

# City of Punta Gorda, Florida



**ZONING & CODE COMPLIANCE**

326 West Marion Avenue  
 Punta Gorda, Florida 33950  
 941-575-3352 Telephone  
 941-575-3310 Fax  
[zoning@pgorda.us](mailto:zoning@pgorda.us)  
[pgcode@pgorda.us](mailto:pgcode@pgorda.us)

## VARIANCE APPLICATION

<b>Date Received:</b>	<b>File #: V-</b>
<b>Application Fee: \$750.00</b>	

<b>Office use only:</b>				
<b>Ad Date</b>	<b>DRC</b>	<b>Planning</b>	<b>City Council</b>	

**Application and all pertinent required data (listed below) MUST be submitted with this application**

<input type="checkbox"/> ORIGINAL application with Signed & Notarized Variance Application and/or Affidavit Authorization for Agent (if applicable)	<input type="checkbox"/> Signed and sealed boundary survey, completed no more than 12 months prior to the application that accurately shows the current condition of the property to include all existing streets, watercourses, natural feature, vegetation and topography and exact location of all buildings and structures.
<input type="checkbox"/> A copy of the deed or other evidence of ownership	<input type="checkbox"/> Survey MUST show ALL Easements, Dedications & Improvements <input type="checkbox"/> Survey must have a metes and bounds description of the property showing water and sewer main locations and fire hydrant locations <input type="checkbox"/> Date of Survey: _____ <input type="checkbox"/> Total Acreage of Property _____ <input type="checkbox"/> Square Footage _____
<input type="checkbox"/> Plot Plan: If building exists, should show all existing structures with dimensions, spacing, set-backs and off-street parking. **if new construction is proposed as part of this request, a plot plan is required and must show any existing structures on the land and any proposed structures, including setbacks, spacing and dimensions & total impervious area calculations	
<input type="checkbox"/> Certificate of Appropriateness application and application fee if property is located within the National Register Historic Overlay District, listed on the National Register, or property listed on the Florida Master Site File by the State of Florida Department of State, Bureau of Historic Preservation of the Division of Historical Resource Florida Master Site File No. _____ Contributing Structure <input type="checkbox"/> Yes <input type="checkbox"/> No	

**In addition to the original application ANY documents greater than 11x17 MUST ALSO be submitted on a CD/DVD**

In order that this application be processed in a timely fashion, the correct and complete information is necessary. It is suggested that the applicant bring the application to the Zoning & Code Compliance Division, 126 Harvey St., Punta Gorda, Florida 33950, where it can be reviewed by the staff prior to filing.

The Zoning & Code Compliance Division accepts no responsibility for the completeness or accuracy of the application. Errors in the filed application may result in delays with respect to required public hearings. All data and exhibits submitted in connection with the filing of this application become a permanent part of the public record

**IMPORTANT:** The applicant or his representative **MUST** be present at the hearing. There will be a fee of \$500.00 for a Voluntary Continuance (a request by the applicant to continue a petition before the appropriate board or council, or by the failure of the applicant to attend or be represented at the appropriate meeting).

<b>1. Applicant</b>					
Name:					
Address:		City:	State:	Zip:	
Phone:		Email address			

<b>2. Owner(s) of Record</b>					
Name:					
Address:		City:	State:	Zip:	
Phone:		Email address			
<b>3. Authorized Agent – (if applicable – Property Owner must sign AGENT Affidavit below)</b>					
Name:					
Address:		City:	State:	Zip:	
Phone:		Email address			
<b>4. Property Address</b>					
Address:					
Parcel ID /Account #	Lot #	Block#	Section	Total Sq. Feet	Total Acres
<b>5. Legal Description of Property (Attach separate sheet if necessary)</b>					
<b>6. Is this variance request for new construction?</b>					<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>A. If yes, what is the total impervious area calculation?</b>					
<b>7. Existing Zoning Classification</b>					
<b>8. Is this request the result of a Violation?</b>			<input type="checkbox"/> Yes <input type="checkbox"/> No	<b>When?</b>	
<b>9. Are there any existing structures on the property?</b>					<input type="checkbox"/> Yes <input type="checkbox"/> No
If "yes" what type of construction are they, and what is the current use of the structures. In addition include a site plan showing location of structures on property.					
<b>10. Reason Variance is being requested</b>					
<b>11. Burden of Persuasion.</b>					
<p><u>The burden of showing that a variance should be granted to alleviate undue hardship shall be on the applicant. The applicant shall be required to demonstrate that the granting of a variance will alleviate a clearly demonstrable hardship approaching confiscation as distinguished from a special privilege or convenience sought by the applicant or that strict application of the ordinance would effectively prohibit or unreasonably restrict reasonable use of the property by reason of any one of the following:</u></p> <p>(1) Exceptional narrowness, shallowness, size or shape of a specific piece of property at the time of enactment of this ordinance; (2) Exceptional topographic conditions or other extraordinary and exceptional situation or condition of such property; (3) The condition situation or development of property immediately adjacent to the subject property.</p>					

**Explanation:**

**12. Approval Criteria No variance shall be approved unless all of the following statements are true with respect to the subject property. Please state your position for each of the following approval criteria:**

**(1) That special conditions or circumstances exist which are particular to the size and characteristics of the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district.**

**(2) The strict and literal enforcement of the zoning regulations would create an undue hardship as distinguished from a mere inconvenience on the property owners. Physical handicaps or disability of the applicant and other considerations may be considered where relevant to the request.**

**(3) That such hardship is not shared generally by other properties in the same zoning district and in the same vicinity.**

**(4) The granting of the variance would not be injurious to or incompatible with contiguous uses, the surrounding neighborhood or otherwise detrimental to the public welfare.**

**(5) That the variance requested is the minimum modification of the regulation at issue that will afford relief.**

**(6) The condition giving rise to the requested variance has not been created by any person presently having an interest in the property and/or the conditions cannot reasonably be corrected or avoided by the applicant.**

