

CITY OF MIAMI CLASS II SPECIAL PERMIT PROCEDURE

A Class II Special Permit is required where design, character, compatibility and specific uses and occupancies are related to planning policy.

Referrals shall be made to other officers, agencies, boards or departments as required by regulations relating to the particular special permit. Additional referrals may be issued as necessary before arriving at a final decision.

Section 1301.2., Zoning Ordinance 11000, as amended.

- 1** Obtain Class II Special Permit Zoning Referral from the Office of Zoning (4th floor). Complete section labeled **“COMPLETED BY APPLICANT”**.
- 2** Obtain from the Office of Zoning, the list of the NET Registered Neighborhood and Homeowners Associations and the City Commissioner for the district where the property is located.
- 3** Submit the completed Zoning Referral for a Class II Special Permit to a Zoning Plans Examiner (4th floor) to be finalized and sign by the Zoning examiner.
- 4** Submit the Zoning Referral to the Planning Department; Land Development Section, Class II Coordinator on the 3rd floor. The Class II Coordinator will provide general information and the Class II Special Permit list of requirements. You will be advised if your Class II needs to be reviewed by the Urban Development Review Board or the Historic Preservation Board and if additional information or plans are needed for their review. Class II Special Permit office hours are between 7:30 – 11:00 a.m.
- 5** Obtain payment information sheet from Class II Coordinator. Payment is made to “City of Miami” and submitted to the cashier located on the 4th floor. Bring payment information sheet along with receipt back to the Planning; Land Development Section on the 3rd floor. The original sheet and receipt must be turned in, and a copy will be issued for your records.
- 6** Once the application is reviewed by staff and Boards (if applicable) an Intended Decision may be issued. Please be advised that the applicant must comply with all conditions before a Final Decision is issued. Intended or Final Decisions will be issued in no less than thirty (30) days from date the Notification Letter was mailed, evidenced by the US Postal Service Certified Mail receipt. Applicants may contact the Class II Coordinator at 305 416-1400, for status of the application.
- 7** If the applicant is in disagreement with the conditions of the Intended Decision; the applicant has five (5) working days from the date of the Decision to request a meeting with the Planning Director to discuss the conditions and submit additional information in support of the applicant's position regarding the conditions. The Planning Director will take the additional information into consideration and issue a Final Decision.

Final Decisions can be picked-up from the Class II Coordinator at the Land Development Section of the Planning Department on the 3rd floor. Allow fifteen (15) calendar days for the appeal period to expire. If no appeal is filed, the Class II Special Permit becomes effective.

PLEASE NOTE THAT ALL CONDITIONS IDENTIFIED IN THE FINAL DECISION MUST BE COMPLIED WITH. Unless an extension is obtained, the applicant has one year to obtain a building permit before the Class II Special Permit expires.

Appeal Process

Applicants or other interested parties wishing to appeal a Final Decision may file a request with the Office of Hearing Boards located at City of Miami, Miami Riverside Center, 444 SW 2nd Avenue, 7th floor. Appeals are scheduled for hearing before the Zoning Board. Final Decisions can be appealed within fifteen (15) calendar days from the date of issuance.

**CITY OF MIAMI
CLASS II SPECIAL PERMIT
ZONING REFERRAL**

COMPLETED BY APPLICANT

OWNER _____ OWNER PHONE NUMBER _____

APPLICANT _____ APPLICANT PHONE NUMBER _____ / FAX NUMBER _____

APPLICANT ADDRESS _____ / ZIP CODE _____

BUILDING PERMIT APPLICATION NUMBER _____

COMPLETED BY ZONING PLANS EXAMINER

PROJECT NAME _____ PROJECT ADDRESS _____ / ZIP CODE _____ YEAR BUILT _____

PROPOSED USE _____ GROSS BUILDING AREA _____

NET AREA _____ ZONING DESIGNATION _____ APPLICABLE SECTION OF ZONING ORDINANCE _____ ATLAS SHEET _____

DETAILED DESCRIPTION OF PROPOSED WORK

CERTIFICATION

Pursuant to the fee schedule, a fee of \$ _____ shall be required prior to the review and issuance of this Class II Special Permit. Permit fees are non-refundable.

APPLICANT _____ DATE _____

The subject proposal has been reviewed by the Office of Zoning and it is found to require a Class II Special Permit pursuant to the above cited section(s) of Zoning Ordinance 11000, as amended, the Zoning Ordinance of the City of Miami, Florida.

ZONING PLANS EXAMINER _____ PRINT NAME _____ DATE _____

CLASS II COORDINATOR _____ PRINT NAME _____ DATE _____

A building permit for the purposes proposed herein, must be obtained within one (1) year from the issuance of the Class II Special Permit which expires unless an extension is requested.

Last Revised 6-04-09

**CITY OF MIAMI
CLASS II SPECIAL PERMIT
LIST OF ABUTTING PROPERTY OWNERS, NEIGHBORHOOD AND HOME
OWNERS ASSOCIATIONS**

At the time of initial application the applicant shall notify in writing, via U.S. Mail, Certified Return Receipt, all abutting property owners including those across a street or alley, the official representative of NET registered neighborhood and homeowner associations and the City Commissioner for the district where the property is located and the City of Miami Planning Department. All US mail receipts shall be submitted with the application.

If an abutting property is a condominium, only one (1) notice to the condominium association is required to be sent.

NAME & ADDRESS	NAME & ADDRESS	NAME & ADDRESS

Notice Instructions to Applicant

In order to submit an application for a Class II Special Permit to the Planning Department, please complete the attached Special Permit Notification Letter.

The description of the scope of work must be clear and detailed. The “Notification Letter” must be reviewed for approval as to content and signed by a staff member from the Office of Zoning and the Planning Department.

Within five (5) working days of mailing out Notification Letters, the applicant must submit their Class II application to the Planning Department. Failure to submit within the five (5) working days will result in the applicant having to reissue the Notification Letters.

Notification Letters that are mailed prior to being signed by the Office of Zoning and Planning Department will result in the applicant having to reissue the Notification Letters.

Approved “Notification Letters” must be mailed by applicant via U.S. Certified mail to the following recipients:

- All NET registered Neighborhood and Homeowner Associations within the NET District of the subject Property,**
- The Net office corresponding to the subject Property,**
- The Commissioner’s Office that corresponds to the subject Property; and**
- Property owners abutting* the subject property.**

Copies of all Notification Letters and the original stamped post office receipts must be submitted to the Planning Department along with your application for the Class II Special permit.

Failure to provide adequate notice may result in the applicant having to reissue the Notice Letters and delays in processing the applications.

**CITY OF MIAMI
CLASS II SPECIAL PERMIT
NOTIFICATION LETTER**

You are hereby notified that an application will be submitted by the below listed applicant to the Director of the City of Miami Planning Department for approval of a Class II Special Permit under the provisions of Articles 13 and 15 of the City of Miami Zoning Ordinance, for the following purpose:

NOTIFICATION TO: _____ DATE: _____

ADDRESS: _____

APPLICANT: _____

APPLICANT ADDRESS: _____

SUBJECT PROPERTY: _____ ZONING DESIGNATION _____

DETAILED DESCRIPTION OF APPLICATION: _____

FOR EXISTING STRUCTURE(S) – TO BE DEMOLISHED IN WHOLE OR IN PART

YEAR BUILT: _____ SQUARE FOOTAGE: _____ CURRENT USE: _____

FOR NEW CONSTRUCTION:

PROPOSED USE (S) _____

HEIGHT: _____ NO. OF PARKING SPACES: _____

SQUARE FOOTAGE (by use): _____

This project will be reviewed for approval for a Class II Special Permit; consequently the Planning Department will have on file all documents, plans and supporting materials pertaining to this proposal. Should anyone wish to review the file, it will be made available by appointment with the Land Development Section of the Planning Department located at 444 SW 2nd Avenue, 3rd Floor. Appointments can be scheduled by visiting the Department or calling (305) 416-1400.

The Final Decision issued by the Planning Director may be appealed to the Zoning Board, pursuant to provisions set forth in Article 18 of Zoning Ordinance 11000, as amended, within fifteen (15) days of the date of issuance of the Class II Special Permit by filing a written appeal and appropriate fee with the Office of Hearing Boards located at 444 SW 2nd Avenue, 7th Floor, Miami, FL. 33130. For an appointment, please call (305) 416-2030.

The Zoning Ordinance of the City of Miami requires that all abutting property owners and registered Neighborhood or Homeowners Associations be notified of Class II Special Permit applications in an approved notification form as set forth in Section 1501.

Office of Zoning _____

Planning Department _____

CITY OF MIAMI
CLASS II SPECIAL PERMIT

SCHEDULE OF FEES

CITY CODE • ARTICLE VI
PLANNING FEES • SEC. 62-61 • SCHEDULE OF FEES

Class II Special Permits:

Signs, fences, canopies, minor appurtenances and minor repairs to be reviewed as required by the text or schedule of district regulations..... 75.00

New Construction:
CS, PR, R-1, R-2, R-3, R-4, O, G/I, C-1, C-2, CBD, I per square feet of gross building area, based upon the definition of building (Section 2502)..... 0.023

Minimum..... 450.00

All other applications as required by the text or schedule of district regulations..... 150.00

Demolition 150.00

CITY OF MIAMI
INDEMNIFICATION / HOLD HARMLESS
AFFIDAVIT

DATE: _____

RE: PROPERTY(S) LOCATED AT:

DATE
APPROVED _____

TO: CITY OF MIAMI, FLORIDA
ATTN: PLANNING DIRECTOR
444 SW 2 AVENUE
MIAMI, FL 33130

PLANNING DEPARTMENT

FROM: _____
Legal owner of the above property.

The undersigned hereby affirms that he/she is the legal owner of the above-referenced property. Furthermore, the undersigned hereby acknowledges that he/she has heretofore made application(s) for and received approval from the City of Miami, Florida, for the following:

CLASS I / CLASS II #09- _____ On ____ / ____ 2009 by Planning Dept.
(Type of permit) (Date approved) (City Dept. / City commission)

CLASS I / CLASS II #09- _____ On ____ / ____ 2009 by Planning Dept.
(Type of permit) (Date approved) (City Dept. / City commission)

CLASS I / CLASS II #09- _____ On ____ / ____ 2009 by Planning Dept.
(Type of permit) (Date approved) (City Dept. / City commission)

In connection with the foregoing, the undersigned is hereby requesting the City of Miami, Florida, to issue a building permit (s) for the construction of the following described improvement (s) on the property prior to the expiration of the deadline for the applicable appeal period

The undersigned understands that in connection with the above-referenced property the applicable appeal period deadline (s) for the above mentioned approval(s) is/are as follows:

_____ / ____ / 2009.

In consideration of the City of Miami, Florida agreeing to issue a building permit(s) to the undersigned as herein requested, the undersigned agrees as follows:

**INDEMNIFICATION / HOLD HARMLESS
AFFIDAVIT**

Special Permit # __-_____

- (a) Pay all actual or estimated permit and other applicable city regulatory fees associated with the improvements prior to issuance of any building permits by the City of Miami;
- (b) And acknowledge he/she is proceeding at their own risk and hereby agrees to assume all responsibility and to indemnify and hold harmless the City in connection herewith; and
- (c) Agrees to immediately cease all construction on the property in the event an appeal is filed within the above stated appeal period;
- (d) And acknowledge that nothing herein shall prejudice the City's right to impose conditions on approval which are required by State, County and or City ordinance and regulations or are otherwise necessary to insure the public health, safety and welfare of the citizens of the City of Miami, Florida; nor shall the City be stopped from enforcing the terms of this affidavit by reason of its issuance of the building permit(s); and
- (e) Agree that the issuance of building permit(s) to the undersigned is not a grant of any vested right whatsoever for use, or completion of construction on the property; and
- (f) The undersigned hereby agrees to indemnify, defend, and hold harmless the City from any claims, demands, liabilities, losses, causes of action of any nature whatsoever arising out of or in connection with the permit(s) issued or any part thereof, from and against all cost, fees expenses, liabilities, any orders, judgments, or decrees which may be entered and from against all cost for attorneys fees, expenses and liabilities incurred in the defense of such claim or in the investigation thereof.

Print Owner's Name

Owner's Signature

(STATE OF FLORIDA
COUNTY OF MIAMI-DADE)

The undersigned instrument was acknowledged before me this _____ day of _____, 2009. He /she has personally appeared before me and is known to me or has produced _____ as identification and did (did not) take an oath.

Notary Public –State of Florida
Commission no:
My commission expires:

Name:

CITY OF MIAMI CLASS II SPECIAL PERMIT REQUIREMENTS

The items outlined below must be submitted to the Planning Department in their totality for their review of this application before it is considered complete. Questions regarding the status of a Class II Special Permit may be obtained from: **(305) 416-1400**.

SUPPORTING DOCUMENTATION

- Referral completed by the Zoning Plans Examiner's signature and date.
(4th floor) Phone Number (305) 416-1499.
- Statement describing the intent of the Class II Special Permit Application including specific details as to the nature and/or proposed use of the application. For example: New construction on vacant land or demolition, size of proposed structure and list of all proposed uses, or specific type of home occupation with operational plan, location and type or improvements or repairs to the property. Please provide as much detail as possible.
- Four (4) identical sets of signed and sealed plans including gross building area calculation as part of the zoning legend as follows:
 - Two (2) sets for building permit –Building Department (owner & city copies)
 - Two (2) sets of plans, 11" x 17", for the Planning Department. (*Without handwritten notes or other alterations*)
- Photographs showing site, building and area to be altered, including any structure to be demolished. Please provide age of structure proposed for demolition.
(*Any type of photographic reproduction is acceptable, **except Polaroid***)
- Please submit with plans, samples of proposed materials such as, awning canvas, color samples needed for the review of the proposed application.
- A minimum of two (2) copies of a certified survey.
(*Without handwritten notes or other alterations*)

DOCUMENTS

- Optional Indemnification/Hold Harmless Affidavit if applicant desires to proceed to obtain a building permit prior to the expiration of the fifteen (15) day appeal period.
(*With notarized signature on application*)
- Paid receipt for application fee of \$_____.
(*Obtain from cashier on 4th floor after receiving payment form from Class II Coordinator*).

NOTIFICATION LETTERS

- List of abutting property owners, Net registered Homeowners & Neighborhood Associations and City Commissioner of the district where property is located.**
(*Name and address of residence required*).
- Copy of each notification letter sent and proof of notification.
(*Template of the Notification Letter is included in the Class II Special Permit Package provided in by the Office of Zoning*). Certified mail return receipt indicating certified letters have been sent.
- For new construction attached copy of the zoning legend as part of the notification letter

OTHER

- _____
- _____
(*Additional items specified*)