

Administrative Waivers for Setbacks

Administrative waivers for setbacks may be granted by the Planning & Zoning Director based on the following criteria:

Trees. The Clay County Planning and Zoning Director may reduce the front, side or rear setback requirement identified in the LDR Zoning Code for the applicable zoning district to reserve a hardwood tree with a minimum twelve (12) inch DBH.

Error in Position. A waiver of up to three feet may be authorized by the Clay County Planning and Zoning Director where an error in structure placement has occurred and removal and/or correction would cause an undue hardship on the builder or property owner.

If you feel you meet one of these, an application can be filed with the Clay County Division of Planning & Zoning. Evaluation of that application should generally take about 2 working weeks to process. The following items will need to be presented to the front Zoning Counter located at 477 Houston Street, 3rd Floor, Green Cove Springs, FL 32043:

- Copy of the completed application.
- Property owners affidavit (provided with application)
- Survey showing the errors or protected trees
- Fee of \$200.00 for non-residential or \$150.00 for residential

Once these items have been received the Division will process the request. If denied, the applicant will be notified, in writing of the decision. If approved, the applicant will receive a letter and waiver to be recorded at the Clay county Clerks Office at their expense.

If you need any other information please feel free to contact the Planning & Zoning Division at (904) 278-4705 or email at clayzoning@co.clay.fl.us

[Download Waiver Application](#)