



Received: \_\_\_\_\_  
PLAN #: \_\_\_\_\_

## LAND USE APPLICATION

Application Date: \_\_\_\_\_

Proposed Project Name: \_\_\_\_\_

### Action Requested:

- Growth Management Plan Amendment     Future Land Use Map Amendment
- Rezoning/Zoning Map Amendment         Land Development Regulations Text Amendment
- Conditional Use                       Variance                       Site Plan Review                       Administrative Adjustment
- Other: \_\_\_\_\_

### Property Information:

Primary Address: \_\_\_\_\_  
(If the property is unaddressed, please describe the location, such as "NE corner of \_\_\_\_.")

Folio No.: \_\_\_\_\_

Legal Description: Lot \_\_\_\_\_, Block \_\_\_\_\_, Section \_\_\_\_\_

Subdivision: \_\_\_\_\_

Is contiguous property under the same ownership as the subject property?     Yes     No  
(If yes, please include legal descriptions, property addresses, and folio numbers for all such properties.)

### Property Owner Information:

(If multiple owners, use multiple sheets; if owned by a corporate entity, use the "[Disclosure of Interest](#)" form.)

Property Owner Name: \_\_\_\_\_

Property Owner Address: \_\_\_\_\_

Property Owner Email: \_\_\_\_\_

Property Owner Telephone Number: \_\_\_\_\_

### Applicant Information: Check here if same as Property Owner

(Any applicant who is **not the property owner** must also [register as a Lobbyist](#) with the Town Clerk's Office.)  
(Any applicant who is **a lessee of the property** is required to submit an executed "Owner's Sworn-To-Consent" and a copy of an active lease valid for a period of at least one (1) year.)

Applicant Name: \_\_\_\_\_

Applicant Address: \_\_\_\_\_

Applicant Email: \_\_\_\_\_

Applicant Telephone Number: \_\_\_\_\_



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**Property Details:**

Has this property been the subject of a land use application in the last 18-months?  Yes  No

If yes, please provide the nature of that application and the final disposition: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Is this application the result of a Code Compliance warning or Notice of Violation?  Yes  No

If yes, please provide the Code Compliance case number: \_\_\_\_\_

Is there an existing/established use on the property?  Yes  No

If yes, please provide the nature of the use and when the use was established:

Type/Nature of Established Use: \_\_\_\_\_

Year Established: \_\_\_\_\_ Certificate of Use No.: \_\_\_\_\_

Is there an option to purchase/lease the subject property?  Yes  No  
(If yes, the party holding the option is required to complete a "[Disclosure of Interest](#)" form.)

Is the party holding the option the same as the applicant indicated above?  Yes  No

If no, please provide the name of the individual/entity holding the option:  
\_\_\_\_\_

Legal Description: Lot \_\_\_\_\_, Block \_\_\_\_\_, Section \_\_\_\_\_

Subdivision: \_\_\_\_\_

**Application Proposal:**

What is the proposed use of the property? \_\_\_\_\_

Describe the nature of the request being made through this application:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(In addition to this description, a Letter of Intent and the Applicant's justification for the proposed changes are required.)



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**Required Attachments:**

All items must be submitted digitally, formatted to 8.5" x 11", 8.5" x 14" or 11" x 17" paper. All required forms are available on the Town's [website](#). (Colors correspond to [Planning and Zoning Fee Schedule](#).) Printed copies of submitted documents will be requested by the staff if needed.

**INDICATED ATTACHMENTS MUST BE ADA-COMPLIANT FOR PUBLIC DISSEMINATION.**

Documents should be provided in .pdf or other accessible format. Most .pdf document creation software provides ADA-accessibility tools to ensure compliance. A statement of compliance is required to accompany applications.

	Site Plan Review (Single Family)	Site Plan Review (Administrative)	Site Plan Review (All Others)	Administrative Adjustment	Variance	Conditional Use	Rezoning/Zoning Map Amendment	Future Land Use Map Amendment	GMP Amendment	ADA COMPLIANT DOCUMENT REQUIRED
Proof of Ownership/ Leasehold	X	X	X	X	X	X	X	X		
Power of Attorney (If Applicable)	X	X	X	X	X	X	X	X		
Letter of Intent			X	X	X	X	X	X	X	X
Justification for Proposed Change						X	X	X	X	X
Statement of Hardship (See <a href="#">Sec. 3-36(2)</a> )				X	X					X
Current Property Survey less than 6-months old. For surveys older than 6-months and other requirements, please refer to the <a href="#">Notice of Survey Requirements</a> .	X	X	X	X	X	X	X	X		
Site Plan of the entire lot(s) showing property lines and all buildings or structures, with distance from property line indicated. All off-street parking areas, driveways, interior streets, paving, mechanical equipment, or other surfaces should be shown and dimensioned.	X	X	X	X	X	X	X			X
Landscape Plans including the location, quantity, size, name, and condition of all existing and proposed plant materials and trees. All landscaped areas should be shown and dimensioned on the plans. A description of all tree preservation measures on-site and in the public right-of-way should be included.	X	X	X	X	X	X	X			X
Architectural Elevations of each side of the proposed structure(s) indicating height, architectural elements such as windows, doors, materials, textures, and other information.	X	X	X	X	X	X	X			X
Floor Plan(s) of the entire structure(s) showing room use, dimensions, walls, doors, windows, major appliances, plumbing fixtures, stairs, or other egress.			X	X	X	X	X			X
Signed consent of contiguous property owners. ( <a href="#">Requirements found here.</a> )				X						
Letter confirming there are no legal restrictions on the property. (Or detailing restrictions which do exist.)	X	X	X							X
Letter of Service Availability (Water, Sewer, Electric)	X	X	X							
Lobbyist Registration (Required for any person interacting with the Town regarding a project who is not the property owner.) <a href="#">Form found here.</a>	X	X	X	X	X	X	X	X	X	
Cost Recovery Affidavit <a href="#">Form found here.</a>	X	X	X	X	X	X	X	X	X	



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**Responsibilities of the Applicant:**

By submitting this Land Use Application, and signing below, I acknowledge the following responsibilities and further acknowledge that there is no express or implied guarantee of approval following submittal of this application and payment of associated fees.

1. Filing fees may not be the total cost of a hearing. Some requests require notices to be mailed to property owners up to a mile from the subject property. In addition to mailing costs, fees related to application changes, plan revisions, deferrals, re-advertising, etc., may be incurred. Application withdrawn within 30 days of the filing are eligible for a refund of 25% of the hearing fee but after that time hearings withdrawn or returned will be ineligible for a refund. I understand that fees must be paid promptly.
2. The South Florida Building Code requirements may affect the ability to obtain a building permit even if this Land Use Application is approved; and that a building permit will probably be required. The applicant is responsible for obtaining permits and inspections for all structures and additions proposed or built without permits. And that a Certificate of Use and Occupancy must be obtained for the use of the property after it has been approved by the Town Council (if approval is granted), and that failure to obtain the required permits and/or Certificates of Completion or of Use and Occupancy will result in enforcement action against any occupant and owner. Submittal of a Land Use Application may not forestall enforcement action against the property.
3. The Department Environmental Resources Management (DERM), and other agencies will review zoning applications which may affect the scheduling of hearings and the outcome of the application process. These reviews may require additional public hearings before DERM's Environmental Quality Control Board (EQCB), or other boards, and /or the proffering of agreements to be recorded. The applicant also acknowledges that they must comply promptly with any DERM conditions and advise this office in writing if this Land Use Application will be withdrawn.
4. Any covenant to be proffered must be submitted to the Town of Cutler Bay Legal Counsel, on Town form, at least one (1) month prior to the anticipated hearing date. The covenant will be reviewed, and the applicant will be notified if changes or corrections are necessary. Once the covenant is acceptable, the applicant is responsible for submitting the executed covenant with a current 'Opinion of Title' within one (1) week of the hearing, and that Legal Counsel must carry a cover letter indicating subject matter, application number and hearing date.
5. The Town of Cutler Bay Department of Public Works reviews Land Use Applications and may require corrections or conditions for approval.
6. Each party will be limited to a presentation of 20 minutes. This time limitation may be extended by the Chair of the meeting.
7. The applicant is responsible for tracking the status of the application and all hearings that may be associated with the application and review process.



TOWN OF CUTLER BAY  
 Department of Community Development  
 Planning and Zoning  
 (305) 234-4262

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I (we) hereby affirm that ownership and property information presented on this application is current and accurate and, further, that the undersigned meet the requirements of the Land Development Regulations (Chapter 3 of the Town Code) to submit this application. I (we) acknowledge that inaccurate or incomplete ownership, improper authorization, or property identification will make this application and resulting actions null and void. I (we) the undersigned owner and authorized agent of the area of land described above, hereby submit for your approval the above stated request.

\_\_\_\_\_  
 (Signature of Property Owner)

\_\_\_\_\_  
 Date

\_\_\_\_\_  
 (Signature of Applicant, etc.)

\_\_\_\_\_  
 Date

If ownership is joint, each owner must sign, use additional pages as necessary. If ownership is a partnership, the Partnership Agreement must be included. 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, 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. If necessary, submit proof of ownership documents, such as copies of the recorded act of sale, act of exchange, act of donation, cash sale or deed.

State of \_\_\_\_\_

County of \_\_\_\_\_

\_\_\_\_\_ being first duly sworn, deposes and says that: They are the owner of the subject property and/or have the requisite authorization to execute this application on behalf of the property owner and that matters and facts stated in this Land Use Application are true and correct to the best of their knowledge, and that they, in the capacity indicated above, are authorized to execute this application for review and consideration by the Town of Cutler Bay.

Sworn and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
 Affiant Signature

\_\_\_\_\_  
 Print Name and Title

\_\_\_\_\_  
 Notary Public, State of Florida  
 My Commission Expires: \_\_\_\_\_