For Office Use Only
Application No. _____
Submittal Date: _____

ATTACHMENT D
APPLICATION FOR TECHNICAL DEVIATION

Pursuant to Code Section 98-88(q).- *Off Street Parking and Loading.*

COMPLETE ALL SECTIONS OF APPLICATION LEGIBLY.
INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.

An application must be deemed complete and in compliance with the Land Development Code by Staff prior to the items being scheduled for public hearing.

REQUIRED SUBMITTALS

The following items must be submitted to be deemed a complete application (*documentation may be provided with the development plan application requirements in Attachment A)*:

☐ **Complete Application** (*Including Development Plan Application Form*)

☐ **Application Processing Fee** (*See fee schedule*)

☐ **Proof of Ownership** from the property owner. If the owner cannot be verified through the Broward County Tax Roll, a copy of either the recorded warranty deed, valid purchase contract, or a signed and notarized letter from the owner of record must be submitted with this application.

☐ **Disclosure Affidavit** for all owners, representatives, and applicants for the project that will be speaking on behalf of the application.

☐ **Agent Authorization Letter** (*if applicable*) authorizing the applicant/agent to act on all property owners' behalf.

☐ **Business Tax Receipt Application** (*if applicable*)

☐ **Dimensioned Floor Plan** and/or site sketch showing proposed use in relation to the building and/or site.

☐ **One (1) Digital CD** of required submittals listed above must be provided.

☐ **Other Information** may be required as determined by staff (e.g. architectural elevations, floor plans, site plan etc.).

Public Notice and Advertising Requirements
Pursuant to Code Section 98-35(1), prior to any public hearing of the city commission for a development permit as described in section 98-12 of this Code, the applicant shall provide proper notification to the public in compliance with this section and all applicable county, state and federal law.

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A. PROPOSED TECHNICAL DEVIATION

Provide the following calculations in the table below:

	Required	Existing	Proposed	Change (+/-)
Total number of parking spaces				
Total number of ADA-accessible parking spaces				

B. DEMONSTRATION OF COMPLIANCE WITH TECHNICAL DEVIATION CRITERIA

(Attach additional page(s) if more space is needed)

Section 98-88(q) of the Deerfield Beach Land Development Code states: *one the following requirements must be met in order to receive a technical deviation. The burden of proving that one of the requirements is met shall be on the applicant who shall be required to affirmatively demonstrate on the record, satisfaction of the necessary requirements set forth below.*

The City Commission may grant a technical deviation from the requirements of the off-street parking requirements as it deems justified based upon the criteria described below with any conditions it deems necessary to assure that the reasonable parking needs of the use are provided for.

Application WILL NOT be accepted without a specific statement in response to either i, ii, or iii on the following pages.

i. The applicant affirmatively demonstrates that the application for off-street parking requirements places restrictions upon the use of the proposed development which make the off-street parking requirements excessive in view of the use limitations being voluntarily placed upon the proposed use (provided said use restrictions are included in an enforceable development agreement). It shall be the burden of the applicant to propose, with its application, the voluntary restriction:

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ii. It is found that the arrangement of uses in close proximity to the proposed use is such that, when combined with available mass transit or other uses which are likely to provide parking for patrons of the proposed use without the necessity of seeking a different parking space, is such that the strict application of the off-street parking ordinance requirements would be inequitable to the applicant, or unnecessary to protect the public interest, or would be in excess of that needed to provide sufficient parking for the proposed use:

iii. A study is provided by a qualified traffic engineer or (AICP) certified planner indicating that, for the specific use, considering any use restrictions, other unique characteristics of the area, or other specific elements unique to the development, strict application of the off-street parking requirements will make it inequitable to the applicant or unnecessary to protect the public interest to apply the specific requirements of the off-street parking ordinance and that sufficient parking to serve the proposed development exists with the granting of the technical deviation:

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