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COASTAL SETBACK VARIANCE APPLICATION

The Variance application should contain the following:

- This application form** completed, signed and notarized by the property owner (all three pages of Section No. 1. If the applicant is not the owner of record, the owner shall print or type on the Affidavit of Owner's Authorization, item G, Page 3, the name of the person who shall act as the owner's agent for the purpose of applying for this variance. In addition, there are specific technical requirements listed on Sections No. 2 through No. 6 of the application that should be carefully reviewed before the submittal of the application.
 - Filing Fee for each property** where construction is proposed, payable to Sarasota Board of County Commissioners
 - \$3,000.00 for Coastal Setback Variance
 - \$400.00 for Variance Extension
 - Three times the original fee for an After-the-Fact Variance
 - Aerial photo** showing the location of each neighboring property within 500 feet of the property for which this variance is sought. This photo should show the name of each property owner and street address of each property. A list attached to the aerial photo with a key identifying and locating the properties will be accepted.
 - Drawings:** Boundary Topographic Survey Dimensioned Site Plan Dimensioned Cross-Sectional
- These drawings should meet the outlined criteria in Section No. 2 of this application. Applications for shore protection structures shall include information in Sections No. 3 and No. 4 of this application. Applications for new residences shall include information in Section No. 4.

SECTION No. 1

A. PROPERTY OWNER INFORMATION

Owner(s) name _____

Mailing address _____

Telephone (home) _____ (business) _____ Email address _____

Represented by _____

Mailing address _____

Telephone (home) _____ (business) _____ Email address _____

Engineer/Contractor/Architect name _____

Mailing address _____

Telephone (home) _____ (business) _____ Email address _____

B. PROPERTY INFORMATION

Property Identification No. (PIN) _____
(available at the Property Appraiser's office or website at www.sarasotaproperty.net)

Street address _____

F. AFFIDAVIT OF OWNERSHIP

I/We hereby certify that I am the owner of the property described on Page 1 of this application and situated in Sarasota County, Florida; and that said property is all the property contiguous to and landward of the area on which the work proposed in the variance application is to be conducted. Furthermore, I certify that as owner of record, I have or will have, prior to undertaking the work, all necessary approvals or permission to conduct the work proposed in the variance application, from all other persons with a legal interest in said property.

G. AFFIDAVIT OF OWNER'S AUTHORIZATION

I/We hereby authorize _____ to make application for a variance for construction or other activities seaward of the Sarasota County Gulf Beach Setback Line or waterward of the Sarasota County Pass Twenty-Year Hazard Line on the property as described on Page 2 of this application and to act on my behalf in other matters pertaining to the variance.

H. DAYLIGHT PLANE AFFIDAVIT.

Check here if this application requests the construction of a new single-family or multi-family residence as described in Section 6.2.2.a of Section No. 4 of this application.

I/We ensure that the proposed construction shall comply with the Daylight Plane Requirements and agree to comply with Article 6, Section 6.2.2. of the Sarasota County Zoning Regulations as depicted on Section 4 of this application.

I hereby acknowledge that I have read and fully understand Item E. Statement of Understanding, Item F. Affidavit of Ownership, Item G. Affidavit of Owner's Authorization and Item H. Daylight Plane Affidavit listed above.

Signed this _____ day of _____, 200__

Signature of Property Owner

Print or type name of Property Owner (or name or title of person signing, if representing a corporation)

Signature of Property Owner

Print or type name of Property Owner (or name or title of person signing, if representing a corporation)

STATE OF FLORIDA
COUNTY OF SARASOTA

The foregoing instrument was acknowledged before me this _____ day of _____, 200__ by _____ who is personally known to me or who has produced _____ as identification and who did/did not take oath.

Notary Public Signature

Notary Stamp
Commission No.

ADDITIONAL PERMITS MAY BE REQUIRED FROM:

Florida Department of Environmental Protection, Office of Beaches and Coastal Systems, 3900 Commonwealth Boulevard, Marjory Stoneman Douglas Building, Tallahassee, FL 32399-3000, (850) 488-3181, and/or Florida Department of Environmental Protection, Wetland Resource Management, SW District, 3804 Coconut Palm Drive, Tampa, FL 33619-8318, (813) 744-6100.

FOR ADDITIONAL INFORMATION CONTACT COASTAL RESOURCES

1301 Cattlemen Rd., Bldg. D, Sarasota, Florida 34232
Phone: (941) 861- 5000 Fax: (941) 861-6479

SECTION No. 2 - APPLICATION DRAWING REQUIREMENTS

Four copies of each type of drawing on 8.5" x 11" paper, meeting the specific criteria outlined below must be submitted with the application; otherwise, the application will be deemed incomplete. In addition, two copies of full-size scaled drawings shall be submitted with the application.

Drawings must be drafted for legibility on 8.5" x 11" paper size. Please plan ahead for drawings that must be reduced. Illegible drawings (poor quality copies or copies with lettering that is too small) will not be accepted. No more than two match lines of a single drawing may be accepted.

I. **BOUNDARY AND TOPOGRAPHIC SURVEY.** This drawing shall reflect the **existing conditions** on the proposed construction site and shall be prepared and verified for accuracy not more than six (6) months prior to the date of application. The survey shall be certified by a licensed, professional land surveyor registered in the State of Florida, meeting the minimum technical standards in accordance with Chapter 21HH-6, Florida Administrative Code. This drawing shall be on 8.5" x 11" paper and include:

- a. Four (4) legible copies of the Boundary and Topographic Survey on 8 ½" x 11" size paper;
- b. A title block containing the words "Boundary and Topographic Survey", street address (if available), lot number and subdivision name;
- c. The location of:
 - 1. Property boundaries, easements, and adjoining rights-of-way;
 - 2. All recorded easements and encumbrances;
 - 3. The contour line corresponding to the approximate mean high water line (MHWL) with date and time the survey was performed;
 - 4. Any existing vegetation line. Please list in the notes of the survey if a vegetation line currently does not exist;
 - 5. The Sarasota County Gulf Beach Setback Line (GBSL) or Barrier Island Pass Twenty-Year Hazard Line (PHL). The procedure for surveying the line(s) shall be in compliance with Section 16B-33.09, Florida Administrative Code;
 - 6. All existing (not proposed) above and below grade structures on the property;
 - 7. Above-ground structures on the adjacent properties, including residences and shore protection structures;
 - 8. Federal Emergency Management Agency (FEMA) flood zones boundaries;
 - 9. Any archaeological site boundary limits (e.g., an Indian shell midden);
 - 10. Any native habitats (i.e., dune system, coastal hammock, wetland, or Indian mound);
 - 11. Any existing bluff line;
 - 12. A minimum of one shore-normal transect per 100 linear feet of shoreline, providing topographic elevation changes of 1 feet in height NGVD or NAVD 1988;
 - 13. Dimensions and locations of the foundation outlines of any existing structures in the immediate contiguous or adjacent areas that the applicant contends have established a reasonably continuous and uniform construction line.
- d. A north designation arrow;
- e. The scale of the drawing;
- f. The direction and distance that the two nearest Florida Department of Environmental Protection base line monument (s) or Sarasota County Pass Hazard Line reference monument (s) are located from the property;
- g. The surveyor's seal and signature.

II. **DIMENSIONED SITE PLAN DRAWING.** The drawing(s) shall show the **existing and proposed** construction on the property. It shall be prepared and certified by a licensed, professional engineer or architect, registered in the State of Florida. This drawing(s) shall be legible on 8 ½" x 11" paper size and include:

- a. Four (4) legible copies of the Dimensioned Site Plan Drawing on 8 ½" x 11" size paper;
- b. A title block containing the words "Dimensioned Site Plan" and the street address (if available), lot number, and subdivision name;
- c. The location of:
 - 1. Property boundaries, recorded easements, and adjoining rights-of-way;
 - 2. The contour line corresponding to the approximate mean high water line (MHWL) as verified by the Boundary Topographic Survey or within the last 6 months;
 - 3. Any existing vegetation line. Please list in the notes of the survey if a vegetation line currently does not exist;

DIMENSIONED SITE PLAN DRAWING... continued

- 4. The Sarasota County Gulf Beach Setback Line (GBSL) or Barrier Island Pass Twenty-Year Hazard Line (PHL). The procedure for surveying the line (s) shall be in compliance with Section 16B-33.09, Florida Administrative Code;
- 5. Federal Emergency Management Agency (FEMA) flood zones boundaries;
- 6. Any archaeological site boundary limits (e.g., an Indian shell midden);
- 7. Any native habitats (i.e., dune system, coastal hammock, wetland, or Indian mound);
- 8. Any existing bluff line;
- 9. The adjacent properties along the shoreline and the location of the seaward face of any residential structures;
- 10. Location of the proposed structure(s), excavation, and/or fill and any existing above and below grade structures, including coastal and shore-protection structures;
- 11. An exact maximum distance that each of the proposed construction activities will be located seaward of the Gulf Beach Setback Line or the Pass Hazard Line. This distance shall be measured on a perpendicular from the GBSL or PHL;
- 12. Distance from seaward face of proposed structures to the mean high water line;
- 13. The total area (square feet) and volume (cubic yards) of any proposed fill or excavation, and the type and amount (cubic yards) of fill;
- d. Dimensions of existing and proposed structures;
- e. The total area (square feet) of the existing and proposed construction (i.e., indicate the footprint area of the existing and proposed residential structure by floor with enclosed habitable and unenclosed areas listed separately. If the structure is located partially seaward of the GBSL or PHL, indicate the above described footprint areas for that area seaward of the GBSL or PHL and the total area both seaward and landward of the line for both existing and proposed conditions). Please see the attached example on Section 5, for more information.

III. **DIMENSIONED CROSS-SECTIONAL DRAWING.** The drawing(s) shall show a cross section of the property and the proposed and existing structures on the property, both landward and seaward of the Sarasota County Gulf Beach Setback Line or Pass Hazard Line. This drawing shall be prepared and certified by a licensed professional engineer or architect registered in the State of Florida. This drawing shall be legible on 8 ½" x 11" paper size and include:

- a. A title block containing the words "Dimensioned Cross Sectional" and the address of the property, if such address is available;
- b. A typical cross section view of the structural components above grade with elevations for the underside of the supporting horizontal structure, roof-line, mid-point of the roof, and crest elevations for any proposed coastal or shore protection structure;
- c. All proposed sub-grade construction or excavation with elevations referenced to NGVD or NAVD 1988. Please show pile penetration depth, if piles are associated with the construction and elevator shaft depth, if an elevator is proposed;
- d. The location of the Gulf Beach Setback Line or Pass Hazard Line;
- e. An exact maximum distance where each proposed construction activity will be located seaward of the Gulf Beach Setback Line or the Pass Hazard Line. This distance shall be measured on a perpendicular from the GBSL or PHL;
- f. A typical profile of existing and proposed grade at the site with elevations referenced to NGVD or NAVD 1988;
- g. Location of the contour line corresponding to elevation "0" NGVD or approximate mean high water line with date and time survey was performed and location of any existing line of vegetation; and
- h. The engineer's or architect's signature and seal.

ADDITIONAL SUPPORT INFORMATION

- Petitioners for coastal setback variances may be **required to provide additional support information**. This may include, but is not limited to, a professionally prepared native habitat delineation; a vulnerability and eligibility analysis that has been approved by the Florida Department of Environmental Protection; a frangibility analysis for a shore protection structure; and/or an engineering analysis of the structural stability or load capacity of a structure or foundation that has been prepared, signed, and sealed by a qualified professional structural engineer that has been registered in the State of Florida. Please contact Coastal Resources staff for additional information.

SECTION No. 3 - APPLICATION FOR SHORE PROTECTION STRUCTURES

Applications for shore protection structures shall include:

1. The location of existing and/or proposed shore protection structures on the adjacent properties relative to the structure proposed on the Petitioner's property, and the distance from the Gulf Beach Setback Line (GBSL) or Pass Twenty-Year Hazard Line (PHL) along the surveyed property lines to the seaward face of the proposed structure (i.e., x_1 and x_2 shown in Figure 1 below).
2. If the shore-protection structure is not shown in-line with both existing and/or proposed shore protection structures (as in Figure 1. below), provide an explanation detailing the reasons it is misaligned.

Figure 1.

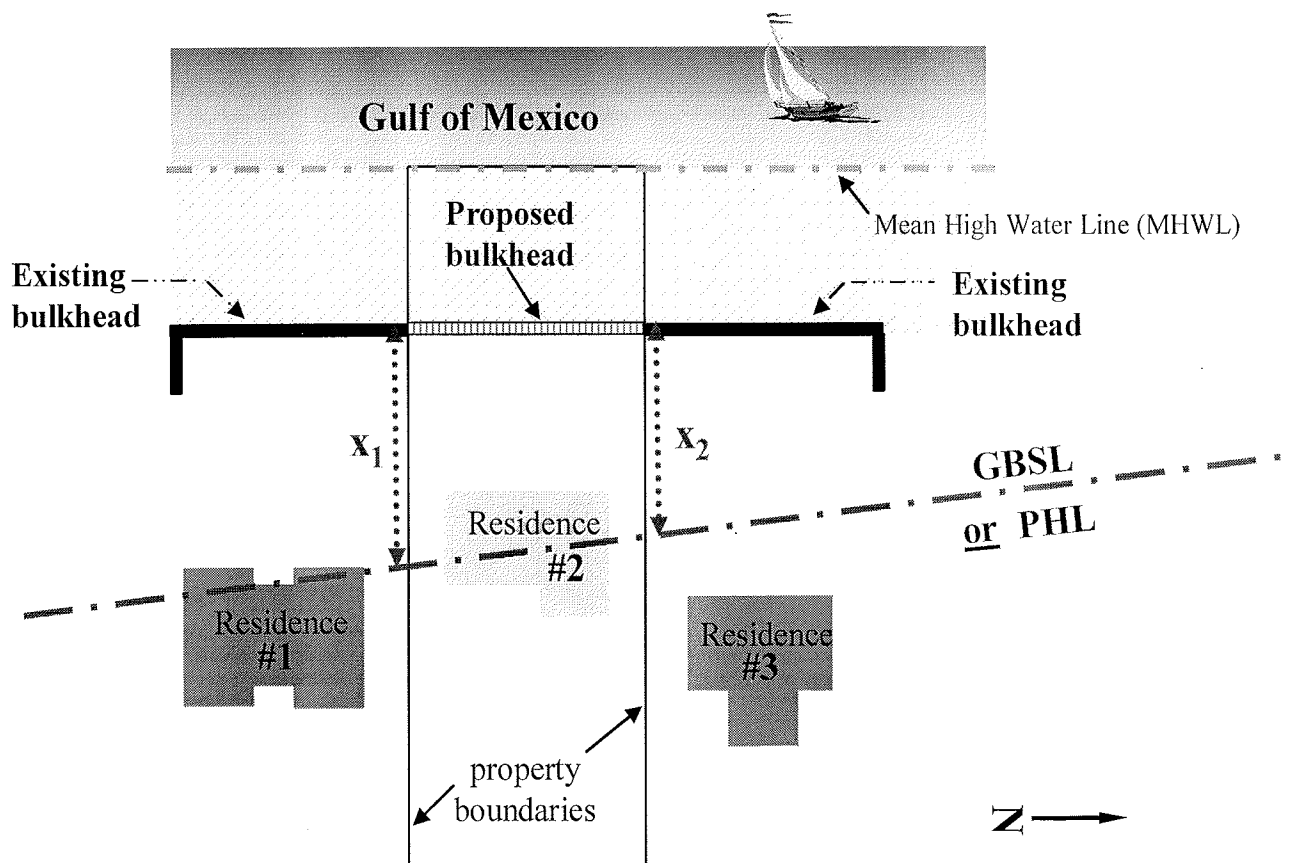


Figure 1: Example scenario

x_1 and x_2 are the distances (in feet) along each property line from GBSL or PHL to location of shore protection structure.

SECTION No. 4 - DAYLIGHT PLANE REQUIREMENTS

INSTRUCTIONS:

If your proposed project area is located within an area as described in Section 6.2.2.a Daylight Plane of the Zoning Regulations (see Section I below), you are subject to the Daylight Plane Requirements. Please insure that your submittal demonstrates that the requirements outlined in Article 6. District Development Standards, Section 6.2.2. Daylight Plane, of the Zoning Regulations are met. Complete this supplement by reading Section I below, and signing the Daylight Plane Affidavit on Section 1, item H., Page 3 of this application.

SECTION I

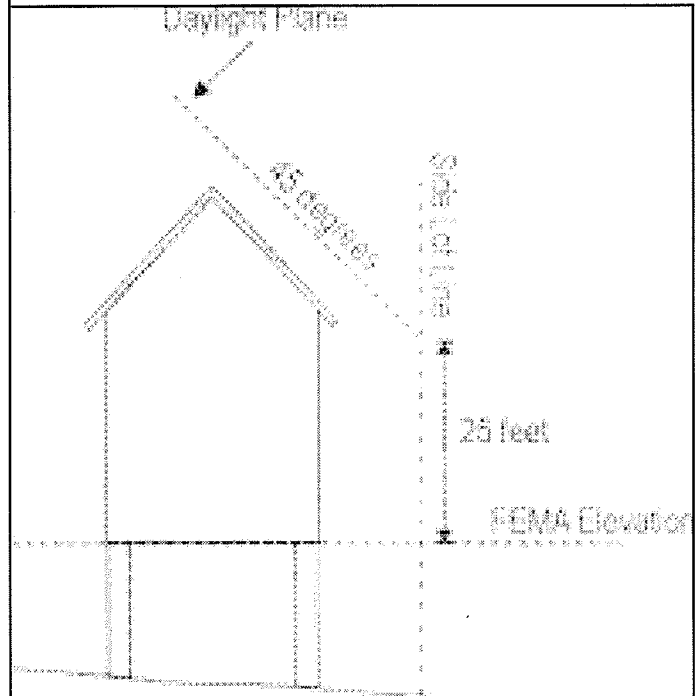
6.2.2. Daylight Plane

a. Within the RE, RSF and RMF-1 districts, all structures located in A-Zones or V-Zones as depicted on the Flood Insurance Rate Maps (FIRMs), as amended, except within Planned Unit Developments, shall not be of such a height or size that they penetrate the daylight plane, which is an angle of 45 degrees (a 12:12 slope) measured vertical from the side yard setback lines, and beginning at 25 feet above the greater of the predevelopment grade of the parcel or the FEMA or State-mandated elevation of the structure, said plane projecting upward toward the center of the parcel. However, in the Casey and Manasota Key Conservation Districts, the 45 degree daylight plane shall begin at 20 feet above the greater of the predevelopment grade of the parcel or the FEMA or State-mandated elevation of the structure.

b. Exceptions to this height restriction are as set forth in 6.2.4 and as provided below. (See also Section 8.3.1.b, Nonconforming Structures.)

c. The daylight plane requirements above shall not apply to:

1. Roof overhangs of three feet or less;
2. Dormers that do not exceed a combined 12 feet in length per side of the structure or 25 percent of the length of the side of the structure upon which the dormers are located (excluding roof overhang), whichever is less.



FOR ADDITIONAL INFORMATION ON DAYLIGHT PLANE CONTACT SARASOTA COUNTY ZONING

1301 Cattlemen Rd., Bldg. A, Sarasota, FL 34232
(941) 861-6121 - Fax (941) 861-6472

SECTION No. 5 - EXAMPLE OF AREA COMPARISON TABLE

(Blank copies of the table below are available upon request)

HABITABLE AREA

	Existing (sq. ft.)		Proposed (sq. ft.)	
	Seaward of GBSL	Landward of GBSL	Seaward of GBSL	Landward of GBSL
Residence	500	1,000	1,000	1,500

ENCLOSED NON-HABITABLE AREA*

	Existing (sq. ft.)		Proposed (sq. ft.)	
	Seaward of GBSL	Landward of GBSL	Seaward of GBSL	Landward of GBSL
Garage	500	120	0	0
Utility room	50		0	0
Carport	--	--	--	1,000
TOTAL	1,000	120	500	1,500

UNENCLOSED NON-HABITABLE AREA⁺

	Existing (sq. ft.)		Proposed (sq. ft.)	
	Seaward of GBSL	Landward of GBSL	Seaward of GBSL	Landward of GBSL
Concrete driveway	500	1,000	0	1,500
Patio	500	250	500	--
Sidewalk	250	750	0	500
TOTAL	1,500	2,000	500	1,500

*Enclosed non-habitable area includes structures that are open to the elements on one or more sides and are roofed or enclosed. Examples include: garages, carports, Florida rooms, lanais, covered patios and porches, storage facilities, and sheds.

+Unenclosed habitable area includes structures that are open to the elements on all sides and that are not roofed or enclosed. Examples include: hard surfaced driveways, sidewalks, tennis courts, unroofed patios, pools, and pool decks (provided that they are not enclosed).

SECTION No. 6 - PUBLIC HEARING NOTICE AND ADVERTISING REQUIREMENTS

At the time an application is determined to be complete by Coastal Resources staff, a public hearing before the Sarasota Board of County Commissioners will be scheduled to take place within approximately 60 days of that date (the scheduled date will depend on the Board's Agenda availability).

Please note that the following advertisement requirements must be met prior to the scheduled hearing date:

- o **Mailed Notice:** A minimum of fifteen days prior to the public hearing date, the Petitioner shall be responsible for copying and mailing a notice provided by Sarasota County to all property owners within 500 feet of the property boundaries of the land for which the variance is sought. An affidavit* attesting to such mailing shall be submitted to the Code Administrator a minimum of 5 days prior to the public hearing date. The form "Affidavit of public hearing notices mailed" can be obtained at the Coastal Resources office.
- o **Posted Notice:** A minimum of 15 calendar days prior to the public hearing date, the Petitioner shall be responsible for posting each individual property where a variance is sought with waterproof notices provided by Sarasota County. These notices shall be placed along all streets that the properties front as well as the Gulf side of the property where a variance is sought. An affidavit* attesting to the required posting and locations shall be submitted to the Code Administrator*. Posted notices are available only at the 1301 Cattlemen Road, Bldg. D Office location. Please be advised that each notice is approximately \$15.00 and must be paid for upon receipt. Please call (941) 861-6354 for more information.

* Both the Affidavit of Public Hearing Notices mailed and the Affidavit of Public Hearing Notices posted forms must be obtained at Resource Protection office.