



City of Pompano Beach
 Department of Development Services
 Planning & Zoning Division

100 W. Atlantic Blvd Pompano Beach, FL 33060
 Phone: 954.786.4679 Fax: 954.786.4666

Variance Checklist

Zoning Board of Appeals: Variance

DEADLINE:

- Initial submission and fee must be received by 5:00 PM on the day of the deadline.
- Refer to the "Meeting Schedules and Deadlines" document provided on the City's website for submission deadlines.
- To ensure quality submittal, this project will only be added to the ZBA Agenda when a complete submission has been uploaded into the ePlan system. If a complete submission is not uploaded by the deadline, the application will be rejected via email.

Application Review Process:

Application Type	Step 1	Step 2	Step 3	Step 4
Variance	Pre-Application Meeting (Required**)	Zoning Board of Appeals Review	Development Order from the ZBA	

***Applicant must make an appointment with a Senior Planner to submit application at least 48 hours (2 business days) prior to deadline for filing by calling (954) 786-4667.*

DIGITAL SUBMISSION: The following digital documents are to be submitted in Camino:

DIGITAL	<input type="checkbox"/>	The fee and application pages*.
	<input type="checkbox"/>	Written Narrative with list of each Review Standard and a point-by-point response to each (pg. 2). Narratives must be on letterhead, dated, and with author signature.
	<input type="checkbox"/>	Current survey (<i>Surveys to be recent and must show all improvements on the property and legal description</i>).
	<input type="checkbox"/>	Legal Description of property (in Word/text format).
	<input type="checkbox"/>	Conceptual Site Plan demonstrating requested Variance.
	<input type="checkbox"/>	(Optional) Documents, photographs, and other evidence.

**Updated copies of the application, proof of ownership, or narrative may be required if information has changed (i.e.: if the property ownership changes, the owner's certificate and application will need to be revised with the City's file.)*

***** ONLY for Variance(s) from Chapter 151, Beaches and Waterways ***:**

PAPER	<input type="checkbox"/>	Ten (10) paper copies of all above items for the Marine Advisory Board.
	<input type="checkbox"/>	One (1) copy of any submerged land lease, if existing, complete with all addendums (<i>if applicable</i>).
	<input type="checkbox"/>	One (1) copy of Letter of explanation from Code Enforcement (<i>if applicable</i>).
	<input type="checkbox"/>	One (1) copy of immediate neighbors letters/comments about this Variance (<i>if applicable</i>).



155.2420. VARIANCE

(Below is a summary of Section 155.2420. For the complete language, please refer to the Zoning Code)

REVIEW STANDARDS

(Each standard **MUST** be addressed in writing)

A Variance application shall be approved only on a finding that there is competent substantial evidence in the record that all of the following standards are met:

- a. There are extraordinary and exceptional conditions (such as topographic conditions, narrowness, shallowness, or the shape of the parcel of land) pertaining to the particular land or structure for which the Variance is sought, that do not generally apply to other lands or structures in the vicinity;
- b. The extraordinary and exceptional conditions referred to in paragraph a., above, are not the result of the actions of the landowner;
- c. Because of the extraordinary and exceptional conditions referred to in paragraph a., above, the application of this Code to the land or structure for which the Variance is sought would effectively prohibit or unreasonably restrict the utilization of the land or structure and result in unnecessary and undue hardship;
- d. The Variance would not confer any special privilege on the landowner that is denied to other lands or structures that are similarly situated.
- e. The extent of the Variance is the minimum necessary to allow a reasonable use of the land or structure;
- f. The Variance is in harmony with the general purpose and intent of this Code and preserves its spirit;
- g. The Variance would not adversely affect the health or safety of persons residing or working in the neighborhood, be injurious to property or improvements in the neighborhood, or otherwise be detrimental to the public welfare; and
- h. The Variance is consistent with the comprehensive plan.

The following factors do not constitute sufficient grounds for approval of a Variance:

- a. A request for a particular use that is expressly, or by inference, prohibited in the zoning district;
- b. Hardships resulting from factors other than application of requirements of this Code;
- c. The fact that land or a structure may be utilized more profitably or be more marketable with a Variance; or
- d. The citing of other nonconforming or conforming uses of land or structures in the same or other zoning districts.

No change in permitted uses or increases in maximum allowable density may be authorized by variance.

PROCEDURE

1. Pre-Application Meeting with Senior Planner.
2. Recommendation by the Development Service Director.
3. Final decision by the Zoning Board of Appeals, following a quasi-judicial public hearing.