

## **Variance Checklist**

**If you are petitioning this Commission for a variance to construct or operate within the District's right-of-way of easements, the following will be required.**

- 1. An administration fee of (see fee schedule) is required at time of application.**
- 2. A copy of the warranty deed is required and a copy of your abstract of title may be required.**
- 3. A recent survey that depicts property lines, edge of water, top of bank, and easements within the property limits and area in question.**
- 4. A sketch showing the proposed encroachment of structure, fully dimensions and detailed, showing where and how much of an encroachment is being requested, drawn to scale. Photographs of the area would be helpful.**
- 5. The applicant will be required to enter into a hold harmless agreement and the Commission may require review by the District Engineer. The applicant will be responsible for all engineering/attorney costs.**
- 6. The full variance submittal must be received by the District Manager not later than 14 days in advance of a regular meeting.**
- 7. The applicant must demonstrate what hardship exists that would deprive the applicant of reasonable use of their land. A simply written statement is required.**
- 8. It is recommended that the applicant and their consultant attend the scheduled Board meeting when the variance request is to be heard.**

## **7. VARIANCES AND APPEALS**

### **7.01 GENERAL**

The Board of the District Commissioners, at their discretion and as hereinbefore provided, may grant a variance to the District Criteria.

### **7.02 VARIANCE**

In exercising the powers and duties under 7.02 the Central Broward Water Control District Commission shall not grant a variance unless and until the following has been demonstrated:

7.02.1 A letter from the applicant outlining the variance request which demonstrates that the following prerequisites to the granting of variance have been met:

- A. Special conditions and circumstances affect the land, building or structure concerning which the variance is sought.
- B. The existing conditions and circumstances are not the result of the actions of the applicant or his agents.
- C. Strict application of the provisions of this District's criteria would deprive the applicant of reasonable use of said land, building or structure and that a genuine hardship exists provided, however, previously granted variances shall not be considered grounds for issuance of a variance.
- D. Alternative measures are proposed to mitigate not complying fully with the subject criterion and that the variance proposed is the minimum variance that will make possible the reasonable use of the land, building or structure.
- E. The Board of Commissioners shall find that the granting of the variance will be in harmony with the general purpose and intent of the District's variance criteria

F. The variance to District Criteria will not adversely affect adjacent private property not owned by the applicant or adjacent public property and right-of-ways.

7.02.2 A sketch and a legal description of the property showing all easements and rights-of-way. If the property fronts a water body, the sketch shall clearly show the location by dimension of the top of bank and edge of water. The elevation of the top of bank and water at time of survey shall be shown.

7.02.3 A sketch of encroaching structure (existing or proposed), if applicable, shall be furnished. Said sketch shall show the amount of encroachment.

7.02.4 Other information as may be required by the District Manager/Secretary, or by the Board of District Commissioners, to properly evaluate the request.

7.02.5 The District Manager/Secretary will make the determination that the application is complete and shall schedule the application on the next available Board of Commissioners meeting.

7.02.6 Fourteen (14) days prior to the Board of Commissioners meeting date for the variance request, a sign shall be posted by the applicant on the subject property indicating that the subject property is the subject of a variance request before the District. All signs shall be eighteen inches by twenty-four inches, double sided with a yellow background and shall be made of weather resistant material. Signs shall be posted along each street frontage of the subject property and shall be visible from the street. All signs shall contain the following information:

- General Description of the Variance Request (i.e.: "This property will be the subject of a variance request on \_\_\_\_\_ before the Central Broward Water Control Board to \_\_\_\_\_")
- Project Name
- Date, time, and location of the District Board meeting.
- Telephone number and contact name for additional information.

All signs shall be removed by the applicant within seven days after the District Board meeting.

7.02.7 In granting a variance request, the District shall require that the applicant, his successors, and assigns, indemnify and hold harmless the District. The cost of preparing said indemnification and hold harmless agreement, including attorney fees and recording, shall be borne by the applicant.

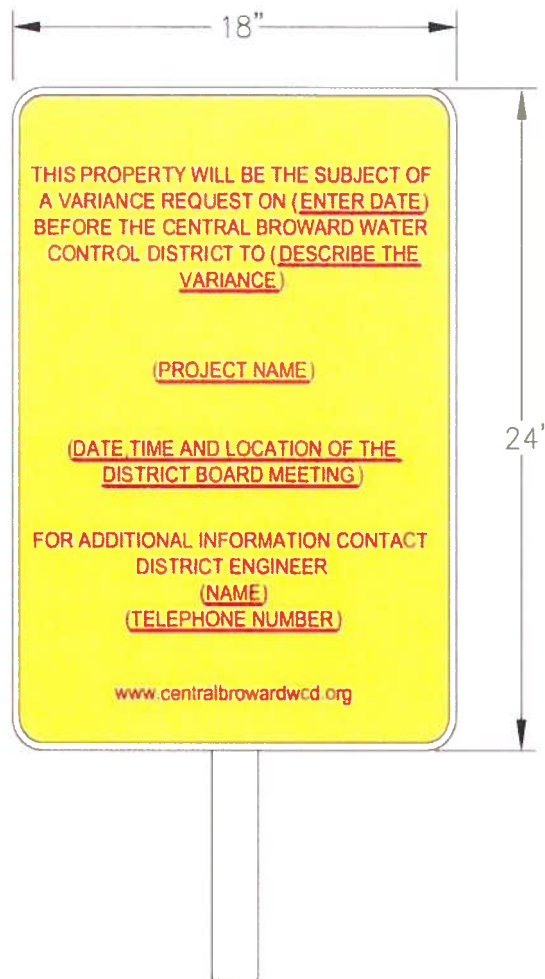
### **7.03 APPEAL**

Appeal of the District's Engineer's application, or interpretation of District Criteria, shall be submitted by letter to the District Manager/Secretary.

### **7.04 PLAN APPROVAL WITH VARIANCE**

An application for development approval, which requires a variance to District Criteria, will not be heard by the Board of District Commissioners prior to the Board acting on the variance request.

## EXHIBIT O



## CBWCD VARIANCE SIGN DETAIL

### NOTES:

1. THE SIGNS SHALL BE DOUBLE SIDED AND MADE OF WEATHER RESISTANT MATERIAL ON A YELLOW BACKGROUND.
2. SIGNS SHALL BE POSTED ALONG EACH STREET FRONTAGE OF THE SUBJECT PROPERTY AND SHALL BE VISIBLE FROM THE STREET.
3. THE SIGNS SHALL BE POSTED BY THE APPLICANT ON THE SUBJECT PROPERTY FOURTEEN (14) DAYS PRIOR TO THE BOARD OF COMMISSIONERS MEETING DATE FOR THE VARIANCE REQUEST.
4. ALL SIGNS SHALL BE REMOVED BY THE APPLICANT WITHIN SEVEN (7) DAYS AFTER THE BOARD OF COMMISSIONERS MEETING DATE.

# SCHEDULE OF FEES CHARGED BY CBWCD

RESOLUTION 2022-05, EXHIBIT A

**Payment Accepted: Check, made payable to Central Broward Water Control District (CBWCD,) Cash for fees not exceeding \$50.00 or Credit Card (additional fees may apply)**

**All engineering and attorney costs will be recovered at the expense of the applicant**

<b>PLAT AND/OR PAVING &amp; DRAINAGE</b>	First five (5) acres Each additional acre or fraction of an acre	<b>\$2,500.00</b> <b>\$250.00</b>
<b>Pre-application conference</b>		<b>\$100.00</b>
<b>SINGLE FAMILY HOME</b>		<b>\$200.00</b>
	Each <u>additional</u> inspection	<b>\$25.00</b>
<b>VARIANCE</b>		<b>\$1,500.00/Each</b> Non-refundable application fee.
<b>RESIDENTIAL VARIANCE</b>		<b>\$200.00</b>
<b>USE OF DISTRICT PROPERTY/EASEMENTS</b>	R.O.W. or Easement User Fee	<b>\$250.00/Mile or fraction thereof*</b>
<b>RELEASE OF CANAL RESERVATION</b>		<b>\$200.00</b>
<b>NO LIEN LETTER</b>		<b>\$20.00</b>
<b>FENCE</b>		<b>\$25.00</b>
<b>CULVERT CROSSING</b> (single family)		<b>\$200.00 + \$2,000.00 bond</b>
<b>SINGLE FAMILY GREENHOUSE</b> (3 sets of plans & survey)		<b>\$100.00</b>
<b>ADDITIONS</b>		<b>\$150.00</b>
<b>After-the-Fact Permit</b>		<b>\$50.00</b>
<b>DOCKS AND DECKS</b>		<b>\$50.00</b>
<b>SEAWALL</b> Requires application for permit; affidavit of ownership; homeowners association approval; easement agreement; drawing		<b>\$100.00</b>
<b>STORMWATER RECERTIFICATION</b>		<b>\$250.00</b>
<b>DISCLAIMER (SFWMD Request)</b>		<b>\$100.00</b>