

**RECEIPT OF CITY CODE PROVISIONS
RELATED TO REQUEST FOR VARIANCE**

I hereby acknowledge that I was provided a copy of Section 32.015 of the City of
Pembroke Pines Code of Ordinances, entitled, "Granting Variance or Permit Applications,
Deciding Appeals".

Signature

Print Name

Date

SSG:DNT:dnt
\\GCDE_FS\LIBRARY\760185.PP\MISC\Variance Code Provision Receipt.doc

(G) An appeal stays all proceedings in furtherance of the action appealed from unless the officer from whom the appeal is taken certifies to the Board of Adjustment after notice of the appeal has been filed with him that by reason of the facts stated in the certificate a stay would, in his opinion, cause imminent peril to life and property. In such a case, proceedings shall not be stayed otherwise than by the Board of Adjustment or by a court of record.
('69 Code, § 5-22) (Ord. 438, passed 12-13-76; Am. Ord. 964, passed 8-21-91)

*** § 32.015 GRANTING VARIANCE OR PERMIT APPLICATIONS, DECIDING APPEALS.**

(A) The Board of Adjustment shall not grant any variances, permits, or make any decision, finding, and determination unless it first determines that:

(1) Its decision and action taken is in harmony with the general purposes of the zoning ordinances of the city and is not contrary to the public interest, health, or welfare, taking into account the character and use of adjoining buildings and those in the vicinity, the number of persons residing or working in the buildings, and traffic conditions in the vicinity.

(2) In the granting of variances, there are special circumstances or conditions applying to the land or building for which the variance is sought, which circumstances are peculiar to the land or building and do not apply generally to land or buildings in the neighborhood, and that the strict application of the provisions of the zoning ordinances would result in an unnecessary hardship and deprive the applicant of the reasonable use of the land or building. That the variance granted is the minimum variance that will accomplish this purpose in accordance with the provisions of division (A)(1). That any alleged hardship is not self-created by any person having an interest in the property nor is the result of a mere disregard for or in ignorance of the provisions of the zoning ordinances of the city.

('69 Code, § 5-19)

(B) The Board of Adjustment shall as soon as practicable render a decision on matters pending before it and shall cause the same to be reduced to writing and reflected on the minutes of the proceedings. The Board shall have the power in accordance with the provisions of this subchapter and law, to reserve or affirm, wholly or in part, or modify the order, decision, or determination appealed from. The Board may make any order, determination, requirement, or decision it may deem necessary and desirable to protect the adjacent property and the surrounding neighborhood within the spirit and in harmony with the terms of the zoning ordinances of the city. In the exercise of its powers under this subchapter, the concurring vote of four of the members of the Board shall be necessary to reserve or modify any requirements, determination, decision, or order of an administrative official or to grant any variance or permit.

('69 Code, § 5-23) (Ord. 438, passed 12-13-76)

§ 32.014 BOARD MEETINGS, HEARINGS.

(A) The Board of Adjustment shall meet when and if necessary at the call of the Chairman of the Board of Adjustment, or when requested in writing by three members of the Board.

(B) Notice of the matters to be considered at hearings to be held at the meetings of the Board of Adjustment shall be published in a newspaper of general circulation in Broward County at least 15 days prior to each meeting.

(C) Signs shall be posted and notices of the hearings of the Board of Adjustment and the matters to be considered shall be mailed by regular mail to all owners of property within a radius of 500 feet of the premises which is the subject matter of the hearing at least 15 days before the hearing is held. The owner of the property, for the purpose of this division, shall be deemed to be the person, who, with his address, is shown on the latest tax roll of the County Tax Collector.

(D) All meetings and proceedings of the Board of Adjustment shall be open to the public.

(E) The Board of Adjustment shall keep written minutes of its proceedings, and its records shall be open to public inspection. The Board shall file all its records, including its minutes, with the City Clerk.
('69 Code, § 5-20) (Ord. 438, passed 12-13-76; Am. Ord. 1290, passed 11-4-98)