



GUIDELINES FOR SUBMITTING BOARD OF ADJUSTMENT APPLICATIONS

121 SW Flagler Ave
Stuart, FL 34994
Tel: 772-288-5326
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Please print clearly and provide all required information

NOTE: Please be advised that these guidelines are intended only as a guide to assist you in submitting your Board of Adjustment Application. Please refer to the Land Development Regulations, Chapter X for any further reference.

The Board of Adjustment meets on the fourth Thursday of each month at 7:00PM in the City Commission Chambers, 121 SW Flagler Avenue, Stuart, FL. The applicant or agent shall appear at the public hearing to furnish the Board with any further information that it may need.

In accordance with Section 10.02.02(A) and (B), "Limitations on Granting Variances", Variances may be granted in such cases of unnecessary hardship upon a finding by the Board of Adjustment that all of the following conditions exist:

1. Authorize any use of the property that is not allowed as a permitted use or a use allowed by special exception in the district which the property is located; and
2. Allow a density or intensity of use that exceeds the maximum density or intensity that is permitted in the district in which the property is located; and
3. Result in a verifiable reduction of the property values of any adjacent or nearby properties; and
4. Cause a detrimental effect in the supply of light and air to adjacent properties and
5. Cause a detrimental effect with respect to drainage of the subject property as well as adjacent properties; and
6. Cause an increase of traffic on adjacent or nearby roads to levels that are not usual for the types of uses in the neighborhood; and
7. Cause any threat to public safety in any manner whatsoever; and
8. Cause any threat to the health or general welfare of the inhabitants of the City.

The Board of Adjustment may approve, approve with conditions or deny the application. The variance will become effective on the date the Board of Adjustment votes to approve or approve with conditions.

I. Pre-Application Conference: Prior to submittal of a Board of Adjustment Application, it is strongly recommended that the petitioner schedule a conference with Staff. The purpose of the conference is to advise the application regarding the review standards and process for the application.

II. Application Requirements:

- A. Complete Application Form (Exhibit A)
- B. Application Fee: \$819.20, plus \$20.48 per sign for posting of property.
- C. List of names, addresses and legal descriptions of surrounding property owners within 300 feet. List can be obtained through a title company or the Martin County Property Appraisers office.
- D. Thirteen (14) copies of the site plan.

III. Submittal of Application: The application and all information required above shall be submitted in person by the application deadline (1st working day of the month) to:

City Development Department
121 SW Flagler Avenue
Stuart, FL 34994

IV. Notification of Public Hearing:

A. Sign Posting (applicant's responsibility) The City will provide the applicant with the sign. The cost of the sign is \$20.48. The applicant shall post the sign in a conspicuous place on or near the front of the property a minimum of 15 days prior to the public hearing date. The applicant shall take a photograph of the sign as posted on the site.

B. Notification of Surrounding Property Owners (applicant's responsibility)

1. The notification shall include all property owners within 300 feet of the property for which the variance is requested.
2. The applicant shall send a letter notifying all surrounding property owners of the Public Hearing (Exhibit B). Prior to mailing, the letter shall be approved by Staff. The letter shall be sent by regular mail and must be postmarked a minimum of 15 days prior to the Public Hearing.

V. Submittal of Affidavit Attesting to Notification (applicant's responsibility). The applicant must submit the affidavit attesting to notification (Exhibit C) to the City Development Department a minimum of five (5) days prior to the hearing.

The applicant shall also provide a photograph of the site showing the posted sign and a copy of the letter mailed showing that the notice sent was correct.

**VARIANCE REQUEST
(Check Appropriate Item)**

- | | |
|--|--------------------------------|
| <input type="checkbox"/> Front yard setback | From _____ feet to _____ feet. |
| <input type="checkbox"/> Rear yard setback | From _____ feet to _____ feet. |
| <input type="checkbox"/> Side yard setback | From _____ feet to _____ feet. |
| <input type="checkbox"/> Corner yard setback | From _____ feet to _____ feet. |
| <input type="checkbox"/> Structure height | From _____ feet to _____ feet. |
| <input type="checkbox"/> Other | From _____ feet to _____ feet. |

I HEREBY CERTIFY THAT THE INFORMATION ON THIS APPLICATION IS TRUE AND COMPLETE.

Petitioner (Owner)

Agent

Sworn and subscribed before me this _____ day of _____, 20__.

Notary Public