

# Administrative Adjustment

Miami-Dade County Department of Regulatory and Economic Resources  
Development Services Division



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**In General** Please read carefully and comply with all instructions to avoid an incomplete application. Incomplete applications will not be accepted.

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**Filing** **In Person** Applications may be filed in person with the Application Intake Section of the Miami-Dade County Department of Regulatory and Economic Resources, located on the 11th floor of the Stephen P. Clark Center, 111 NW First Street. Appointments are required to file an application in person and can be scheduled between 9 a.m. and 3 p.m., Monday - Friday. To schedule an appointment, please call (305) 375-2640.

**Online** Applications may be filed online at [https://energov.miamidade.gov/EnerGov\\_Prod/SelfService#/home](https://energov.miamidade.gov/EnerGov_Prod/SelfService#/home) First time users will need to create an account. The same information and materials required when filing in person are required to be submitted online.

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**Appointments** Applicants are encouraged to schedule an appointment prior to filing to obtain information on the administrative adjustment 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. To schedule an appointment, please call (305) 375-2640.

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**Limitations and Exclusions** Administrative adjustments to setback, lot coverage, and building spacing requirements for single family residential, duplex, townhouse and accessory residential uses located in RU and EU districts, and for single family residential and accessory residential uses in the AU or GU districts, may be approved, if they do not exceed requirements of the underlying zoning district for the following:

- That the setback proposed is not reduced by **more than 50%**.
- That the lot coverage and/or rear yard coverage is **not increased by more than 10%**.
- That the spacing between structures be **no less than 5 feet**.

Administrative adjustment approvals shall be limited to those lots within an area where at least seventy-five (75) percent of the lots in the immediate vicinity, as defined in section 33-1(58.1), have already been developed or platted.

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**Decision** In granting the adjustment, the Director must find:

- That the adjustment will be in harmony with the general appearance and character of the community and does not increase density of the site.
- That the adjustment will not be injurious to the area involved or otherwise detrimental to the public welfare.
- That the proposed addition is designed and arranged on the site in a manner that minimizes aural and visual impact on the adjacent residences while affording the applicant a reasonable use of the land.

A copy of the decision will be published in a newspaper of general circulation. All decisions will become effective 15 days after the Director's decision is published in a newspaper of general circulation, unless an appeal is filed.

In granting any Administrative Adjustment, the Director may prescribe any appropriate conditions. The decision of the Director will be recorded on the official zoning maps of Miami-Dade County.

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**Consent Form** Written waivers of objection to the application from property owners ADJACENT/ABUTTING the subject property **are required and must be submitted** as a part of the application. **The consent page must reflect the applicant's reasons for requesting an Administrative Adjustment.** Waivers must indicate that the signer knows and agrees to that which the applicant is requesting and must contain the name and address of the Waiver's Property. **Signatures must be received**

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**Consent Form  
(continued)**

**from all adjacent/abutting neighbors including owners of vacant, commercial, and industrial lots.** The signed consent of all contiguous property owner(s) and those immediately across the street(s) from the subject site, shall be submitted by the applicant on the consent page and on the site plan submitted for consideration. Said consent shall not be required when a separating public right-of-way measures 70 feet or greater, nor shall consents be required when a body of water completely separates the subject parcel from another parcel.

In the absence of any signature from an abutting/adjacent neighbor, the applicant may submit proof that an attempt was made to contact the owner by mailing a letter via certified mail to the name(s) and mailing address shown in the Miami-Dade County Tax Appraiser's record at least 90 days prior to filing the Administrative Adjustment. The applicant must submit the return receipt showing the date returned, a copy of the letter and site plan sent to the neighboring property owner advising in detail what is being requested in the Administrative Adjustment, requesting response and advising that failure to respond will result in waiving objection. Applicant must state in the letter of intent full details of what they mailed and what response, if any was received. If the letter is returned as rejected, it will not count as a waiver of objection. **Failure to obtain any required signature will nullify the Administrative Adjustment application. You may apply for a Zoning Hearing in that event.**

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**Appeal of  
Administrative  
Decision**

Pursuant to the provisions of §33-36.1, the applicant or any aggrieved property owner in the area may appeal the decision of the Zoning Director to the Community Zoning Appeals Board within 15 days after the Director's decision is published in a newspaper of general circulation. If appealed, the applicant must file a new Zoning Hearing application with the Zoning Hearing Section to be heard by the Miami-Dade County Community Zoning Appeals Board for the area in which the property lies. (Appeal of Administrative Adjustment Decision).

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**Submittal  
Requirements**

All exhibits (data submitted in connection with application) including plans, become a permanent part of the zoning records of Miami-Dade County and will not be returned to the applicant. All required exhibits must be submitted with the application, or the application will be considered incomplete and will not be accepted. See applicant's checklist below.

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# Applicant's Checklist

The following items must be submitted with any administrative adjustment application:

- Completed application using this form. Substitution of official application will not be accepted.
- Application fees. At the time of filing of the zoning application, a filing fee is required to cover the cost of processing the application and advertisement. If the applicant is in violation of the zoning regulations an additional fee is required. Personal checks, money orders, or cashier's checks should be made out to: Miami-Dade County. Only checks with pre-printed information will be accepted.
- Letter of Intent. All applications must be accompanied by a letter of intent describing the adjustment and why the request(s) should be approved. Signature of the applicant is required. If you are seeking a reasonable accommodation under the Americans with Disabilities Act or the Fair Housing Act, you may indicate as such in your letter of intent.
- Plan Requirements. All plans to be submitted shall contain a title block identifying the development or project, the name, title and official seal of person preparing plan, the state of preparation, scale of drawing, and property address. Plans shall be drawn on paper of adequate size (minimum suggested 11" X 17").
- Site Plans must show the complete property, have property lines labeled, show all site dimensions, indicate the sizes and uses of existing and proposed buildings, show spacing distance between building and accessory structures, show all setback distance from all buildings and accessory structures to all property lines, show individual parking spaces, access drives, existing and proposed right-of-way dedications and public or private streets measured to the centerline of the streets. The general location and distance to existing structures on adjacent property nearest to addition for which this adjustment is requested.
- Floor Plans (must identify all rooms, indicate dimensions of each and show internal connectivity).
- Building Elevations (drawing must show number of stories and height to top of roof, type of window and wall finishes).
- Boundary Survey (signed and sealed required with every application, **not older than 1 year**. Must show all structures and rights-of-way).
- Consent Form. Written waivers of objection to the application from property owners adjacent/abutting the subject property are **required and must be submitted as a part of the application. The consent page must reflect the applicant's reasons for requesting an Administrative Adjustment**. Waivers must indicate that the signer knows and agrees to that which the applicant is requesting and must contain the name and address of the Waiver's Property. **Signatures must be received from all adjacent/abutting neighbors including owners of vacant, commercial, and industrial lots.**
- Photographs of the property, including front, rear and both sides of all structures.

# Administrative Adjustment Application

Miami-Dade County Department of Regulatory and Economic Resources  
Development Services Division

Date Stamp Received

## Applicant Information

NAME OF APPLICANT (Owner(s) of record of the property. If the applicant is a corporation, trust, partnership, or like entity, a 'Disclosure of Interest' is required):

\_\_\_\_\_

PROPERTY FOLIO: \_\_\_\_\_

APPLICANT'S MAILING ADDRESS, TELEPHONE NUMBER, E-MAIL:

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

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ Phone no.: \_\_\_\_\_

Fax no.: \_\_\_\_\_ E-mail: \_\_\_\_\_

OWNER'S NAME, MAILING ADDRESS, TELEPHONE NUMBER:

Owner's Name (Provide name of all owners):

\_\_\_\_\_

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

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ Phone no.: \_\_\_\_\_

Fax no.: \_\_\_\_\_ E-mail: \_\_\_\_\_

CONTACT PERSON/APPLICANT'S REPRESENTATIVE INFORMATION:

Name: \_\_\_\_\_ Company: \_\_\_\_\_

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

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ Phone no.: \_\_\_\_\_

Fax no.: \_\_\_\_\_ E-mail: \_\_\_\_\_

## Subject Property Legal Description

Provide complete legal description, i.e., lot, block, subdivision name, plat book and page number, or metes and bounds. Include section, township, and range:

\_\_\_\_\_

\_\_\_\_\_

**Address or Location of Property** For location, use description such as NE corner of, etc.:  
\_\_\_\_\_  
\_\_\_\_\_

**Size of Property** In acres: \_\_\_\_\_

**Present Zoning** \_\_\_\_\_  
\_\_\_\_\_

**Notice of Violation** Is this application a result of a violation notice? no  yes . If yes, provide name to whom the violation notice was served and describe the violation:  
**(Pursuant to Section 8CC-7 no zoning action may be approved for any named violator with (i) unpaid civil penalties; (ii) unpaid administrative costs of hearing; (iii) unpaid County investigative, enforcement, testing, or monitoring costs; or (iv) unpaid liens, any or all of which are owed to Miami-Dade County pursuant to the provisions of the Code of Miami-Dade County, Florida.)**  
\_\_\_\_\_  
\_\_\_\_\_

**OWNER AFFIDAVIT**

I have made every attempt to relocate/redesign the structure to avoid the adjustment(s) that are herein requested. I acknowledge that the Director of the Department of Regulatory and Economic Resources has the authority to approve, modify, or deny my application and that in granting approval of my application the Director may prescribe any appropriate conditions and safeguards necessary to protect and further the interest of the area and abutting properties.

I, \_\_\_\_\_ being first duly sworn, depose and say that I am the legal owner of record of the property described and which is the subject of the proposed adjustment application. This affidavit is subject to penalties of law (Perjury) and to voiding any Administrative Decision.

Sworn to and subscribed to before me \_\_\_\_\_ Signature

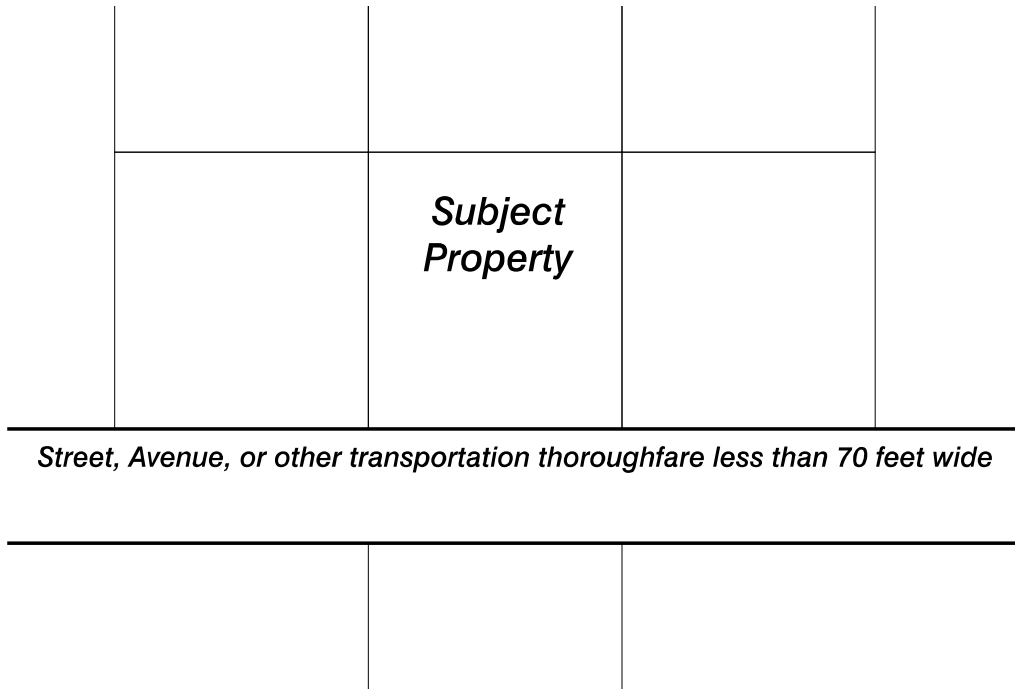
This \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_  
\_\_\_\_\_  
Notary Public

Commission expires: \_\_\_\_\_

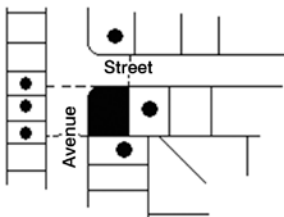


**Abutting/Adjoining Properties**

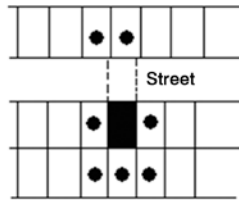
In the below diagram provide the name and addresses of all abutting owners in relation to the subject property. If this diagram is not suitable for the subject property, provide a more specific sketch and attach to the application. See the alternate examples at the bottom of this page.



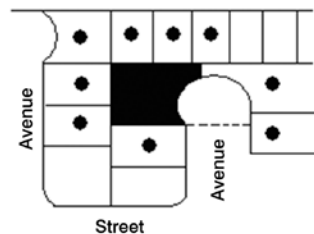
The below examples depict typical situations which may apply to the subject property, shown in black; dots [•] indicate the required signatures from abutting/adjoining properties.



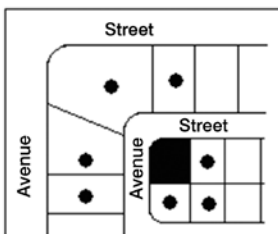
*Example 1*



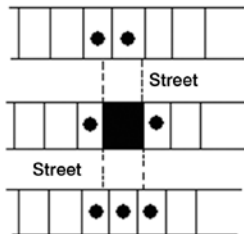
*Example 2*



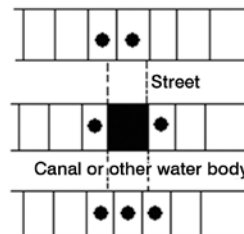
*Example 3*



*Example 4*



*Example 5*



*Example 6*

**Site Plan Notice/  
Consent**

Consenting neighbors must sign the front side of the site plan where adjustments requested are clearly visible. Signatures on the back side of the plan are not acceptable. Reproduce the example text below on the required site plan.

*[This is only an example. Do not sign on this page]*

We the neighbors, have no objection to these plans, which are being submitted for an Administrative Adjustment Application.
Signature and Date _____
Signature and Date _____
Signature and Date _____
Signature and Date _____
Signature and Date _____
Signature and Date _____

# Consent Form

Please be aware that this is a legally binding document and all requested adjustments must be stated clearly prior to acquisition of signatures.

(I) (WE), \_\_\_\_\_, have applied for an Administrative Adjustment to the Director of the Miami-Dade County Department of Regulatory and Economic Resources, to permit

We, the undersigned property owners, have read (or have had read to us) the information applicable to the request for and Administrative Adjustment from the Zoning Code as applied to the unincorporated area of Miami-Dade County and fully understand that by subscribing my name to consent form, 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 to this form and the plans accompanying this application.

Name (Type or Print)	Address	Date
	Signature	

Name (Type or Print)	Address	Date
	Signature	

Name (Type or Print)	Address	Date
	Signature	

Name (Type or Print)	Address	Date
	Signature	

Name (Type or Print)	Address	Date
	Signature	

Name (Type or Print)	Address	Date
	Signature	





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## Administrative Adjustment Fee Schedule

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<b>Administrative Adjustment Fee</b>	770.00	
For any application where a VIOLATION exists, an additional fee shall be assessed	293.55	
Administrative Adjustment Advertisement Fee (publication of general distribution)	54.00	
Web Document Fee	25.75	
	7.5% Surcharge	
	<b>Total</b>	
<b>Revision fee</b>		
Revision fee (first revision no charge, payment required for each revision thereafter)	250.00	
<b>Extension fee</b>		
Applications dormant for 120 days	150.00	

*Note: The applicant cannot appeal an Administrative Adjustment decision but may file for a Public Hearing.*

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*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.*

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This form is available online at [www.miamidade.gov/zoning/forms.asp](http://www.miamidade.gov/zoning/forms.asp)

FORM REVISION 2019/3