



# TOWN OF MIAMI LAKES

15700 N.W. 67<sup>th</sup> Avenue  
Miami Lakes, FL 33014  
(305) 364-6100/Fax (305) 558-8511  
www.townofmiamilakes.com

## ZONING HEARING APPLICATION

\_\_\_\_\_ File #

\_\_\_\_\_ Date Received

\_\_\_\_\_ Date of Preapplication Meeting

**NOTE TO APPLICANTS: A pre-application meeting with the Town's Planning and Zoning Department staff is required prior to official application filing. Please call 305 364-6100 for an appointment.**

1. Name of Applicant \_\_\_\_\_
- If applicant is owner, give name exactly as recorded on deed.
  - If applicant is lessee, attach copy of valid lease of 1 year or more and Owner's Sworn-to-Consent form.
  - If applicant is corporation, partnership, limited partnership, or trustee, a separate Disclosure of Interest form must be completed.

Mailing Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_

Tel. # (during working hours) \_\_\_\_\_ Other \_\_\_\_\_

E-Mail: \_\_\_\_\_ Mobile #: \_\_\_\_\_

2. Name of Property Owner \_\_\_\_\_

Mailing Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_

Tel. # (during working hours) \_\_\_\_\_ Other \_\_\_\_\_

3. Contact Person \_\_\_\_\_

Mailing Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_

Tel. # (during working hours) \_\_\_\_\_ Other \_\_\_\_\_

E-Mail: \_\_\_\_\_ Mobile #: \_\_\_\_\_

4. LEGAL DESCRIPTION OF THE PROPERTY COVERED BY THE APPLICATION
- If subdivided, provide lot, block, complete name of subdivision, plat book and page number.
  - If metes and bounds description, provide complete description (including section, township, and range).
  - Attach a separate typed sheet, if necessary. Please verify the accuracy of your legal description

\_\_\_\_\_  
\_\_\_\_\_

5. Address or location of property (including section, township, and range): \_\_\_\_\_  
\_\_\_\_\_

6. Size of property: \_\_\_\_\_ × \_\_\_\_\_ Acres \_\_\_\_\_

7. Date subject property  acquired or  leased \_\_\_\_\_ day of \_\_\_\_\_  
Term of lease; \_\_\_\_\_ years/months.

8. Does property owner own contiguous property to the subject property? If so, give complete legal description of entire contiguous property. (If lengthy, please type on a sheet labeled "Contiguous Property.")

9. Is there an option to  purchase or  lease the subject property or property contiguous thereto?  Yes  No  
If yes, who are the potential purchasers or lessees? (Complete section of Disclosure of Interest form, also.)

10. Present zoning classification(s): \_\_\_\_\_ Present land use classification(s): \_\_\_\_\_

11. REQUEST(S) COVERED UNDER THIS APPLICATION:

Please check the appropriate box and give a brief description of the nature of the request in the space provided. Be advised that all zone changes require concurrent site plan approval.

District Boundary (Zone) Change(s):  
Zone Classification Request \_\_\_\_\_

Site Plan Approval \_\_\_\_\_

Conditional Use \_\_\_\_\_

Variance \_\_\_\_\_

Modification of Previous Resolution/Plan/Ordinance \_\_\_\_\_

Modification of Declaration or Covenant \_\_\_\_\_

12. Has a public hearing been held on this property within the last year and a half?  Yes  No

If yes, applicant's name \_\_\_\_\_ Date of Hearing \_\_\_\_\_

Nature of Hearing \_\_\_\_\_

Decision of Hearing \_\_\_\_\_ Resolution # \_\_\_\_\_

13. Is this hearing being requested as a result of a violation notice?  Yes  No

If yes, give name to whom violation notice was served \_\_\_\_\_

Nature of violation \_\_\_\_\_

14. Are there any existing structures on the property?  Yes  No

If yes, briefly describe \_\_\_\_\_

15. Is there any existing use on the property?  Yes  No

If yes, what is the use and when was it established? Use \_\_\_\_\_

Established \_\_\_\_\_

OWNER OR TENANT AFFIDAVIT

I, \_\_\_\_\_, being first duly sworn, depose and say that I am the owner/tenant of the property described and which is the subject matter of the proposed hearing; that all the answers to the questions in this application, and all sketch data and other supplementary matter attached to and made a part of the application are honest and true to the best of my knowledge and belief. I understand this application must be completed and accurate before a hearing can be advertised.

\_\_\_\_\_ will represent me at the hearing.

Sworn to and subscribed before me  
this \_\_\_\_ day of \_\_\_\_\_ 200\_\_.

\_\_\_\_\_  
\_\_\_\_\_  
Notary Public  
Commission Expires: \_\_\_\_\_

OWNER OR TENANT AFFIDAVIT

I, \_\_\_\_\_, being first duly sworn, depose and say that I am the owner/tenant of the property described and which is the subject matter of the proposed hearing; that all the answers to the questions in this application, and all sketch data and other supplementary matter attached to and made a part of the application are honest and true to the best of my knowledge and belief. I understand this application must be completed and accurate before a hearing can be advertised.

\_\_\_\_\_ will represent me at the hearing.

Sworn to and subscribed before me  
this \_\_\_\_ day of \_\_\_\_\_ 200\_\_.

\_\_\_\_\_  
\_\_\_\_\_  
Notary Public  
Commission Expires: \_\_\_\_\_

PARTNERSHIP AFFIDAVIT

We, the undersigned, being first duly sworn depose and say that we are partners of the hereinafter named partnership, and as such, have been authorized to file this application for a public hearing; that all answers to the questions in said application and all sketches, data, and other supplementary matter attached to and made a part of this application are honest and true to the best of our knowledge and belief; that said partnership is the owner/tenant of the property described herein which is the subject matter of the proposed hearing. We understand this application must be complete and accurate before a hearing can be advertised.

\_\_\_\_\_  
(Name of Partnership)

By \_\_\_\_\_ % By \_\_\_\_\_ %

By \_\_\_\_\_ % By \_\_\_\_\_ %

Sworn to and subscribed before me  
this \_\_\_\_ day of \_\_\_\_\_ 200\_\_.

\_\_\_\_\_  
\_\_\_\_\_  
Notary Public  
Commission Expires: \_\_\_\_\_

ATTORNEY AFFIDAVIT

I, \_\_\_\_\_, of \_\_\_\_\_, 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; that all the answers to the questions in this application, and all sketch data and other supplementary matter attached and made a part of this application are honest and true to the best of my knowledge and belief. I understand this application must be completed and accurate before a hearing can be advertised.

Sworn to and subscribed before me  
this \_\_\_\_ day of \_\_\_\_\_ 200\_\_.

\_\_\_\_\_  
\_\_\_\_\_  
Notary Public  
Commission Expires: \_\_\_\_\_

Date: \_\_\_ / \_\_\_ / \_\_\_

Public Hearing No: \_\_\_\_\_

RESPONSIBILITIES OF THE APPLICANT  
PLEASE READ CAREFULLY BEFORE SIGNING

I hereby acknowledge that I am aware that the various applicable Town and county agencies review each zoning application and proffer comments that may affect its scheduling and outcome. These comments sometimes include requirements for an additional public hearing and/or the preparation and execution of agreements to run with the land which are recorded, prior to scheduling. I understand that it is my responsibility as the applicant or applicant's representative to promptly follow through with the compliance of requirements or to advise the Town Manager in writing if the application will not go forward and may be considered withdrawn. Contact with the Town Planner is advised during the hearing process.

**Fees:** Further I understand that the hearing fees paid at the time of filing may not be the total cost of the hearing, that I will be advised of the following fees which must be paid promptly: deferral or re-advertising fee (if applicant requests deferral), revision fee, and/or other fees assessed for changes or additions to the hearing application or plans.

**Permit Requirements:** I also understand that the Florida Building Code may contain requirements that affect my ability to obtain a required building permit for my project, even if my zoning application is approved at public hearing. I am aware that a Building Permit is required for all construction and that I am responsible for obtaining the required permits, all required inspections, and the Certificate of Use and Occupancy or Certificate of Completion for any and all structures and additions whether proposed or existing without permits. Additionally, I am aware that a Certificate of Use and Occupancy will result in the initiation of Enforcement action against the occupant and owner. I further understand that submittal of the Zoning Hearing application will not necessarily forestall enforcement action against the property.

Signature of Applicant (s) \_\_\_\_\_  
\_\_\_\_\_

Notary: Sworn to and subscribed before me  
this \_\_\_ day of \_\_\_\_\_ 200\_\_.

\_\_\_\_\_  
Notary Public — State of Florida

My Commission Expires:

OWNERSHIP AFFIDAVIT  
FOR  
INDIVIDUAL

STATE OF FLORIDA

Public Hearing No. \_\_\_\_\_

COUNTY OF MIAMI-DADE

Before me, the undersigned authority, personally appeared, hereinafter the Affiants, who being first duly sworn by me, on oath, depose and say:

1. Affiants are the fee owners of the property which is the subject of the proposed hearing.
2. The subject property is legally described as: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
3. Affiants understand 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

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

Sworn to and subscribed before me on the \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_. Affiant is personally known to me or has produced \_\_\_\_\_ as identification.

\_\_\_\_\_  
Notary  
(Stamp/Seal)

My Commission Expires: \_\_\_\_\_

Witnesses:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

Sworn to and subscribed before me on the \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_. Affiant is personally known to me or has produced \_\_\_\_\_ as identification.

\_\_\_\_\_  
Notary  
(Stamp/Seal)

My Commission Expires: \_\_\_\_\_

## REQUIRED DOCUMENTS

- A. Completed application form including all applicable owners' affidavits.
- B. Fees - A check, made out to the Town of Miami Lakes, for all applicable fees. See page #8 of application form for fee schedule.
- C. A letter describing the request in detail.
- D. The names and legal descriptions of all property owners within a radius of five (500') feet of the subject property on mailing labels. See attached sheet for specific instructions and names of local companies that prepare the required information.
- E. Color photographs of the property, buildings or structures. Digital photos may be included on disk in lieu of color prints.
- F. Certified survey of the property. The survey must be dated within 12 months of the application date by a surveyor registered in the State of Florida at a scale no greater than 1"=200', In compliance with the minimum requirements of Florida Statutes.
- G. Variance requests must submit two (2) copies of architectural plans, which show the proposal in detail, with the initial application. All other requests shall comply with the submittal requirements in Section 3.4 of the Town Code for Site Plan review. The plans shall be signed and sealed by an architect or engineer registered in the State of Florida. Once the Town Planning staff has determined that the application is ready for Town Council consideration, twelve (12) copies of all site plans and supporting documentations and one reduced set of plans (11" x 14") must be submitted before a public hearing can be scheduled. All full size plans are to be folded to 9" x 12" size by the applicant. The Town Planner may waive some of the required architectural plans or require additional plans or documentation depending on the type of application requested.

### **VARIANCE REVIEW CRITERIA**

In order for the Town Council to authorize any variance from the terms of the Land Development Code, the variance request(s) must comply with the following:

- a. Variance Consistent with Authorized Powers. That the variance is in fact a variance as set forth in the Land Development Code and within the province of the Town Council.
- b. Existence of Special Conditions or Circumstances. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district.
- c. Conditions Not Created by Applicant. That the special conditions and circumstances do not result from the actions of the Applicant.
- d. Special Privileges Not Conferred. That granting the variance requested will not confer on the Applicant any special privilege that is denied by this Land Development Code to other similarly situated lands, buildings, or structures in the same zoning district.
- e. Hardship Conditions Exist. That literal interpretation of the provisions of this Land Development Code would deprive the Applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the Land Development Code and would work unnecessary and undue hardship on the applicant. The purchase of property which is an illegal nonconformity with this Land Development Code shall not be considered a hardship for granting of a variance, nor shall conditions peculiar to the property owner be considered.
- f. Only the Minimum Variance Granted. That the variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure.
- g. Not Injurious to Public Welfare or Intent of the Land Development Code. That the grant of the variance will be in harmony with the general intent and purpose of the Comprehensive Plan and this Land Development Code and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

**Notwithstanding the criteria above, should the Town Council by extraordinary (5 votes) vote determine that the variance is justified by practical difficulty on the part of the applicant, and no objections from adjoining or directly affected property owners have been filed to the application, a variance may be approved as requested or approved with conditions.**

**NOTICE TO ALL APPLICANTS REQUIRING A PUBLIC HEARING FOR  
PROPERTY LOCATED WITHIN THE TOWN OF MIAMI LAKES**

The Code of the Town of Miami Lakes requires that when a public hearing is being held on a property, all property owners within five hundred (500) feet of the subject property, including the subject property itself, must be notified of the public hearing.

**It is the responsibility of the applicant to provide the Town with the following information in order to provide notice to all affected property owners within 500 feet of the subject property.**

1. Two (2) copies of a list, on gummed labels, with the names and addresses of all property owners of land located within a 500 ft. radius of the exterior boundary of the subject property. These labels are for mailing purposes. If the subject property constitutes only a portion of a contiguous ownership parcel, the exterior boundary from which the 500 ft. radius is to be projected will be the exterior boundary of the entire contiguous ownership parcel. **(Note: Labels can be no older than six (6) months by the time the public hearing is heard.)**
2. Two (2) copies of a list with the legal description of land owned by each property owner (lot number, block number and subdivision).
3. Two (2) copies of a map of the subject area showing the 500 ft. radius, with the subject property highlighted.
4. Original certified letter plus one (1) copy stating that the ownership list, map and mailing labels are a complete and accurate representation of the real estate property and property owners within 500 ft. of the subject property. This letter must be dated and give the address of the subject property and its legal description, subdivision and plat book number and page. Also state the source for this information. (If done by a professional data research company, the preceding information should automatically be included. If done by the applicant, this letter must be signed by the applicant and notarized.)

**In addition, in order to defer mailing costs, there is a fee of \$0.60 per mailing address.**

The following are names and telephone numbers of local companies which the town believes are capable of producing the required mailing labels and accompanying maps, legal descriptions and certified letter for this application requirement:

FLORIDA REAL ESTATE DECISIONS	(305) 757-6884
CONSUELO QUINTANA	(305) 858-2287
CARLOS J. MARADIAGA	(305) 207-1412
LOPEZ DATA RESEARCH	(305) 981-9893
ZONING SPECIALIST GROUP	(305) 828-1210

The Town of Miami Lakes does not claim responsibility for the accuracy or timely acquisition of the information provided by the aforementioned companies listed above.

Please note that there may be other qualified companies that provide this service. If you select such a company, its submission must meet the same standards as those listed above.

If you have any questions on the above requirements please call the Miami Lakes Town Hall at (305) 364-6100, weekdays between the hours of 8:30 a.m. and 5:00 p.m.

## **Application Fees for Planning and Zoning Approvals**

### **1. Variances**

A. Administrative	\$150
B. Public Hearing	
Individual S. F. Residential Property:	\$350 plus mail notification costs
Two Family Residential:	\$350 plus mail notification costs
Individual Townhouse:	\$350 plus mail notification costs
Multi-Family:	\$1100 plus mail notification costs
Commercial and Industrial:	\$1700 plus mail notification costs
Signs:	\$1100 plus mail notification costs
All Others:	\$1100 plus mail notification costs

### **2. Site Plan Review**

A. Administrative	
Single Family, Two Family, Townhouse	\$50
All Others	\$350
B. Public Hearing	
Appeal of an Administrative Site Plan Decision	\$350 plus mail notification costs
Single and Two Family Residential:	\$350 plus mail notification costs
Individual Townhouse:	\$350 plus mail notification costs
All others:	\$1100 plus mail notification costs

**3. Conditional Uses** \$1100 plus mail notification costs

**4. Extension of Time on a Development Approval** \$250 plus mail notification costs

### **5. Modification / Deletion of an Existing Resolution**

Single Family, Two Family, Individual Townhouse	\$250 plus mail notification costs
All others	\$750 plus mail notification costs

**6. Amend Comprehensive Plan, Land Use Map or Text of Land Development Regulations** Cost Recovery

**7. Change of Zoning** Cost Recovery

### **8. Plats**

A. Preliminary & Final Plat	Cost Recovery
B. Waiver of Plat / Lot Split	\$150

**9. Appeal of an Administrative Decision** \$1100 plus mail notification costs

**10. All Other Public Hearings Not Listed Above** \$1100 plus mail notification costs

**11. Development Agreements** Cost Recovery

#### **Note:**

All requests that are the result of a violation or an after-the-fact request shall incur a 25% surcharge.

All public hearings require a mail notification within a required radius around the subject property. The applicant must supply the list of property owners along with the public hearing application. The zoning hearing application lists numerous private companies that can prepare a certified list of the required of property owners. In addition to the above fees there will be a mailing fee of .60¢ per address within the required radius.

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

CORPORATION NAME: \_\_\_\_\_

NAME AND ADDRESS: _____	Percentage of Stock
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

If a TRUST or ESTATE owns or leases the subject property, list the trust beneficiaries and 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: \_\_\_\_\_

NAME AND ADDRESS: _____	Percentage of Interest
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

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

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: \_\_\_\_\_

NAME AND ADDRESS: _____	Percent of Ownership
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

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 corporation, trusts, partnerships, or similar entities, further disclosure shall be made to identify natural persons having 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 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.

Signature: \_\_\_\_\_  
(Applicant)

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, Affiant

is personally known to me or has produced \_\_\_\_\_ as identification.

\_\_\_\_\_  
(Notary Public)

My commission expires \_\_\_\_\_

\* 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 or 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 percent (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 interests which exceed five percent (5%) of the ownership interests in the partnership, corporation, or trust.

OWNERSHIP AFFIDAVIT  
FOR  
TRUSTEE

STATE OF \_\_\_\_\_

Public Hearing No. \_\_\_\_\_

COUNTY OF \_\_\_\_\_

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

1. Affiant is the Trustee of the Trust which owns the property which is the subject of the proposed hearing.
2. Affiant is legally authorized as Trustee to apply for the proposed hearing.
3. The subject property is legally described as: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
4. 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 \_\_\_\_\_, 200\_\_. Affiant is personally known to me or has produced \_\_\_\_\_ as identification.

\_\_\_\_\_  
Notary Public, State of \_\_\_\_\_

My Commission Expires:

\_\_\_\_\_  
Print Name

OWNERSHIP AFFIDAVIT  
FOR  
CORPORATION

STATE OF FLORIDA

Public Hearing No. \_\_\_\_\_

COUNTY OF MIAMI-DADE

Before me, the undersigned authority, personally appeared, hereinafter the Affiants, who being first duly sworn by me, on oath, depose and say:

1. Affiants are the fee owners of the property which is the subject of the proposed hearing.
2. The subject property is legally described as: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
3. Affiants understand 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

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

Sworn to and subscribed before me on the \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_. Affiant is personally known to me or has produced \_\_\_\_\_ as identification.

\_\_\_\_\_  
Notary  
(Stamp/Seal)

My Commission Expires: \_\_\_\_\_

Witnesses:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

Sworn to and subscribed before me on the \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_. Affiant is personally known to me or has produced \_\_\_\_\_ as identification.

\_\_\_\_\_  
Notary  
(Stamp/Seal)

My Commission Expires: \_\_\_\_\_