

ZONING HEARING APPLICATION, WITH INSTRUCTIONS AND CHECKLIST

FILING

Applications for zoning public hearings must be filed in person with the Zoning Hearing Section of the Miami-Dade County Department of Planning & Zoning, located on the 11th floor of the Stephen P. Clark Center, 111 N.W. First Street. Applications may only be filed during the twice-monthly 3-day filing periods. The 1st filing period begins on the 1st Monday of the month, with the 2nd filing period beginning on the 3rd Monday. Filing periods run for 3 consecutive days ending on Wednesday. Information on what constitutes a complete application, as well as required forms, are available at the Zoning Hearings Section.

APPOINTMENTS

Applicants are encouraged to meet with Zoning Hearing Specialists prior to filing to obtain information on the hearing process and filing requirements, to go over completed applications and forms, and to review plans. It is important to ensure applications are complete and in order at the time of filing. Call (305) 375-2640 during normal working hours to schedule appointments to file applications or arrange for a pre-filing review. **Incomplete applications will be rejected.**

FILE PROCESSING STEPS

Within 40 days of filing zoning hearing applications received by the Department are reviewed and a final ad prepared by the Zoning Hearing Specialist is e-mailed and mailed to the applicant, who has 10 days to concur that the advertisement accurately reflects the intent of the applicant. The applicant may modify the requests or plans to improve the application, but may only submit those changes during the filing period (See "Filing") above. If during the review by the Zoning Hearing Specialist, problems are found with the file or plans submitted, the applicant will be sent a deficiency letter within 40 days of filing. The file will be placed on hold and will not be processed further until compliance is received.

DEPARTMENT REVIEWS

When the file is accepted by the Zoning Hearings Section, it is scanned and distributed to these County Departments who must review the request and provide comments for the recommendation. All departments are expected to provide written comments promptly to avoid delays in the hearing recommendation process.

RECOMMENDATION PROCESS

After the applicant has reviewed the ad and all departmental comments have been received, the file is forwarded to the Zoning Evaluation Section. The Zoning Evaluation Section is responsible for preparing a detailed analysis and formulating the Department's recommendation on all zoning hearings. Within approximately 50 days of the ad review, the applicant will receive the department's recommendation for approval or denial, and any conditions that may be included. Please review the recommendation and respond promptly to staff if you concur with the recommendation and wish to be placed on the next available agenda. Once the applicant concurs, or if 10 days pass and no response is given, the hearing will be considered closed or "frozen" and no further changes will be accepted. It will then be scheduled on the next available agenda. If you would like to make changes to the requests or plans or submit a covenant, any changes must be submitted to the Zoning Hearing Specialist during the filing period and would require review.

ADVERTISEMENT AND NOTICES

Within 40 days of filing a Preliminary Notice is mailed to all property owners within a code-specified radius of the property. This notice advises the neighborhood of what the applicant is proposing and explains their options for giving their opinion in support of or against the proposal, prior to the hearing or at the meeting. Applicants for developmental proposals may decide to contact active Homeowner Associations in the area before filing to gauge the opinion of the surrounding area. Thirty days prior to the hearing date another notice is mailed to the neighbors advising of the hearing date, place and time. Additionally, an advertisement is published in *The Miami Herald Neighbors Section*. Approximately 4 weeks prior to the hearing, a final ad detailing all requests is published in *The Miami Daily Business Review* and a sign is posted on the property approximately 3 weeks prior to the hearing.

BEFORE THE HEARING

Approximately 3 weeks prior to the hearing, the applicant's contact person will be mailed a letter notifying them of the hearing date, place and time. Translators and sign language interpreters are available upon request. Call the Agenda Coordinator's Office at (305) 375-1244 at least 10 days in advance to arrange for this service at the meeting. Please note that anyone wishing to submit expert testimony, economic studies, real estate appraisals, reports by consultants, etc., as evidence to be considered at the hearing, must file said documents with the Director at least 10 days prior to the hearing.

AT THE HEARING

The Community Zoning Appeals Board (CZAB) for the area in which the property is located will usually hear the application. The applicant or the applicant's attorney must be present at the hearing. At the hearing the applicant or the applicant's attorney will be given an opportunity to explain the proposal and to express any dissatisfaction with the conditions imposed. Anyone wishing to speak in favor of the proposal will be given the opportunity. Anyone speaking for the record will be asked to give his/her name and address and to sign in. Anyone opposing the proposal will be given the opportunity to speak. Any submitted petitions or other documents must be given to the Clerk of the Board and will be kept in the file until final disposition. After all sides have been heard, the Chair will close the meeting and a motion will be made and a vote will be taken. Applicants may display large exhibits at the hearing, but must submit an identical 8½" x 11" duplicate for the file.

AFTER THE HEARING

The decision of the Community Zoning Appeals Board is final unless appealed to the Board of County Commissioners within 14 days from the date of posting or filed with the Circuit Court of the 11th Judicial Circuit by an aggrieved party or the applicant within 30 days of the transmittal of the resolution of the Board action to the Clerk of the Board of County Commissioners whichever has jurisdiction. A Resolution of the outcome of the hearing will be prepared by the Legal Advisers Office and will be mailed to the applicant. The Resolution will list the requests and the decision on each and will specify any conditions imposed by the Board. Strict compliance with all conditions is required and enforcement of any violations of the Conditions of the Resolution may carry strict fines. The resolution is usually prepared within 15 days of the hearing date.

DIC/DRI

When an application involves a large-scale development (e.g., exceeds a determined number of acres, dwelling units, building size, etc.) it is then considered a Development of County Impact and/or a Development of Regional Impact (DRI), requiring review by the Developmental Impact Committee (DIC) and/or the South Florida Regional Planning Council (SFRPC). Large-scale developments require the payment of additional fees. A determination whether an application may require such review may be obtained by calling the Developmental Impact Committee Coordinator at (305) 375-2566.

REVIEWS

Applicants are advised to contact the **Department of Environmental Resources Management (DERM)**, and the Department of Public Works for information on regulations, which may affect the subject property prior to filing for a public hearing.

DERM reviews all applications for consistency with the environmental protection requirements of Chapter 24 of the Miami-Dade Code. Applications will not be scheduled for public hearing until written approval by the Director of DERM is obtained. The review includes:

- Potable water supply wellfield – certain types of uses are highly restricted or not allowed in areas where public water supplies are located.
- Potable water supply - certain uses are not permitted if the site is not served by public water or if there are capacity issues for the proposed use.
- Liquid waste disposal – certain uses are restricted or not permitted if the site is not served by public sanitary sewers or if there are capacity issues for the proposed use.
- Stormwater management – some applications must include systems that address where and how stormwater runoff is handled. May include plans and calculations for retention areas.
- Flood protection – low-lying areas may have to meet additional requirements to deal with potential flooding concerns.
- Tree preservation and protection – certain trees are protected from removal or damage. Applications are reviewed for impact on existing trees.
- Wetland preservation and protection – proposed applications that impact wetland areas may not be allowed or may have additional restrictions on property use.

- Coastal preservation and protection – uses that impact mangroves, water quality, coastal wetlands, marine life and other coastal resources may be prohibited or restricted as to uses.
- Air quality – uses are evaluated to determine impacts on air quality, including number of parking spaces and materials used for parking surface.
- Solid Waste – sites previously used as disposal sites may have additional requirements for clean up or restrictions on uses. Site assessments may be required prior to DERM approval.
- Contaminated sites – properties on or near contaminated sites may require assessment of the site prior to DERM approval.
- Applications that cannot be approved administratively require variances to be considered at public hearings before the County's Environmental Quality Control Board (EQCB).

DERM would like to assist you prior to filing your application in order to identify as early as possible any environmental issues that may have repercussions on your zoning application and to ensure that your application includes all the materials required by the DERM review. Please schedule a review with DERM prior to filing a zoning hearing application. This will ensure an expeditious review. Contact Mr. Enrique A. Cuellar, DERM Chief of Code Coordination and Public Hearings, at (305) 372-6764.

PUBLIC WORKS reviews all applications for consistency with pertinent County Code requirements including Detail sheets and specifications in the Public Works Manual. Applications will not be scheduled for public hearing until the Public Works Department has completed its evaluation. This includes:

- BANKS – must provide number of drive-thru lanes, if any. If applicable, must provide 125' of stacking per lane and a by-pass lane.
- DAY CARE CENTERS AND SCHOOLS– In addition to providing the child care checklist, clearly identify on the plans the drop-off/pick-up area including stacking spaces and by-pass lanes.

ATTENTION: DAY CARE CENTERS AND PRIVATE SCHOOLS may require a traffic analysis. Contact Ricardo Gavilan or Harvey Bernstein at the Public Works Department (305) 375-2030 for a determination. If a traffic analysis is required, 2 hard copies and 1 CD of the analysis must be submitted with the application at time of filing. The application will not be scheduled until Public Works has determined the analysis to be sufficient.

- DRIVEWAYS – must meet off-street parking criteria (e.g., 20' min. 2-way driveway width; 14' min. 1-way driveway width; min. parking stall to be 8½' x 18' with wheel stop 2' from end; 22' min. back-out for 90° parking stall; 12' min. back-out for 45° parking stall; min. 5' back-out for aisle end parking stall) as provided in Section 33-122 of the Zoning Code.
- GAS STATION – provide number of fueling positions (not pumps). If part of the development, provide number of car wash, and square footage of the convenience store.
- GATES – all gates are required to remain open during hours of operation at all business locations.
- LAKES – lake sections and slopes to comply with Standard Detail R20.6 of the Public Works Manual. Maximum slope of 7:1 required for roadway shoulders adjacent to lakes. Guardrails may be required.
- PLANS - must show right-of-way widths and dedications; including, to within 125' of the site, the condition of streets, driveways and sidewalks adjacent to the property. To provide for 2 lanes of pavement, a 35' dedication is required for sites abutting undeveloped property.
- RESTAURANTS – must provide number of seats and square footage and if applicable, 125' of stacking from order board and a by-pass lane.
- SIDEWALKS - connecting from right-of-way to the project and continuing across driveways. Sidewalks/pedestrian walkways to have minimum width of 5' and 6' with thickened edge when adjacent to asphalt.
- THROAT LENGTH – 100' minimum uninterrupted entrance driveway required for shopping center.
- TURNS – 18' minimum turning radius for cars. 36' minimum inner radius and 58' minimum outer radius required by Fire Department. T-turnarounds are temporary and must comply with Standard Detail R11.3 and/or R11.4 of the Public works Manual.
- VISIBILITY - landscaping, walls, fences, etc., are to comply with the safe sight distance triangle as per Sec. 33-11 (Zoning Code) and Standard Detail G5.3 of the Public Works Manual. Dumpster to be located away from parking stalls or where a visibility obstruction may occur.

All applicants should be aware that a public hearing cannot be scheduled until concurrency review has been cleared by the Public Works Department; and that complying with all required conditions does not guarantee approval of the application. For additional information on these and other related requirements contact the Public Works review section at (305) 375-2115.

- **FIRE RESCUE DEPARTMENT** reviews and comments on hearing applications. Call (786) 331-4542 to obtain information required for proper plans review by this department.
- **AVIATION DEPARTMENT** reviews and comments on hearing applications located within certain areas of all airports located in Miami-Dade County. Additional fees will be assessed for applications exceeding certain height thresholds. Call (305) 876-8080 for information on height thresholds.

QUESTIONS

Applicants with questions related to filing an application, or the public hearing process, should call the Zoning Hearings Section at (305) 375-2640. For a more detailed explanation of the Zoning Hearing Procedures, call Voice Response Line at (305) 591-7966 and direct dial 1-4-1 (for English) or 2-4-1 (for Spanish), pausing between numbers.

General information on zoning requirements, prior zoning hearing history, Declaration of Restrictions, Unities of Title and related zoning criteria is available at the Zoning Information Section, 11th Floor, Stephen P. Clark Center, 111 NW 1 Street or by calling (305) 375-1806 or 1807.

ATTENTION: PLEASE BE ADVISED – IF YOU ARE BEING REPRESENTED BY A LOBBYIST, THE LOBBYIST MUST BE REGISTERED WITH THE CLERK OF THE BOARD.

APPLICANT'S CHECKLIST

The following items must be submitted with any zoning hearing application:

- Letter of Intent, listing what is being requested, why, and reasons why applicant feels the request should be approved, detailing variances, zoning requests, explaining zoning hardship, etc. (Applicant will receive details during the pre-filing appointment with the Zoning Hearing Specialist).
- Application completely filled out and properly executed. (Folio numbers are mandatory).
- Ownership affidavit(s).
- Disclosure of Interest, if the owner, applicant or contract purchaser is a corporation, partnership, trustee.
- Copy of executed lease for one year or more, if applicant is a lessee.
- Owner's Sworn-to-Consent form signed by the owner-of-record of the property, giving lessee permission to file for the hearing if applicant is a lessee.
- Photographs of the property, including structures that may be the subject of the hearing.
- 1 standard set of plans (see below) folded and 1 CD (PDF Format) of an identical set of plans submitted. See attached information for correct formatting of files on the CD. NOTE: **An application for 1 residence only, shall submit 1 standard set of plans containing the required plan information. NO CD is required.**

Title Block: Plans must contain a Title Block identifying the project, name, title and address of person who prepared the plan, date prepared, and scale used. **Zoning Legend:** All plans must contain a complete zoning data legend. Ask the Zoning Hearings Section for a copy of the standard legend for the type of development.

Plans should be reviewed with a Hearings Specialist, the Evaluation Sections, DERM and Public Works prior to filing, to eliminate need to revise plans once the application has been accepted. However, if you decide to revise your hearing plans, they must be submitted to the specialist and must contain 1 complete set plus 1 CD (PDF Format) containing an identical set of plans submitted. Additionally the plans must include the complete legend and a revised letter of intent incorporating and explaining any changes on the plans. Plans submitted after the advertisement for the hearing has been sent to the newspaper must be within the scope of the advertisement and accompanied by a fee. All revisions submitted more than 30 days before the hearing require a fee except for the 1st revision. Plans will not be reviewed unless accompanied by the required fees, 1 complete set and 1 CD (PDF Format) an identical set of plans submitted. See fee schedule for plan revision fees.

- Site Plans (must show entire property and all dimensions measured to centerline of the streets, sizes and uses of existing and proposed buildings, spacing, setback distances, typical parking spaces, driveway and walkway widths, etc. A complete zoning legend, showing data calculations for the site, must also be shown on the plan).
- Floor Plans (must identify all rooms and indicate dimensions of each).
- Building Elevations (drawing must show number of stories and height of top of roof, type of window and wall finishes).
- Landscape Plans (including Landscape Legend and Certificate acknowledging compliance with the Landscape Ordinance).
- Boundary Survey (required with every application, no older than 1 year. Must show all structures, rights-of-way, etc. and any municipal boundary, if any).
- Liquor Survey.
- Special Purpose Survey: _____
- Engineer's certification and/or compliance letter for existing structures.
- Architectural approval letter required from the homeowners' or condominium association.
- Signage Plans: Show sign detail including sign dimensions, height and setback distance.

- Legal description [must be accurate; and if lengthy, to be submitted in Microsoft Word format on diskette or compact disc (CD), in addition to printed (hard) copy. Whether CD or diskette, ensure data is write-protected].
- Covenant or Declaration of Restrictions may be required. Call Legal Advisor at (307) 375-3075 for further information.
- Lake Excavation Plans (prepared & sealed by a Florida surveyor or engineer, showing perimeter dimensions, deep cut line, cross sections and slope descriptions).
- School Checklist (required for all day care centers and private schools, checklist must also be incorporated into the site plan.)
- For specific K – 12 school traffic requirements, call the Educational Facilities Coordinator of the Public Works Department at (305) 375-1874.
- Zone change applications must be consistent with the Comprehensive Development Master Plan (CDMP). Call the Metropolitan Section of the Planning Division at (305) 375-2810 for information.
- Public Works reviews and comments on hearing applications. Prior to completion of development plans, call (305) 375-2141 for information on concurrency and street dedication requirements
- Department of Environmental Resources Management (DERM), located at 701 NW 1st Court, Suite 2129, reviews and comments on hearing applications. Call (305) 372-6502 or 6503 for information on water quality, pollution control, soil removal, tree preservation and other environmental regulations and certain types of business uses that may require Environmental Quality Control Board (EQCB) approval before a public hearing can be scheduled.
- Fire Rescue Department reviews and comments on emergency vehicle access requirements. Call (786) 331-4540 for more information.
- Aviation Department reviews and comments on applications having structures, including cranes used during construction, exceeding 35' in height as measured at mean sea level (MSL). Call 305-876-8080 for more information.
- The Planning Division reviews and comments on hearing applications. Call (305) 375-2810 for information on application recommendations, urban design standards, landscape requirements, and other planning disciplines.
- Hearing fees and additional radius fees – the fees paid at time of filing may not be the total cost of the hearing. Additional radius fees for mailing notices to property owners within a certain radius of the subject property may be assessed, depending on the type of hearing request. The number of actual property owners is determined by computer and you will receive a bill for the additional radius fees approximately one month after filing. Fee schedule and instructions are attached. Hearing fees will be calculated by the Zoning Hearing Specialist at the pre-filing appointment.
- For a determination whether an application may be require DIC review call the Developmental Impact Committee Office at (305) 375-2566.
- For a more detailed explanation of the Zoning Hearing Procedures, call Voice Response Line at (305) 591-7966 & direct dial 1-4-1 (for English) or 2-4-1 (for Spanish), pausing between numbers.
- Translators and sign language interpreters are available upon request. Call Agenda Coordinator's Office at (305) 375-1244 at least 10 days in advance to arrange for this service at the meeting

Some requests require additional information. Contact the Zoning Hearings Section for a pre-filing appointment for information on required exhibits and review of documents and plans.

Sec.	Twp.	Range

**ZONING HEARING APPLICATION
MIAMI-DADE COUNTY
DEPARTMENT OF PLANNING & ZONING**

LIST ALL FOLIO #S: _____

Date Received _____

1. NAME OF APPLICANT (Owner(s) of record of the property or lessee. If applicant is a lessee, an executed 'Owner's Sworn-to-Consent' and copy of a valid lease for 1 year or more is required. If the applicant is a corporation, trust, partnership, or like entity, a 'Disclosure of Interest' is required).

2. APPLICANT'S MAILING ADDRESS, TELEPHONE NUMBER:

Mailing Address: _____
 City: _____ State: _____ Zip: _____ Phone#: _____

3. OWNER'S NAME, MAILING ADDRESS, TELEPHONE NUMBER:

Owner's Name (Provide name of ALL owners): _____
 Mailing Address: _____
 City: _____ State: _____ Zip: _____ Phone#: _____

4. CONTACT PERSON'S INFORMATION:

Name: _____ Company: _____
 Mailing Address: _____
 City: _____ State: _____ Zip: _____
 Phone# _____ Fax# _____ E-mail: _____

5. LEGAL DESCRIPTION OF ALL PROPERTY COVERED BY THE APPLICATION

(Provide complete legal description, i.e., lot, block, subdivision name, plat book & page number, or metes and bounds. Include section, township, and range. If the application contains multiple rezoning requests, a legal description for each requested zone must be provided. Attach separate sheets as needed and clearly label (identify) each legal description attached. In addition to paper version it is requested that lengthy metes and bounds descriptions be provided on diskette or compact disc in Microsoft Word or compatible software.)

6. ADDRESS OR LOCATION OF PROPERTY (For location, use description such as NE corner of, etc.)

7. **SIZE OF PROPERTY** _____ ft x _____ ft (in acres): _____
(divide total sq. ft. by 43,560 to obtain acreage)

8. **DATE** property acquired leased: _____ (month & year)

9. **Lease term:** _____ years

10. **IS CONTIGUOUS PROPERTY OWNED BY THE SUBJECT PROPERTY OWNER(S)?**

no yes If yes, provide complete legal description of said contiguous property.

11. **Is there an option to purchase** **or lease** the subject property or property contiguous thereto?

no yes (If yes, identify potential purchaser or lessee and complete 'Disclosure of Interest' form)

12. **PRESENT ZONING CLASSIFICATION:** _____

13. **APPLICATION REQUESTS** (Check all that apply and describe nature of the request in space provided)

District Boundary(zone) Changes [Zone(s) requested]: _____

(Provide a separate legal description for each zone requested)

Unusual Use: _____

Use Variance: _____

Non-Use Variance: _____

Alternative Site Development: Option: _____

Special Exception: _____

Modification of Previous Resolution/Plan: _____

Modification of Declaration or Covenant: _____

14. **Has a public hearing been held on this property within the last year & a half?** no yes .

If yes, provide applicant's name, date, purpose and result of hearing, and resolution number:

15. **Is this application a result of a violation notice?** no yes . If yes, give name to whom the

violation notice was served: _____ and describe the violation:

16. **Describe structures on the property:** _____

17. **Is there any existing use on the property?** no yes . If yes, what use and when established?

Use: _____ Year: _____

18. **Do you require a translator for the actual hearing?** Yes No

If yes: Spanish Haitian Creole

Other (Please specify which language) _____

APPLICANT'S AFFIDAVIT

The Undersigned, first being duly sworn depose that all answers to the questions in this application, and all supplementary documents made a part of the application are honest and true to the best of (my)(our) knowledge and belief. (I)(We) understand this application must be complete and accurate before the application can be submitted and the hearing advertised.

OWNER OR TENANT AFFIDAVIT

(I)(WE), _____, being first duly sworn, depose and say that (I am)(we are) the owner tenant of the property described and which is the subject matter of the proposed hearing.

Signature

Signature

Sworn to and subscribed to before me
this ____ day of _____, _____.

Notary Public: _____
Commission Expires: _____

CORPORATION AFFIDAVIT

(I)(WE), _____, being first duly sworn, depose and say that (I am)(we are) the President Vice-President Secretary Asst. Secretary of the aforesaid corporation, and as such, have been authorized by the corporation to file this application for public hearing; and that said corporation is the owner tenant of the property described herein and which is the subject matter of the proposed hearing.

Attest: _____

Authorized Signature

Office Held

(Corp. Seal)

Sworn to and subscribed to before me
this ____ day of _____, _____.

Notary Public: _____
Commission Expires: _____

PARTNERSHIP AFFIDAVIT

(I)(WE), _____, being first duly sworn, depose and say that (I am)(we are) partners of the hereinafter named partnership, and as such, have been authorized to file this application for a public hearing; and that said partnership is the owner tenant of the property described herein which is the subject matter of the proposed hearing.

(Name of Partnership)

By _____ %

By _____ %

By _____ %

By _____ %

Sworn to and subscribed to before me
this ____ day of _____, _____.

Notary Public: _____
Commission Expires: _____

ATTORNEY AFFIDAVIT

I, _____, being first duly sworn, depose and say that I am a State of Florida Attorney at Law, and I am the Attorney for the Owner of the property described and which is the subject matter of the proposed hearing.

Signature

Sworn to and subscribed to before me
this ____ day of _____, _____.

Notary Public: _____
Commission Expires: _____

ACKNOWLEDGEMENT BY APPLICANT

- 1. The Public Works Department, the Department of Environmental Resources Management (DERM), and other County agencies review and critique zoning hearing applications which may affect the scheduling and outcome of my hearing. These reviews may require additional hearings before DERM's Environmental Quality Control Board (EQCB), or other County boards, and/or the proffering of agreements to be recorded. I am also aware that I must comply promptly with any DERM or Public Works conditions and advise this office in writing if my application will be withdrawn.
- 2. Filing fees may not be the total cost of a hearing. Some requests require notices to be mailed to property owners up to a mile from the subject property and I am responsible for paying the additional radius mailing costs. In addition to mailing costs, I am responsible for additional fees related to application changes, plan revisions, deferrals, re-advertising, etc., that may be incurred. I understand that fees must be paid promptly. Applications withdrawn within 60 days of the filing are eligible for a refund of 50% of the hearing fee but after that time hearings withdrawn or returned will be ineligible for a refund. Refunds must be requested in writing.
- 3. Applicable Florida Building Code requirements may affect my ability to obtain a building permit even if my zoning application is approved; and a building permit will probably be required. I am responsible for obtaining any required permits and inspections for all structures and additions proposed, or built without permits. And that a Certificate of Use (C.U.) must be obtained for the use of the property after it has been approved at Zoning Hearing. Failure to obtain the required permits and/or C.U., Certificates of Completion (C.C.) or Certificate of Occupancy (C.O.) will result in enforcement action against any occupant and owner. Submittal of the Zoning Hearing application may not forestall enforcement action against the property.
- 4. The 3rd District Court of Appeal has ruled that zoning applications inconsistent with the Comprehensive Development Master Plan (CDMP) should not be approved by a zoning board and the recommendation will be for denial or deferral. Therefore, I acknowledge that if the hearing request is inconsistent with the CDMP and I decide to go forward then my hearing request can only be denied or deferred, but not approved. I also understand that I will not be reimbursed any fees paid unless I withdraw within 60 days of filing and then I will receive a 50% refund.
- 5. Any covenant to be proffered must be submitted to the Department's Legal Advisor, on County form, at least 1 month prior to the hearing date. The covenant will be reviewed and the applicant will be notified if changes or corrections are necessary. Once the covenant is acceptable, the applicant is responsible to submit the executed covenant with a current 'Opinion of Title' within 1 week of the hearing. Legal Advisor can advise as to additional requirements applicable to foreign corporations. Documents submitted to Legal Advisor must carry a cover letter indicating subject matter, application number and hearing date. Legal Advisor may be reached at (305) 375-3075

(Applicant's Signature)

(Print Name of Applicant)

My commission expires _____

State of: _____

Sworn to and subscribed before me on the
_____ Day of _____, _____.

Affiant is personally known to me or has produced
_____ as identification.

(Notary Public's Signature)

Print Name

PHOTOGRAPHS

FRONT ELEVATION

SIDE ELEVATION

REAR ELEVATION

**OWNERSHIP AFFIDAVIT
FOR
CORPORATION**

STATE OF _____ Public Hearing No. _____
COUNTY OF _____

Before me, the undersigned authority, personally appeared _____
_____ hereinafter the Affiant(s), who being first duly
sworn by me, on oath, deposes and says:

1. Affiant is the president, vice-president or CEO of the Corporation, with the following address:

2. The Corporation owns the property which is the subject of the proposed hearing.
3. The subject property is legally described as:

4. Affiant is legally authorized to file this application for public hearing.
5. Affiant understands this affidavit is subject to the penalties of law for perjury and the possibility of voiding of any zoning granted at public hearing.

Witnesses:

Signature

Affiant's signature

Print Name

Print Name

Signature

Print Name

Sworn to and subscribed before me on the ____ day of _____ 20 ____.

Affiant is personally known to me or has produced _____ as identification

Notary

(Stamp/Seal)

Commission Expires:

**OWNERSHIP AFFIDAVIT
FOR
INDIVIDUAL**

STATE OF _____ Public Hearing No. _____

COUNTY OF _____

Before me, the undersigned authority, personally appeared _____, hereinafter the Affiant, who being first duly sworn by me, on oath, deposes and says:

1. Affiant is the fee owner of the property that is the subject of the proposed hearing.
2. The subject property is legally described as:

3. Affiant understands this affidavit is subject to the penalties of law for perjury and the possibility of voiding of any zoning granted at public hearing.

Witnesses:

Signature

Affiant's signature

Print Name

Print Name

Signature

Print Name

Sworn to and subscribed before me on the _____ day of _____, 20_____

Affiant is personally known to me or has produced _____ as identification.

Notary

(Stamp/Seal)

Commission Expires:

DISCLOSURE OF INTEREST*

If a CORPORATION owns or leases the subject property, list principal stockholders and percent of stock owned by each. [Note: Where principal officers or stockholders consist of other corporation(s), trust(s), partnership(s) or other similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

CORPORATION NAME: _____

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
_____	_____
_____	_____
_____	_____
_____	_____

If a TRUST or ESTATE owns or leases the subject property, list the trust beneficiaries and the percent of interest held by each. [Note: Where beneficiaries are other than natural persons, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

TRUST/ESTATE NAME _____

<u>NAME AND ADDRESS</u>	<u>Percentage of Interest</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

If a PARTNERSHIP owns or leases the subject property, list the principals including general and limited partners. [Note: Where the partner(s) consist of another partnership(s), corporation(s), trust(s) or other similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: _____

<u>NAME AND ADDRESS</u>	<u>Percentage of Ownership</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

If there is a CONTRACT FOR PURCHASE, by a Corporation, Trust or Partnership list purchasers below, including principal officers, stockholders, beneficiaries or partners. [Note: Where principal officers, stockholders, beneficiaries or partners consist of other corporations, trusts, partnerships or other similar

entities, further disclosure shall be made to identify natural persons having the ultimate ownership interests].

NAME OF PURCHASER: _____

NAME, ADDRESS AND OFFICE (if applicable)

Percentage of Interest

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Date of contract: _____

If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership or trust.

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

NOTICE: For any changes of ownership or changes in purchase contracts after the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest is required.

The above is a full disclosure of all parties of interest in this application to the best of my knowledge and belief.

Signature: _____
(Applicant)

Sworn to and subscribed before me this _____ day of _____, 20_____. Affiant is personally know to me or has produced _____ as identification.

(Notary Public)

My commission expires: _____

Seal

*Disclosure shall not be required of: 1) any entity, the equity interests in which are regularly traded on an established securities market in the United States or another country; or 2) pension funds or pension trusts of more than five thousand (5,000) ownership interests; or 3) any entity where ownership interests are held in a partnership, corporation or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership and where no one (1) person or entity holds more than a total of five per cent (5%) of the ownership interest in the partnership, corporation or trust. Entities whose ownership interests are held in a partnership, corporation, or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership, shall only be required to disclose those ownership interest which exceed five (5) percent of the ownership interest in the partnership, corporation or trust.

ZONING HEARING FEE SCHEDULE

I. Public Hearing fees for those items not listed in II through VI below.

Z100	Basic fee:	1,100.81	
Z101	Basic fee (Violation):	2,201.63	
	Size of Property (applies to all applications):		
Z978	Residential (733.88 per 10 acres or portion thereof)		
Z981	Commercial (880.65 per 10 acres or portion thereof)		
	Size of Building:		
Z982	Commercial (293.55 per 5,000 sq. ft. or portion thereof)		
	Number of Units:		
Z979	Residential (366.94 per 15 units or portion thereof)		
Z110	Park & Rec. Fee (Residential 1-50 units)	125.00	
	(Residential 51-250 units)	375.00	
	(Residential >251 units)	625.00	
	Site Plan Review:		
Z977	Residential	1,467.75	
Z980	Commercial	2,201.63	
	Non-Use Variance(s) or Alternative Site Development Option (ASDO):		
Z972	Residential	733.38	
Z973	Commercial	1,467.75	
Z975	Modification/Deletion	1,467.50	
Z976	Unusual Use	2,935.50	
Z112	Entrance Feature (Park & Rec.)	187.50	
Z974	Special Exception	2,935.50	
	Zone Change to:		
Z104	AU/GU/RU1(a)(b)/RU2/RU1Z/EU	1,467.75	
Z114	RU-TH/Multi-fam/PAD	2,201.63	
Z124	RU-5/RU-5A/OPD	2,935.50	
Z134	BU	4,403.25	
Z144	IU	3,669.38	
	Use Variance for uses permitted in:		
Z115	AU/GU/RU1(a)(b)/RU2/RU1Z/EU	2,201.63	
Z125	RUTH/Multi-fam/PAD	3,669.38	
Z135	RU-5/RU-5A/OPD	5,137.13	
Z145	BU	5,137.13	
Z155	IU	4,403.25	

II. Non-Use Variance (Residential/One Lot)*

Z983	Fee	1,614.53	
Z984	(Violation)	1,908.08	

*For every application for a non-use variance for the new construction of, or addition to, a single family residence (one lot maximum) or duplex (one lot maximum)

UPON REVIEW OF APPLICATION, IF MORE REQUESTS ARE DEEMED TO BE NECESSARY, ADDITIONAL FEES MAY HAVE TO BE SUBMITTED.

Make checks payable to: **Department of Planning and Zoning.**

III. Mobile Home (Trailer) as a Watchman's Quarters:		
Z102	Unusual Use (or extension to previous approval)	1,614.53 _____
Z103	(Violation)	1,908.08 _____

IV. Private Schools (except Public Charter Schools), House of Worship, Congregate Living Facilities, Nursing Homes and Convalescent Homes:		
Z985	Fee	2,935.50 _____
Z986	(Violation)	3,669.38 _____

V. Lake Excavation:		
Z987	Unusual Use	733.88 _____
Z988	(Violation)	1,078.80 _____
Z989	Site plan review:	1,100.81 _____
Z990	Size of lake: (308.23 per 10 acres of water surface area or portion thereof)	

VI. Non-Use Variance – Signs:		
Z997	Fee	2,201.63 _____
Z998	(Violation)	2,935.50 _____

VII. Additional fees		
Z116	Revisions to plans: (first revision no charge) thereafter, each revision	880.65 _____
Z117	Submitted 30 days or less prior to hearing	1,174.20 _____
Z999	Additional Radius Fees (to be determined)	

BELOW FEES APPLY TO ALL APPLICATIONS

Z109	DERM	250.00 _____
Z118	PUBLIC WORKS DEPT. PLAN REVISIONS	150.00 _____
Z119	PUBLIC WORKS DEPT.	250.00 _____
Z120	FIRE RESCUE DEPT.	190.00 _____
Z121	FIRE RESCUE DEPT. REVISIONS	70.00 _____
Z130	PARKS REVIEW-OTHER THAN NEW RESIDENTIAL APPLICATION	250.00 _____
Z131	PARKS REVIEW-OTHER THAN NEW RESIDENTIAL EACH REVISION	150.00 _____
Z060	Web Document Fee	77.25 _____
Subtotal		_____

Concurrency	6%	_____
CN01-Residential		
CN02-Commercial		

***NOTE: AN 8% SURCHARGE WILL BE ADDED TO ALL FEES EXCEPT DERM AND CONCURRENCY.**

TOTAL \$ _____

Additional radius fees will be determined and billed separately for those hearings requiring notices to be mailed beyond a 500' radius.

All application fees shall be paid in total at the time of filing of the application, and no total fee shall be credited or refunded, except when adjustment is warranted or deemed necessary due to departmental error. A refund of fifty percent (50%) of an original application fee may be refunded upon the withdrawal of an application when the written request for withdrawal is received within 60 days of the date of application. Fees for Fire Dept., Park and Rec. and Public Works are non-refundable. In no event however, shall an appellant of a Community Zoning Appeals Board decision be entitled to a refund of the appeal fee.

Original: 11-1-94; rev. 9/30/03; rev. 09/23/08; rev. 11/12/08; rev. 10/1/09; rev. 9/17/10; rev. 10/15/10 ^{sbl}
rev. 12/7/10