



## Variance, Waiver, & Warrant Application

**DEADLINE:** Initial paper submission and fee must be received by 5:00 PM on the day of the deadline. *Electronic file submission must be provided on a USB with the submittal.* Refer to the Department Meeting Schedule & Submittal Deadline” document provided on the City’s website for submission deadlines. **To ensure quality submittal, this project will only be added to the agenda when a complete submission has been provided. If a complete submission is not uploaded by the deadline, the application will be notified via email with an itemized list of outstanding items and/or corrections.**

### Application Review Process:

Application Type	Step 1	Step 2	Step 3	Step 4
Variance	Staff Review	City Commission Review	Resolution from the City Commission	
Waiver & Warrant	Staff Review	Development Review Committee	Development Order from Staff	

**APPLICATION SUBMISSION PROCESS:** Upon reception of the **PAPER SUBMISSION** (see below) by Staff. Staff will review to ensure a complete submittal with 5 business days.

### SUBMISSION: The following paper documents must be submitted:

<b>PAPER</b>	One (1) completed application with original signatures (All Owners of Record must sign)
	One (1) Affidavit (must be completed by the Landowner)
	One (1) Letter of Authorization (signed by the Landowner), <i>if the Applicant is not the Landowner</i>
	One (1) Letter of Authorization from the Condominium Association, <i>if the property is a condominium</i>
	Application Fee as established by the City Commission. Refer to Chapter 6 – Section. 6-10 – Enumeration of permit fees, regulations and inspection fees. Checks must be made payable to the “City of Lauderhill.”
	Copy of Deed or Contract to Purchase
	Two (2) copies of the property survey illustrating all existing conditions & clearly showing the request
	Two (2) copies of the site plan, sketches or drawings showing the proposed conditions
	Written Narrative addressing each review standard & description of the proposed business/use operation
	List of property owners: a certified list of land owners within a radius of 500 feet from the property lines
Legal description of the property (i.e. the subdivision, block & lot; or metes & bounds description)	
<b>USB</b>	One (1) electronic version of the application package

**Is the property where the variance is located subject to unpaid city liens, fines or fees?**    Yes    No  
*If so, the Landowner must resolve all fees prior to placement on the City Commission agenda.*



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### Applicability

#### Article IV – Development Review Requirements

##### Section 3.1. - Variances.:

3.1.3. Requirements for variances. No variance from the terms of these regulations or the Code shall be authorized by the board of adjustment unless the board finds that all of the following facts and conditions exist:

- A. That there are unique and special circumstances or conditions applying to the property in question, or to the intended use of the property, that do not apply generally to other properties in the same district. The matter of economic hardship shall not constitute a basis for the granting of a variance.
- B. That any alleged hardship is not self-created by any person having an interest in the property nor is the result of mere disregard for or ignorance of the provisions of these regulations or any pertinent Code section.
- C. That strict application of the provisions of these regulations or any pertinent Code section would deprive the property owner of reasonable use of the property for which the variance is sought.
- D. That the variance proposed is the minimum variance that makes possible the reasonable use of the property.
- E. That granting the variance will be in harmony with the general purpose and intent of existing regulations, will not be injurious to the neighborhood or area, or otherwise detrimental to the public welfare..

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##### Section 3.2. - Waivers:

3.2.5. *Findings and conclusions.* A waiver shall not be granted unless findings and conclusions to support the following factors exists:

- A. The waiver does not adversely affect the neighboring area;
- B. The waiver does not significantly diminish the provision of public facilities;
- C. The waiver does not create an unsafe situation; and
- D. The waiver does not result in the grant of a special privilege in that the same waiver would be granted under similar circumstances on other property for another applicant or owner.

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#### Schedule S. SmartCode

##### 2.5. - WARRANTS AND VARIANCES.

2.5.1. There shall be two (2) types of deviation from the requirements of this Schedule: Warrants and Variances. Whether a deviation requires a Warrant or Variance shall be determined by the City Manager.

2.5.2. A Warrant is a ruling that would permit a practice that is not consistent with a specific provision of this Schedule but is justified by the provisions of Section 1.3 Intent. The DRC shall have the authority to approve, approve with conditions, or deny administratively a request for a Warrant pursuant to regulations established by the DRC.

2.5.3. A Variance is any ruling on a deviation other than a Warrant. Variances shall be granted only in accordance with the laws of the State of Florida and the City's Land Development Regulations.

2.5.4. The request for a Warrant or Variance shall not subject the entire application to public hearing, but only that portion necessary to rule on the specific issue requiring the relief.



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Property Description			
<b>Street Address:</b>	<b>Folio Number(s):</b>		
<b>Nearest Cross Street:</b>			
<b>Subdivision:</b>	<b>Block:</b>	<b>Lot:</b>	
Applicant, Owner's Representative or Agent	Landowner (Owner of Record)		
<b>Business Name (if applicable):</b>	<b>Business Name (if applicable):</b>		
<b>Name and Title:</b>	<b>Name and Title:</b>		
<b>Signature:</b>	<b>Signature:</b>		
<b>Date:</b>	<b>Date:</b>		
<b>Mailing Address:</b>	<b>Mailing Address:</b>		
<b>City, State &amp; Zip:</b>	<b>City, State &amp; Zip Code:</b>		
<b>Phone Number:</b>	<b>Phone Number:</b>		
<b>Email:</b>	<b>Email:</b>		
<b>All communication will be sent to the Landowner (Owner of Record) and Applicant, unless otherwise requested. Indicate who should be provided with copies of written correspondence:</b>			
<input type="checkbox"/> Architect	<input type="checkbox"/> Engineer	<input type="checkbox"/> Attorney	<input type="checkbox"/> Other



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Architect	Engineer
<b>Business Name (if applicable):</b>	<b>Business Name (if applicable):</b>
<b>Name and Title:</b>	<b>Name and Title:</b>
<b>Signature:</b>	<b>Signature:</b>
<b>Date:</b>	<b>Date:</b>
<b>Mailing Address:</b>	<b>Mailing Address:</b>
<b>City, State &amp; Zip:</b>	<b>City, State &amp; Zip Code:</b>
<b>Phone Number:</b>	<b>Phone Number:</b>
<b>Email:</b>	<b>Email:</b>

Attorney	Other
<b>Business Name (if applicable):</b>	<b>Business Name (if applicable):</b>
<b>Name and Title:</b>	<b>Name and Title:</b>
<b>Signature:</b>	<b>Signature:</b>
<b>Date:</b>	<b>Date:</b>
<b>Mailing Address:</b>	<b>Mailing Address:</b>
<b>City, State &amp; Zip:</b>	<b>City, State &amp; Zip Code:</b>
<b>Phone Number:</b>	<b>Phone Number:</b>
<b>Email:</b>	<b>Email:</b>



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Site Data	
<b>Development / Project Name:</b>	
<b>Briefly describe the requested deviation (a project narrative must be submitted separately that explains in greater detail the deviation requested &amp; address each review standard (3.1.3. Requirements for Variance or 3.2 for Waviers and Warrants):</b>	

Additional Information		
<b>Have any other applications been submitted for this site?</b>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<b>If so, list the other applications &amp; provide reference to the Meeting Date/ Results:</b>		
<b>Pre-Application Conference Date:</b>		



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### AFFIDAVIT

I AM THE LANDOWNER OF RECORD (OR I HAVE FURNISHED THE CITY OF LAUDERHILL WITH A NOTARIZED LETTER FROM THE LANDOWNER AUTHORIZING ME TO SUBMIT THIS APPLICATION ON THEIR BEHALF), AND DO HEREBY SWEAR OR AFFIRM:

1. THAT ALL OF THE INFORMATION CONTAINED IN THIS APPLICATION AND THE ATTACHMENTS IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.
2. CONSISTENT WITH THE LAND DEVELOPMENT REGULATIONS OF THE CITY OF LAUDERHILL, FLORIDA, I WILL CAUSE A SIGN AT LEAST THREE (3) SQUARE FEET IN SIZE TO BE POSTED ON THE SUBJECT PROPERTY FACING AND VISIBLE FROM THE STREET AT LEAST TEN (15) DAYS PRIOR TO THE PUBLIC HEARING. MOREOVER, I CERTIFY THE SIGN WILL REMAIN POSTED FOR THE DURATION OF THE TIME REQUIRED FOR THE POSTING OF THE SUBJECT PROPERTY AND A PHOTOGRAPH OF THE SIGN POSTED ON THE SUBJECT PROPERTY WILL BE PROVIDED TO THE CITY OF LAUDERHILL PLANNING AND ZONING DEPARTMENT AT LEAST SEVEN (7) DAYS PRIOR TO THE PUBLIC HEARING. I WILL CAUSE THIS SAME SIGN TO BE REMOVED WITHIN SEVEN (7) CALENDAR DAYS AFTER THE HEARING.
3. CONSISTENT WITH THE LAND DEVELOPMENT REGULATIONS, I WILL PROVIDE WRITTEN NOTICE TO ALL PROPERTY OWNERS WITHIN 500 FEET OF THE SUBJECT PROPERTY POSTMARKED NO FEWER THAN 15 CALENDAR DAYS BEFORE THE HEARING DATE. THE SAME WRITTEN NOTICE WILL BE PROVIDED TO ALL LARGE ASSOCIATIONS, BASED ON THE E-MAIL DISTRIBUTION LIST FURNISHED BY THE CITY.

**Landowner's Name:** \_\_\_\_\_  
(or Authorized Official – Owner's Authorization Letter required if not the Owner of Record)

**Address:** \_\_\_\_\_  
\_\_\_\_\_  
(City) (State) (Zip Code)

\_\_\_\_\_  
**Signature of Owner or Authorized Representative**

**SWORN AND SUBSCRIBED** before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ by means of  
 physical presence or  online notarization.

\_\_\_\_\_  
**NOTARY PUBLIC, STATE OF FLORIDA**

\_\_\_\_\_  
(Name of Notary Public: Print, stamp, or Type as Commissioned.)

Personally know to me, or  
 Produced identification: \_\_\_\_\_  
(Type of Identification Produced)



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### **ADDITIONAL RESOURCES: REAL ESTATE RESEARCH SERVICES**

The following companies have provided the required certified mailing list for previous applicants. This is not a comprehensive list of companies that provide this service, nor shall this be construed as a list of companies the City endorses. This is merely a list of businesses who have provided this service in the past.

Please refer to the yellow pages or internet search engine for additional sources.

**Alldata Real Estate Systems, Inc.**  
290 NE 51<sup>st</sup> Street  
Ft. Lauderdale, FL  
(954) 772-1800

**Cutro & Associates, Inc.**  
1025 Yale Drive  
Hollywood, FL  
(954) 920-2205

**Florida Real Estate Decisions, Inc.**  
1500 West Cypress Creek Road  
Suite 409  
Ft. Lauderdale, FL  
(954) 761-9003

**Florida Real Estate Decisions, Inc.**  
12765 W. Forest Hill Boulevard  
Suite 1314  
Wellington, FL  
(561) 798-4423

**Florida Real Estate Decisions, Inc.**  
16375 NE 18<sup>th</sup> Avenue  
Suite 300  
Miami, FL  
(305) 757-6884



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### **SIGN SPECIFICATIONS:**

Sign will be three (3) feet by three (3) feet in size and of a durable material. The applicant is required to post the sign on the property for which approval is sought at least fifteen (15) days before the public hearing. No permit shall be required for such sign.

The sign shall be posted upon the property so as to face, and be visible from, the street upon which the property is located.

**SIGN** must be **WHITE** background, **BLACK** letters.

**SIGN** must be securely attached to two, 2" x 4" posts (with nails or screws), and must be a minimum of 3 feet above ground level.

**POSTS** shall be set a minimum of 18" below ground level.

### **CITY OF LAUDERHILL NOTICE OF PUBLIC HEARING**

**VARIANCE**

**DATE:**

**TIME:**

**LOCATION:**

**COMMISSION CHAMBERS**

**5581 WEST OAKLAND PARK  
BLVD**

**LAUDERHILL, FLORIDA**

**FOR ADDITIONAL INFORMATION  
PLEASE CALL 954-730-3050**