



CITY OF FREEPORT
VARIANCE APPLICATION

NOTICE TO ALL APPLICANTS

You are required to schedule a pre-application conference with the Freeport Planning Department prior to submittal of all variance applications. Your application will not be processed without verification that you have attended a pre-application conference with (a) representative(s) of the Freeport Planning Department.

A pre-application conference was held with _____

Regarding a variance application for Parcel #(s) _____

The Future Land Use designation for this property is _____.

The Zoning category for this property is _____.

This property consists of _____ acres. This property is located

The pre-application meeting was held on the ____ day of _____, 20____.

Planning Official

Title

A pre-application conference was conducted regarding this proposed variance request on the date indicated above. I understand that I or any person representing me cannot rely upon any comment concerning a proposed variance request, or any expression of any nature about the proposed variance made by any participant at the pre-application conference as a representation or implication that the proposed variance will be ultimately approved or rejected in any form. The Freeport City Council has the final approval regarding all variance requests. I understand that this proposed variance will be subject to all applicable land use regulations, and that this future development is not considered vested for specific land use regulations until the City Planner or his/her representative has issued a final development order. The applicant should not rely on any representation made by staff unless such representation is in writing and signed by the person making such representation and has been approved by the authorized entity.

I have read and understand these statements.

Owner/Agent Signature

Date of Signature



APPLICATION INFORMATION

(please print or type)

PROPERTY OWNER INFORMATION
Owner Name(s):
Mailing Address(es):
Phone Number(s):
Fax Number(s):
E-Mail:

OWNER'S AGENT INFORMATION
Name/Company:
Mailing Address:
Phone Number(s):
Fax Number(s):
E-Mail:

PARCEL INFORMATION
Parcel Number(s): _____ _____
Total Acreage:
Parcel Location (driving directions from City Hall to site): _____ _____ _____
Parcel Legal Description (attach if necessary): _____ _____



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PARCEL EXISTING LAND USE:
PARCEL FUTURE LAND USE DESIGNATION:
PARCEL ZONING DESIGNATION:

ADJACENT EXISTING LAND USE (commercial, residential, vacant, etc.)	
North:	East:
South:	West:

CURRENT ADJACENT FUTURE LAND USE (MU, ER, LDR, UD, etc.)	
North:	East:
South:	West:

CURRENT ADJACENT ZONING CATEGORIES (R-1, C-1, I-2, etc.)	
North:	East:
South:	West:

PROPOSED DEVELOPMENT:
Subdivision Lots:
Multi-family Units:
Lodging Rooms:
Commercial Square Footage and Types of Non-Residential Uses (office, retail, restaurant, warehouse, etc.)



Industrial Square Footage and Types of Industrial Uses (office, warehouse, equipment storage yard, manufacturing, etc.):

Other:

STATEMENT OF INTENT (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/industrial facilities is required). Provide a statement of intent below and sign/date where indicated:

Owner/Agent Signature

Date of Signature

APPLICATION FEE SCHEDULE

VARIANCE REQUEST

\$750.00*

*These are fees for the application review and advertising costs, and are cumulative. Applications should be accompanied by a check made payable to the City of Freeport.

I understand and accept this requirement.

Developer's Signature

Date of Signature

ATTACHMENTS

- Affidavit of Ownership and Limited Power of Attorney
- Concurrency Determination Acknowledgement
- Affected Property Owners Notification Requirements
- Sample Notification Letter



- **Required Signage Instructions**
- **Posting Affidavit**
- **Owner Certification Form**
- **Application Criteria**
- **Submittal Checklist**
- **Development Schedule**
- **GIS Addressing Office Approval of Proposed Road Names**
- **Required Pre-Construction Conference**

AFFIDAVIT OF OWNERSHIP AND LIMITED POWER OF ATTORNEY

As the owner of the property located at _____,
Freeport, Florida, Property reference number(s) _____,
I hereby designate _____, for the sole purpose of
completing this application and making a presentation to the Freeport City Council, to
request approval of a proposed variance request on the above referenced parcel.

This Limited Power of Attorney is granted on the _____ day of
_____, the year of _____, and is effective until the Freeport City
Council has rendered a decision on this request and any appeal period has expired. The
owner reserves the right to rescind this Limited Power of Attorney at any time with a
written, notarized notice to the City Clerk.

Signature of Property Owner(s)

Date

Printed Name of Owner

State of _____ County of _____

The foregoing instrument was acknowledged before me this ____ day of
_____, year of _____, by _____,
who (___) did (___) did not take an oath. He/she is (___) personally known to me,
(___) produced current Florida/Other driver's license, and/or (___) produced current



_____ identification.		
_____	_____	_____
Signature of Notary Public	Date	Printed Name of Notary Public
_____	_____	_____
My Commission Expires	Commission No. (Notary seal must be affixed)	

VARIANCE APPLICATION

By my signature, I hereby certify that:

- 1) I am duly qualified as owner or authorized agent to make such application, this application is of my own choosing, and staff has explained all procedures relating to this request; and
- 2) All information given is accurate to the best of my knowledge and belief, and I understand that deliberate misrepresentation of such information will be grounds for denial or reversal of this application and/or revocation of any approval based upon this application; and
- 3) I understand that there are no guarantees as to the outcome of this request, and that the application fee is nonrefundable; and
- 4) I authorize City staff to enter upon the property referenced herein at any reasonable time for purposes of site inspection; and
- 5) I authorize placement of a public notice sign(s) on the property referenced herein at a location(s) to be determined by City staff.

_____	_____	_____	_____
Owner's Name	Date	Agent's Name	Date
Agent's Name _____			
(print or type)			
Address: _____			
City: _____		State: _____	Zip Code: _____
Telephone (____) ____ - _____		Fax # (____) ____ - _____	



STATE OF _____

COUNTY OF _____

The foregoing instrument was acknowledged before me this ____ day of _____, year of _____ by _____

Who (___) did (___) did not take an oath. He/she (___) is personally known to me. (___) produced current Florida/Other driver's license, and/or (___) produced current _____ as identification.

Signature of Notary Public

Date

Printed Name of Notary Public

My Commission Expires _____ Commission No. _____
(Notary seal must be affixed)

AFFECTED PROPERTY OWNERS NOTIFICATION REQUIREMENTS
NOTIFICATION OF AFFECTED PROPERTY OWNERS FOR
VARIANCE APPLICATIONS:

The City of Freeport shall require any person applying for a variance to notify all property owners within 400 feet of the perimeter of the subject property. **DO NOT NOTIFY PROPERTY OWNERS UNTIL THE PLANNING DEPARTMENT VERIFIES THE DATE WHICH THE PROPOSAL WILL GO BEFORE THE CITY COUNCIL.** A sample notification letter is included in this application. The meeting dates and times shall be furnished by the Planning Department to the developer after the proposal completes Technical Review. The developer shall include within the notification the following:

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

After the notices are mailed, the developer shall submit to the Planning Department the following:

1. Postal receipt showing mailing date (no less than 14 and no more than 20 days prior to the meeting).
2. Copy of package mailed to property owners.
3. Return receipt cares or any packages which were undeliverable
4. List of property owners within 400 feet

THE GREEN RECEIPT CARDS MUST BE SUBMITTED TO THE PLANNING DEPARTMENT



REPRESENTATIVE AT THE PLANNING BOARD MEETING. It is the responsibility of the applicant to assure that notification is made as required by this policy, in a timely manner. It shall also be the responsibility of the applicant to insure that all property owners are notified as required. Names and addresses are to be obtained from the latest Property Tax Roll. **FAILURE TO NOTIFY PROPERTY OWNERS AS REQUIRED MAY RESULT IN DELAY OF PROJECT APPROVAL.**

I have read and understand this requirement.

Developer's Signature

Date of Signature

SAMPLE NOTIFICATION LETTER

YOUR LETTERHEAD

Date: _____

Re: _____(applicant)_____ is/are requesting a variance from the requirements of Section _____ of the Freeport Land Development Code. The subject property is Parcel _____, consisting of ____ acres, located

The specific variance requested is _____ instead of the required

The current Future Land Use designation for this property is _____.

The current Zoning of this property is _____.

Dear Property Owner:

As a property owner within four hundred (400) feet of the above referenced parcel, you are hereby notified that the owner has made application to the Freeport Planning Department for approval of the referenced 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 the Freeport Planning Department, PO Box 339, Freeport, FL 32439 no later than 4:30 p.m. the day prior to



the City Council Meeting or you may be present at the scheduled public hearings. Reference the applicant and development proposal in all correspondence.

Freeport City Council has a public hearing scheduled to review this variance proposal on (month/day/year). The meeting will begin at (time). The meeting will be held in the Council Chambers at Freeport City Hall in Freeport, Florida.

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)

Enclosures

REQUIRED SIGNAGE INSTRUCTIONS /NOTICE TO APPLICANTS

POSTING OF PROPERTY REQUIREMENTS

All applications for Variances, Future Land Use Map Amendments, Development Projects, Zoning Changes, Planned Development Projects 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 sign posted by the applicant for the owner, notifying the public of the required public hearing, date and time of meeting, location of meeting, 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 the City of Freeport. 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 the City Planning Department.
6. The applicant shall provide the attached Affidavit with the requirement of #5 above to



the City Planning Department no less than 2 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,

3 ft wide x 3 ft high (minimum)

1 ½"	City of Freeport
3"	Notice Of Public Hearing
2"	"Owner's Name" VARIANCE REQUEST
1 ½"	Freeport City Council Time: Date: Located at:

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.

POSTING AFFIDAVIT

**CITY OF FREEPORT
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 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 the City of Freeport requirements.
2. That the posted sign meets the dimensional requirements set by the City.
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.
5. This affidavit will be forwarded to the Freeport Planning Department no later than two (2) working days prior to the public meeting.

I have completed the said requirements as described in the City of Freeport Application.

Signed Name of Owner

Printed Name of Owner

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 did/did not take an oath, and who is known to me to be the individual described by said name who executed the foregoing instrument.

Given under my hand and official seal the ____ day of _____, 20__.

Signed Name

Printed Name

My Commission Expires: _____

OWNER CERTIFICATION FORM

By my signature, I hereby certify that:

- 1) I am duly qualified as owner or authorized agent to make such application, this application is of my own choosing, and staff has explained all procedures relating to this request; and
- 2) All information given is accurate to the best of my knowledge and belief, and I understand that deliberate misrepresentation of such information will be grounds for denial or reversal of this application and/or revocation of any approval based upon this application; and
- 3) I understand that there are no guarantees as to the outcome of this request, and that the application fee is non-refundable; and
- 4) I authorize City staff to enter upon the property referenced herein at any reasonable time for purposes of site inspection and authorize placement of a public notice sign(s) on the property referenced herein at a location(s) to be



determined by City staff.

5) I understand it is my responsibility to provide to the City of Freeport at my expense:

A. A Certified list (obtained from a local title company) of the current property owners within a 400 foot radius of the property for which the rezoning is requested.

B. Addressed and stamped envelopes (with sufficient postage for certified mail and return receipt – metered mail is not acceptable), and Postal Service Forms 3800 and 3811 (certified receipt and green card) reflecting the names and addresses of those on the above referenced list (please request an example.)

6) I am aware that Public Hearing notices for the request shall be provided, for mail-out purposes, by the City at my expense.

Owner's signature Date

Agent's signature Date

Name of owner or agent: _____(print or type)
Address: _____ City _____ State _____ Zip _____
Telephone (____) ____ - _____ Fax # (____) ____ - _____
STATE OF _____
COUNTY OF _____

The forgoing instrument was acknowledged before me this ____ day of _____, year of _____ by, _____ who () did () did not take an oath. He/she is () personally known to me, () produced current Florida/Other driver's license, and/or () produced current _____ as identification.

Signature of Notary Public Name of Notary Printed Date
_____My Commission Expires _____Commission No. (Notary seal must be affixed)

APPLICATION CRITERIA

The City Council shall consider each application at a public hearing and, within 15 days of such hearing, make findings of fact and conclusions of law. Such recommendation shall be approval, approval with modification, or denial including reasons for any modifications or denial; and shall include consideration of the following:



[Empty rectangular box for application content]

SUBMITTAL CHECKLIST*	
ITEM	COPIES
• * Signed/completed application including affidavits	Original & 2 unstapled copies
• * Application fee(s)	Check to City of Freeport
• * Location Map with landmarks/street names	3 copies (letter-size)
• * Legal description of property	3 copies
• * Proof of Ownership (deed/tax notice)	3 copies



	• * Proof of title search	3 copies
	• Topographic Survey of property (24" x 36") signed/sealed	3 copies
	• Topographic Survey of property (11" x 17")	25 copies
	• Protected Tree Survey location/variety/DBH	3 copies
	• Section map from Property Appraiser's Office showing existing land uses within 500 feet	3 copies
	• * List of property owners within 400' of property	2 copies
	• Conceptual Single-page Site Plan (24"X36")	10 copies
	• Conceptual Single-Page Site Plan (11"X17")	25 copies

- The items preceded with a bullet are required.

**The City of Freeport reserves the right to request additional information which may be necessary for the review and completion of this application.*

The reduced-size copies(11" x 17") should not be turned in until the project is ready to be scheduled for the City Council Meeting

Development Schedule

30 days	Project Submittal
	Review for Completeness



90 days	Technical Review	City Planner
		City Engineer, if applicable
		City Fire Chief, if applicable
		City Water Dept. , if applicable
		City Sewer Dept. , if applicable
	Co. Public Works, if applicable	
Note: cycle repeats as revisions are submitted		
30 days	Schedule project for next FCC Mtg (3 weeks prior)	

This time-frame is considered average and should not be construed as the minimum or maximum amount of time that a development project will stay "in progress".