A GUIDE TO STARTING A BUSINESS IN MIAMI SHORES

A Public Information Service of Miami Shores Village
<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Welcome From The Mayor and Council</td>
<td>1</td>
</tr>
<tr>
<td>Five Steps to Opening A Business</td>
<td>2</td>
</tr>
<tr>
<td>The First Step</td>
<td>3</td>
</tr>
<tr>
<td>Application for Village Tax Receipt</td>
<td>4</td>
</tr>
<tr>
<td>Planning and Zoning Review</td>
<td>6</td>
</tr>
<tr>
<td>Planning and Zoning Application</td>
<td>8</td>
</tr>
<tr>
<td>Building Permit Information</td>
<td>12</td>
</tr>
<tr>
<td>Commercial Interior Alterations/Change of Use</td>
<td>14</td>
</tr>
<tr>
<td>Village Contact Information</td>
<td>15</td>
</tr>
<tr>
<td>Outside Agencies Contact Information</td>
<td>16</td>
</tr>
<tr>
<td></td>
<td>17</td>
</tr>
</tbody>
</table>
On behalf of Miami Shores Village, I would like to welcome you to our community. We are very glad that you have chosen Miami Shores as a prospective location for your business. Miami Shores is a vibrant community of approximately 11,200, boasting both scenic waterfront views, beautiful lush landscaping, and our neighborhoods exhibit an architectural array of home styles, from Spanish Mediterranean to Art Deco.

Ideally situated on the outskirts of the City of Miami, Miami Shores Village is close enough to be within the metropolitan limelight, yet far enough from Downtown and Brickell Avenue to enjoy the quieter side of urban life.

The Village’s award winning Recreation Department, as well as the Village-operated Brockway Memorial Library, offer recreational programming for all ages and demonstrates our commitment to our residents. The outstanding Police Department provides exceptional service with an average two minute response time for a call for police service. Our full-service Public Works Department provides garbage, trash, and recycling curb side pickup. The remaining Village Departments: Planning & Zoning, Building, Code Enforcement, The Clerk’s Office, Finance and the Village Manager; while not as visible as the other Departments, play an equally vital role in supporting the residents and businesses of the Village.

The Village has developed this information booklet to help potential businesses better understand the process of opening a business in our community, and to address issues before they become problems. Opening a new business is an exciting venture and the Village wants to do everything we can to ensure that your experience is a positive one. As is expected, there are many regulations, some stipulated by Miami-Dade County and other outside agencies, but we want you to know that the Village will do its part in as timely a manner as possible.

Once again, thank you for your consideration and we hope to see your new business open in Miami Shores in the very near future!

Miami Shores
Mayor and Council
| **STEP 1.** |
| Contact the Village Clerk at 305-762-4851 for information and to apply for a Business Tax Receipt. |

| **STEP 2.** |
| Contact the Planning Department at 305-762-4864 to see what zoning requirements apply or to confirm all Village requirements are met. |

| **STEP 3.** |
| Contact the Building Department at 305-795-2204 to find out what building permits will be required. |

| **STEP 4.** |
| Visit PERA to review your business for compliance with septic system requirements.  
11805 SE 26th St., Miami, FL 33175  
305-372-6689  
And Miami-Dade Fire Department at  
11805 SE 26th St., Miami, FL 33175  
305-315-2771  
Some businesses may be required to obtain additional federal, state, or county licenses or permits. |

| **STEP 5.** |
| When the above steps are completed return to the Village Clerk with your completed Business Tax Receipt application, at which time the Village Clerk will issue your Business Tax Receipt and you may open your business. |
The first step in opening a business is to apply for a Local Business Tax Receipt (LBTR) License. An application for a LBTR (formerly known as an occupational license) must be submitted through the Village Clerk’s office. You must complete the first page of this application.

Based on the information in the completed application, the Clerk will provide information as to what occupied the office/space prior to your interest. This is important as Miami-Dade Department of Permitting, Environment and Regulatory Affairs (PERA) must sign off on your application and will compare the potential sewage load of your proposed business with the business that formerly occupied the space. This is done in order to assess whether the building’s drain field and septic tank have the necessary capacity.

Normally, if the space you are contemplating renting is not a change of use (i.e. retail to retail or office to office) there are no problems with PERA. If you are opening a business that, according to PERA’s rules, has a higher water or waste usage than the previous tenant, the landlord may be required to upgrade the disposal system before you will be permitted to open your business.

You will also be required to have the Miami-Dade County Fire Department sign off on your application. The Fire Department will be inspecting fire safety standards and life safety issues.

Your business will be entered into their data base and you will be given a fire inspection before opening and every year thereafter. The contact information for PERA and MDFD is located on the back of this brochure.
TO THE MIAMI SHORES VILLAGE CLERK

DATE: _______________________

As required by the Miami Shores Code of Ordinances, I hereby make application for a Business Tax Receipt for:

1. Real name of person(s), firm or corporation
   __________________________________________

   Telephone #: ________________________________

   E-Mail Address: ______________________________

2. Fictitious name of person(s), firm or corporation (if used in business):
   __________________________________________

3. Federal Employer ID #/Social Security Number ____________________

4. Sales Tax Certificate #_____________________________

5. Location of business (License shall apply to only one location):
   ____________________________________________

6. If a firm, the names of the members of the firm, and if a corporation, the names of the officers of the corporation:
   Pres. __________________________
   Sec.  __________________________
   Vice-President: __________________
   Treasurer: _____________________

7. Name of person(s) who will manage, control or direct the business to be transacted in Miami Shores Village: __________________________
8. Nature of Business: (Be specific: if merchant, list general lines of merchandise; if professional or service establishment, kinds of services rendered, if insurance or real estate office, list how many sales people, if retail store, list opening worth of inventory/stock, if restaurant, list how many seats, etc.) ______________________

LICENSE COST: $ ______________________

SIGNATURE OF APPLICANT: ___________________________________

PRIOR TO ISSUANCE OF THE LOCAL BUSINESS TAX RECEIPT, THE FOLLOWING VILLAGE DEPARTMENTS/COUNTY AGENCIES MUST APPROVE THE COMPLETED APPLICATION. The Village's Planning Department and/or the Building Department will advise if approval by the Planning Board is necessary and/or if any Building Permits are required. Please note that failure to obtain the necessary approvals may delay, or cause the denial of issuance of a Business Tax Receipt by the Village.

David Dacquisto - Village Planning Department
_______________________________________________________

Comments: ________________________________________________

Norman Bruhn - Village Building Department
_______________________________________________________

Comments: ________________________________________________

Miami-Dade County Dept of Environmental Resources (PERA) – STAMP REQUIRED

Miami-Dade County Health Department
_______________________________________________________

Comments: ________________________________________________

Miami-Dade Fire Department – Plans to be stamped (if applicable) or Fire Inspection Completed and paperwork submitted to the Clerk’s Office.
After completing your Local Business Tax Receipt (LBTR) paperwork, your next stop is with the Village’s Planning and Zoning Director. The Planning Department is responsible for interpreting the Village’s zoning rules with respect to the types of businesses that are permitted uses within the various zoning districts, including parking requirements, change of use within the zoning district, signage, etc. Zoning is completely different from the Building Department, which addresses the construction building codes as adopted by the State of Florida, discussed in detail later in this document. There are many different zoning scenarios depending on your business model so your next step in the process will be to meet with the Director and explain your business model in detail. You do not want to leave out a portion of your business plan only to find out at a later date that it is not permissible under the Village Code. The following three scenarios are the most common combination of events that Village staff administers through the Planning Department. It is important to note that there may be other scenarios that are specific to your particular business that may require approval from other outside regulatory agencies.

**Scenario 1 - Your business is permitted in the zoning district, is not a new use or intensification of existing uses, meets the parking requirements, and requires no physical change to the building or site.**

A listing of the permitted uses is available upon request. Your particular business must be one of the permitted uses for the zoning district in which you wish to open your business. Assuming you meet the zoning requirements, it is not determined to be a change of use, and no additional parking is required, the Planning Director will sign your BTR application indicating zoning and planning compliance.
Scenario 2 - Your Proposed business meets the zoning and parking requirements, is not a change of use but requires physical change to the building.

As above, the Planning Director will sign your BTR application indicating zoning and planning compliance. In this scenario you will need to visit our Building Department and apply for the necessary building permits. All commercial building permits are required by County Code to be approved by the Fire Department and PERA prior to our Building Official issuing your permit. Once you apply for your building permits and reach substantial completion of the construction, the Building Official will sign off on your BTR application and you can proceed with completing the BTR process.

Scenario 3 - Your proposed Business is not permitted in the zoning district, it is a change of use or an intensification of the existing use, or does not meet the parking requirements, is requesting new signage or requires physical changes to the building or site.

Under any of the above scenarios you will be required to appear before the Village’s Planning and Zoning Board, made up of five Village residents who volunteer to serve on this Board. The Board is scheduled to meet on the fourth Thursday of the month, although this is subject to change in October, November and December due to holidays. There is no meeting in August. Check on-line or with the Planning Director for application deadlines. Deadlines for submittal of a completed application (including any required fees) are generally 5 weeks prior to the scheduled hearing. In the event
that your proposed business does not have the required parking or
does not meet setbacks, height or other requirements, you may ap-
ply for a variance. A change of use cannot be part of the variance
process. For change of use, see page 9, and page 14 for more infor-
mentation. Please review the criteria for granting of a variance before
applying to the Planning Board to determine if you meet the criteria
for a hardship variance. It should be noted that variances are difficult
to obtain as few properties or businesses meet all 4 of the criteria that
must be met before a variance may be granted. Once you receive
Planning Board approval, the Planning Director will sign your BTR
application and then you may apply for the necessary building permits
with our Building Department. Upon substantial completion of the
construction, the Building Official will sign off on your BTR
application and you can proceed with the BTR process.

**Planning and Zoning Board Application**

1.) A pre-application meeting with the planner is necessary to go
over the application.

2.) Along with a completed Application Form and the applicable
Application Fee, one (1) original set of documents and seven (7)
copies of each document is required as part of the submittal (for a
total of eight (8) sets). The following documents are required for an
application to be considered complete:

- **A.** Letter of Intent
- **B.** 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.
- **C.** Letter of authorization from owner consenting to the
application must be provided in a certified form. When an
application is executed on behalf of a corporation or
business entity, documentation must be provided which
demonstrates the signatory’s business entity and the signatory’s
authority to represent the corporation.

**D.** Consent for Inspection from owner must be provided in a certified form.

**E.** Current property survey, less than six (6) months old, signed and sealed.

**F.** Elevation Certificate, for properties in the AE, V and VE zones.

**G.** Site Plan (use clouding to identify the area of new work).

**H.** Floor Plans (use clouding to identify the area of new work).

**I.** Building elevations (use clouding to identify the area of new work).

**J.** Landscape Plan.

**K.** Color photographs of all sides of the building mounted on 8.5” by 11” sheets.

**L.** Other data as required.

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**Change of Use**

A zoning change of use is defined as the establishment of a use in a building or on a plot that is different from the previous use established at that location, and each is carefully reviewed by the Planning Board for compliance with zoning code requirements. A zoning change of use may also require the approval of one or more outside regulatory agencies, typically looking for changes that involve an increase in water usage which results in the need for increased drain field and septic tank capacity on the property. The Village has no control over such outside regulatory agencies.

The following are some examples of changes of use:

Converting a retail store into a doctor’s office, converting an accountant’s office into a café, or converting an office space into a nail salon. This list is by no means inclusive of all the potential change of use combinations, but rather provides some specific examples of what constitutes a change of use. (Refer to page 14 for process for change of use).
Parking Requirements

The parking requirements contained within the Village’s Zoning Code govern the number of parking spaces that each business within our community is required to have in order to open. Typically these regulations indicate the number of parking spaces required per square foot of floor area for a particular business. For example, a doctor’s office is required to have 1 parking space for every 200 square feet of office space. Different businesses may have a unique parking requirement depending on the individual type of business. Our policy is to permit businesses that are not a change of use, or a more intensive use to open; even though they might not have enough parking under today’s zoning code. Businesses that are a change of use for the property or that require additional parking will be required to provide the additional number of parking spaces based on the difference between the number of spaces required for the previous use and the number of spaces required under the proposed use.

Outside Regulatory Agencies

In some cases an outside agency, such as Miami Dade Water and Sewer, may also need to review your business model to ensure that there is ample water or on-site septic service for the proposed business. Food service of any kind may need the approval of the State of Florida Department of Health and the Florida Department of Hotels and Restaurants, and there may be other agencies that are required to review your business model. As indicated previously, in order to receive your BTR you will need approval from PERA and the Miami-Dade Fire Department. It is highly recommended that you discuss your plans with these agencies and seek their preliminary approval before you make a significant investment into your new business. For example, if PERA turns down your business model, the Village will not be allowed to approve your application. With the exception of a portion of our Biscayne Boulevard business district,
our commercial business districts, including NE 2nd Avenue’s Village Place, do not have city sewers. Therefore, agencies such as PERA and Miami Dade Water & Sewer carefully scrutinize business applications that require additional water usage within our community.

**Signage**

Most storefront type businesses will want to install some signage on outside walls, doors and/or windows to advertise their business location. As you are developing your business model and logo, the Planning and Building Departments will administratively approve a temporary sign that may be installed for up to 90 days without having to obtain Planning Board approval. If the building owner has obtained a master sign agreement from the Planning and Zoning Board, the business’s permanent sign may be approved administratively by the Planning Director. If there is no master sign agreement in place for the building, you will need to appear before the Planning and Zoning Board for your sign approval. The Board will review your signage for compatibility with the building and surrounding area. You will need to complete and submit a sign permit application along with all required information to the Planning Department.
Once you have received approval from the Planning and Zoning Department your next step in opening a business in the Village involves a trip to our Building Department. If you are planning to do any type of remodeling to the proposed business location, or if the business is a change of use from the previous business that occupied the space, you will need to obtain a building permit.

Building permits are required under Florida Law and are issued to insure that all work is done in conformity to the State of Florida Building Code. If you are opening your business in a space that does not require construction or is not a change of use, the Building Official will sign off on your BTR application and you can submit the completed BTR application to the Village Clerk’s office.

Many new businesses require a change of use or some type of construction. In this instance, a letter from the building owner granting permission to make modifications to their building must be acquired. Any alterations or construction in excess of $100.00 requires a permit, an application for which may be obtained from either the building department in Village Hall or downloaded from www.miamishoresvillage.com. The permit application and two (2) sets of plans signed and sealed by a registered architect or engineer must be submitted indicating the type of remodeling/construction/or change of use you are proposing for your business.

Your plans and application will be reviewed by the appropriate trade disciplines, including our Building Official, who will provide you with a written critique indicating any omissions or deficiencies with the plans. Next, your plans must be submitted to the Miami-Dade County Fire Department and PERA for review,
required by law for all commercial construction. The address and phone numbers for these agencies are provided on page 17 of this publication. They will also review your plans and provide a written critique of any omissions and return your plans or they will be stamped approved and returned to you. Should there be any omissions or deficiencies, you must have your design professional correct and resubmit the plans for approval. Once you have received approval from PERA, the Fire Department, and the Miami Shores Building Department, a building permit will be issued.

Before a final inspection can be approved, the work completed must **match the approved set of plans that were submitted to obtain the building permit**. In the event you decide to make modifications or additions during construction, a revised set of plans must be submitted for approval. After all inspections have been completed and you have received your final inspection, the Building Official will sign off on your LBTR application and you may submit the LBTR application to the Village Clerk’s office.

Once you have completed these steps, the Village Clerk will issue your license and you may open for business.
**Permit Submittal Requirements**

- Provide approval letter from owner of property allowing the change of use on the referenced property.

- Obtain approval from Miami Shores Planning and Zoning Dept.

- Obtain all required outside agency approvals. Outside agencies may include: Miami-Dade County Fire Department, Miami-Dade Department of Permitting, Environment and Regulatory Affairs (PERA), Department of Health (DOH/HRS), Miami-Dade County Water and Sewer Dept. (WASD), State of FL Hotels and Restaurants. Other agencies may be required.

- Provide 2 complete sets of plans. Plans are required to have each sheet bear the impress seal, date and signature of the designer of record. Be sure your designer is familiar with these requirements before drafting plans.

- Plans shall be adequately identified. Address and space #.

- Indicate on the building plans the use and occupancy of all parts of the building. Indicate the use and occupancy of all adjoining tenants.

- Indicate the type of construction for the existing structure.

- Indicate fire-resistive hourly rating and the fire-resistive design number for each rated: wall, ceiling/floor assembly, ceiling/roof assembly and rated columns.
• Provide a door schedule for all new and existing doors (2’ 10” min.). Hardware must also comply with accessibility requirements. Completely dimension the new and existing toilet rooms and toilet stalls to meet the requirements of the “Florida Accessibility Code for Building Construction,” 2007 Edition.

• Where exterior walls are altered, provide a detail of the required wall reconstruction (masonry repair), and indicate who will provide the Engineered Unity Masonry Inspection Special Inspector Form.

• Indicate the elevation of the exterior grade with respect to the finish floor elevation (must have an accessible path from the parking lot and into the tenant space).

• Provide an Occupant Load Calculation for all areas of use.

• Provide a seating and furniture lay out diagram.

This list is not intended to identify all required data but to provide an outline of the documents. Please see the designer for further requirements.
Our location: Village Hall
10050 NE 2nd Ave., Miami Shores, FL 33138

Barbara Estep. MMC, Village Clerk
Phone: 305-762-4851
Email: estepb@miamishoresvillage.com

Norm Bruhn, CBO, Building Official
Phone: 305-762-4859
Email: bruhnn@miamishoresvillage.com

David Dacquisto, AICP, Planning Director
Phone: 305-762-4864
Email: dacquistod@miamishoresvillage.com

Should you reach our voicemail system, please leave a message along with your contact telephone number, and your call will be returned as soon as possible.

Village Hall
Main Number: 305-795-2207
Village Fax: 305-756-8972

This pamphlet is not a substitute for legal advice. If you have any legal questions you should consult with your own legal advisor.
In compliance with the requirements set forth by Miami-Dade County, no municipal Local Business Tax Receipt (LBTR) shall be issued without the applicant first obtaining the approval of Miami-Dade County. As a result, your LBTR application and your building plans must be submitted to the following outside agencies for review and approval:

Miami-Dade Department of Permitting, Environment and Regulatory Affairs, Miami Dade Department of Health and Miami Dade Fire Department. *Other Federal, State or County permits and approvals may also be required.*

**Outside Agencies**

Miami-Dade Department of Permitting Environment and Regulatory Affairs (PERA)
11805 SW 26th St., Miami FL 33175
Phone: 305-372-6789  Hours: 8:00 am to 4:00 pm
www.miamidade.gov/pera/

State of Florida Department of Health
11805 SW 26th St., Miami FL 33175
Phone: 786-315-2444  Hours: 7:30 am to 4:00 pm
www.doh.state.fl.us

Miami-Dade Water and Sewer Department
3575 S Le Jeune Rd., Miami FL 33146
Phone: 786-268-5200
www.miamidade.gov/wasd/

Miami-Dade Fire Department
11805 SW 26th St., Miami FL 33175
Phone: 305-315-2771
www.miamidade.gov/mdfr/

Division of Hotels and Restaurants
8240 Northwest 52nd Terrace, Suite 101
Doral, Florida 33166-7766
Phone: 350.487.1395
http://www.myfloridalicense.com/dbpr/hr/contact.html