



TOWN OF CUTLER BAY
Department of Community Development
Building Division
(305) 234-4193

SHED PERMIT CHECKLIST

- Permit Application**
- Proof of Ownership (if different than shown on Property Appraiser)**
- Owner-Builder Affidavit (if applicable)**
- Contractor must be registered with the Town if work to be performed by a contractor.**
- Property Survey (2 copies)**
- Site Plan showing location, dimensions, and setbacks of the proposed shed (including location of all subsurface utilities) (2 copies)**
- Lot Coverage Calculation Worksheet**
- Completed "Declaration of Restrictive Covenants for Shed in Backyard"**
- Up-Front Fee of \$130.00 (required for review)**

Site-Built Sheds:

- Signed and sealed plans from an architect or engineer (2 copies)**

Pre-Fabricated Sheds:

- Current letter from the Department of Community Affairs (must be provided by manufacturer) (2 copies)**
- Full-size Shop Drawings with State of Florida agency approval stamps (must be provided by manufacturer) (2 copies)**



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NOTICE OF SURVEY REQUIREMENTS

The Cutler Bay Town Council recently adopted Ordinance 21-06 amending Section 3-42 of the Land Development Regulations to require submission of recent property boundary surveys as part of building permit applications and submission of property boundary and topographic surveys prior to closing out permits. These requirements are summarized below:

Pre-Construction Survey Required

For any project that will change the footprint of a structure, increase impervious area, alter setbacks or install fences, applicants are required to provide a survey that is less than 6-months old. If a survey is older than 6-months but less than 3-years, the property owner will have to provide a signed affidavit attesting that the survey is accurate and no changes were made since the time of the survey.

The survey has to include the following information at a minimum:

- Property boundaries
- Existing easements and servitudes
- Existing paved areas and impermeable surfaces
- All existing structures and setbacks, including sheds, accessory buildings, swimming pools, pool decks, screen enclosures.
- Existing fence lines

Post-Construction Survey Required

At the completion of the project, the property owner is required to submit an as-built survey of the property to document that the project was built in accordance with the approved plans. This survey must include everything required on the initial survey with the appropriate changes to reflect what was changed during the course of the project.

Topographic Survey Required

For any project which changes the drainage pattern of a property, including exterior alterations to buildings, installation of slabs, construction of pools or creations of berms, swales, or other drainage devices, a post-construction topographic survey must be provided to the town prior to the issuance of final approval or Certificate of Occupancy/Completion.

**REQUIREMENTS WILL BE FULLY ENFORCED BEGINNING ON
MONDAY, AUGUST 23, 2021.**



SURVEY AFFIDAVIT

This form may be submitted in compliance with the provisions of Section 3-42 of the Land Development Regulations (Ordinance No. 21-06) for submittal of surveys older than 6-months but not exceeding 3-years.

Affidavit: To be executed by the owner.

If ownership is a corporation, Articles of Incorporation (full document filed with the Secretary of State) and a Board Resolution authorizing an individual or agent to sign on its behalf must be included. If ownership is an LLC (or similar), Articles of Organization (full document filed with the Secretary of State) and legal documentation authorizing an individual or agent to sign on its behalf must be included.

State of _____

County of _____

The undersigned Affiant, _____ (property owner), does hereby attest that the attached survey performed by _____ (surveyor's company), performed on _____ (date of survey), is an accurate representation of the existing conditions and locations of all structures and improvements on the property as of the date of this Affidavit.

The purpose of this Affidavit is to induce the Town of Cutler Bay to issue a building permit for the property without providing a survey less than six (6) months old. The Affiant, as property owner, further agrees to remove or obtain permits for any structures which now may exist on the property which are not permitted or which may violate zoning or building code regulations. The Affiant further understands that the existence of any such structures or improvements may affect final inspections as applicable to this or other permits.

(Owner/Affiant Signature)

_____ being first duly sworn, deposes and says that: They are the

[] Owner [] Partner [] Officer [] Agent of _____ and that they, in the capacity indicated above, are authorized execute this affidavit for the purpose of this application with the Town of Cutler Bay. Sworn to (or affirmed) and subscribed before me by means of _____ physical presence or _____ online notarization this _____ day of _____, 20_____. They were personally known _____ or produced _____ as a form of identification.

Notary Public for the State of Florida

My Commission Expires: _____

Name typed printed, or stamped.



TOWN OF CUTLER BAY
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Permit No: _____
Address: _____

OWNER-BUILDER DISCLOSURE STATEMENT

You are applying for a building permit as an owner-builder. You should be advised of the following provisions and requirements that apply to owner-builders.

Proof of Ownership: Prior to a building permit being issued to you, you must submit proof of ownership of the land concerned in the application in the form of a recorded deed, showing you own the property, or a copy of mortgage or warranty deed of the land, or a Miami-Dade County tax receipt statement to contain legal description of property and indicate property is in your name. Legal description and name on document of proof must correspond to the name and legal description on the application.

Property Information: (If the property is unaddressed, address must be assigned prior to permitting.)

Property Address: _____

Folio No.: _____

Property Owner Information:

Property Owner Name: _____

Property Owner Address: _____

Property Owner Email: _____

Property Owner Telephone Number: _____

Owner's Certification:

Furthermore, as an owner-builder, I hereby certify and state:

1. I understand that state law and County code requires construction to be done by a licensed contractor and have applied for an owner-builder permit under an exemption from the laws. The exemption specifies that I, as the owner of the property listed, may act as my own contractor with certain restrictions even though I do not have a license.
2. I understand that building permits are required to be signed by a property owner unless he or she is responsible for the construction and is not hiring a licensed contractor to assume responsibility.
3. I understand that, as an owner-builder, I am the responsible party of record on a permit. I understand that I may protect myself from potential financial risk by hiring a licensed contractor and having the permit filed in his or her name instead of my own name. I also understand that a contractor is required by law to be licensed by the state of Florida or Miami-Dade County and to list his or her license numbers on permits and contracts.
4. I understand that I may build or improve a one-family or two-family residence or a farm outbuilding. I may also build a one-story building or addition of not more than 500 square feet for commercial use or perform maintenance or repairs not to exceed \$5,000 on any building I own or lease. The building or residence must be for my own use or occupancy. It may not be built or substantially improved for sale or lease, unless I am completing the requirements of a building permit where the contractor listed on the permit substantially completed the project. If a building or residence that I have built or substantially improved myself is sold or leased within 24-months of permit issuances, the law will presume that I built or substantially improved it for sale or lease, which violates the exemption, and I will be subject to further enforcement action.
5. I understand that, as the owner-builder, I must provide direct, onsite supervision of the construction.
6. I understand that I may not hire an unlicensed person to act as my contractor or to supervise persons working on my building or residence. It is my responsibility to ensure that the persons whom I employ have the licenses required by law and by county or municipal ordinance. Anyone contracting, including labor, with me, verbally or in writing, who are not properly licensed may be subject to a fine of \$500 and or imprisonment for six months.

Permit No: _____

Address: _____

7. I understand that it is a frequent practice of unlicensed persons to have the property owner obtain an owner-builder permit that erroneously implies that the property owner is providing his or her own labor and materials. I, as an owner-builder, may be held liable and subjected to serious financial risk for any injuries sustained by an unlicensed person or his or her employees while working on my property. My homeowner's insurance may not provide coverage for those injuries. I am willfully acting as an owner-builder and am aware of the limits of my insurance coverage for injuries to workers on my property.
8. I understand that I may not delegate the responsibility for supervising work to a licensed contractor who is not licensed to perform the work being done. Any person working on my building who is not licensed must work under my direct supervision and must be employed by me, which means that I must comply with laws requiring the withholding of federal income tax and social security contributions under the Federal Insurance Contributions Act (FICA) and must provide workers' compensation for the employee. I understand that my failure to follow these laws may subject me to serious financial risk.
9. I agree that, as the party legally and financially responsible for this proposed construction activity, I will abide by all applicable laws and requirements that govern owner-builders as well as employers. I also understand that the construction must comply with all applicable laws, ordinances, building codes, and zoning regulations.
10. I understand that I may obtain more information regarding my obligations as an employer from the Internal Revenue Service, the United States Small Business Administration, the Florida Department of Financial Services, and the Florida Department of Revenue. I also understand that I may contact the Florida Construction Industry Licensing Board for more information about licensed contractors.
11. I am aware of, and consent to, an owner-builder building permit applied for in my name and understand that I am the party legally and financially responsible for the proposed construction activity at the following address: _____.
12. I agree to notify Town of Cutler Bay Building Division immediately of any additions, deletions, or changes to any of the information that I have provided on this disclosure.

Licensed contractors are regulated by laws designed to protect the public. If you contract with a person who does not have a license, the Construction Industry Licensing Board and Department of Business and Professional Regulation may be unable to assist you with any financial loss that you sustain as a result of a complaint. Your only remedy against an unlicensed contractor may be in civil court. It is also important for you to understand that, if an unlicensed contractor or employee of an individual or firm is injured while working on your property, you may be held liable for damages. If you obtain an owner-builder permit and wish to hire a licensed contractor, you will be responsible for verifying whether the contractor is properly licensed and the status of the contractor's workers' compensation coverage.

Before a building permit can be issued, this disclosure statement must be completed and signed by the property owner and returned to the local permitting agency responsible for issuing the permit. A copy of the property owner's driver license, the notarized signature of the property owner, or other type of verification acceptable to the local permitting agency is required before the permit is issued.

I, the owner of property located at address _____ do hereby certify that I maintain the level of competency and the knowledge of the Florida Building Code necessary to assume the scope of work identified by the permit I have applied for. I will not undertake any work for which I do not feel I have sufficient competent knowledge of, and I will supervise all hired laborers, or hire licensed contractors. I have read the foregoing instructions and I am aware of my responsibilities and liabilities under my application for a building permit for construction work on the above-described property.

State of Florida, Miami-Dade County

Property Owner Signature

Print Name: _____

Sworn to and subscribed before me this _____ day
of _____, 20____.

By: _____

Personally Known or ID: _____



LOT COVERAGE CALCULATION WORKSHEET

Site Address: _____

Owner Name: _____

Permit Number: _____

Contractor Information: _____

Total Lot Square Footage:	A _____
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<u>Existing Impervious Areas</u>	<u>Square Feet</u>
House	_____
Walkway	_____
Entryway	_____
Driveway	_____
A/C / Generator Pad(s)	_____
Pool Equipment Pad	_____
Pool and/or Deck	_____
Patio/Screen Room	_____
Other	_____

Total All Existing Impervious Areas:	B _____
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New impervious area being added:	C _____
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Total Impervious Area	B + C = _____ D
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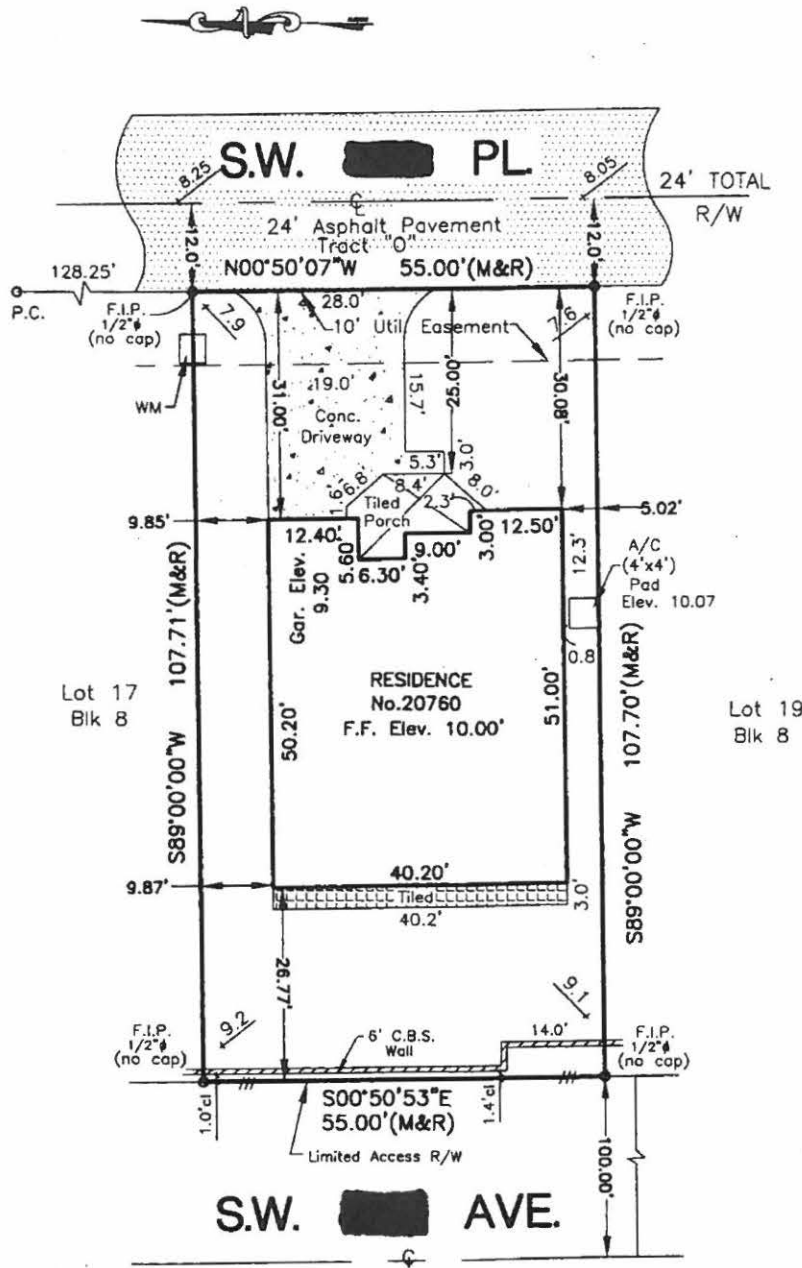
Total % Lot Coverage $(D \div A) \times 100 =$ _____ %

Completed by: _____

Signature: _____ Date: _____

SKETCH OF BOUNDARY SURVEY

SCALE: 1" = 20'



SAMPLE BOUNDARY SURVEY

This drawing is the property of American Services of Miami, Corp. and shall not be used or reproduced in whole, or in part, without permission of American Services of Miami, Corp.



STATE OF FLORIDA
DEPARTMENT OF COMMUNITY AFFAIRS
"Dedicated to making Florida a better place to call home"

CHARLIE CRIST
 Governor

THOMAS G. PELHAM
 Secretary

October 1, 2007

Mr. Alex G. Martens
 Superior Sheds, Inc.
 2323 S. Volusia Avenue
 Orange City, FL 32763

RE: Manufacturer Renewal of Certification, ID MAF-1367 - - Expiration Date: November 09, 2010

Dear Mr. Martens:

It is my pleasure to inform you that Superior Sheds, Inc. - OC located at 2323 S. Volusia Ave, Orange City, FL 32763, has been approved under the Manufactured (Modular) Buildings Program, as provided for under Chapter 553, Part I, Florida Statutes, for the manufacture of Storage Sheds and Utility-Misc. Buildings for installation in Florida.

Design and production of the buildings must be approved for compliance with the current Florida Building Code (FBC) by your selected Third Party Agency before manufacturing begins. Your Third Party Agency is a contractor to the Department and has statutory authority and responsibilities that they must comply with to maintain their approved status. Expect and demand quality plans review and inspections.

Each FBC change will make your plans obsolete until they have been reviewed, approved and so indicated [on the cover page of the plans] for compliance with the FBC by your Third Party Agency for plans review. Please ensure that your plans are in compliance and properly posted on our website to avoid embarrassing work stoppages in the permitting process. All site related installation issues are subject to the local authority having jurisdiction.

Unannounced monitoring visits by the Department's contractor will be made at least annually. Complete access to your manufacturing facility and records is mandatory to remain compliant with the rules and regulations of this program.

Please visit our website at www.floridabuilding.org to see valuable information on the Florida Manufactured Buildings Program. A copy of this letter must accompany applications for local building permits.

Sincerely,

Michael D. Ashworth
 Manufactured Buildings Program Manager

Cc: Danny Kenemur, NDI
 2355 SHUMARD OAK BOULEVARD TALLAHASSEE, FL 32399-2100
 Phone: 850-488-8466/SUNCOM 278-8466 Fax: 850-921-0781/SUNCOM 291-0781
 Website: www.dca.state.fl.us

COMMUNITY PLANNING
 Phone: 850-488-2356/SUNCOM 278-2356
 Fax: 850-488-3309/SUNCOM 278-3309

AREAS OF CRITICAL STATE CONCERN FIELD OFFICE
 Phone: 305-289-2402
 Fax: 305-289-2442

HOUSING AND COMMUNITY DEVELOPMENT
 Phone: 850-488-7956/SUNCOM 278-7956
 Fax: 850-922-5623/SUNCOM 292-5623

SAMPLE PRODUCT APPROVAL LETTER

This instrument prepared by and
after recording, please return to:

Address:
Folio:

**DECLARATION OF RESTRICTIVE COVENANTS
FOR SHED IN REAR BACKYARD**

THIS DECLARATION OF RESTRICTIVE COVENANTS (“Declaration”), is made this _____ day of _____, 20__ by _____ (“Owner), in favor of the Town of Cutler Bay, a Florida municipal corporation (“Town”).

WHEREAS, the Owner holds fee simple title to certain real property in the Town of Cutler Bay, Florida, located at _____ in Cutler Bay, Florida (“Property”) as more accurately described as:

_____,
of the Public Records of Miami-Dade County, Florida (*legal description*); and

WHEREAS, the Owner has applied to the Town for permits for the use of a rear storage shed to serve the purposes described below (“Rear Shed”); and

WHEREAS, Section 3-158 of the Town Code requires that any such Rear Shed be limited to use of rear storage and not a habitable structure; and

WHEREAS, the Owner desires to make a binding commitment to assure the Town that the Property and Rear Shed will be maintained in accordance with the provisions of Section 3-158 of the Town Code.

NOW, THEREFORE, the Owner voluntarily covenants and agrees that the Property shall be subject to the following restrictions, which shall be deemed to be covenants running with the land and binding upon the Owner, its successors in interest, and its assigns, as follows:

1. **Recitals**. The above recitals are true and incorporated herein by reference.
2. **Use Restriction**. Owner warrants, agrees, and covenants as follows:
 - a. Use of the Rear Shed shall be limited to the sole use of storage as required by Section 3-158 of the Town of Cutler Bay Code.
 - b. The Town shall approve, in writing, any modification or alteration to the Rear Shed, or its use. If the Rear Shed, or its use, is altered or modified, without the written approval of the Town, then the alteration(s) and/or modification(s)

shall be reversed and the Rear Shed must be returned to its approved condition and use. In the event the unapproved alteration or modification is not reversed, then the Rear Shed shall be demolished.

3. **Covenant Running with the Land.** This Declaration shall constitute a covenant running with the land and shall be made binding upon the Owner, its successors and its assigns. The restrictions stated herein shall be a limitation upon all present and future owners of the Property.

4. **Recording.** This Declaration shall become binding on the Property upon recordation in the Public Records of Miami-Dade County, Florida. The Owner shall record this instrument at its expense and provide a certified copy of the recorded Declaration to the Town within thirty (30) days of Town's approval.

5. **Term of Covenant.** This Declaration on the part of the Owner shall remain in full force and effect and shall be binding upon the Owner, its successors in interest and its assigns, and shall be binding upon them for an initial period of thirty (30) years from the date this Declaration is recorded in the public records and shall be automatically extended for successive periods of ten (10) years, unless modified, amended, or released prior to the expiration thereof.

6. **Inspections.** It is understood and agreed that any official inspector of the Town may have the right at any time during normal working hours to enter upon the Property for the purpose of determining whether the conditions of this Declaration and the requirements of the Town's Code are being complied with.

7. **Enforcement.** An action to enforce the terms and conditions of this Declaration, including failure to record the Declaration, may be brought by the Town as an action at law or in equity against any party or person violating or attempting to violate any covenants of this Declaration either to enjoin such violations or to recover damages. This enforcement provision shall be in addition to any other remedies available under the law.

8. **Modification, Amendment, and Release.** This Declaration may be modified, amended, or released as to the Property herein described, or any portion thereof, by a written instrument executed by the then owner(s) of the Property, provided that the same is also approved as to content by the Town's Manager, and as to form and legal sufficiency by the Town Attorney.

9. **Severability.** If any section, part of section, paragraph, clause, phrase or word of this Declaration is declared invalid, the remaining provisions of this Declaration shall not be affected.

*[SIGNATURES ON THE FOLLOWING PAGE]
[REMAINDER OF PAGE LEFT INTENTIONALLY BLANK]*

IN WITNESS WHEREOF, the Owner has executed this Declaration this ____ day of _____, 20__.

WITNESS:

OWNER:

By: _____
Print Name: _____

By: _____
Print Name: _____

WITNESS:

(If multiple owners)

By: _____
Print Name: _____

By: _____
Print Name: _____

ACKNOWLEDGMENT

STATE OF FLORIDA)
) ss:
COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this ____ day of _____, 20__ by _____. (S)He personally appeared before me, is [] personally known to me or [] produced _____ as identification.

By: _____

Print Name: _____

Notary Public, State of Florida

Commission No.

My commission expires:

APPROVED BY TOWN:

By: _____
Rafael G. Casals, Town Manager