

**YARD MODIFICATION (ADMINISTRATIVE VARIANCE)**

Approval \_\_\_\_\_  
Disapproval \_\_\_\_\_  
By \_\_\_\_\_  
Fee Paid (yes/no): \_\_\_\_\_

Application No.: \_\_\_\_\_  
Permit No.: \_\_\_\_\_  
Date: \_\_\_\_\_  
Contact Name and Phone: \_\_\_\_\_  
\_\_\_\_\_

1. Applicant's Name(s): \_\_\_\_\_
2. 911 Address of Subject Property: \_\_\_\_\_
3. Parcel ID number(s): \_\_\_\_\_
4. Driving directions to property from Palatka: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. Size property to be covered by the Yard Modification: \_\_\_\_\_ acres
6. Approximate dimensions of subject property: \_\_\_\_\_
7. Current zoning: \_\_\_\_\_ Future Land Use designation: \_\_\_\_\_
8. Number and type of existing structures: \_\_\_\_\_
9. Yard modification requested (complete all applicable reductions):
  - Front yard reduced from \_\_\_\_\_ to \_\_\_\_\_ (cannot be reduced by more than 10 feet)
  - Side yard reduced from \_\_\_\_\_ to \_\_\_\_\_ (cannot be reduced by more than 5 feet)
  - Rear yard reduced from \_\_\_\_\_ to \_\_\_\_\_ (cannot be reduced by more than 5 feet)
  - Fence Height, \_\_\_\_\_ yard (front, side, rear) from \_\_\_\_\_ feet to \_\_\_\_\_ feet (height)

10. Purpose of requested yard modification: \_\_\_\_\_  
\_\_\_\_\_

11. Attach the following to the application form:
- \_\_\_ Agent Designation form, if applicable
  - \_\_\_ Site Plan
  - \_\_\_ Recorded Deed for subject property showing applicant(s) as current owners of the subject property
  - \_\_\_ Quarter section of most current Parcel Map (available from the Property Appraisers office)

**NOTICE: Submittal of a completed application represents express permission to Planning & Development Services staff to enter onto the property to conduct a site visit. Such site visits will be conducted during regular business hours (8:30 am to 5:00 pm Monday through Friday) between the date of submittal of a completed application and the date of determination. The express purpose of the site visit is to verify information submitted and complete an analysis of the proposed yard modification. Denial or refusal to grant such access shall be grounds for rejecting the application.**

12. Name of property owner(s) \_\_\_\_\_ Signature(s): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

THE FOREGOING instrument was acknowledged before me, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,  
by \_\_\_\_\_, who is Personally known /  
Produced ID (circle one). Type of ID: known / Produced ID  
State of \_\_\_\_\_ County of \_\_\_\_\_ Notary Signature:  
\_\_\_\_\_

## YARD MODIFICATION (ADMINISTRATIVE VARIANCE) APPLICATION

1. A yard modification is an administrative variance that, if granted, reduces the required setbacks for a specific piece of property located in residential or agricultural zoning districts. A yard modification is also the mechanism for granting exceptions to allowed fence height. Article 9 of the Land Development Code provides the authority and the criteria for reviewing requests for yard modifications:

**9.04.06 -- Administrative Variance for the Reduction of Required Setbacks:** The County Planner shall be authorized to reduce required setbacks in the *residential* zoning districts and *agricultural* zoning districts subject to the requirements listed below.

- a. The owners of any land adjacent to the area proposed for setback reduction shall be notified in writing via the U.S. Mail of the proposed reduction at least fifteen (15) days prior to making a final determination on the proposed reduction. The notice shall advise the adjacent landowner of the date of determination and that objections or concerns with the proposed reduction must be submitted in writing prior the determination date. The applicant shall provide to the County Planner the name and contact information (i.e. address and phone number) for all adjacent property owners or residents that will be impacted by the variance. The applicant **can** provide affidavits from adjacent or affected property owners attesting to their “no objection” to the proposed setback reduction or adjusted fence height.
  - b. The proposed reduction is not found to be contrary to the public interest and where, owing to conditions peculiar to the property, a literal enforcement of this Code will result in unnecessary and undue hardship on the landowner.
  - c. Required setbacks shall not be reduced by more than the following maximums, unless the lot is a nonconforming lot subject to the variance provisions under LDC Section 9.03.05:
    1. Front yard by up to ten (10) feet.
    2. Side yard setbacks may be reduced by up to five (5) feet (down to a minimum of five (5) feet from a lot line).
    3. Rear yard setbacks may be reduced by up to five (5) feet (down to a minimum of five (5) feet from a lot line when there is no water body).
    4. Waterfront setbacks may be reduced by up to five (5) feet subject to the requirements of s. 6.03 of this Code.
    5. Fence heights may be increased up to two (2) feet per Section 7.04.03 of the LDC.
2. Staff may conduct at least one site visit to the parcel that is the subject of the application. **Submission of a completed application represents express permission to Staff to enter onto the property to conduct a site visit. Denial or refusal to grant such access shall be grounds rejecting the application.**
  3. Within 24 hours of receiving a completed application, Staff will issue written notices of the requested yard modification to all adjacent landowners. On the sixteenth day (16<sup>th</sup>) after issuing the notice, Staff will render its decision regarding the requested modification.
  4. An application shall be considered complete when each of the following is provided:
    - a. Completed application form with the notarized signature of ALL property owners.
    - b. Copy of the recorded deed showing the current ownership and description of the property seeking the yard modification.
    - c. A site plan. The site plan shall show the dimensions of the property; the location and dimensions of existing and proposed structures; the distance of each such structure from ALL property lines; the distance of each such structure from any other structure that is on the property.
    - d. Quarter section of most current Parcel Map (available from the Property Appraisers office)
    - e. A \$35 application fee.