

Administrative Modification

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



Pre-Application

Applicants are required to attend a pre-application meeting prior to filing a request for Administrative Modification. During the pre-application process, you will be given information on the zoning process and review plans for deficiencies. At the time of filing, you will be required to provide your assigned pre-application number and package that includes the letter indicating you have completed a pre-application meeting. **Incomplete applications will be rejected.** Please contact the Development Services Division at 305-375-2640 for more information.

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 needed to file an application 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. 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.

Appointments

Applicants may meet with Development Services staff prior to filing to obtain information on the administrative modification filing requirements and to go over completed applications and forms. It is important to ensure applications are complete and in order at the time of filing. Appointments are needed for pre-filing meetings and can be scheduled between 9 a.m. and 3 p.m., Monday - Friday. To schedule an appointment, please call 305-375-2842.

File Processing Steps

Within 21 days of filing, Administrative Modification applications received by the Department are reviewed and a deficiency letter or approval letter is prepared. If during the review, problems are found with the documents and plans submitted, the applicant will be sent a deficiency letter within 21 days of filing. The file will be placed on hold and will not be processed further until the applicant responds to the deficiency letter. After the initial 21-day review, the applicant may modify the requests or plans. After the second resubmittal, additional review fees may be due. *Note: Expedite applications will be reviewed within 7 days of being deemed complete.*

Department Reviews

When the application is deemed complete it is distributed for review to other County agencies. All agencies are expected to provide written comments within 21 days of receipt of the application to avoid delays in processing the application (or seven days for expedite applications).

Supporting Documents

If the application involves a restrictive covenant, the application shall demonstrate that any procedural or other consent or approval requirements to modify or eliminate the restrictive covenant have been satisfied (Example: If the text of the covenant requires signatures from neighboring property owners, those signatures are required at time of filing).

Advertisement and Notices

Notice of Administrative Modification is mailed to all property owners within the same radius of the zoning hearing being modified. This notice advises the neighborhood of what the applicant is proposing and explains their options for supporting or objecting to the proposal. Additionally, an advertisement is published in the Miami Daily Business Review.

Questions

Applicants with questions related to filing an application, or the public hearing process, should call the Application Intake 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 305-375-1807.

Applicant's Checklist

The following items must be submitted with any Administrative Modification application:

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- Pre-application letter and attachments (if applicable).
 - Letter of Intent, detailing what is being requested and why the request(s) should be approved. If you are seeking a reasonable accommodation under the Americans with Disabilities Act or the Fair Housing Act, you may indicate this in your letter of intent.
 - Application filled out completely 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.
 - If the application is being filed pursuant to Section 33-310.1(A)(III), Modification or Elimination of Conditions and Restrictive Covenants Associated with Voluntarily Abandoned Zoning Actions, or Section 33-310.1(A)(IV) Modification or Elimination of Conditions and Restrictive Covenants that are Satisfied or Moot, the applicant must provide a **Sworn Affidavit** attesting to the provisions of that section.
 - If the application is being filed pursuant to Section 33-310.1(V), Modification or Elimination of Conditions and Restrictive Covenants When No New Adverse Impacts Will Result, the application must provide documentation to demonstrate compliance with applicable provisions of that section, and compliance with applicable zoning regulations.
 - If the application involves a Restrictive Covenant, the application shall demonstrate that any procedural or other consent or approval requirements to modify or eliminate the restrictive covenant have been satisfied.
 - One (1) folded standard set of plans as described below and an electronic version in flattened PDF format. Flattened PDFs are documents that do not have mark up or layers of any kind:
 - 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.
 - 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, 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).
 - Landscape Plans (including Landscape Legend and Certificate acknowledging compliance with the Landscape Ordinance). A tree survey is required if the lot contains existing trees and the survey must show the caliper and height of all existing trees.
 - Boundary Survey (signed and sealed required with every application, **not older than 1 year**. Must show all structures, rights-of-way, etc. and any municipal boundary, if any).
 - Legal description - must be accurate; and if lengthy, to be submitted in Microsoft Word format via e-mail, CD or other digital media, in addition to printed (hard) copy.
 - School Checklist - required for all day care centers and schools. In addition, the checklist must also be incorporated into the site plan.
 - An architectural approval letter (if required) from the homeowners' or condominium association for site plan changes for properties zoned RU-RH, RU-TH and cluster developments
 - Signage Plans: Show sign detail including sign dimensions, height and setback distance.
 - Application fees, including radius fees – the fees paid at time of filing may not be the total cost of the application. Application fees will be calculated at time of the pre-application (if required), otherwise during a pre-filing appointment. Radius fees for mailing notices to property owners within the radius of the subject property is dependent on the number of actual property owners which is determined by computer. Within 30 days of filing the application an invoice will be generated detailing the radius fee due.
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Administrative Modification Application

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

Expedite

Pre-Application No.: _____

Pre-Application Meeting Date: _____

Date Stamp Received

Applicant Information

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).

FOLIO(S) _____

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. 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 electronically in Microsoft Word:

Address or Location of Property

For location, use description such as NE corner of, etc.:

Size of Property

In acres: _____

Contiguous Property

Is contiguous property owned by the subject property owner(s)? no yes If yes, provide complete legal description of said contiguous property.

Date Property Acquired/Leased

acquired leased: _____ (month and year)

Lease term (years): _____

Option to Purchase

Is there an option to purchase or lease the subject property or property contiguous thereto? no yes (If yes, identify intended purchaser or lessee and complete 'Disclosure of Interest' form.)

Present Zoning

Development Proposed

If applicable:

Area of building(s) for non-residential uses: _____ square feet

Proposed residential units **OR** for application without a site plan, units permitted by the requested zoning district _____ units.

Application Requests

Check all that apply:

- Reformation of resolution to correct clerical or scrivener's error.
- Modification or elimination of conditions associated with voluntarily abandoned zoning actions.
- Modification or elimination of restrictive covenants associated with voluntarily abandoned zoning actions.
- Modification or elimination of conditions that are satisfied or moot.
- Modification or elimination of restrictive covenants that are satisfied or moot.
- Modification or elimination of conditions when no new adverse impacts will result.
- Modification or elimination of restrictive covenants when no new adverse impacts will result.
- Modification of conditions to extend timing or phasing deadlines.
- Modification of restrictive covenants to extend timing and phasing deadlines.

Zoning Action Requested to be Modified

Zoning Hearing Condition

Declaration of Restrictions

Zoning Hearing Condition for which the Modification or Reformation is being sought:

Resolution Number: _____

Declaration of Restrictions/Restrictive Covenant for which the Modification or Elimination is being sought:

Declaration of Restrictions Official Record (ORB) Numbers:

Book: _____ Page(s): _____

Date Recorded: _____

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(d) 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.)

Request

Describe the general nature of the request. Prove a detailed description in the Letter of Intent.

Describe Structures on the property

Existing Use

Is there an existing use on the property? no yes . If yes, what use and when was it established?

Comprehensive Development Master Plan (CDMP) amendment

Please indicate whether this property was subject to a recent Comprehensive Development Master Plan amendment. If so, please indicate the ordinance number:

Peak hour trip generation

Indicate the estimated peak-hour vehicle trips to be generated by the proposed application:

Administrative Modification Fee Schedule

Modification fees for all applications except Reformation of Resolution

Basic Fee		1,100.81	_____
Basic fee Expedite		1,651.22	_____
Basic fee (Violation)		2,201.63	_____
Basic fee (Violation) Expedite		3,302.45	_____
Size of Property Residential	per 10 acres or portion thereof	733.88	_____
Size of Property Non-Residential	per 10 acres or portion thereof	880.65	_____
Modify/Delete fee for each determination to be considered		1,467.75	_____
Site Plan Review Residential		1,467.75	_____
Site Plan Review Residential Expedite		2,201.63	_____
Site Plan Review Non-Residential		2,201.63	_____
Site Plan Review Non-Residential Expedite		3,302.45	_____
Number of Residential Units	per 15 units or portion thereof	366.94	_____
Size of Building Non-Residential	per 5,000 sq. ft. or portion thereof	293.55	_____

Additional RER fees

DERM		440.00	_____
DERM Expedite		660.00	_____
Platting and Traffic Review		500.00	_____
Platting and Traffic Review Expedite		750.00	_____
Web Document Fee		77.25	_____
		Subtotal	_____

Agency review fees, applies to above

Miami-Dade Fire Rescue (MDFR)		190.00	_____
MDFR. Expedite		285.00	_____
Traffic Plan Review**			_____
Traffic Impact Study Review**	** See Traffic Review Fee Schedule		_____

Total

Fees for Reformation of Resolution

Basic Fee		1,100.81	_____
Reformation Fee		1,467.75	_____
7.5% Surcharge			_____

Total

Additional radius fees will be determined and billed separately for those applications requiring mailed notices.

The notice fee is based on the number of notices to be mailed for the application and shall be charged at a rate of 73 cents per notice. This amount will be calculated and billed to the applicant unless the amount can be determined at time of filing. Mailed written notice shall be provided to all property owners of record, as listed on the Miami-Dade County Property Appraiser's tax roll as updated, within the same radius of the property as required to be noticed for the zoning action imposing, adopting or accepting the condition or restrictive covenant sought to be modified or eliminated, or such greater distance as the Director may prescribe.



Administrative Modification Fee Schedule (continued)

RER and other agency revision fees (first revision no charge, payment required for each revision thereafter)

Zoning	880.65	
DERM	220.00	
Platting and Traffic	400.00	
MDFR	70.00	
Extension fee – applications dormant for 120 days	150.00	

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 the Miami-Dade Fire Rescue Dept., Parks, Recreation and Open Spaces, and Transportation 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.

This form is available online at www.miamidade.gov/zoning/forms.asp

FORM REVISION 2019/3