THE TOWN OF
INDIAN RIVER SHORES

6001 Highway A1A
Indian River Shores, FL 32963

APPLICATION FOR VARIANCE – TREE OF SPECIAL CONCERN

BEFORE PROCEEDING WITH THE APPLICATION PLEASE NOTE THE FOLLOWING:

Section 163.045, Florida Statutes provides a tree removal permit is not required if the property owner has documentation from an ISA certified arborist or a Florida licensed landscape architect that the tree on *residential* property poses an "unacceptable risk" to persons or property. An "unacceptable risk" means removal is the only means of practically mitigating its risk below "moderate" as determined by the trees risk assessment procedures in the Best Management Practices – Tree Risk Assessment, 2nd Editions (2017).

A variance from the Land Development Code of the Town of Indian River Shores is addressed in Section 168.07, Code of Ordinances, Section 167.02, Code of Ordinances. Also review Section 98.26 – Criteria for issuing permits. Please refer to the Town Code of Ordinances prior to submitting your application.

Your Application for Variance – Tree of Special Concern should include all items related to your requested variance such as plans, drawings, photographs and other supporting documentation. The Application for Variance must be emailed to inspections@indianrivershores.gov. Please contact the Building Department if your submission includes large format printouts or other plans. The submissions must be able to be reproduced with sufficient clarity for review by staff and PZV Board members.

Your application must address the following criteria for a variance as outlined in Section 98.26, Code of Ordinances:

Condition The condition of the tree with respect to disease, insect attack, danger of falling, proximity to existing or proposed structures, and interference with utilities services.

Necessity The necessity of removing a tree to construct proposed improvements in order to allow reasonable economic use of the property.

Topography The topography of the land where the tree is located and the effect removal of the tree would have on erosion, soil moisture retention, increased or decreased flow or diversion in the flow of surface waters, and the impact on overall surface water management.

Density The number and density of trees existing on-site.

Relative Significance The relative significance or uniqueness of the tree as a historic or specimen tree.

Impact. The impact on the natural environment, including ground and surface water stabilization, water quality and aquifer recharge, ecological impacts, noise buffer, air quality, and wildlife habitat.

Alteration or Revision The ease with which the applicant can alter or revise the proposed development or improvement in order to accommodate existing trees.

Economic Hardship The economic hardship which would be imposed upon the applicant should the permit not be granted.

Improvements The Planning, Zoning and Variance Board shall determine whether the location of any improvement can be reasonably made without the necessity of removing the tree of special concern. If a reasonable alternative exists to adjust the building area, then the permit may be denied.

Use variance. Under no circumstances shall the Board grant a variance to permit a use not generally permitted in the district involved, or any use expressly or by implication prohibited by the terms of this chapter in said district.

Again, please refer to the Code of Ordinances prior to submitting your application.

APPLICANT INFORMATION

Property Owner Name: _____

Property Owner Signature: _____

Applicant name if different than property owner: _____

Applicant Signature if different than property owner: _____

Variance Location Address: _____

Contact Information

Property Owner Email: _____

Applicant email if different that property owner: _____

Property Owner Phone: _____

Applicant phone if different than property owner: _____

VARIANCE REQUEST

Please provide a detailed description of the requested variance including all criteria required by Town Ordinance. Include the current regulation from which you seek a variance as well as any changes in setback, height or other specification which is to be considered. There is space provided below for your response. However, it is recommended that you submit a separate document detailing any criteria required by Ordinance and any other information you wish to be considered.

Planning, Zoning & Variance meetings are held the 2nd Tuesday of every month. The deadline for items to be placed on the agenda is Friday morning, 2 weeks prior to the meeting date. There must be a representative in attendance. Please contact the Building Department at 772-231-4453 or inspections@indianrivershores.gov with any questions or concerns.

Applicant Name: _____ Applicant Signature: _____

(Please Print)