

APPLICANT INFORMATION FOR THE VARIANCE REVIEW BOARD (VRB)

The VRB shall meet at least once a month at a regularly scheduled time (second Tuesday of each month starting at 5:30 pm). All meetings of the VRB shall be open to the public. A quorum of the VRB, necessary to conduct any business of the board, shall consist of four members. A majority of those present and empowered to vote shall be necessary to act on an application for a variance.

The VRB shall only be authorized to grant variances in cases involving practical difficulties or unnecessary hardships. The VRB shall consider all the following criteria and substantial and competent evidence presented as part of the official record when granting or denying a variance:

1. The alleged hardships or practical difficulties are unique and singular with respect to the property, or with respect to a structure or building thereon, and are not those suffered in common with other properties, structures, or buildings similarly located.
2. The hardship or practical difficulty does not result from the actions of the applicant. A self-created hardship or practical difficulty shall not justify a variance.
3. The variance, if granted, will not substantially interfere with or injure the health, safety, or welfare of others whose property would be affected by allowance of the variance.
4. The variance is in harmony with, and serves the general intent and purpose of, this chapter and the adopted Tampa Comprehensive Plan.
5. Allowing the variance will result in substantial justice being done, considering both the public benefits intended to be secured by this chapter and the individual hardships or practical difficulties that will be suffered due to a failure of the board to grant a variance.

The VRB may impose reasonable conditions upon the granting of any variance to ensure that the public health, safety, and general welfare shall be protected, and substantial justice done.

PUBLIC HEARING- At the public hearing, City staff gives the VRB an overview of the City Code and what sections of the Code are being asked to be varied. The VRB chairperson will ask you to explain why you are requesting the variance and to prove that you meet the criteria for granting it (above 1-5). Once you have given your explanation, VRB members may ask you questions. The chairperson will also ask if anyone who is present supports or opposes the variance, those persons(s) may speak and explain the reason for support or opposition. After all those attending the hearing and wishing to speak have made their cases, the chairperson usually will close the record. In most cases, the VRB will make its decision after the chairperson closes the record. If for some reason the Board does not make its decision at the hearing, the application will be continued to another date. It is the responsibility of the applicant to re-read the application and drawings before your presentation. Tips for your presentation:

- Be concise and to the point. The VRB has read your application and examined your documents.
- Try to summarize your application to the VRB, they have read your application prior to the meeting.
- Be ready to answer any questions of the VRB.
- Bring photos to explain your application.
- Bring your documents to the VRB Hearing to review with the VRB.

After legal notice of your application has been given, the VRB cannot grant any variance that was not part of your filed application. In other words, it will be too late to amend your application.

Following the public hearing(s) and the VRBs decision on the application, staff shall forward, written notice of the decision to the applicant. If the Board's decision is to grant a variance, the variance granted shall be tied to the site plan submitted by the petitioner and approved by the Board. There shall automatically be a time limit of two (2) years, during which the variance must be utilized. A six-month extension to this time limit may be approved by the zoning administrator, provided the applicant requests an extension prior to the expiration of the time limit.

Links to the previous VRB meetings are found: <https://www.tampa.gov/cable-communication/programs/cttv-on-demand>