



**FERTILIZER USE AND LANDSCAPE MANAGEMENT
VARIANCE FORM**

This EPC application is for a variance from certain provision of the Fertilizer Use and Landscape Management Rule (Chp. 1-15, Rules of the EPC). See variance rule excerpt below. PLEASE COMPLETE ALL APPLICABLE SECTIONS. Incomplete applications will not be processed until all missing information is provided. Return completed applications to Environmental Protection Commission (EPC) Attn: Water Management Division, 3629 Queen Palm Drive, Tampa, FL 33619. You may submit this electronically.

I, _____, the owner of the parcel(s) described below, grants EPC staff permission to enter the property for inspection and processing of the variance request.

1. Property Owner Information

First Name _____ Last Name _____

Street Address _____

City _____ State _____ Zip _____

Owner Phone _____ Fax _____

E-mail _____

2. Agent Information (Commercial Applicator)

First Name _____ Last Name _____

Company Name (if applicable) _____

Street Address _____

City _____ State _____ Zip _____

Phone _____ Fax _____

E-mail _____

3. Site Information

Folio #(s) of Site: _____

Section/Township/Range _____/_____/_____

Street Address _____

City _____ State _____ Zip _____

4. Variance Request Information

a) Specify which rule section(s) in Chp. 1-15 you request a variance from. _____

b) Pursuant to section 1-15.13, you must explain the following: (1) the existence of a substantial hardship; (2) the purpose of the underlying rule (e.g. – water quality protection) can be, or has been, achieved by other means; (3) the variance requested is the minimum necessary to afford relief; (4) failure to grant the variance would result in a practical difficulty or a physical hardship affecting the applicant’s economic use of the property; (5) that the granting of the variance will not result in threats to the health, safety and welfare of the residents of the County; (6) the specific facts that would justify a variance; and (7) the type of action requested. Additional pages or diagrams may be attached as needed.

I certify that I am the record owner of the subject property or am acting as the duly authorized agent to the property owner. I understand that my application will not be processed if there is any missing or invalid information. I am familiar with the information contained in this application and to the best of my knowledge and belief, such information is true, complete, and accurate. I understand my request will be posted on the EPC fertilizer website. I understand persons may challenge via an administrative hearing the issuance or denial of a variance. I further certify that I possess the authority to undertake the proposed activity.

Signature of Owner/Agent: _____ **Date:** _____

EPC RULE EXCERPT:
1-15.13 VARIANCES

(a) All requests for a variance(s) from the requirements of this rule shall be made in writing to the Executive Director on an EPC fertilizer variance form. The Executive Director may require the variance applicant to provide such information as necessary to carry out the purpose of this rule. The Executive Director may approve, approve with conditions or deny requests for variances. The Executive Director will post notice of fertilizer variance requests on the EPC website.

(b) Upon application, the Executive Director may grant a variance from the provisions of this rule, where the applicant demonstrates:

- (1) A substantial hardship as defined by section 120.542, F.S., or that a violation of the principles of fairness as defined by section 120.542, F.S., would occur, and
- (2) The purpose of the underlying rule can be, or has been, achieved by other means, and
- (3) The variance requested is the minimum necessary to afford relief, and
- (4) That failure to grant the variance would result in a practical difficulty or a physical hardship affecting the applicant’s economic use of the property, (e.g. condemnation, abandonment, eviction, foreclosure, or extended illness that has led to lawn deterioration), and
- (5) That the granting of the variance will not result in threats to the health, safety and welfare of the residents of the County.

(c) The application must specify the rule for which the variance is requested, the type of action requested, the specific facts that would justify a variance, and the reasons why and the manner by which the purposes of the underlying rule would still be met.

(d) Any person aggrieved by the decision of the Executive Director may appeal pursuant to the provisions of Chapter 1-2, Rules of the Commission.

(e) A variance for scientific research on residential property may be applied for by a commercial entity, a governmental entity, or academia. Those entities are not required to provide the demonstration required in subsections (b)(1) and (b)(4) above.