

Application No. _____ -VAR- _____



APPLICATION FOR HOMEOWNER VARIANCE

PLANNING AND ZONING DIVISION

SUBMIT ALL

Section 1: **General Application Requirements**

HELPFUL INFORMATION

Section 2: **Submittal Requirements**

Section 3: **Development Review Committee (DRC) Information**

City of
Miramar

Community Development Department
2200 Civic Center Place
Miramar, Florida 33025
(954) 602-3264
www.ci.miramar.fl.us

SECTION 1: GENERAL REQUIREMENTS

INSTRUCTIONS: Please print or type all information. The application must be filled out accurately and completely. Answer all questions. Do not leave an item blank. If an item does not apply, write N/A (Not Applicable). Please include the items listed in Section 2 of the application.

PROPERTY INFORMATION:

PROPERTY ADDRESS: _____

Legal Description (*attach separate sheet if necessary*): _____

TYPE OF VARIANCE: _____

JUSTIFICATION FOR VARIANCE: _____

IS THE PROPERTY CURRENTLY THE SUBJECT OF CODE ENFORCEMENT ACTION?

YES -- CODE ENFORCEMENT CASE NO: _____

NO

II. APPLICANT INFORMATION

CURRENT OWNER(S) NAME: _____

Address:

Telephone:

Fax:

E-mail:

CURRENT OWNER(S) NAME: _____

Address:

Telephone:

Fax:

E-mail:

CURRENT OWNER(S) NAME: _____

Address:

Telephone:

Fax:

E-mail:

INTERNAL USE ONLY

Leave this part blank

CITY STAFF USE ONLY

APPLICATION NO.: _____

INTAKE DATE: _____

RECEIPT NO.: _____

INTERNAL USE ONLY

Leave this part blank

HOMEOWNER VARIANCE APPLICATION

III. AFFIDAVIT OF COMPLETENESS / ACCURACY & RESPONSIBILITY

STATEMENT OF COMPLETENESS / ACCURACY

I hereby certify that all property owners have full knowledge that the property they own is the subject of this application. I hereby certify that all owners and petitioners have been provided a complete copy of all materials, attachments, and documents submitted to the City relating to this application. I further certify that the statements and/or information made in any paper or plans submitted herewith are true and correct to the best of my knowledge. I understand that this application, related application materials and all attachments become official records of the City's Community Development Department and will not be returned. I understand that any knowingly false, inaccurate or incomplete information provided by me will result in the denial, revocation or administrative withdrawal of this application. I further acknowledge that additional information may be required by the City to process this application

STATEMENT OF RESPONSIBILITY

This is to certify that I am the (owner / agent) of the subject lands as described by this Variance Application. I understand that I am responsible for complying with all application requirements prior to this petition being scheduled for any public hearing. I also understand that it is my responsibility to comply with the City's requirements regarding notice and quasi-judicial proceedings.

Name (print or type clearly)

Signature

Address

NOTARY PUBLIC INFORMATION

STATE OF FLORIDA BROWARD COUNTY

The foregoing instrument was acknowledged before me this _____ day of _____ month of 20____ by _____ (name of person acknowledging). The individual is personally known to me or has produced a/an _____ (type of identification) as identification and did / did not take an oath (**circle the applicable response**).

Name (print or type clearly)

Signature

My Commission Expires on: _____

NOTARY'S SEAL OR STAMP

SECTION 2: SUBMITTAL REQUIREMENTS

HOMEOWNER VARIANCE

(Land Development Code Section 506.7)

1. Complete Application Form (Coversheet, Section 1, Items listed below)
2. Two copies of type-written responses to each item listed in the “Criteria for Granting a Variance” below
3. Two copies of the survey reflecting **current** site conditions, with one survey being signed and sealed by a registered surveyor
4. A proposed site plan indicating the variance request
5. Application fee of **\$250**
6. A separate type-written letter fully explaining the variance
7. Any other information that may be helpful, such as photographs, letters of support from neighbors, and letters of approval from the homeowner’s association (HOA)

A minimum of 2 sets of the foregoing information must be submitted

CRITERIA FOR GRANTING A VARIANCE

The City’s Land Development Code (Section 506.7) provides that before a variance may be granted, all of the conditions listed herein must be met.

The applicant is required to address each of these conditions by explaining how they are satisfied on an item-by-item basis.

- (a) The particular physical surroundings, shape, topographical condition, or other physical or environmental condition of the specific property involved would result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the regulations were carried out literally.
- (b) The conditions upon which the request for a variance is based are unique to the parcel and would not be generally applicable to other property within the vicinity.
- (c) The alleged difficulty or hardship has not been deliberately created to establish a use or structure which is not otherwise consistent with this Code.
- (d) The granting of the variance will not be detrimental to the public welfare or injurious to other property or improvements in the vicinity.
- (e) The proposed variance will not substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the vicinity.

GENERAL INFORMATION REGARDING VARIANCE APPLICATIONS

1. A Variance, as defined in the City of Miramar's Land Development Code (LDC) Section 201, means "a grant of relief from the requirements of this Code which permits construction in a manner otherwise prohibited by this Code, where specific enforcement would result in unnecessary *hardship*."
2. When a Variance Application is submitted to the Community Development Department, it is reviewed by Staff and the Development Review Committee (DRC) according to the requirements specifically laid out by the City of Miramar's Land Development Code. This process may take anywhere from three weeks to over three months, depending on the complexity of the Variance being sought.
3. Once the Variance Application has been reviewed by Staff and the DRC, it is officially Signed-Off by the DRC at one of its weekly meetings, with a recommendation to the Planning and Zoning Board.
4. From there, the Variance application is prepared for the Planning and Zoning Board, which generally meets on the second Tuesday of each month. Applicants must attend this meeting and be heard by the Board.
5. The City of Miramar's Land Development Code requires that a notice shall be mailed to nearby property owners in order to make them aware of the application and their ability to review submitted information and participate in public hearings. For a homeowner variance application, the Community Development Department will mail all notices to the property owners within the notification area, FREE OF CHARGE.
6. If the Variance is approved, and does not have to go before the City Commission, then the resolution granting the variance must be recorded with Broward County. The resolution can be picked up at the Community Development Department and instructions for recording the resolution will be sent to you. Should the variance require City Commission approval, applicants must attend the designated City Commission meeting, and provide any additional documentation as requested by Staff. Be aware that Planning and Zoning Board and /or City Commission approval does not constitute the approval of un-permitted existing structure(s). The Building Division may necessitate that the structure(s) comply with the Florida Building Code and that the applicant obtain the proper permits and inspections for the subject structures. This may be explained further by contacting the Building Division at (954) 602-3200.
7. You may appeal the decision of the Planning & Zoning Board to the City Commission. Appeals must be filed within 15 days.

SECTION 3: DEVELOPMENT REVIEW COMMITTEE (DRC)

1. **Pre-application meeting:** Contact the Community Development Department at (954) 602-3264 to schedule a pre-application meeting.
2. **Application Intake:** DRC meetings occur bi-monthly, usually on a Thursday morning. New submittals will only be accepted by appointments on the Monday prior to the DRC meeting. Resubmittals are accepted by appointments on the Tuesday prior to the DRC meeting in the **morning only**. Please contact the DRC Plans Coordinator at (954) 602-3269 to schedule an appointment. See our Meeting Calendar: <http://www.commdev.miramar-fl.gov/calendar.htm>
3. **Review by DRC members:** The following Departments / Divisions review DRC applications:

PLANNING DIVISION (954) 602-3264		
BUILDING (954) 602-3201	FIRE (954) 602-4600	PUBLIC WORKS (954) 538-6814
COMMUNITY SERVICES (954) 538-6804	LANDSCAPING (954) 602-3260	TRAFFIC (954) 602-3319
ENGINEERING (954) 602-3320	POLICE (954) 602-4000	UTILITIES (954) 538-6828
EXTERNAL AGENCIES		
BROWARD COUNTY MASS TRANSIT (954) 357-8351	SOUTH BROWARD DRAINAGE DISTRICT (954) 680-3337	

4. **DRC Approval Meetings:** The DRC generally meets twice a month on Thursday mornings, excluding holidays. A project may be postponed a maximum of six (6) months. Additional postponements require the approval of the Assistant Director. *Note: DRC Approval is required at least 4 weeks prior to City Commission Hearing.*
5. **Resubmissions:** Applications that are not approved may require submittal of new or revised materials to resolve outstanding issues. These applications will then be considered at the next DRC meeting, or at a subsequent DRC meeting as determined by Staff or as requested by the applicant.

HELPFUL CONTACTS

UTILITY COMPANIES	SITE PLAN & PLAT REVIEWS
<p>The Utility companies listed below should be contacted for easement and right-of-way issues.</p>	<p>The agencies and companies listed below should be contacted for site plan and/or plat review.</p>
<p>Comcast 2501 S.W. 145th Avenue Miramar, FL 33027 Charlene Reagan - Phone: (954) 534-7440</p>	<p>All Service Refuse 751 Northwest 31st Avenue Fort Lauderdale, FL 33311 Ralph Trapani - Phone: (954) 583-1830 email: Trapanir@repsrvsouth.com</p>
<p>Bell South 8601 West Sunrise Boulevard Plantation, Florida 33322 Evan Bewry Phone: (954) 423-6296 Fax: (954) 423-6533</p>	<p>Broward County Mass Transit Broward County Mass Transit Division (BCT) 3201 W. Copans Road Pompano Beach, FL 33069 David Daniels - E-mail: dadaniels@broward.org Phone: (954) 357-8351 - Fax: (954) 357-8342</p>
<p>NUI – Florida City Gas 9555 E. 25th Street Hialeah, FL 33013 Ramiro Sicre Phone: (305) 835-3610 E-mail: rsicre@agl.resources.com</p>	<p>South Broward Drainage District (SBDD) 6591 S.W. 160th Avenue (Dykes Road) Davie, FL 33331 Leo Schwartzberg, Director Phone: (954) 680-3337 Cell: (954) 658-1989 Fax: (954) 680-3339</p>
<p>FPL - Florida Power and Light Company 4000 Davie Road Extension Hollywood, Florida 33024 Phone: (954) 442-6350 Fax. (954) 442-6340</p>	<p>U.S. Post Office (per site location)</p> <ul style="list-style-type: none"> ▪ Between U.S. 441 and Utopia Drive: 810 S. State Road 7, Hollywood, FL 33023 Barbara Moore - Phone: (954) 894-6691 ▪ Between Utopia Drive and Flamingo Road Pines Annex: 12277 Pembroke Rd, Pembroke Pines FL 33025 Ida Jauregui - Phone: (954) 441-7729 ▪ Vicky Coceano Miramar Branch: Between Flamingo Rd and S.W. 172nd Ave. 14900 S.W. 30th Street, Miramar, FL 33027 Carol Lima - Phone: (954) 704-8993 ▪ Chapel Lakes Branch: West of S.W. 172 Ave 21001 Pines Boulevard, Pembroke Pines, FL 33029 Jeanie Brown - Phone: (954) 433-1644
<p>THIS IS A COMPREHENSIVE LIST OF EXTERNAL AGENCIES THAT REVIEW AND APPROVE SPECIFIC APPLICATIONS. CONTACT INFORMATION IS SUBJECT TO CHANGE.</p>	