



DEPARTMENT OF SUSTAINABLE DEVELOPMENT

Variance Application

PROJECT NAME: _____

PROJECT LOCATION: _____

PLAT NAME: _____

CURRENT ZONING: _____ ACREAGE: _____ FOLIO NO.: _____

EXISTING USE: _____ FUTURE LAND USE DESIGNATION: _____

PLAT RESTRICTION: _____

DESCRIBE IN DETAIL APPLICATION REQUEST

AGENT/CONTACT: _____ PHONE NO. _____ FAX NO. _____

ADDRESS: _____

E-MAIL ADDRESS: _____

NOTE: ATTACH COPY OF AGENT LETTER

OWNER'S NAME _____ PHONE NO. _____

ADDRESS: _____

ADDITIONAL INVOLVED PARTIES: SEE ATTACHED SHEET

DEVELOPMENT ACTION:

VARIANCE OTHER _____ COMMENTS: _____

FEES:

RESIDENTIAL USES PER VARIANCE: \$250.00 NONRESIDENTIAL USES PER VARIANCE: \$1,000.00

AFTER THE FACT VARIANCE (AFTER CONSTRUCTION HAS COMMENCED OR COMPLETED): ADD \$500.00

NOTE: ADDITIONAL FEES MAY BE ASSIGNED AS COST RECOVERY FOR CONSULTANT REVIEW

PLEASE ENSURE APPLICATION IS COMPLETED IN ITS ENTIRETY PRIOR TO SUBMISSION



ADDITIONAL INVOLVED PARTIES:
(include name, address, phone number, fax number & email)

OWNER:

APPLICANT/AGENT:

DEVELOPER:

LANDSCAPE ARCHITECT:

ENGINEER:

PLANNER:

SURVEYOR:

ATTORNEY:

TRAFFIC ENGINEER:

OTHER:

DRC MEMBERS

PLANNING & ZONING:

W. Scott Stoudenmire, Deputy Director of Sustainable Development 954-973-6756
Lizet Aguiar, Development Review Supervisor 954-973-6756

BUILDING:

Sean Flanagan, Chief Structural Inspector 954-973-6750

LANDSCAPE ARCHITECTURE:

Pamela Stanton, Landscape Architect 954-973-6756

UTILITIES & ENGINEERING:

Raj Verma, Director of Engineering & Utilities 954-973-6786
Osama Elshami, Senior Engineer 954-973-6786

FIRE:

Steve Pollio, Fire Rescue Administrator 954-956-1534
Rodney Zancanata, Deputy Fire Marshal 954-956-1563

POLICE:

Anthony Avello, Public Information Officer 954-973-6721

FAX No. 954-956-1424

DRC SCHEDULE*

1. Application Submittal Deadline: 4th Tuesday of each month
2. DRC Meeting: 2nd Thursday of each month
3. Resubmit: As indicated on DRC comments
4. Planning & Zoning Board Meeting: 2nd Wednesday of each month
5. City Commission Meetings (if applicable): 2nd & 4th Thursday of each month

* Please contact Marianne Bowers at 954-973-6756 to confirm dates and times.

NOTE: ALL SUBMITTALS AND RE-SUBMITTALS MUST BE RECEIVED NO LATER THAN 5:00 PM ON THE SUBMITTAL DAY. ANY SUBMITTAL RECEIVED AFTER 5:00 PM WILL BE CONSIDERED A SUBMITTAL FOR THE NEXT MONTH'S DEADLINE DATE.



OWNERSHIP CERTIFICATION /AGENT LETTERS

All applicants must provide proof of ownership of the subject property for development or modification at the time of submittal. If an applicant is other than the owner, the applicant must also provide an agent letter authorizing the agent to represent the property owner at the time of submittal. The following is a list of requirements that must be included with proof of ownership/agent letters:

1. Legal description of property.
2. Property tax folio number.
3. Effective date of ownership of property.
4. Copy of Warranty Deed.
5. Description of developer interest, if different than owner.
6. Copy of executed contract of sale and purchase.
7. Owner's name, address, telephone number, fax number, and email.
8. Agent's name, address, telephone number, fax number, and email.
9. Agent's authorization from owner to submit specific action (site plan, plat, etc.)
10. Names, addresses, telephone numbers and fax numbers of all firms involved in the application process including attorneys, engineers, architects, etc.

NOTE: Owner must attest to ownership and his/her notarized signature must be included on ownership certification/agent letters.

The application may not proceed to the Planning and Zoning Board meeting if the above information is not provided to the Department of Sustainable Development one week prior to the scheduled meeting date.



GUIDELINES FOR VARIANCE APPROVAL:

1. The applicant is required to schedule a pre-application conference with staff no later than one week prior to the DRC submittal date. The purpose of the meeting shall be to advise the applicant of filing requirements, filing fees, the City's development review process and other issues which may affect the application. Please call 954-973-6756 to schedule an appointment.
2. The standards by which Variance Applications are reviewed and approved are established in the City's Land Development Code, Section 13-33 "Variances."

Sec. 13-33. Variances.

a. Definition. A variance is a modification of requirements of this chapter to allow for unusual conditions relating to property or structures where special conditions exist or when literal enforcement of the provisions of this chapter will result in unnecessary or undue hardship. Variance requests shall be considered by the Planning and Zoning Board as provided in this section.

3. In addition to the attached application, a letter detailing the proposed variance and a written justification statement addressing each of the following standards established in Sec. 13-33 of the City's Land Development Code are required (please do not simply restate the standard):

Standards for granting:

- (1) Special conditions and circumstances exist which are peculiar to land, structures or buildings involved, and which are not applicable to other lands, structures or buildings in the same zoning districts.*
- (2) The special conditions and circumstances do not result from actions of the applicant.*
- (3) Granting a variance will not confer special privilege that is denied by this chapter to other lands, buildings or structures in the same zoning district.*
- (4) Literal interpretation of the regulations of this chapter will deprive the applicant of rights shared by other property owners holding property in the same zoning district under the terms of the Land Development Code and cause unnecessary and undue hardship on the applicant.*
- (5) The variance granted is the minimum variance that will make possible the reasonable use of land, buildings or structures.*

(6) Approval of a variance will be harmonious with the general intent and purpose of the Land Development Code and that such variance will not degrade the area involved or be detrimental to public welfare.

4. A legal description of the subject property with a signed and sealed land survey prepared by a registered land surveyor is required. The subject variance should be depicted on the survey or site plan with detailed information including but not limited to setbacks.
5. The applicant shall be required to obtain a list of all property owners within five hundred (500) feet of the boundary lines of the property under consideration. One set of mailing labels must be provided for all adjacent property owners. The list shall be certified by the county property appraiser, an abstract and title company, or an attorney.
6. DRC re-submittals are due one week after the DRC meeting or as directed by staff. DRC comments will be emailed to the applicant. The applicant is required to provide written responses to each comment in the format emailed to them and revise plans accordingly by the re-submittal date.
7. Once all DRC comments are addressed, 20 copies of the variance package must also be provided for Planning and Zoning Board review. The Planning and Zoning Board may prescribe conditions and safeguards with the approval of a variance, may establish a time during which a variance may begin and shall be completed, and shall not approve a variance which permits a use not permitted in the zoning district involved.



SUBMITTAL REQUIREMENTS

The Variance Application must include **6 sets** of the submittal. Each set of the submittal must be saved onto a compact disc.

Each disc must be identical and include required application materials in pdf format. Pdf files should be organized in two folders with the titles as described below:

Folder #1: Project Name and Application Type (e.g. '*Creek Homes Variance*')

Pdf files located in Folder #1:

- Completed Application
- Involved Parties List
- Ownership Certification Documents
- Agent Letters
- Letter Detailing Proposed Variance
- Justification Responses Addressing Code Standards 1-6 as found in Land Development Code Section 13-33 (see page 5 of application instructions)
- Survey and Legal Description
- Certified List of all Property Owners within 500 feet of the Boundary Lines of the Property Under Consideration (2 corresponding sets of hard copy mailing labels is also required)

Folder #2: Project Name and Plans (e.g. '*Creek Homes Plans*')

Pdf files located in Folder #2:

- Site Plans (as needed)
- Landscape Plans (as needed)
- Building Elevations or Project Details (as needed)

Note: Each pdf within Folder #2 should be named to identify its contents (e.g. Pdf of landscape plans should be named 'Landscape Plans')

Re-submittals: City staff will advise applicant on re-submittal procedures and deadlines as needed.