the Code would deprive the applicant of reasonable use of the property, in that the applicant would be deprived of rights commonly enjoyed by properties in the same zoning district, and would thereby cause an unnecessary and undue hardship.**

**Response:** \_\_\_\_\_

#### **AND**

**4. The Variance proposed in the minimum variance that will make possible the reasonable use of the property and it will not confer on the applicant any special privilege that is denied to any other properties in the same zoning district.**

**Response:** \_\_\_\_\_

#### **AND**

**5. That the granting of the variance will be in harmony with the general intent and purpose of the Code and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.**

**Response:** \_\_\_\_\_



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### **ATTACHMENT D**

#### **Statement of Access Consistent with Section 100-035 of the Town Code**

1. Name of public street providing direct access to the property: \_\_\_\_\_

Or

2. Access to a public street provided by (provide documentation):

(A) Private Street \_\_\_\_\_

(B) Private Ingress/Egress Easement \_\_\_\_\_