



Environmental Protection and Growth Management Department

BUILDING CODE SERVICES DIVISION | ELEVATOR PERMITTING

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How to apply for an Elevator Variance

When an elevator owner is unable to comply with requirements due to hardship, a variance may be requested. For a variance to be granted, the Petitioner must present the following on a company or personal letterhead:

1. The specific codes the variance is requested for.
2. A demonstrated hardship if they are required to meet the code.
3. How the Petitioner intends to meet the intent of those specific codes (a variance cannot be granted unless the intent of the code is met in some other way, consult your registered elevator company or certified elevator inspector with questions about the specific rule(s) to cite)
4. A \$50 application fee.

A petition for variance which does not meet these requirements will be denied.

Each variance request must include the Broward County ID # (BCID) for the conveyance and supportive materials and documents providing the information necessary for rendering a decision.

The applicant is responsible for demonstrating a substantial hardship exists and presenting facts relevant to and supportive of the variance request.

The Building Code Services Division (BCSD) responds to routine requests within 90 days of receipt. An emergency petition will be responded to within 30 days, but you must include justification why a response is needed within 30 days. Without justification, the petition may be deemed a non-emergency and treated as a routine petition.

Upon consideration of the merits of each variance request, the director or designee will either grant a variance, as requested, or deny the variance request.

The Owner or Lessee of an elevator which has a variance approved by BCSD is responsible for maintaining a copy of the approved variance in the machine room at the physical location of the elevator and available for review during an elevator inspection.

Variances will be granted when the elevator owner(s) demonstrates that the purpose of the underlying requirements will be or has been achieved by other means by the owner(s) and when application of a requirement would create a substantial hardship or would violate principles of fairness. For purposes of this section, "substantial hardship" means a demonstrated economic, technological, legal, or other type of hardship to the person requesting the variance or waiver.