

# 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.**

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## 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, 3<sup>rd</sup> floor. Appeals are scheduled for hearing before the Planning, Zoning, and Appeals Board. Final Decisions can be appealed within fifteen (15) calendar days from the date of issuance posted to the City’s website.

# CLASS II SPECIAL PERMIT CHECKLIST

The items outlined below must be submitted to the Planning Department in their totality for the application to be considered complete. Applicants may contact the Planning Department at, (305) 416-1400 for status of applications.

## SUPPORTING MATERIALS

- Zoning referral completed by the Office of Zoning.
- Statement describing the intent of the proposed work, including specific details as to the nature and/or proposed use. Statement should specify if new construction on vacant land or if demolition is required, size of proposed structure - listing all proposed uses, location and type of improvements or repairs to existing property. **Please provide as much detail as possible.**
- Four (4) identical sets of signed and sealed plans that include floor area calculation as part of the zoning legend.
  - Two (2) sets for building permit –Building Department (owner & city copies)
  - Two (2) sets for planning review – (11" x 17") – Planning Department  
**Plans must not contain handwritten notes or alterations.**
- Photographs showing site, building or 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**)*
- A minimum of two (2) copies of a certified survey with legal description. (w/Building base line if requested by Zoning)  
**Surveys must not contain handwritten notes or alterations.**

## DOCUMENTS

- Optional Indemnification/Hold Harmless Affidavit if applicant desires 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 receipt from cashier on 4<sup>th</sup> floor and submit to Warrant Coordinator in the Planning Dept.).*
- Authorization to act and copy of property deed.

## NOTIFICATION

- List of property owners being notified, including NET registered Homeowners and Neighborhood Associations, the City of Miami Planning Department, and City Commissioner of the district where the subject property is located.**  
*(Name and address of notice recipient(s) is required).*
- Copy of each notification letter sent with its corresponding U.S. Certified mail receipt indicating the date letters were mailed.  
*(Template of Notification Letter is included in the Warrant Package provided by the Office of Zoning).*

## OTHERS

- \_\_\_\_\_
- \_\_\_\_\_  
*(Additional items specified)*

# CLASS II SPECIAL PERMIT APPLICATION

## COMPLETED BY APPLICANT

OWNER

OWNER PHONE NUMBER

APPLICANT

APPLICANT PHONE NUMBER

/ FAX NUMBER

APPLICANT ADDRESS

/ ZIP CODE

BUILDING PLAN APPLICATION NUMBER

## COMPLETED BY ZONING PLANS EXAMINER

FOLIO NUMBER

PROJECT NAME

PROJECT ADDRESS

/ ZIP CODE

PROPOSED USE

YEAR BUILT

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

DATE

CLASS II COORDINATOR

DATE

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

# 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 2<sup>nd</sup> Avenue, 3rd Floor. Appointments can be scheduled by visiting the Department or calling (305) 416-1400.

Appeal of the determination of the Planning Director shall be de novo and taken to the Planning, Zoning and Appeals Board. An appeal shall be filed with the Hearing Boards Office within fifteen (15) calendar days of the posting of decision by the Planning Director on the City's website. The Board shall determine whether the Warrant is upheld or rescinded.

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.

Planning Department \_\_\_\_\_

Office of Zoning \_\_\_\_\_

Planning Reviewer Name: \_\_\_\_\_

Planning Reviewer email: \_\_\_\_\_

# CLASS II SPECIAL PERMIT

## LIST OF NOTICE RECIPIENTS

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

The seal of the City of Palm Beach is visible in the background, featuring a palm tree and the text "THE CITY OF PALM BEACH" and "1896".

# CLASS II SPECIAL PERMIT

## NOTICE OF 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.

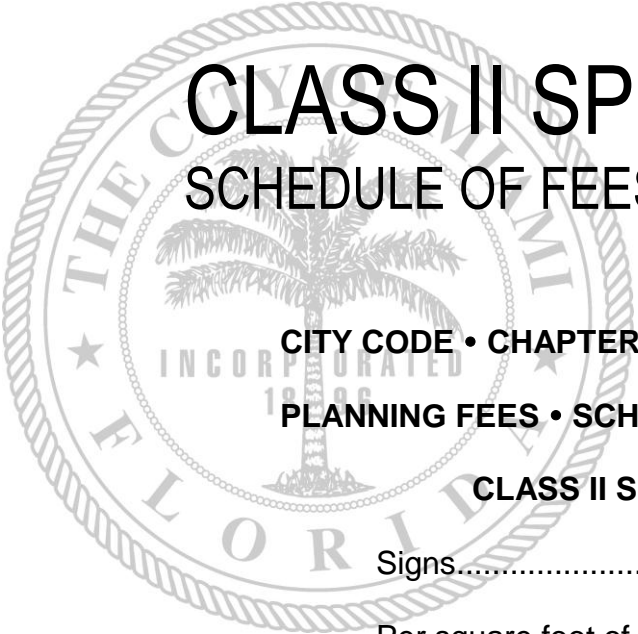
Notification Letters that are mailed prior to being signed by the Office of Zoning and Planning Department will result in the applicant having to reissue the Notification Letters.

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.



# CLASS II SPECIAL PERMIT

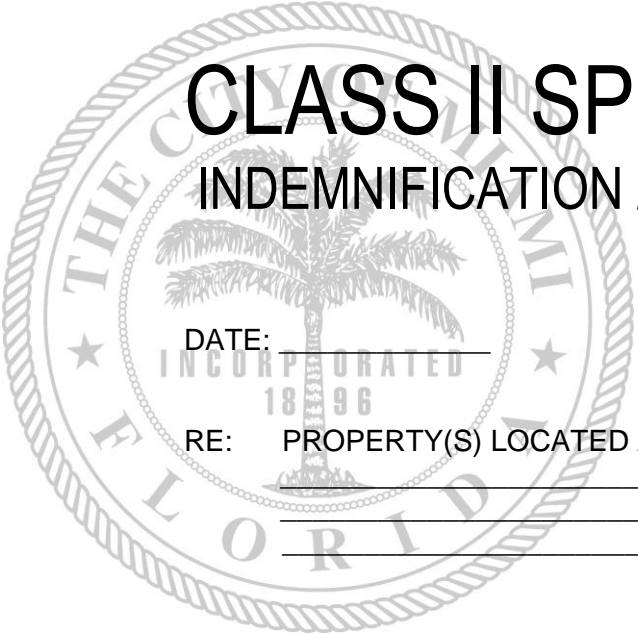
## SCHEDULE OF FEES

**CITY CODE • CHAPTER 62 • ARTICLE VI**

**PLANNING FEES • SCHEDULE OF FEES**

### **CLASS II SPECIAL PERMIT:**

Signs.....	150.00
Per square foot of floor area as defined in Section 1.2.....	\$0.05
Minimum.....	475.00
Extension of Time for Warrant or Class II Special Permits (ZO 11000).....	225.00



# CLASS II SPECIAL PERMIT 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 #\_\_-\_\_\_\_ On\_\_\_/\_\_\_/\_\_\_ by Planning Dept.  
(Type of permit) (Date approved) (City Dept. / City commission)

CLASS I / CLASS II #\_\_-\_\_\_\_ On\_\_\_/\_\_\_/\_\_\_ by Planning Dept.  
(Type of permit) (Date approved) (City Dept. / City commission)

CLASS I / CLASS II #\_\_-\_\_\_\_ On\_\_\_/\_\_\_/\_\_\_ by Planning Dept.  
(Type of permit) (Date approved) (City Dept. / City commission)

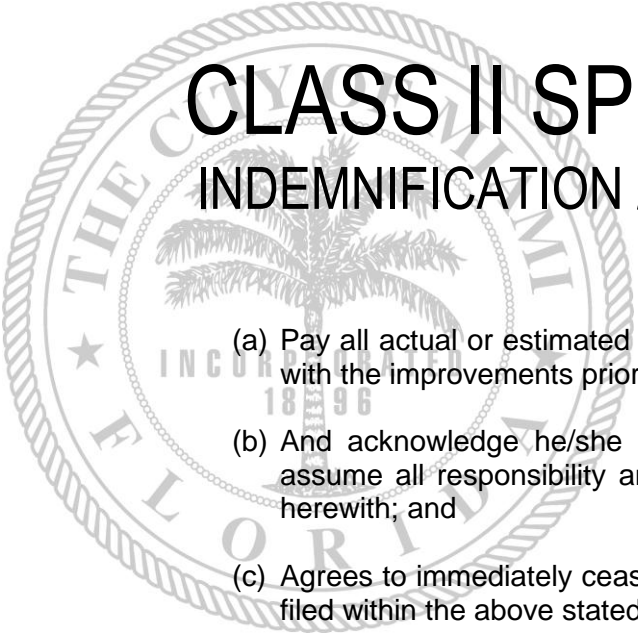
In connection with the foregoing, the undersigned is hereby requesting the City of Miami, Florida, to issue a building permit (s) for the construction of the following described improvement (s) on the property prior to the expiration of the deadline for the applicable appeal period

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:

\_\_\_\_\_/\_\_\_/\_\_\_\_.

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:





# CLASS II SPECIAL PERMIT INDEMNIFICATION / HOLD HARMLESS AFFIDAVIT

- (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 \_\_\_\_\_, 2013. He /she has personally appeared before me and is known to me or has produced \_\_\_\_\_ as identification and did (did not) take an oath.

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