



VILLAGE OF KEY BISCAYNE

Department of Building, Zoning, Planning and Public Works

88 West McIntyre Street, Suite 250

Phone (305) 365-5512

Key Biscayne, FL 33149

Fax (305) 365-5556

www.keybiscayne.fl.gov

PLANNING AND ZONING APPLICATION

(Application is nine pages. Please fill out completely.)

Date Filed: _____

File #: _____

(to be completed by Staff)

1. REQUEST FOR:

- SUPERVISORY VARIANCE
- ADMINISTRATIVE VARIANCE
- REGULATORY VARIANCE
- APPEAL OF AN ADMINISTRATIVE DECISION
- SITE PLAN APPROVAL
- OTHER

- AMENDMENT TO ZONING ORDINANCE
- CONDITIONAL USE
- AMENDMENT TO THE MASTER PLAN
- ZONING DISTRICT CHANGE

Explain your request:

2. Street Address of Property: _____

Legal Description: Lot(s) _____ Block _____

Subdivision: _____

3. Name of Applicant: _____

Mailing Address of Applicant: _____

Business Telephone: _____ Home: _____ Fax: _____

Email: _____

4. Name of Property Owner if Different from Applicant: _____

Address of Property Owner if Different from Applicant: _____

Business Telephone: _____ Home: _____ Fax: _____

Email: _____

5. Contact Person: Name _____ Address: _____
 Telephone: _____ Fax: _____ Email: _____
6. Name/address of anyone else who should receive notice of the hearing?

7. If applicant is owner, indicate date purchased: _____
8. If applicant is lessee, indicate date leased _____ Years _____
9. Is there an option to purchase the property? Yes () No ()
10. Is the request the result of a violation notice? ____ If yes, attach a copy of the violation.
11. Existing use of property _____. If residential, how many apartments ____?
 Hotel units ____? If commercial, how many sq. ft. in your space _____?
 Single family home? Yes () No ()
12. If this application pertains to an Appeal of an Administrative Decision, indicate the basis of the appeal. (If necessary attach additional explanation.)

13. If this is a request for a variance, the Code requires that you substantiate why this request should be granted. In order to do this properly, please indicate how your request complies with the following standards:
- a. Maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community.

- b. Is compatible with the surrounding land uses and would not be detrimental to the community.

14. If this is a request for any other type of application, please see staff for a listing of the evaluation criteria.
15. All supporting data and exhibits submitted with this application become a permanent part of the public records.

SUPERVISORY VARIANCES ONLY

The Supervisory procedure requires the nearest abutting property owner to approve your request and your certification that the work was not performed by you. Your signature on this application constitutes your certification that you did not perform the work. The next step is to request the nearest property owner to sign below or provide a letter approving your request. Their signature certifies that they have read this application and approves of the request.

ABUTTING PROPERTY OWNER AFFIDAVIT

I, the undersigned, have read or have had read to me the information applicable for a request for a Supervisory Variance from the Zoning Regulations. I fully understand that by subscribing my name to the below consent form that I am waiving any objection to the proposed construction as outlined above and as shown on the plans accompanying this application. I further certify that I have subscribed my name freely and without any duress or apparent misrepresentation on the part of the applicant.

Date	Name (Type or Print)	Address	Signature

ADMINISTRATIVE VARIANCES ONLY

The Administrative Variance procedures require all abutting property owners to approve your request. The attached map will assist you in identifying who must sign the below petition. It is suggested you meet with staff prior to circulating your petition.

ABUTTING PROPERTY OWNER AFFIDAVIT

I, the undersigned, have read or have had read to me the information applicable for a request for and Administrative Variance from the Zoning Regulations. I fully understand that by subscribing my name to the below consent form that I am waiving any objection to the proposed construction as outlined above and as shown on the plans accompanying this application. I further certify that I have subscribed my name freely and without any duress or apparent misrepresentation on the part of the applicant.

Date	Name (Type or Print)	Address	Signature

Date	Name (Type or Print)	Address	Signature

Date	Name (Type or Print)	Address	Signature

Date Name (Type or Print) Address Signature

Date Name (Type or Print) Address Signature

Date Name (Type or Print) Address Signature

If you need additional signatures please use the above format.

CERTIFICATION OF COMPLIANCE WITH APPLICABLE REGULATIONS

(I) (We) certify that (I) (we) understand and will comply with the provisions and regulations of the Zoning Regulations. (I) (We) further certify that the above statements and drawings made on any paper or plans submitted herewith are true to the best of (my) (our) knowledge. (I) (We) understand that the application and attachments become part of the official records of the Village and are not returnable.

Signature of Applicant: _____ Date _____

Signature of Owner: _____ Date _____

Application Received by: _____ Date _____

Approved by: _____ Date _____

AFFIDAVITS

Complete one or more of the following that relates to your request.

Tenant or Owner Affidavit (if tenant is applicant then owner must sign owner/power of attorney affidavit)

I, _____, being first duly sworn, depose and say that I am the owner/tenant of the property described herein and which is the subject matter of the proposed hearing; that all the answers to the questions in this application and all supplemental data attached to and made a part of the application are honest and true to the best of my knowledge and belief.

I, _____, hereby authorize the staff of the Village of Key Biscayne to enter my property for the purpose of inspecting the property and posting a NOTICE OF PUBLIC HEARING on my property and I take the responsibility of removing this notice after the date of hearing. I also authorize members of the Village Council to inspect my property. I understand these inspections are necessary to permit staff and members of the Village Council to perform their responsibilities as required by the Zoning Ordinance.

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

Signature of Applicant

Sworn to (or affirmed) and subscribed before me this
____ day of _____, by _____.

Name of person making statement _____
Signature of Notary Public - State of Florida

Print, Type, or Stamp Commissioned Name of Notary Public

Personally Known _____ OR Produced Identification _____
Type of Identification Produced _____

Corporation Affidavit

I, _____, being first duly sworn, depose and say that we are the President/Vice President, and Secretary/Ass't. Secretary of the aforesaid corporation, and as such, have been authorized by the corporation to file this application and all supplemental data attached to and made a part of this application are honest and true to the best of our knowledge and belief; that said corporation is the owner/tenant of the property described herein and which is the subject matter of the proposed hearing.

I, _____, hereby authorize the staff of the Village of Key Biscayne to enter my property for the purpose of inspecting the property and posting a NOTICE OF PUBLIC HEARING on my property and I take the responsibility of removing this notice after the date of hearing. I also authorize members of the Village Council to inspect my property. I understand these inspections are necessary to permit staff and members of the Village Council to perform their responsibilities as required by the Zoning Ordinance.

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

Signature of President (Corp. Seal)

Sworn to (or affirmed) and subscribed before me this
____ day of _____, by _____.

Name of person making statement _____
Signature of Notary Public - State of Florida

Print, Type, or Stamp Commissioned Name of Notary Public

Personally Known _____ OR Produced Identification _____
Type of Identification Produced _____

Owner/Power of Attorney Affidavit

I, _____, being duly sworn, depose and say that I am the owner of the described real property and that I am aware of the nature and effect the request for: _____

_____ relative to my property, which is hereby made by me OR I am here by authorizing _____ to be my legal representative before the Village Council.

I, _____, hereby authorize the staff of the Village of Key Biscayne to enter my property for the purpose of inspecting the property and posting a NOTICE OF PUBLIC HEARING on my property and I take the responsibility of removing this notice after the date of hearing. I also authorize members of the Village Council to inspect my property. I understand these inspections are necessary to permit staff and members of the Village Council to perform their responsibilities as required by the Zoning Ordinance.

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

Signature of President (Corp. Seal)

Sworn to (or affirmed) and subscribed before me this
____ day of _____, by _____.

Name of person making statement _____

Signature of Notary Public - State of Florida

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PLANNING AND ZONING APPLICATION

Submission Requirements

All plans must contain the following information:

1. Copies of plans: 2 copies 24" x 36" and 1 copy 8.5" x 11", each signed and sealed.
2. A current survey. The Building, Zoning, Planning and Public Works Director will determine if the age of the survey is not acceptable.
3. Site plan showing the location of all proposed structures.
4. Elevations for the entire structure(s).
5. Plans must be fully dimensioned and properly scaled.
6. Number of units, floor area ratio, setbacks, parking spaces, lot coverage, pervious area, building height, existing/proposed floor elevations, and landscape plan must be submitted. The Building, Zoning, Planning and Public Works Director may require additional information to be submitted or waive or modify the submission requirements.
7. For all applications except Administrative Variances, all property owners within 300 ft. of any property line must be notified of any request. The applicant is required to provide the Department with:
 - a. Two (2) copies of the mailing list (on gummed labels) with the addresses.
 - b. One (1) list with the legal descriptions
 - c. One (1) map of the subject area showing the properties within 300 ft. of the subject property highlighted.
 - d. A letter signed by the individual who prepared items 1-3 above certifying the accuracy of the mailing list.

The following companies are familiar with the Village's requirements for preparing the mailing list. They are provided as a courtesy and are not endorsed by the Village. The Village does not claim responsibility for the accuracy or timely acquisition of the information provided by these companies.

Carlos J. Maradiaga	(305) 207-1412
Consuelo Quintana	(305) 858-2287
Florida Real Estate Decisions	(305) 757-6884
Lopez Data Research	(305) 981-9893
Rio Development Services	(305) 498-1614

8. Color photographs of existing structures on the property.

FEE SCHEDULE

At the time of filing an application, the appropriate fee must be paid. The amount of the fee is based on the below schedule (calculation of the fee is cumulative for each line item):

1. Base application fee for any type of application (double the base fee if the application is the result of a violation).

Supervisory Variance (any type of use)	\$ 150.00
Single family and duplex (Administrative and Regulatory Variance)	\$ 400.00
Multiple Family (Administrative and Regulatory Variance)	\$ 800.00
Commercial and Hotel (Administrative and Regulatory Variance)	\$ 900.00
Site Plan Review Fees	
Administrative Review	\$ 500.00
Village Council Review	\$1,500.00
Appeal of an Administrative Decision	\$1,000.00
Amendment to the Zoning and Land Development Regulations	\$3,000.00
Change of Zoning District	\$1,500.00
Amendment to the Comprehensive Plan	\$3,000.00
Change of Land Use in the Comprehensive Plan	\$3,000.00

- | | | |
|--|---|-------------|
| 2. Advertising fee if notice in a newspaper | | |
| a. published in the Village | | Actual Cost |
| b. published in a newspaper that meets the requirements of Chapter 163 of Florida Statutes | | Actual Cost |
| 3. Mailing fee: | | Actual Cost |
| 4. Size of property | \$ 100.00 per 10 acres or any fraction thereof | |
| 5. Number of hotel or apartment units | \$ 150.00 per 15 units or any fraction thereof | |
| 6. Size of buildings - non residential only | \$ 150.00 per 5,000 sq. ft. or any fraction thereof | |

APPEALS OF VILLAGE COUNCIL DECISIONS

For every application for an appeal of a decision by the Village Council, there shall be paid to the Building, Zoning, Planning and Public Works Department, for the processing for each and every application, a fee of six hundred dollars (\$600.00), to be paid at the time of application. Site plan modification, where permitted, to appeal requests will be processed at an additional cost of six hundred dollars (\$600.00).

PREPARATION OF CERTIFIED RECORD FOR COURT

For the purpose of court appeals, herein the Director for the Building, Zoning, Planning and Public Works Department is requested to make available the record upon which the decision of the Council is based, there shall be paid to the Development Services Department, for the preparation of a certified copy for the record, a fee of three hundred dollars (\$300.00) to be paid at the time of request.

SCHEDULE OF MEETING DATES AND FEE SCHEDULE

All meetings are held at 7:00 PM in the Village of Key Biscayne Council Chamber at 560 Crandon Boulevard (Rear of Fire Rescue Station), Key Biscayne, Florida (unless noted otherwise). Please contact the Building, Zoning, Planning and Public Works Director to determine filing deadlines and meeting dates.