

**APPLICATION FOR PUBLIC HEARING (VARIANCE)  
TOWN OF MELBOURNE VILLAGE, FLORIDA  
BOARD OF ADJUSTMENTS**

Date: \_\_\_\_\_

**This application must be completed and returned with all enclosures referred to herein to the Town Office. This application will then be referred to the Board of Adjustment for their study and recommendation.**

**THE FOLLOWING ENCLOSURES ARE NECESSARY TO COMPLETE THIS APPLICATION:**

- 1) **A complete description of the variance requested; giving all details and pertinent information and the reasons for this request.**
- 2) **Hearing fee of \$75 in cash or check, drawn to the Town of Melbourne Village. Variances are to be authorized where they are not contrary to public interest and where, owing to special conditions, a literal enforcement of the terms of the ordinance would result in unnecessary hardship. The ordinance sets forth six specific conditions which must all be demonstrated by the applicant before the Board is empowered to grant the variance. The conditions are as follows:**

**II. APPLICANT:**

ADDRESS:

PHONE:

MAILING ADDRESS (If different than above):

EMAIL(if applicable):

**III. LEGAL DESCRIPTION OF PROPERTY COVERED BY THIS APPLICATION:**

**IV. ZONE CLASSIFICATION:**

**V. VARIANCE REQUESTED: (SECTION \_\_\_\_\_, Para \_\_\_\_\_)**

**ITEMS (a) THROUGH (f) MUST BE ANSWERED IN FULL**

- (a) That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, buildings or structures in the same district.
  
- (b) That literal interpretation of the provisions of the zoning ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district and would work unnecessary and undue hardship on the applicant.
  
- (c) That the special conditions and circumstances referred to in (a) above, do not result from the actions of the applicant.
  
- (d) That granting the variance requested will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures or buildings in the same district.
  
- (e) That the reasons set forth in the application justified the granting of the variance, and that the variance granted is a minimum variance that will make possible the reasonable use of the land, building or structure.
  
- (f) That the granting of the variance will be in harmony with the general intent and purpose of the zoning code will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.

While these conditions may seem unduly harsh and stringent to the individual applicant, it must be remembered that the zoning ordinance was enacted for the benefit of the community as a whole by requiring an organized and controlled pattern of community development.

It should be noted that the difficulties or hardships relied on must be peculiar to the particular property and not general in character, since difficulties or hardships shared with others in the area go to the reasonableness of the zoning generally, and will not support a variance. If the hardship is one that is common to the area, the remedy is to seek a change of the zoning for the neighborhood.

The undersigned understands this application must be complete and accurate before consideration by the Town of Melbourne Village Board of Adjustment.

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APPLICANT'S SIGNATURE

***BOARD OF ADJUSTMENT USE ONLY:***

APPROVED: \_\_\_\_\_  
Date

DENIED: \_\_\_\_\_  
Date

CONDITIONS /REMARKS:

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CHAIRMAN SIGNATURE

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DATE