



MIAMI SHORES VILLAGE  
DEPARTMENT OF PLANNING & ZONING  
10050 NE 2<sup>nd</sup> Avenue  
Miami Shores FL 33138-2304  
[www.miamishoresvillage.com](http://www.miamishoresvillage.com)  
David A. Dacquisto AICP, Director

Main Number: 305-795-2207

Fax Number: 305-756-8972

## **MIAMI SHORES VILLAGE**

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# **APPEAL TO PLANNING BOARD APPLICATION AND GUIDELINES**

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Applications for appeal to the Planning Board from any decision, order or determination by any administrative officer of the village shall be submitted to the Planning Director.

Please print or type all required information and ensure that the application is complete and accurate. In order to be accepted for processing, the application must be complete and accompanied by all required information and submittals.

### **VILLAGE OF MIAMI SHORES CODE OF ORDINANCES**

#### **ARTICLE VII. ERRORS AND VARIANCES**

##### **Sec. 700. [Generally.]**

The planning board shall have the administrative powers and duties set forth in this article, subject to all limitations specified therein.

##### **Sec. 701. Appeal on allegation of error.**

Any interested person may appeal to the planning board from any decision, order or determination by the building inspector or any other administrative officer (whether such action was affirmative, negative or conditional), alleging that such action was in error for specifically stated reasons. After notice to the parties in interest, as prescribed in its rules, the planning board shall decide whether or not the action appealed from was in error and may confirm, reverse or modify the same accordingly, stating its reasons therefor, but may not vary the application of any provision of this ordinance.

##### **Sec. 703. Procedure.**

All applications and appeals to the planning board shall be made on standard forms prescribed by the village manager and shall be accompanied by such information as the planning board may prescribe in its rules in order to enable a thorough consideration of all aspects of the case in conformity with the requirements of this article. Said board may not consider any application or appeal that is not presented as herein prescribed and any action otherwise taken shall be of no effect and any building permit or certificate of occupancy issued pursuant to any such purported action shall be null and void.

**A. ADDRESS OF PROPERTY AND PROPERTY INFORMATION**To be filled out by applicant, information available: [www.miamidade.gov/pa/property\\_search.asp](http://www.miamidade.gov/pa/property_search.asp)

<b>Property Address:</b>	
<b>Folio Number:</b>	

**B. APPLICANT INFORMATION SHEET**Contact InformationPlease Print or Type

<b>Property Owner's Name</b>			
<b>Address, City, State, Zip</b>			
<b>E-mail Address</b>			
<b>Phone Number Day</b>		Cell Number	
<b>Fax Number</b>			
<b>Name of Applicant/Tenant:</b> If different from owner. (indicate if not applicable)			
<b>Address, City, State, Zip</b>			
<b>E-mail Address</b>			
<b>Phone Number Day</b>		Cell Number	
<b>Fax Number</b>			
<b>Name of Agent:</b> If different from owner and applicant. (indicate if not applicable)			
<b>Address, City, State, Zip</b>			
<b>E-mail Address</b>			
<b>Phone Number Day</b>		Cell Number	
<b>Fax Number</b>			

**IMPORTANT:** THE APPLICANT OR AUTHORIZED REPRESENTATIVE MUST ATTEND THE HEARING TO PRESENT THE PROPOSAL. FAILURE TO APPEAR MAY RESULT IN DENIAL OF THE APPEAL.

## C. EXHIBITS AND DATA TO BE SUBMITTED WITH THE APPLICATION

The village will not process applications if the required exhibits and information are not included in the application submittal. All exhibits (data submitted in connection with application) become a permanent part of the records of Miami Shores Village and will not be returned to the applicant.

The Planning Board has established certain guidelines as to the type of evidence the Board would require from any applicant in conjunction with such an appeal.

### Required Documentation for a Complete Application:

**(The original documents and seven (7) copies of each document are required as part of the submittal for a total of eight (8) complete collated and banded sets)**

- a)  An appeal to the planning board from any decision, order or determination by any administrative officer of the village must be filed with the planning director.
- b)  A complete application with all required information submitted.
- c)  Pursuant to Chapter 286.0105, Florida Statutes, if person decides to appeal any matter considered at such meeting or hearing, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.
- d)  Proof of ownership. A copy of the most recent tax bill, property appraiser's office record or a copy of the most recent recorded warranty deed is required.
- e)  Applicant must provide an "Owners Affidavit of Consent and Designation of Agency" form **Signed** by the property owner and applicant or agent if applicable, and **Notarized**. When an application is executed on behalf of a corporation or business entity, documentation must be provided which demonstrates the signatory's authority to represent the corporation.
- f)  Applicant must provide a "Consent for Inspection of Property" form **Signed** by the property owner, authorized applicant or agent if applicable, and **Notarized**. When an application is executed on behalf of a corporation or business entity, documentation must be provided which demonstrates the signatory's authority to represent the corporation.
- g)  Applicant to provide a letter describing the proposal and stating fully the grounds for the appeal, including a statement of why the applicant believes that the decision appealed from is unreasonable or is not in accord with the purposes of this ordinance.
- h)  Applicant to provide such additional evidence, as they believe will support their appeal.
- i)  Other data as required.

**CONSENT FOR INSPECTION OF PROPERTY**

I, \_\_\_\_\_, the owner or authorized agent for the owner of the premises located at \_\_\_\_\_ do hereby consent to the inspection of said premises by an employee of Miami Shores Village, Florida, in conjunction with an application for \_\_\_\_\_, without further notice.

Dated this \_\_\_\_\_ day of \_\_\_\_\_.

OATH OR AFFIRMATION

STATE OF FLORIDA, COUNTY OF MIAMI-DADE:

Sworn to (or affirmed) and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, by.

\_\_\_\_\_  
Signature of Owner or Authorized Agent

\_\_\_\_\_  
Telephone Number

\_\_\_\_\_  
Print Name

NOTARY SEAL:

\_\_\_\_\_  
Signature of Notary Public – State of Florida

\_\_\_\_\_  
Name of Notary Typed, Printed, or Stamped

(Please check one)

- Personally known to me; or
- Produced identification.

Type of Identification Produced: \_\_\_\_\_.

**OWNER'S AFFIDAVIT OF CONSENT AND DESIGNATION OF AGENCY**

I/We \_\_\_\_\_ as Owner(s) of Lot(s) \_\_\_\_\_, Block \_\_\_\_\_, Sections \_\_\_\_\_, Plat Book and Page Located at \_\_\_\_\_ desire to file an application for an appeal from a decision, order or determination by an administrative officer of the village and I/WE understand and agree with the following:

- 1) That the Planning Board will act upon the request at the scheduled hearing and may affirm the decision of the administrative officer if the applicant is not present at the hearing.
- 2) That it is the responsibility of the applicant to submit a complete true and correct application before a hearing will be scheduled before the Planning Board.
- 3) That the submittal of inaccurate or false information will result in an incomplete application, tabling or denial of the appeal.
- 4) The undersigned owner(s) and applicant(s) certifies under penalties of perjury that all the statements contained in this application, including any statement attached to the application or any papers or plans submitted herewith are true and correct.

I/We as the owners of the subject property: (Please check one)

- Do hereby authorize \_\_\_\_\_ to act on my/our behalf as the applicant.
- Will on my/our own behalf act as applicant(s), and make application in connection with this request for a public hearing before the Planning Board.

OATH OR AFFIRMATION

STATE OF FLORIDA, COUNTY OF MIAMI-DADE:

Sworn to (or affirmed) and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, by.

Sworn to (or affirmed) and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, by.

\_\_\_\_\_  
Signature of Owner(s)

\_\_\_\_\_  
Signature of Authorized Applicant(s) or Agent(s)

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature of Notary Public-State of Florida

\_\_\_\_\_  
Signature of Notary Public-State of Florida

\_\_\_\_\_  
Name of Notary Typed, printed or stamped

\_\_\_\_\_  
Name of Notary Typed, printed or stamped

NOTARY SEAL :

NOTARY SEAL :

(Please check one)

- Personally known to me; or  Produced identification.

(Please check one)

- Personally known to me; or  Produced identification.

Type of Identification Produced: \_\_\_\_\_.

Type of Identification Produced: \_\_\_\_\_.