



HOMEOWNER VARIANCE

Building, Planning and Zoning Department
Planning & Zoning Division
2200 Civic Center Place
Miramar, FL 33025
(954) 602-3200 | www.miramarfl.gov



UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING APPLICATION AND ALL ATTACHMENTS TO THE APPLICATION AND THAT THE FACTS STATED IN IT ARE TRUE.

INITIAL
HERE

APPLICATION CHECKLIST

Requirement		✓
1	Completed, signed and notarized application	
2	One copy of the property survey reflecting current site conditions (must be scalable, no older than 7 years, and signed and sealed by a Florida registered Land Surveyor)	
3	Where applicable, one copy of the proposed site plan, construction plans or similar set of plans (i.e. elevations, floor plans) indicating the variance request	
4	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)	
5	One narrative fully explaining the variance and any associated and relevant history for the property	
6	Responses addressing Variance Criteria (Refer to Section 3)	

Please Note:

- There is a \$250 Application fee for administrative variances due at time of submittal.
- For Planning & Zoning Board Variances:
 - There is an \$500 Application fee of due at time of submittal.
 - There is an escrow deposit requirement of \$150 to cover public hearing and recording costs, which is due at time of submittal.

PRINT OR TYPE ALL INFORMATION

1												APPLICANT/PROPERTY OWNER INFORMATION														
Name:												Signature:														
Email:												Phone No.:														
Property Address:																										
Property Parcel ID Number:												5	1													
Proof of Ownership (Select One): Warranty Deed Tax Record Broward County Property Appraiser (BCPA)																										
NOTARIZATION																										
STATE OF _____/COUNTY OF _____																										
The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization, this ____ day of _____, _____(year), by _____ (name of person acknowledging)																										
(Print, Type, or Stamp Commissioned Name of Notary Public)																										
Personally Known _____ OR Produced Identification _____ Type of Identification Produced _____																										

2**APPLICANT/PROPERTY OWNER INFORMATION (CONTINUED)**Is your property located within a Homeowners Association? *If YES, provide the name below* YES NO

Name of HOA:

Is this an "after-the-fact" request? *If YES, request must be clearly stated on the Narrative* YES NOIs the request a result of Code Enforcement Action? *If YES, please state the Code Case No. below* YES NO

Code Enforcement Case No.:

3**STANDARDS OF REVIEW FOR ALL VARIANCES**

The Applicant must address the request for which the situation arose by responding to each statement under the most applicable set of criteria: "Undue Hardship" or "Practical Difficulty." This means that a variance shall be granted only where there is a preponderance of evidence presented in the particular case. The applicant shall strive then to show that either of the following standards provides for merit for supporting the irregularity for which they are requesting an exception from the Land Development Code.

Undue Hardship:

- (1) 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; and
- (2) 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; and
- (3) That the special conditions or circumstances do not result from the deliberate actions of the applicant or property owner of the subject property to establish a use or structure which is not otherwise consistent with this Code; and
- (4) That the granting of the variance will not confer on the applicant or the property owner of the subject property any special privilege that is denied by the Code to other similarly situated lands, buildings, or structures in the same zoning district; and
- (5) The granting of the variance will not be detrimental to the public welfare or injurious to other property or improvements in the vicinity; and
- (6) 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.

Practical Difficulty:

- (1) The variance shall not be substantial in relation to what is required by the Code; and
- (2) The approval of the variance will be compatible with development patterns, and whether a substantial change will be produced in the character of the neighborhood; and
- (3) The variance can be approved without causing substantial detriment to adjoining properties; and
- (4) The request is due to unique circumstances of the property, the property owner, and/or the applicant which would render conformity with the strict requirements of the Code unnecessarily burdensome; and
- (5) The difficulty cannot be obviated by some method feasible for the applicant to pursue other than by a variance; and
- (6) In view of the manner in which the difficulty arose, the interest of justice will be served by allowing the variance.