**Background Information for JEPB Noise Variances**

The Jacksonville Environmental Protection Board (JEPB) is granted the authority to grant variances for just cause from any of the requirements or standards in the rules adopted pursuant to [Chapter 362](https://library.municode.com/fl/jacksonville/codes/code_of_ordinances?nodeId=TITXENAF_CH362AIWAPO) (Air and Water Pollution) and [Chapter 368](https://library.municode.com/fl/jacksonville/codes/code_of_ordinances?nodeId=TITXENAF_CH368NOCO) (Noise Control).  Variance requests may be made only in hardship or special cases based on sound technical, economic and environmental data.   
   
The variance process is outlined in [Chapter 360.111](https://library.municode.com/fl/jacksonville/codes/code_of_ordinances?nodeId=TITXENAF_CH360ENRE_PT1PUPOGEPR_S360.111VA).  There are required notice and public hearings associated with each variance application which impact the processing time of applications. Because of the processing time, it is generally recommended that variances are sought as early in the construction planning process as is possible.

**The information below is provided to communicate items typically associated with the noise variance process. It contains information that is usually provided to assist the JEPB in their decision making, and it lists conditions that are normally associated with variances that are granted.**

1. A complete application which includes as much information as possible. A nonrefundable Noise Variance fee of $2,788 must accompany the application for it to be complete.
   1. Variances are provided to the property owner, thus the application must be signed by them or an Agent Authorization form is required to be submitted with the application.
2. The variance application will typically be considered first by the JEPB’s Air & Odor Committee and then by the full board. During those hearings, a presentation by the applicant is required. The presentation should include the following information:
   1. The noise level (dBA) being sought and the duration of the variance

(modeling can assist in showing the need for the level being sought)

* 1. A description of the activity to take place, including equipment to be used
  2. If possible, a site map outlining:
     1. project site location and equipment placement
     2. all surrounding Class A & Class B properties to be impacted
     3. noise levels (dBA) anticipated at those properties during the hours requested
  3. Noise mitigation steps to be taken, including noise monitoring to be conducted.

Should the noise variance be approved by the JEPB, the conditions typically included are listed below. They are provided so that applicants can be aware, in advance, of requirements usually associated with a noise variance:

1. The variance application and commitments therein shall be adopted and incorporated as part of the conditions of the variance.
2. The variance will establish a maximum noise level (dBA) during the hours approved.
3. A monthly status report of the construction project is to be provided to the Air & Odor Committee via [epb@coj.net](mailto:epb@coj.net). The report shall include:
   1. Reports with information from the previous month are due on or before the 10th day of the month
   2. Number of citizen complaints and any plan for remediation or corrective action in response to residents’ complaints.
   3. The number of exceedances of the dBA level granted and any remediation actions taken.
   4. Project progress, including substantial changes
4. A community outreach plan, to include a 24-hour contact number for citizen complaints, will be devised and implemented.
5. Petitioner shall ensure that sound measures be performed in accordance with the existing EPB Rule 4.
6. The Environmental Quality Division is allowed to require additional noise mitigation measures if conditions warrant.
7. In some cases, there may be a requirement for the petitioner to conduct noise monitoring during some duration of the project.
8. Additional conditions may be added by the JEPB which will be specific to the project

Please contact JEPB Administrator, James Richardson, with questions, concerns or if additional information is needed. He may be reached via phone at (904) 255-7213 or via email at [jrichard@coj.net](mailto:jrichard@coj.net).