



CITY OF AVENTURA
COMMUNITY DEVELOPMENT DEPARTMENT
19200 W. Country Club Drive
Aventura, Florida 33180
(305) 466-8940

**PUBLIC HEARING APPLICATION FOR VARIANCE
OR MODIFICATION OF CONDITION OF VARIANCE
City Code Section 31-76**

DATE: _____

PROPOSED PROJECT NAME: _____

LOCATION: _____

LEGAL DESCRIPTION: _____

FOLIO NUMBER(s): _____

CURRENT ZONING: _____ CURRENT LAND USE: _____

PROPOSED USE OF PROPERTY: (Attach additional sheets if necessary)

Name of Applicant or Contact Person: _____ Phone No.: _____

Address of Applicant: _____

Name of Property Owner (if other than Applicant): _____ Phone No.: _____

Address of Property Owner: _____

1. The following documents are required to be submitted with and deemed to be incorporated into this petition, as applicable:

- _____ ALL APPLICATIONS MUST BE ACCOMPANIED BY A LETTER OF INTENT.
Please describe in detail, whether and to what extent the requested development action serves a public benefit which would warrant the granting of the request and specific justification for approval of the application, nature of the requests and any other pertinent information. Insufficient justification may result in the denial of your application.
- _____ One (1) original application, signed and notarized by the applicant, owner and/or attorney and, if necessary, authorization to another individual to represent the applicant.
- _____ One (1) copy of the letter from the Community Development Department stating the variance(s) required to be approved by the City Commission in order to receive Administrative Site Plan approval. **(Not required for modification application)**
- _____ One (1) original, current (within 30 days) Opinion of Title for the subject property and copies of documents referenced in that report.
- _____ A complete zoning history of the property is required. The attached Certificate of Resolutions form must be completed and signed by a Miami-Dade employee from the Zoning Information Section.
(Not required for modification application)
- _____ Twelve (12) copies of proposed site plan in form complying with Section 31-79 of LDRS
- _____ Twelve (12) copies (folded) of a registered, current (within 30 days), signed and sealed survey of subject property, based upon the Opinion of Title. Surveys must delineate existing natural features, easements, existing structures and uses, and existing utility lines.
- _____ Twelve (12) copies (folded) of landscape plan showing all plant material, as to location, name, size and quality. Landscape plan must be drawn, signed and sealed by a Florida registered landscape architect.
- _____ Letters from all utilities franchised to operate in the City (Florida Power and Light, Southern Bell, WASA, Cable) relative to adequacy of proposed easements shown in the plat/site plan, including approval of shared easements.
- _____ Twelve (12) sets of photographs of existing structures on site and/or 8"x10" color photographs or color rendering of proposed construction.
- _____ Properties which are requesting a new or additional curb cut onto the State Highway System, enlargement of an existing cut, or a change in land use or intensification of development require Florida Department of Transportation approval for said access to the Highway system prior to the City of Aventura approval. (See attached FDOT notice - Attachment #1).
- _____ Disclosure of Interest Form

Is this hearing being requested as a result of a violation notice or summons?

Yes _____ No _____ If yes, in whose name was the violation or summons notice served?

Nature of violation _____

Does property owner own contiguous property to the subject property? If so, give complete legal description of entire contiguous property.

Is there an option to purchase or lease subject property or property contiguous thereto, predicated on the approval of this application? Yes _____ No _____

If yes, who are the affected parties? _____

(Copy of purchase contract must be submitted with this application).

Do these plans represent new construction? Yes _____ No _____

Has construction started? Yes _____ No _____

Has construction been completed? Yes _____ No _____

Are there any existing structures on the property? Yes _____ No _____

Will the existing structures be demolished? Yes _____ No _____

2. Labels, Notification and Advertising (Pursuant to Resolution 2007-28)

ALL COSTS OF ADVERTISING, MAILING AND POSTING SHALL BE BORNE BY THE APPLICANT.

The Community Development Department shall prepare and coordinate a published notice of the application and the mailing of a courtesy notice using labels provided by the applicant.

The following is required of the applicant and must be presented with any and all applications:

_____ One (1) notarized list in electronic format of the names and addresses of all property owners located within 300 foot radius of the exterior boundary of the subject property. If the subject property constitutes only a portion of a contiguous ownership parcel, the exterior boundary from which the appropriate radius is to be projected will be the exterior boundary of the entire contiguous ownership parcel.

_____ Two sets of self-adhesive labels of the same list to be used for mailing purposes. Failure of applicant to provide the required labels will constitute an incomplete submittal package and may cause the delay of the public hearing until such time that the required labels are received.

_____ The subject property shall be posted no later than ten (10) days prior to the public hearing. Such posting shall be displayed in a manner conspicuous to the public, by a sign or signs no less than 24" x 36" in size and containing information concerning the application, including but not limited to, the applied for zoning action and the time and place of the public hearing.

3. Filing and Hearing Fees

_____ A check made payable to the **City of Aventura** for the amount of \$5,000.
Modification of Condition of Variance \$2,500

_____ A check made payable to **Miami-Dade County** for \$250.00 for Miami-Dade DERM review.

Advertising Costs

In addition to the mailing list and labels and the fee schedule outlined above, applications requiring public notice shall pay a deposit to cover the cost of property posting notice, mailing notice and newspaper advertisements by the City, as follows:

- i. The sum of \$10,000 for applications for Development of Regional Impact, Amendments to the Comprehensive Plan, Amendments to the Official Zoning Map, Amendments to the text of the Land Development Regulations
- ii. The sum of \$1,000 for all other applications noted in 1. above.

In the event that the publication, notice and mailing charges exceed the amount of the deposit above, the applicant shall be responsible to pay the City the full cost of such charges.

4. Property Violations

As part of the review, your property may be subject to various inspections by City personnel. If building, zoning or Code Compliance violations are found, your request for a public hearing will be deferred until such violations are corrected.

5. Responsibility of Applicant

It is the responsibility of the applicant to assure that all questions in the application and all required supplementary data are submitted at the time of the filing of the application and that all answers, plans and supplementary data are accurate and complete.

All required plans, supplementary data, mailing labels and fees must be submitted at the same time as the application is filed, or the application will be incomplete. Incomplete applications will not be scheduled for public hearing and will be returned to the applicant. The filing of an incomplete application will not reserve a place on the hearing agenda. An application submitted prior to the deadline does not automatically insure placement of the application on that hearing agenda.

All data submitted in connection with the application becomes a permanent part of the public records of the City of Aventura.

For Office Use

Date Application Received: _____ **Application Number:** _____

DEVELOPMENT APPLICATION OWNER CERTIFICATION
(Please complete all that apply)

For use when petitioner is the Owner of subject property:

This is to certify that I am the owner of the subject lands described in the above application. I understand that I am responsible for complying with all application requirements prior to this petition being scheduled for any public hearing. I also understand that it is my responsibility to comply with the City's requirements regarding quasi-judicial proceedings. This further certifies that I have read this petition and the statements contained herein are true and correct to the best of my knowledge.

Print Name of Petitioner

Signature of Petitioner

STATE OF _____ COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 19 _____, by _____ who is personally known to me or who has produced _____ as identification and who (did) (did not) take an oath.

Printed Name of Notary Public

Signature of Notary Public

My Commission Expires:

For use when petitioner is NOT the Owner of the Subject Property:

This is to certify that I am the owner of subject lands described in the above petition. I have authorized _____ make and file the aforesaid petition. This further certifies that I have read this petition and the statements contained herein are true and correct to the best of my knowledge.

Print Name of Petitioner

Signature of Petitioner

STATE OF _____ COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 19 _____, by _____ who is personally known to me or who has produced _____ as identification and who (did) (did not) take an oath.

Printed Name of Notary Public

Signature of Notary Public

My Commission Expires:

Tenant or Owner Affidavit

I, _____, being first duly sworn, depose and say that I am the owner/tenant of the property described and which is the subject matter of the proposed hearing; that all the answers to the questions in this application, and all sketch data and other supplementary matter attached to and made a part of the application are honest and true to the best of my knowledge and belief. I understand this application must be completed and accurate before a hearing can be advertised. In the event that I or any one appearing on my behalf is found to have made a material misrepresentation, either oral or written, regarding this application, I understand that any development action may be voidable at the option of the City of Aventura.

Print Name of Petitioner

Signature of Petitioner

STATE OF _____ COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 19 _____, by _____ who is personally known to me or who has produced _____ as identification and who (did) (did not) take an oath.

Printed Name of Notary Public

Signature of Notary Public

My Commission Expires:

Attorney Affidavit

I, _____, being first duly sworn, depose and say that I am a State of Florida Attorney at Law, and I am the Attorney for the Owner/Applicant of the property described and which is the subject matter of the proposed hearing; that all the answers to the questions in this application, and all sketch data and other supplementary matter attached to and made a part of this application are honest and true to the best of my knowledge and belief. I understand this application must be complete and accurate before a hearing can be advertised. In the event that I or any one appearing on my behalf is found to have made a material misrepresentation, either oral or written, regarding this application, I understand that any variance, special exception or plat approval shall be voidable at the option of the City of Aventura.

Print Name of Petitioner

Signature of Petitioner

STATE OF _____ COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 19 _____, by _____ who is personally known to me or who has produced _____ as identification and who (did) (did not) take an oath.

Printed Name of Notary Public

Signature of Notary Public

My Commission Expires:

Corporation Affidavit

I/We, _____, being first duly sworn, depose and say that I/we are the President/Vice President, and Secretary of the aforesaid corporation, and as such, have been authorized by the corporation to file this application for public hearing; that all answers to the questions in said application and all sketches, data and other supplementary matter 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. We understand that this application must be complete and accurate before a hearing can be advertised. In the event that I or any one appearing on our behalf is found to have made a material misrepresentation, either oral or written, regarding this application, I understand that any development action may be voidable at the option of the City of Aventura.

Print Name of Petitioner

Signature of Petitioner

STATE OF _____ COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 19 _____, by _____ who is personally known to me or who has produced _____ as identification and who (did) (did not) take an oath.

Printed Name of Notary Public

Signature of Notary Public

My Commission Expires:

Disclosure of Interest

If the property, which is the subject of the application, is owned or leased by a CORPORATION, list the principal stockholders and the percentage of stock owned by each. Note: where the principal officers or stockholders consist of another corporation(s), trustee(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual (s) (natural persons) having the ultimate ownership interest in the aforementioned entity.

Corporation Name

Name, Address and Office	Percentage of Stock
_____	_____
_____	_____
_____	_____
_____	_____

If the property which is the subject of the application is owned or leased by a TRUSTEE, list the beneficiaries of the trust and the percentage of interest held by each. [Note: where the beneficiary (ies) consist of corporation (s), another trust(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity.]

Trust Name

Name, Address and Office	Percentage of Stock
_____	_____
_____	_____
_____	_____

If the property which is the subject of the application is owned or leased by a PARTNERSHIP or LIMITED PARTNERSHIP, list the principals of the partnership, including general and limited partners, and the percentage of ownership held by each. [Note: where the partners(s) consist of another partnership(s), corporation(s), trust(s), or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity.]

Partnership of Limited Partnership Name

Name, Address	Percentage of Ownership
_____	_____
_____	_____

If there is a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the principal officers, stockholders, beneficiaries, or partners. [Note: where the principal officers, stockholders, beneficiaries, or partners consist of another corporation, trust, partnership, or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural person) having the ultimate ownership interest in the aforementioned entity].

_____	_____
Name	Date of Contract
_____	_____
Name and Address	Percentage of Interest
_____	_____
_____	_____
_____	_____

If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust.

_____	_____
_____	_____
_____	_____
_____	_____

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest shall be filed. The above is full disclosure of all parties of interest in this application to the best of my knowledge and belief.

 Signature of Applicant Print Name of Applicant

State of _____ County of _____

The foregoing instrument was Sworn to and Subscribed before me this _____ day of _____, 200__ by _____ who is personally known to me or who has produced _____ as identification.

 Printed Name of Notary Public Signature of Notary Public

My commission Expires:

Note: Disclosure shall not be required of any entity, the equity interests in which are regularly traded on an established securities market in the United States or other country; or of any entity, the ownership interest of which are held in a limited partnership consisting of more than 5,000 separate interest and where no one person or entity holds more than a total of 5% of the ownership interest in the limited partnership.

