



Walton County Planning and Development Services

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PETITION FOR VARIANCE APPLICATION APPEAL APPLICATION

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SUBMITTAL CHECKLIST

SUBMITTALS FOR ALL DEVELOPMENTS (Full size plans 24" x 36" required)
PETITION FOR VARIANCE APPLICATION – INITIAL PACKETS WILL INCLUDE (in order as stated
below and sorted into five (5) full sets):
If any submittals do not meet these requirements, they will not be accepted

- Original plus four (4) copies of the completed variance application.
- Enclose Application Fee: \$500.00** (non-refundable, regardless of decision by the Board). Check should be made payable to "Walton County"
- Enclose Environmental Review Fee of \$75.00.**
- One (1) copy of the list of names and addresses of all property owners within 300 feet of subject property.
- Five (5) copies of site plan. The site must include a scale, a north arrow, and show setbacks of all existing structures and all proposed structures from all property lines. If the proposed variance is requested for a gulf-front lot, you will need to have a surveyor show the County's Shoreline Protection Zone and the FDEP. Control Line on your site plan.
- Five (5) copies of a location map showing driving directions from the nearest major intersection of the site, including pertinent landmarks, section lines, road names, miles from Point A to Point B, etc.
- Five (5) copies of numbered photographs in color of the proposed site with location of view written on the back of each photograph; corresponding numbers to be shown on a site plan of the photography sites.
- A CD with the entire submittal in .pdf files. Please provide a separate .pdf file for each document (e.g Site_Plan.pdf and so forth) and do not save a file larger than 2 MB.

APPEAL APPLICATION – INITIAL PACKETS WILL INCLUDE (in order as stated below and sorted
into two (2) full sets):
If any submittals do not meet these requirements, they will not be accepted

- Original plus ONE (1) copy of the completed Variance/Appeal application.
- Enclose Application Fee: \$500.00 (non-refundable, regardless of decision by the Board). Check should be made payable to "Walton County"
- Original plus ONE (1) copy of the Letter of Appeal.
- Two (2) copies of a location map showing driving directions from the nearest major intersection of the site, including pertinent landmarks, section lines, road names, miles from Point A to Point B, etc. **(If Applicable)**
- A CD with the entire submittal in .pdf files. Please provide a separate .pdf file for each document (e.g Site_Plan.pdf and so forth) and do not save a file larger than 2 MB.

Variance Request Questionnaire

1. Is this variance request in harmony with the general purpose and intent of the regulations imposed by this code or the land use district in which the site is located?

2. Could the variance be injurious to the neighborhood or otherwise detrimental to the public welfare?

3. Would the granting of this variance permit the establishment of any use that is not permitted in the land use district?

4. Is there proof of unique circumstances?

5. What existing special circumstances or conditions are applicable to the land or building for which the variance is sought? Fully describe the unique circumstances.

6. Do the circumstances or conditions apply generally to land or buildings in the land use district?

7. Are the circumstances or conditions such that the strict application of the provisions of the land development code would deprive the applicant of the reasonable use of such land or buildings?

8. Is there proof of unnecessary hardship? (It is not sufficient proof of unnecessary hardship to show that greater profit would result if the variance was granted; the hardship cannot be established on this basis by one who purchases with or without knowledge of the restrictions.)

9. Is the hardship a result of the application of this code? (It must be suffered directly by the property in question; evidence of variance granted under similar circumstances shall not be considered.)

10. Is the granting of this variance necessary for the reasonable use of the land or building?

11. Is this variance request the minimum variance that will accomplish the purpose of reasonable use of the land or building?

12. Will the variance impair an adequate supply of light and air to the adjacent properties?

13. Will the variance substantially increase the congestion in the public streets?

14. Will the variance endanger public safety?

15. Will this variance substantially diminish or impair property values with the adjacent neighborhood?

16. Will the granting of this variance confer on the applicant any special privilege that is denied by this code to other lands, structures, or buildings in the same land use district?

APPLICANT

Name: _____
(If company or corporation, name of secretary and president)
Address: _____
City, State, Zip: _____
Telephone: _____ Fax: _____ Email: _____

PROPERTY INFORMATION

Parcel Identification Number(s) (Obtain from Property Appraiser's Office): _____

Legal Description: _____

PROPERTY OWNER (if different from applicant)

Name: _____
(If company or corporation, name of secretary and president)
Address: _____
City, State, Zip: _____
Telephone: _____ Fax: _____ Email: _____

PROPERTY INFORMATION

Parcel Identification Number(s) (Obtain from Property Appraiser's Office): _____

Legal Description: _____

AGENT

Name: _____
(If company or corporation, name of secretary and president)
Address: _____
City, State, Zip: _____
Telephone: _____ Fax: _____ Email: _____

ARCHITECT

Name: _____
(If company or corporation, name of secretary and president)
Address: _____
City, State, Zip: _____
Telephone: _____ Fax: _____ Email: _____

ENGINEER

Name: _____
(If company or corporation, name of secretary and president)
Address: _____
City, State, Zip: _____
Telephone: _____ Fax: _____ Email: _____

SURVEYOR

Name: _____
(If company or corporation, name of secretary and president)
Address: _____
City, State, Zip: _____
Telephone: _____ Fax: _____ Email: _____

STATEMENT OF INTENT (For Variance if Applicable)

A statement of the applicant's intentions to the future selling or leasing of all portions of the development (such as land areas, dwelling units, and commercial facilities) is required. Provide a statement of intent below:

SCENIC CORRIDOR

Does this project site abut US Highway 98 or US 331 south of the "Clyde B. Wells" Bridge? YES NO

Does this project site abut County Road 30-A, CR 393, CR 395 or CR 83, CR 283 south of 98? YES NO

PHYSICAL 911 ADDRESS OF PROJECT: _____

Location of Project (with specific landmarks and measurement of distances):

LAND DESIGNATION / USES

Current Land Use Designation of Parcel (as determined by Walton County Planning and Development Services):

(Per Section 2 of the Walton County Land Development Code / Future Land Use Map / Land Use Determination)

of Residential Lots: _____

Units per Residential

Lot: _____

Multifamily Units: _____

Type of Multifamily Units: _____

Property Acreage: _____

Square Footage of Non-Residential Development:

Existing: _____ s.f.

Proposed: _____ s.f.

Total: _____ s.f.

Type of Proposed Non-Residential Development: _____

Adjacent Land Uses:
(Commercial, single-family, multifamily, vacant, etc.)

Future Land Use Category:
(from the LDC/FLUM/Land Use Determination)

North Side: _____

South Side: _____

East Side: _____

West Side: _____

PROJECT INFORMATION

Subject	Sq. Footage/Acreage	Yes	No
Greenway sq. ft.			
Wetlands sq. ft.			
Landscaping sq. ft.			
Preservation sq. ft.			
Conservation easements			
Recreation sq. ft.		Req.: Prov.:	
Open space sq. ft.		Req.: Prov.:	
Type of structure (occupancy, class, or materials)			
Number of buildings			
Density			
Building sq. ft.			
Structure height			
Floor Area Ratio (FAR)			
Impervious Surface Ratio (ISR)			
Street widths allowed			
Sidewalk sq. ft.			
Parking area landscaping sq. ft.			
Overflow parking			
Number of parking spaces			
Shared parking			
Number of bike spaces			
Number of compact parking spaces			
Number of handicapped parking spaces			
Number of loading spaces			
Front setback			
Cross access agreement			
Rear setback			
Side setback			
CCCL Permit #			
Dredge and Fill Permit #			
FDEP General Permit #			
FDEP Potable Water Permit #			
FDEP Stormwater Permit #			
FDEP Wastewater Permit #			
FDOT Permit #			
Flood Plain			
Will state permits be required for this project? (see below)			

If so, what state permits will be required? _____

SEWER/WATER

Will this project be served by public water? YES NO

If yes, who is your provider? _____
(Submit letter from company providing this service)

Will this project be served by public sewer? YES NO

If yes, who is your provider? _____
(Submit letter from company providing this service)

POTABLE WATER AVAILABILITY

The above parcel is / is not within the service area of: _____

Service Provider

Capacity is / is not available to serve this project with potable water.

Service to this project is / is not contingent upon planned facility expansion. (If project is contingent on a planned expansion, provide details of expansion from the provider.)

SEWER AVAILABILITY

The above parcel is / is not within the service area of: _____

Service Provider

Capacity is / is not available to serve this project with sewer service.

Service to this project is / is not contingent upon planned facility expansion. (If project is contingent on a planned expansion, provide details of expansion from the provider.)

DEVELOPER ACKNOWLEDGEMENT

I have read and understand that prior to the issuance of a final development order by Walton County, that I will be required to provide evidence of a contract with the service provider, indicating the provider's commitment and ability to serve the proposed project.

Developer's Signature

Printed Name

Date of Signature

ADDENDUM 1

TRANSPORTATION CONCURRENCY REQUIREMENT

All applications for minor and/or major developments must provide a transportation concurrency study in accordance with Ordinance 2007-10, signed and sealed by either a registered Professional Engineer (PE) or signed by a certified planner, American Institute of Certified Planners (AICP), practicing in the field of transportation planning. The transportation study should reference Ordinance 2007-10, Transportation Concurrency Management System Methodology and Procedures.

The developer acknowledges the term of any Transportation Certificate of Concurrency issued by the County as set forth in Ordinance 2007-10, Section 3.01.03, Expiration of Transportation Certificate of Concurrency for Application for Minor or Major Development Approval.

If the development project traffic impacts a deficient segment of roadway, as identified in the County's Transportation Concurrency Management System (CMS), implementation of one or more mitigation strategies as described and identified in Ordinance 2007-10, Section 14 of Appendix C-3 may be required.

NAME OF PROJECT

Per Florida Statute 177.051, Subsection 1, every development shall be given a name by which it shall be legally known. The name shall not be the same as any other name appearing on any recorded plat. If the name of the project is sufficiently similar to the name of an existing development, staff will require that you change the name. The name of the development shall be indicated on every page of the application and supporting documentation submitted for review.

Should the name of the development be changed after the County has issued approval, the owner/developer will be responsible for notifying the County of the change so that proper documentation can be made before the mylar is placed in the public record.

SITE LIGHTING

Site Lighting Plans that complies with section 5.09.00 of the Land Development Code shall contain, but not be limited to:

1. A point-by-point footcandle array in a printout format indicating the location and aiming of illuminating devices. The printout (24X36) shall indicate compliance with the maximum maintained footcandles required by this code.
2. Description of the illuminating devices, fixtures, lamps, supports, reflectors, poles, raised foundations and other devices (including but not limited to manufacturer's or electric utility catalog specification sheets and/or drawings, and photometric report indicating fixture classification (cutoff fixture, wall pack, flood light, etc.))

ADDENDUM 2

Walton County Environmental Assessment

Project Description

Provide a detailed description of the project site, including the project name, driving directions, location, acreage, and a map to the site. The description should accurately characterize the current conditions within the project site (*i.e. cleared, vegetated, disturbed, etc.*), and portray the development site's current land use, and the surrounding land uses.

Soils

Utilize the United States Department of Agriculture, NRCS Soil Survey data for Walton County to describe each soil type found within the project site. Provide a map illustrating the area of each soil type.

Natural Vegetative Communities - Upland and Wetland

In accordance with Comprehensive Plan Policy C-3.2.7, utilizing the Florida Natural Areas Inventory descriptions, found in the *FNAI Guide to Natural Communities of Florida*, list and describe all Natural Community types found within the development site, and include a list of the actual species that comprise each community. Provide the acreage of each community type, provide a site map illustrating approximate boundaries, and address preservation per the Walton County Land Development Code and Comprehensive Plan. If preservation is required, please provide a preservation plan that illustrates and quantifies the vegetation community to be preserved.

Wetlands

If wetland areas are present, provide wetland delineation for all wetlands within and immediately adjacent to the development site, including isolated wetlands. Address wetland buffer requirements per Walton County Land Development Code and Comprehensive Plan. Illustrate all wetland areas and wetland buffer areas on the survey and site map.

Threatened and Endangered Species

In accordance with Comprehensive Plan Policy C-3.2.7, request a Standard Data Report from Florida Natural Areas Inventory (<http://www.fnai.org/>). In conjunction with the information obtained from FNAI, perform a site visit to search for any occurrences of Threatened and/or Endangered species within or adjacent to the development site. Provide a radius map and list of species occurring in vicinity of the project. Summarize findings and survey methods. Other references to consult may include the Florida Fish and Wildlife Conservation Commission, United States Fish and Wildlife Service, et. al. *If Threatened and Endangered Species are found within or adjacent to the development site, provide proof of coordination with the Florida Fish and Wildlife Conservation Commission and the U.S. Fish and Wildlife Service to develop a management plan.*

Archeological/Cultural Resources

In accordance with Walton County Comprehensive Plan Objective L-1.3, conduct a review of the State of Florida Division of Historical Resources Master Site File for the presence of any known Archeological or Cultural Resource. If the development site has not been surveyed for the presence of Cultural Resources, a licensed archeologist may need to conduct a site visit and provide a Cultural Resources Assessment summarizing their survey methods and findings. If cultural resource sites are located, the applicant must provide proof of coordination (*official SHPO letter*) with the State of Florida, Division of Historical Resources Office.

Hazardous Materials and Contamination

List and describe any known contamination and/or suspected hazardous materials found within or adjacent to the development site (*i.e. any chemicals, containers, dumping of trash, and/or any known sites listed in the FDEP data base*).

Conclusion

Summarize findings/results and provide opinions and recommended course of action.

Attachments

Attach applicable maps, surveys, aerial photos, diagrams, and supporting documentation.

PLEASE NOTE: I understand that Walton County has adopted policies regarding the preservation of native vegetation and no clearing of any kind can take place on a development site until the proposed development has been approved for a development order by Walton County or a clearing permit has been issued.

ADDENDUM 3

NOTIFICATION OF AFFECTED PROPERTY OWNERS

The Board of County Commissioners requires any applicant for a Major/Minor Development Order to notify all property owners within 300 feet of the perimeter of the subject property.

The applicant is responsible for notifying property owners within 300 feet by certified, return receipt mail, not less than 10 days but no more than 20 days prior to each hearing for the proposed development.

DO NOT NOTIFY PROPERTY OWNERS UNTIL PLANNING AND DEVELOPMENT SERVICES VERIFIES THE DATE THAT THE PROPOSAL WILL BE HEARD BEFORE THE BOARD

A sample notification letter is included in this application. The meeting dates and times shall be furnished by Planning and Development Services to the applicant after the proposed applicant receives approval from the Technical Review Committee and has been placed upon the appropriate agenda. The applicant shall include with the notification the following information:

1. Map showing location
2. Summary of the proposed development
3. Legal description
4. A clearly legible site plan of the development proposal

After the notices are mailed, the applicant shall provide to Planning and Development Services no less than three (3) days before the meeting:

1. A copy of the property owners within 300 feet of the subject property that were listed in the latest available Ad Valorem Tax Roll for Walton County
2. A copy of package mailed to property owners
3. Any packages which were undeliverable and returned
4. Certified postal receipts stamped by the United States Postal Service

It is the responsibility of the applicant or the applicant's agent to post a notification sign on the parcel, visible from the roadway when notified by Planning and Development Services of the meeting date, time, and location. A sample sign drawing is attached hereto.

After the sign is placed on the parcel the applicant shall provide to Planning and Development Services no less than three (3) days before the meeting:

1. A dated photograph of the posted sign on the parcel (not located within any rights-of-way) and an affidavit that the sign was posted per requirements.

FAILURE TO NOTIFY PROPERTY OWNERS AS REQUIRED MAY RESULT IN THE PROJECT BEING CONTINUED TO THE NEXT AVAILABLE MEETING DATE AND THEREFORE DELAY OF PROJECT APPROVAL

ADDENDUM 4

WALTON COUNTY NOTICE BY MAIL AFFIDAVIT

BEFORE ME, the undersigned authority, personally appeared, _____, the owner and/or authorized agent of the following described property: _____, who deposes and says the following:

1. That the subject described above notified the property owners within 300 feet of the project site by the required _____ day of _____, _____, by the owner and/or authorized agent of the owner, certified notification letter within the time allotted per the Walton County Land Development Code, mailed on notifying the public of the required public hearing, date and time of meeting, location of meeting, and purpose of meeting in accordance to the Walton County requirements.
2. That a list of the names and addresses of the mailing labels is attached hereto depicting the person sent the notification letter.
3. This affidavit will be forwarded to Walton County Planning and Development Services no later than three (3) working days prior to the public meeting.

I have completed said requirements as described in the Walton County Development Application.

Signed Name of Applicant

Printed Name of Applicant

STATE OF _____

COUNTY OF _____

BEFORE ME, the undersigned Notary Public in and for said County and State, appeared _____, who is personally known to me or who has produced _____ as identification, and who executed the foregoing instrument.

Given under my hand and seal this _____ day of _____, _____.

{Seal}

Signed Name of Notary Public

Printed Name of Notary Public

Commission Number: _____

Expiration Date: _____

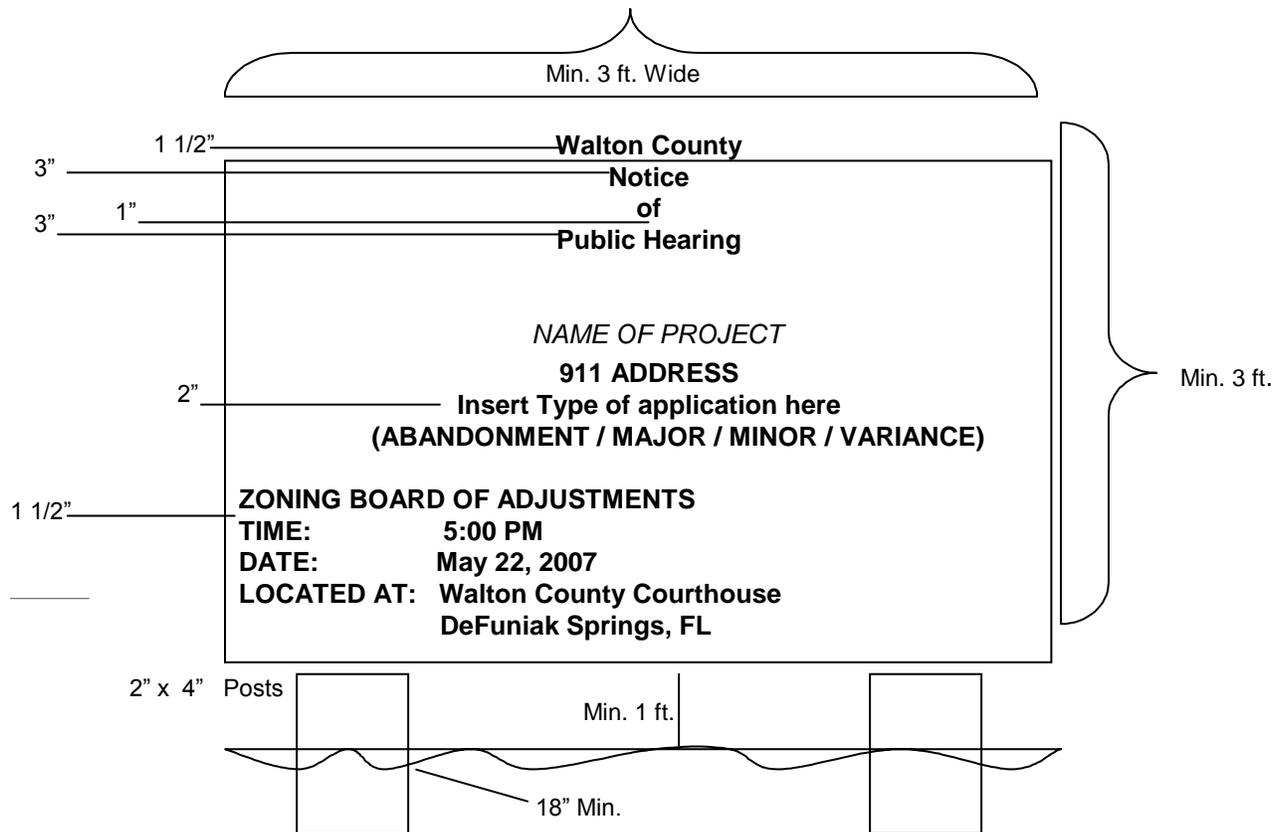
ADDENDUM 5

NOTICE TO APPLICANTS

POSTING OF PROPERTY REQUIREMENTS:

All applications for Variances, Future Land Use Map Amendments, Major Developments, and Developments of Regional Impact shall be required to post the subject site with a sign notifying the public of such public meeting in accordance, with the following requirements:

1. The subject site described in the application shall have a sign posted by the applicant, notifying the public of: the name of the project, the type of project, the public hearing date, time and location, and type of meeting.
2. The posted sign shall be placed upon the property in the correct location (as shown below).
3. The posted sign shall be placed upon the property not less than 14 days prior to the public meeting, and remain on the site until Final adoption by Board of County Commissioners or Zoning Board of Adjustment. Applicant will remove sign within 14 days after final board decision.
4. The posted sign shall be provided by the applicant at the expense of the applicant.
5. The applicant shall provide a photo of the sign depicting the text and location of the sign in relation to the road right-of-way to Walton County Planning and Development Services.
6. The applicant shall provide the attached Affidavit with the requirement of #5 above to Walton County Planning and Development Services no less than three (3) working days prior to such public meeting.
7. Failure to satisfy the above requirements will result in an automatic tabling of the item from the public meeting to the next available meeting, where the applicant will have to again satisfy the above requirements.



NOTE: Sign must have a **WHITE** background & **BLACK** letters. Sign shall be securely attached to 2 posts, being a minimum of a 2" X 4" post, and the face shall be a minimum of 1 foot above grade. Posts shall be a minimum of 18" below grade.

ADDENDUM 6

WALTON COUNTY POSTING OF PROPERTY AFFIDAVIT

BEFORE ME, the undersigned authority, personally appeared _____, the owner and/or authorized agent of the following described property, _____, who deposes and says as follows:

1. That the subject site described above has a sign posted for the project known as " _____ " by the owner and/or authorized agent for the owner, notifying the public of the required public hearing, date and time of meeting, location of meeting, and purpose of meeting in accordance to Walton County requirements.
2. The posted sign does meet the dimensional requirements set by the County.
3. That the posted sign was placed and will be maintained upon the property in the correct location and not less than fourteen (14) days prior to the public meeting.
4. That a photo of the sign depicting the location of the sign in relation to the road right-of-way is attached.

I have completed the said requirements as described in the Walton County Development Application.

Signed Name of Applicant

Printed Name of Applicant

STATE OF _____

COUNTY OF _____

BEFORE ME, the undersigned Notary Public in and for said County and State, appeared _____, who is personally known to me or who has produced _____ as identification, and who executed the foregoing instrument.

Given under my hand and seal this _____ day of _____, _____.

Signed Name of Notary Public

{Seal}

Printed Name of Notary Public

Commission Number: _____

Expiration Date: _____

ADDENDUM 7

SAMPLE NOTIFICATION LETTER

YOUR LETTERHEAD

Date: _____

Re: _____ (applicant) _____ is/are proposing the development of a Minor/Major Development known as "_____" consisting of (insert description of project) on _____ acres. The project site is located at (insert description from nearest major intersection).

Dear Property Owner:

As a property owner within three hundred (300) feet of the above referenced parcel, you are hereby notified that the owner has made application to Walton County Planning and Development Services for approval of the referenced development proposal. A site plan is enclosed for your review.

If you have questions or concerns regarding this proposal, please direct them to _____ (applicant) _____ at _____ (area code & phone number) _____. You may also direct your comments or concerns in writing to Planning and Development Services, 31 Coastal Centre Boulevard, Suite 100, Santa Rosa Beach, Florida 32459 or by fax to (850)622-9133 no later than 4:30 p.m. the day prior to the _____ (board) _____ meeting or you may be present at the scheduled public hearing. Reference the applicant and development proposal in all correspondence.

The _____ (Board) _____ is scheduled to review this development proposal on _____ (month/day/year) _____ in the _____ (building) _____ located _____ (location) _____. The meeting will begin at _____ (time) _____.

The Planning Commission will make a recommendation to the Board of County Commissioners regarding this item either to approve, approve with conditions, or to deny. Any item / proposal tabled will be scheduled for a future Planning Commission meeting and will not go forward to the Board of County Commissioners until the Planning Commission makes a recommendation.

The Board of County Commissioners will hold a public hearing on (month/day/year) in the _____ (building) _____ located _____ (location) _____ and will begin at _____ (time) _____. The purpose of the meeting is to review and consider the Planning Commission's recommendations on projects that are not continued or tabled.

If ownership of your property in this vicinity has changed, please return this package with the name(s) and address(es) of the new owner(s) to _____ (applicant) _____ so that they may be notified regarding these meetings.

Please be advised accordingly,

Applicant/applicant's agent signature

Enclosures: 1. Site Plan
2. Location Map
3. Description of Project

ADDENDUM 8
AGENT AFFIDAVIT
SPECIAL POWER OF ATTORNEY

SAMPLE

STATE OF FLORIDA
COUNTY OF WALTON

KNOW ALL MEN BY THESE PRESENTS, that I _____ am presently the owner and/or leaseholder at _____ and desiring to execute a Special Power of Attorney, have made, constituted and appointed, and by these presents do make, constitute and appoint _____ whose address is _____. County of _____, State of _____, my Attorney full power to act as my agent in the process of obtaining a development order pertaining to _____.

FURTHER, I do authorize the aforesaid Attorney-in-Fact to perform all necessary tasks in the execution of aforesaid authorization with the same validity as I could effect if personally present. Any act or thing lawfully done hereunder by the said attorney shall be binding on myself and my heirs, legal and personal representative, and assigns.

PROVIDED, however, that any and all transactions conducted hereunder for me or for my account shall be transacted in my name, and that all endorsements and instruments executed by the said attorney for the purpose of carrying out the foregoing powers shall contain my name, followed by that of my said attorney and the designation "Attorney-in-Fact."

WITNESSES:

Signature: _____

Printed Name: _____

Signature: _____

Printed Name: _____

APPLICANT:

Signature: _____

Printed Name: _____

STATE OF _____

COUNTY OF _____

BEFORE ME, the undersigned Notary Public in and for said County and State, appeared _____, who is personally known to me or who produced _____ as identification, and who executed the foregoing instrument.

Given under my hand and seal this _____ day of _____, _____.

{Seal}

Signed Name of Notary Public

Printed Name of Notary Public

Commission Number: _____

Expiration Date: _____