



SOUTH BROWARD DRAINAGE DISTRICT

VARIANCE APPLICATION - GUIDELINES

The Applicant shall submit **eleven (11)** copies of the following documents together with the Variance Application:

- 1) Provide completed **Variance Application**.
- 2) Provide a complete copy of the **Warranty Deed** for the property. The Warranty Deed shall include the legal description of the property.
- 3) Provide a **Written Narrative** that addresses each of the following pre-requisites for the granting of a variance:
 - A. The existing conditions and circumstances are not the result of the actions of the applicant or his/her agents (i.e.: the existing conditions and circumstances are the result of a non self-imposed hardship).
 - B. Special conditions and circumstances affecting the land, building or structure for which the variance is being sought.
 - C. Strict application of the provisions of the District's criteria would deprive the Applicant of reasonable use of said land, building or structure and that a genuine hardship exists.
 - D. The proposed variance is in harmony with the general purposes of the District's Charter and is not contrary to the public interest, health, safety, or welfare, taking into account the drainage and water management characteristics of the surrounding properties.
 - E. The proposed variance is the minimum variance that will make possible the reasonable use of the land, building or structure with no adverse impacts on the district's ability to perform its duties under its charter.
 - F. The proposed variance will not hinder or otherwise alter the ability of SBDD to maintain and operate SBDD facilities.
- 4) Provide a current signed & sealed **Survey** of the property that shows all easements, and rights-of-way. If the property fronts a water body, the survey shall clearly show the location and dimensions of the top of bank and edge of water at the time of the survey. If the encroaching structure is existing, it shall be denoted as such on the survey, and shall include dimensions and ties to the property lines and easement lines. The survey shall also depict the location of the basin control elevation line for the lake, canal or water body.
- 5) Provide a **Sketch** or **Drawing** of the encroaching structure (existing or proposed), if applicable. Said sketch shall show the amount of encroachment and adequate details, cross-sections, etc. depicting the method of construction.
- 6) Provide **Photos** of the property that depict the area in question and the potential impacts of the variance request.
- 7) Provide copy of the letter of authorization from the **Homeowner's Association (HOA letter)**, if applicable.



SOUTH BROWARD DRAINAGE DISTRICT

- 8) Other information as may be requested or required by the District Director or by the Board of Commissioners to properly evaluate the request.
- 9) Provide **Application / Review Fee** of \$ 250.00. Fees shall be provided in the form of a check or money order made payable to: SOUTH BROWARD DRAINAGE DISTRICT. Please note that CASH or CREDIT CARDS are not a viable form of payment at this time.

Applicants should refer to Chapter 9 of the District's Criteria Manual for the requirements and procedures for filing a Variance Request with SBDD.

All Variances must be approved by the SBDD Board of Commissioners.

The District Director shall have the authority to grant approvals of minor deviations or variations from District Criteria without approval by the Board of Commissioners provided that the proposed deviation or variation is within a reasonable tolerance and will have a negligible impact on the District's operations and maintenance as determined by the District Engineer and District Director.

Any person seeking a Variance must file a written request with the District Director, complete a Variance Application, pay a \$250.00 Application Fee, and a deposit for legal fees and costs, as determined by the District Director.

Prior to being scheduled on the SBDD Board agenda, the applicant must attend a Variance Review Committee (VRC) meeting at the District offices. The purpose of the VRC meeting will be to evaluate the proposed variance request and determine if there are any alternatives that can minimize the nonconformance or can eliminate the need for a variance.

As a condition of a Variance approval by SBDD, the property owner(s) shall agree to enter into an Indemnification and Hold Harmless Agreement with the District regarding the improvements requiring the Variance. The property owner(s) shall also be required to obtain a Permit from the District for the improvements.

Please note that the submittal of a Variance Application and required back-up documentation does not guarantee approval of the Variance Application by the SBDD Board, regardless of the recommendation(s) of the VRC. The SBDD Board reserves the right to deny or approve any Variance Application based on the individual merits of each application.