

# Development Review Process Handbook

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City Website: [www.cityofhomestead.com](http://www.cityofhomestead.com)

Telephones: (305)224-4529– Main  
(305)224-4538 – Facsimile

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## Table of Contents

<u>Item</u>	<u>Page(s)</u>
Purpose and Intent	3
Frequently Asked Questions	3 - 5
Applications and the Development Review Process	6 - 7
Pre Application Meeting	8
Public Hearing Application Process	9
Public Notification	10
Site Plan - Administrative Review	11
Permitting Process	12
Public Hearing Application	13 - 22
Fee Schedule	23 - 26
Cost Recovery Ordinance	27 - 34
APPENDIX	
Building Permit Process Flowchart	
Public Hearing Application	
Public Hearing Fee Schedule	

## I. Purpose and Intent

Although the City of Homestead's Code (hereinafter referred to as the "Code") contains thirty-two chapters and many articles and divisions; for development purposes, this document is intended as a summary of the City's planning, building, zoning, business tax receipt, and administrative functions currently being offered under the Development Services Department.

This is a user-friendly guide to aid customers and potential applicants alike with their projects. It was created to provide residents, businesses, contractors, developers and attorneys with a better understanding of the City's review and approval processes. This is also a living document, which will be amended from time to time to reflect Code revisions and policy changes.

## FREQUENTLY ASKED QUESTIONS



**DO I NEED A PERMIT TO CUT DOWN OR RELOCATE A TREE?** The answer is YES. The City of Homestead's Department of Development Services handles all tree related permits. Applications are available at the Building Division permit counter in City Hall, 790 North Homestead Boulevard, Homestead, Florida.

### **WHAT ABOUT A ROOM ADDITION?**

If you want to add a room, pool house, or garage to your home, you will need a building permit. To obtain a permit you must first submit two (2) sets of signed and sealed plans (plans can be drawn by either an architect or an engineer). Please verify with our Building Division to obtain information about plans submittal and to answer any questions you may have before embarking on your project.

### **WHAT ABOUT A NEW POOL, A DECK, OR A SHED?**

Yes, you also need a permit for a new pool, a deck, or a shed. These structures are also referred to as accessory structures, and while they may not be as complex as a room addition, you must submit the same information that is required to obtain the permit.

### **WHAT ABOUT A FENCE?**

If you want to install a fence on your property, we recommend you call our Planning Division first to obtain information about fence locations (setbacks), permitted height, etc. Yes, a permit will be

required. You will need two sets of signed and sealed property surveys and the fence specifications. Please be advised that there are fence height restrictions. For more information, please call us.

## WHAT OTHER WORK REQUIRES A PERMIT?

Generally, any work that involves electrical, plumbing, structural, or mechanical requires a permit. However, if the permit only involves building i.e., repairing a partition wall, then a permit is not required. Additionally, roof repairs of less than \$500.00 or 200 square feet or less will not require a permit.

## WHAT ABOUT ACRONYMS? I CANNOT UNDERSTAND THE ACRONYMS USED IN BUILDING AND PLANNING....

You will find several acronyms throughout this document. To facilitate your understanding of the acronyms used in the building, planning or zoning fields, we have provided the following list of those most commonly used:

### Agencies:

1. DCA: Department of Community Affairs
2. SFWMD: South Florida Water Management District
3. DERM: Department of Environmental Resources and Management
4. DRC: Development Review Committee
6. FPL: Florida Power and Light
7. MDPS: Miami-Dade County Public Schools
8. MDFR: Miami-Dade Fire Rescue
9. WASA: Water and Sewer Authority
10. SFRPC: South Florida Regional Planning Council

### Terms:

10. LDRs: Land Development Regulations
11. CDMP: Comprehensive Development Master Plan
12. FFE: Finished Floor Elevation
13. BFE: Base Floor Elevation

## WHAT IS A VARIANCE?

In simple terms, a variance is a modification or variation from the requirements of the Code. All variance requests are heard by the City Council at a public quasi-judicial hearing. A typical example is when a variance is needed for an addition that is encroaching on the front, side or rear yard setbacks;

for height restrictions; size and/or any other variation of the requirements of the Code. In summary, any time there is a proposed change/modification to the provisions of the Code or LDRs, a Variance must be sought. Administrative variances are also possible. These types of requests are handled by our administrative staff and avoid the public hearing process. In all variance cases, there are specific criteria that must be met for a variance to be granted. For more information on variances, please contact our office.

## **WHAT IS A CERTIFICATE OF USE?**

A Certificate of Use is a use permitted under a zoning district only if the use meets the criteria set forth in Sections 3-11 of the Code. Certificate of Use requests are always accompanied by an official application, a site plan, traffic analysis, and other supporting documentation. A Certificate of Use request is always heard by the City Council and subject to the public hearing process.

## **WHAT IS A PUBLIC HEARING?**

A public hearing is a meeting open to the public, with proper notice given to surrounding property owners generally impacted by the proposal, in which all property owners are given the opportunity to comment and provide input.

## **IF I RECEIVE NOTICE, AM I OBLIGATED TO ATTEND A PUBLIC HEARING?**

Again, a public hearing is an opportunity given to surrounding property owners to provide input and comments on any given development. It is not mandatory to attend.

## **IF I MAKE AN APPLICATION FOR A PUBLIC HEARING, HOW LONG DOES IT TAKE TO HAVE AN ANSWER?**

The answer to this question may vary depending on the type of application. If you are expecting Conditional Use, Site Plan approval, or a Variance from the City Council, you will have to wait until a decision is made to proceed with a building permit application and before a building permit is issued. This process could take up to four (4) months from the moment a complete application is submitted.

## **WHAT IS A PLAT?**

A plat is simply a legal division of land, which further subdivides one parcel into two or more lots, pursuant to the requirements of the Chapter 25 of City of Homestead.

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## II. Applications and the Development Review Process

Type of Application	Staff Review	Development Review Committee(DRC) <sup>1</sup>	Planning and Zoning Board	City Council	Miami Dade County	SFRPC	DCA	Estimated time frame/In months <sup>2</sup>
Change in Zoning District (Rezoning)	√	√	√	√				4
Small Scale Comprehensive Plan Amendment	√	√	√	√			√	6
Comprehensive Plan Amendment	√	√	√	√	√	√	√	12
Certificate of Use	√	√	√	√				4
Variance	√	√	√	√				4
Administrative Variance	√							1
Administrative Site Plan	√	√						1
Site Plan (including concurrency reviews)	√	√	√					4
Ordinance Amendment	√		√	√				4
T-Plats	√	√		√				4
Final Plats	√	√		√				3
Waiver of Plats	√	√						4

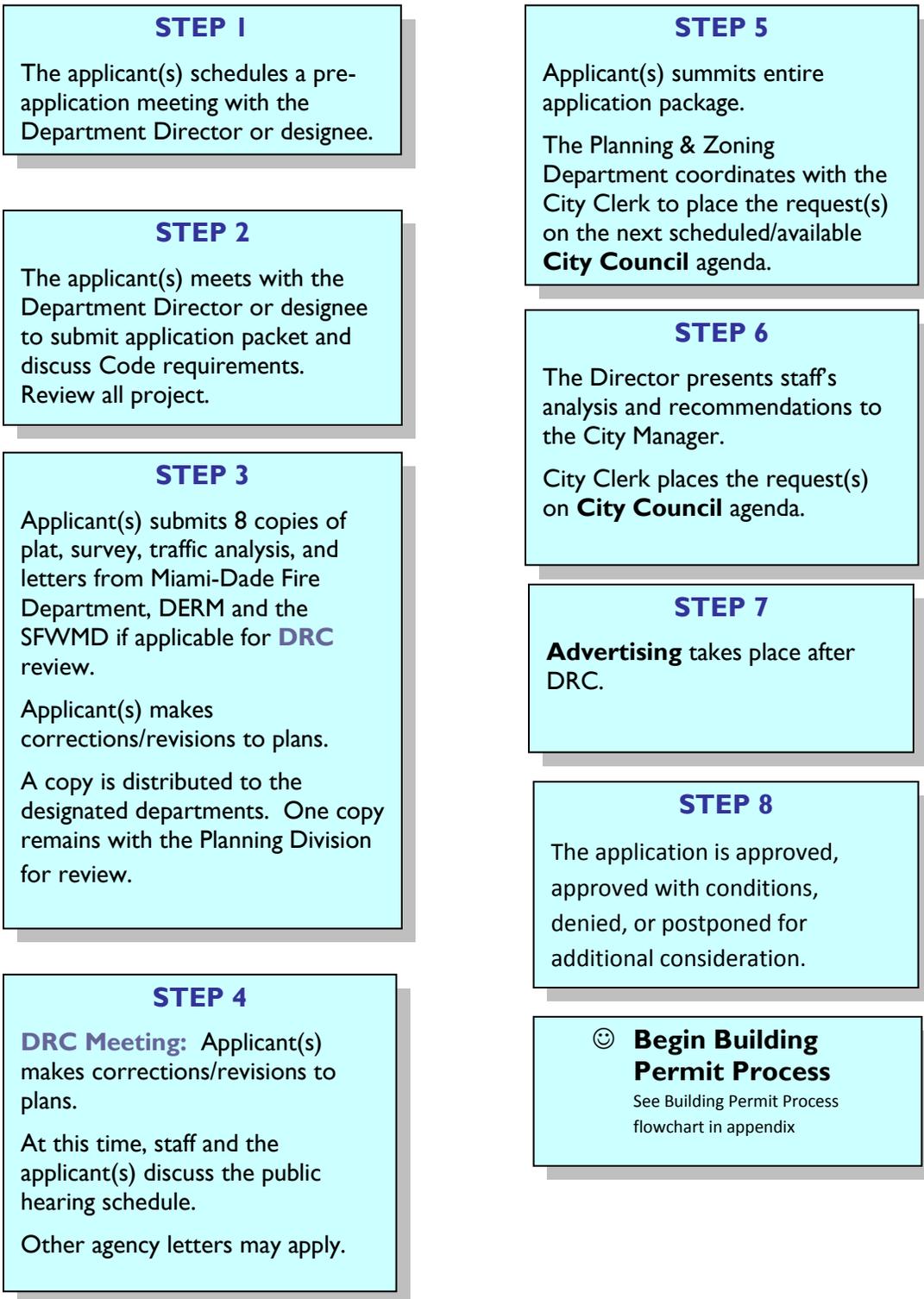
<sup>1</sup> Development Review Committee or DRC is an informal meeting with Department Heads to go over developmental issues that affect building, police, public works and parks and recreation. Other affected agencies include DERM, SFWMD, and the Miami-Dade County Fire Department.

<sup>2</sup> Estimated times may change if re-submittals take longer; therefore, a two weeks delay may take place.

The applications for the processing of development reviews under the authority of the Development Services Department are listed below.

## Development Review Process - Summary:

The following flow chart provides an overview of the review process for applications that require public hearing consideration.



## Pre-Application Meeting

When preparing for a pre-application meeting, the following tasks will be required:

1. The Planning and Zoning Assistant (PZA) obtains folio number from the applicant(s) to verify the zoning classification, and that the project is within the municipal boundaries,
2. The PZA will also request information concerning the nature of the application (ask if the request is due to a building permit violation, or the result of a code enforcement action).
3. The PZ A will provide the information to the Director for a determination as to whether a public hearing is required.
4. The PZA will arrange the meeting in accordance with set schedule.
5. The Director or designee will meet with the potential applicant to discuss the request(s), the Code sections that apply, the levels of review that will be required such as traffic studies, DERM, Fire, etc, the timeframe to process the application, and the fee schedule. The burden of obtaining outside agency information; i.e., Miami-Dade County Fire Dept., DERM, School District, and any other applicable agency, is upon the applicant, not the City.
6. If the application requires a public hearing; then, the steps outlined on the schedule below must be followed.
7. Once the applicant(s) has gathered all required information and is ready for submittal, the PZA will verify the following prior to formally accepting the application:
  - a. That the application form is complete, with original signatures.
  - b. That the required fee(s) in the form of a check made out to the City of Homestead, is submitted.
  - c. That the package contains the correct number of signed and sealed plans.
  - d. That a current survey is included.
  - e. A traffic study.
  - f. Owners Affidavit or Power of Attorney.
  - g. Disclosure of Interests.
  - h. Other agencies reports, opinions, studies, etc. (as required by the Director).
8. The PZA will distribute copies of the application to the applicable department heads and schedule a DRC meeting.
9. At the DRC meeting, the Director will establish the deadline to submit any additional information, reports, etc, prior to the public hearing advertising deadline.
10. If the application requires a public hearing; then, the Director will advise the applicant(s) how long the process is going to take based on the public hearing schedule outlined below.
11. If the application does not merit a public hearing; then, the PZA will direct the applicant(s) to the Permit Clerk.

## Public Hearing Application – Internal Process

1. After a determination has been made by the Director that the application requires a public hearing, after the DRC meeting, the PZA will receive the application and verify its completeness.
2. PZA will ensure that all copies of the application, supporting documents, and reports are perforated with the date of receipt.
3. The PZA will log in the Projects Log Sheet.
4. PZA must also log in the check amount.
5. The PZA will proceed to create a blue six-part folder, with standard labels on each partition. The project label shall also be created with the folio number, planning log number, name of project, and address. File the application in the applicable sections of the folder.
6. The PZA will then provide the Director the complete project file.
7. The Director may require additional meetings to discuss and/or resolve any outstanding issues with the applicant(s) or with any agency prior to placing the request(s) on the public hearing agenda.
8. The Director will begin the review and analysis of the application(s) and will formulate a formal written recommendation in the form of a memorandum to the City Manager. The Director will also attach a copy of the proposed ordinance or resolution approving the request(s).
9. The City Manager or designee will review, revise, and approve the Director's memorandum and ordinance(s)/resolution(s).
10. The report(s)/memorandum(s) must be ready thirty (30) days prior to the advertisement of the request. Waivers may be approved by the Director.
11. The ad must be finalized and placed in a newspaper pursuant to City Code and Florida Statutes.
12. The date of the hearing, the Director must be fully prepared to present the application(s) before the City Council and to answer any pertinent question.
13. If an affirmative decision is made by the City Council, the Director will revise the ordinance or resolution to include any condition(s), and have the PZA inform the applicant(s) that said ordinance or resolution is ready for pick up.

## PUBLIC HEARING 2011

- \* Development Review Committee, Planning and Zoning Board and City Council meetings are held in the Council Chambers at City Hall, 790 N. Homestead Blvd., Homestead, FL 33030

All applications **must** be in the Planning and Zoning Division by **NOON** on the deadline date.

## **Preparing Ads and Mail-Outs**

Once the Director has clearly indicated to the applicant the process that his/her application will undergo, including specific timeframe, the Director or designee will:

1. Once the ad has been created the ad will be placed in the Miami Review 10 days prior to the Planning & Zoning Board Meeting
2. The Director or designee will ensure that all forms of notice, advertisement, and posting must occur in a timely fashion.
3. All notices must be created in accordance with the public hearing advertisement requirements listed on Chapter 163 of the Florida Statutes.

## **Preparing the Public Hearing Agenda Package**

Although preparation and delivery of the agenda package is the responsibility of the City Clerk, the Director of Development Services is responsible for the information contained therein. Two weeks prior to the public hearing, the Director or designee will provide the City Clerk's Office with an original-complete public hearing package (only one original must be provided to the City Clerk). The public hearing package shall include, but not be limited to, the following double-sided documents:

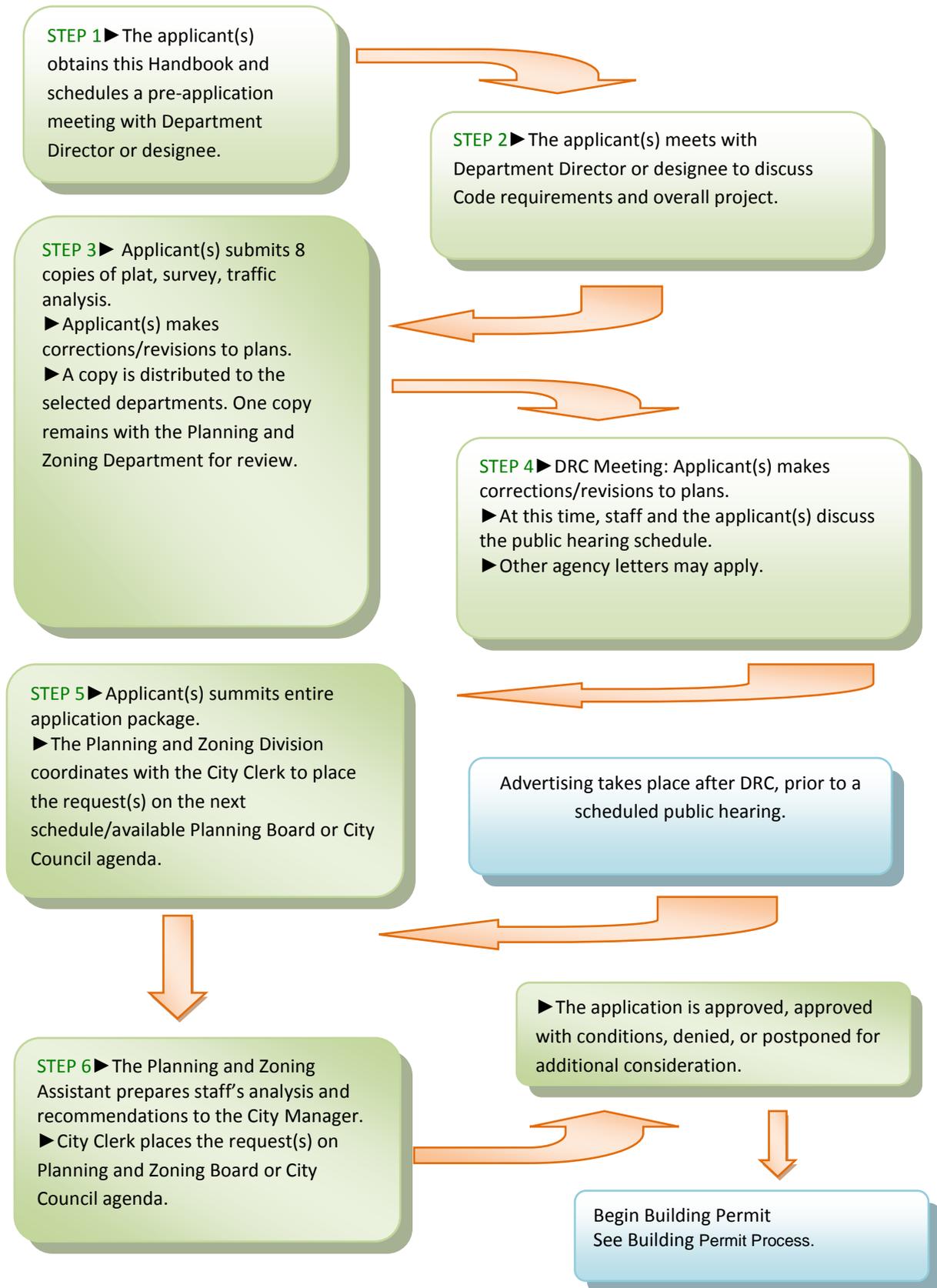
1. Properly filled out and complete application packet.
2. Official survey.
3. Letter size or 11" x 17" maximum size copies of proposed plans.
4. Zoning map showing proposed site and surrounding zoning classifications.
5. All reviews by Miami-Dade County Public Schools, etc).
6. Letters of support and/or opposition, if any.

Changes to the application may only occur thirty (30) days prior to the public hearing. Changes to the application within the thirty (30) day window prior to the public hearing date may cause the deferral of the application to the following public hearing date.

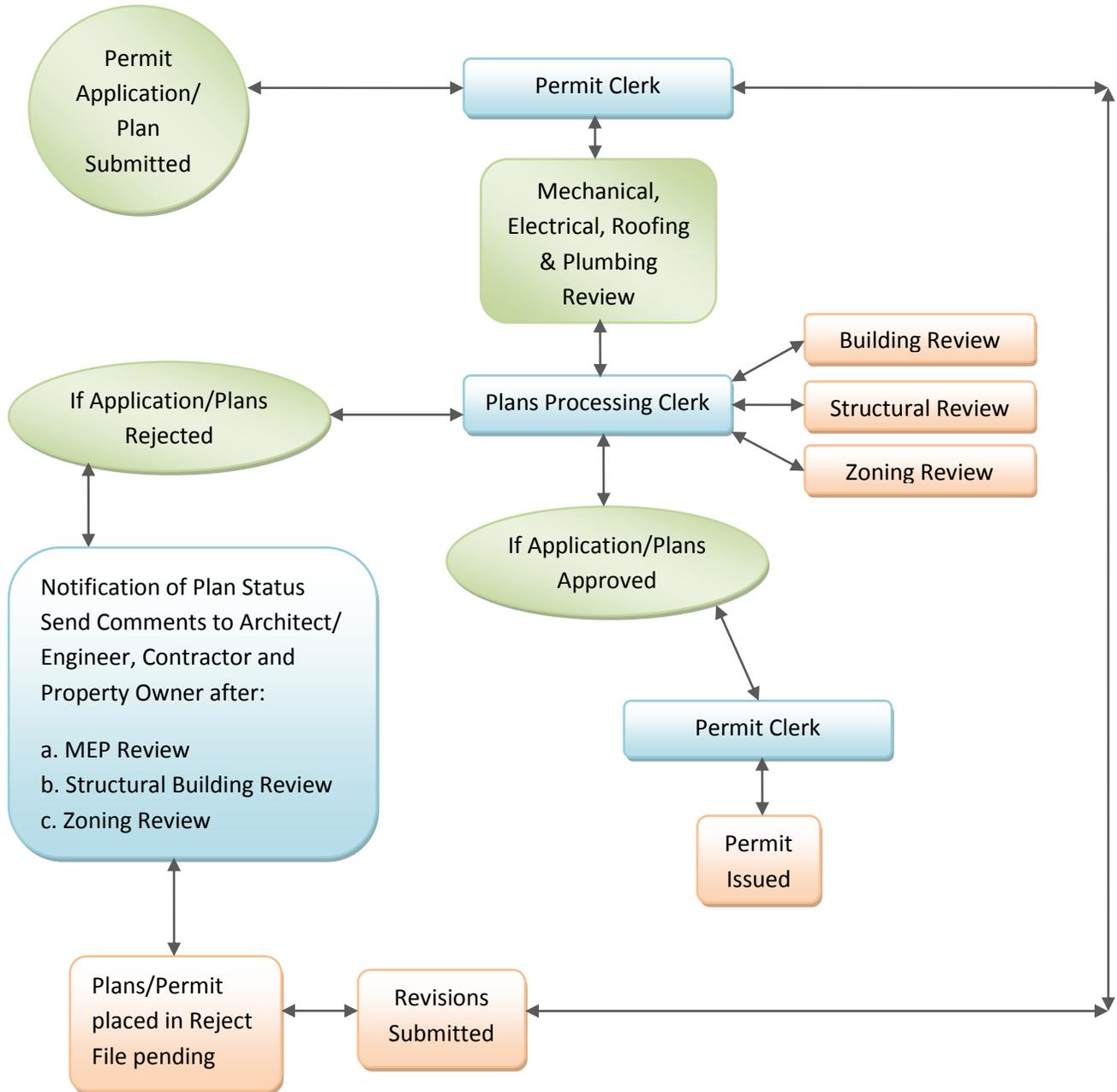
Pursuant to Code, no new documents, evidence, or expert testimony will be admitted at the public hearing. New documentation may also trigger the deferral of the application.

Two weeks prior to the public hearing the Director shall discuss with the applicants the plans and documents to be displayed at the public hearing.

## Going to the Council? Or Going to the Planning Board? The Process is the same...



# PERMITTING PROCEDURES



**CITY OF HOMESTEAD  
DEVELOPMENT SERVICES DEPARTMENT  
PUBLIC HEARING REQUIREMENTS**

To apply for a public hearing, please submit the following:

1. An official application properly filled out, signed and notarized by required parties. If applicant is a corporation, please submit the name, address, date of birth, and social security numbers of all corporate officers, along with the titles held by each.
2. Letter of Intent and Hardship clearly indicating the extent of the request.
3. Notarized letter of consent from owner of property to the applicant regarding the change requested or proposed use
4. Traffic Control Jurisdiction Agreement for all new gated communities.

**PUBLIC HEARING REQUIREMENTS**

- Single Family Residences and Residential Developments

**a.** site plans    **b.** survey    **c.** floor plans    **d.** elevations    **e.** landscaping plans

- Lake Excavations (all plans to be prepared and sealed by a Florida surveyor or engineer)

**a.** site plans    **b.** survey    **c.** perimeter dimensions    **d.** cross-sections

**e.** slope description(s)

- Business/office developments

**a.** site plans    **b.** survey    **c.** floor plans    **d.** elevations    **e.** landscaping plans

- Religious facilities (churches and synagogues)

**a.** site plans    **b.** survey    **c.** floor plans    **d.** elevations    **e.** landscaping plans

- Schools, kindergartens and day nurseries

**a.** site plans    **b.** survey    **c.** floor plans    **d.** elevations    **e.** landscaping plans

- Signs
  - a. site plan
  - b. detailed drawing of the sign showing dimensions & height
- Alcoholic beverage survey (2- 8 ½ x 11 or 11 x 17)
- Hearing fee (see attached fee schedule and instructions)

**NOTE:** *All plans must contain a title block identifying the development or project, the name, title and address of the person preparing the plan, date of preparation, and scale of drawing. Site plans must show the entire property, have all dimensions (measured to the centerline of the streets), indicate size and uses of existing and proposed buildings, spacing, setbacks, parking spaces and driveways. A complete legend, indicating the breakdown of calculations for the site, must be shown on the plan. Floor plans must identify all rooms and indicate dimensions of each space. Elevation drawings must show number of stories and height of building. A Certificate that the landscaping complies or will comply with the Landscape Ordinance must accompany landscape plans.*

Public Hearing # \_\_\_\_\_

Request For:  Rezoning  Variance  Special Exception  Other \_\_\_\_\_

ττDO NOT WRITE ABOVE THIS LINEττ

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Reason for request: \_\_\_\_\_

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**NOTICE TO APPLICANT:**

This application must be completed and returned with all enclosures referred to therein, to the City of Homestead, Development Services Department, 790 North Homestead Boulevard, Homestead, Florida 33030. This information must be completed and accepted by the City of Homestead Development Services Department on or before deadline date before advertising for a public hearing.

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

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

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ Birth Date: \_\_\_\_\_

Home Phone: (\_\_\_\_) \_\_\_\_\_

Business Phone: (\_\_\_\_) \_\_\_\_\_ Ext. \_\_\_\_\_ Fax Number: (\_\_\_\_) \_\_\_\_\_

Name of Property Owner: \_\_\_\_\_ (if different from applicant)

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

City: \_\_\_\_\_ State \_\_\_\_\_ Zip: \_\_\_\_\_

E-mail Address \_\_\_\_\_

Legal description of property covered by application list **all** folio numbers:

**Folio #'s 10-** \_\_\_\_\_

Subdivision \_\_\_\_\_ PB Page: \_\_\_\_\_ Lot \_\_\_\_\_ Block \_\_\_\_\_ Dimension  
of the property covered by application: \_\_\_\_\_

Address of property covered by application: \_\_\_\_\_

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Ownership of property obtained? \_\_\_\_\_ When was contract for purchase or deed signed? \_\_\_\_\_

When was lease signed? \_\_\_\_\_ Term: From \_\_\_\_\_ To \_\_\_\_\_

Mortgage Holder Name: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Where property is not owned by the applicant, is a letter attached giving the consent by the owner to the applicant to request a change?  Yes  No

Has contract to purchase been attached?  Yes  No

Zoning classification at present: \_\_\_\_\_ Zoning request: \_\_\_\_\_

Has permit been applied for?  Yes  No Was application for permit denied?  Yes  No

Special conditions or reasons believed justifying change or restriction or appeal? \_\_\_\_\_

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Has a Notice of Violation been issued on this property?  Yes  No

If yes, give date of violation \_\_\_\_\_ with a brief explanation \_\_\_\_\_

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Has a public hearing been held on this property within the last year and a half?  Yes  No

If yes, applicant's name \_\_\_\_\_ Date of hearing \_\_\_\_\_

Nature of hearing \_\_\_\_\_ Decision of hearing \_\_\_\_\_

Ordinance/Resolution # \_\_\_\_\_

Are there any existing structures on the property?  Yes  No

If yes, briefly describe \_\_\_\_\_

Is there any existing use on the property?  Yes  No

If yes, briefly explain \_\_\_\_\_.

Has a dedication been made for official right-of-way or Unity of Title, if necessary?  Yes  No

Has a site plan layout been submitted to the Building Official?  Yes  No

THE UNDERSIGNED UNDERSTANDS THIS APPLICATION SHALL BE COMPLETE AND ACCURATE BEFORE A HEARING CAN BE ADVERTISED.

I \_\_\_\_\_, BEING FIRST DULY SWORN, DEPOSE AND SAY THAT

- I am the OWNER
- I am the LESSEE
- I am the LEGAL REPRESENTATIVE of the OWNER or LESSEE
- OTHER (please explain) \_\_\_\_\_

of the property described which is the subject matter of this application; and that all the answers to the questions in said application, and all sketches and data and matter attached to and made a part of said application are honest and true to the best of my knowledge and belief.

\_\_\_\_\_  
Signature

SWORN AND SUBSCRIBED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_

\_\_\_\_\_  
Notary Public, State of Florida at Large

My Commission expires \_\_\_\_\_ 20\_\_\_\_

**AUTHORITY TO RELEASE INFORMATION**

TO WHOM IT MAY CONCERN:

I hereby authorize any Police Officer or authorized representative of Homestead Police Department bearing this release, or copy thereof, within one year of its date, to obtain any information in your files pertaining to criminal records or credit records for obtaining vendor or any license issued by the City of Homestead. I hereby direct you to execute with full knowledge and understanding that this information is for the official use of the Homestead Police Department. Consent is granted for the Homestead Police Department to furnish such information, as is described above, to third parties in the course of fulfilling the official responsibilities. I hereby release you, as the custodian of such records, and employer, credit bureau or consumer reporting agency, including its officers, employees, or related personnel, both individually and collectively, from any and all liability for damages or whatever kind, which may at any time result to me, my heirs, family or associates because of compliance with this authorization and request to release information, or any attempt to comply with it. Should there be any question as to the validity of this release, you may contact me as indicated below. In reference to the Privacy Act, Public Law 93-579.

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

Full Name: \_\_\_\_\_ (type or print name)

Current Address: \_\_\_\_\_ City: \_\_\_\_\_

State: \_\_\_\_\_ Zip: \_\_\_\_\_ Telephone Number (\_\_\_\_) \_\_\_\_\_

Date of Birth: \_\_\_\_\_ Race: \_\_\_\_ Sex \_\_\_\_ Social Security #: \_\_\_\_\_

SWORN AND SUBSCRIBED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20 \_\_\_\_\_

\_\_\_\_\_  
Notary Public, State of Florida at Large

My Commission expires \_\_\_\_\_ 20 \_\_\_\_\_

**PERMISSION TO ENTER UPON PREMISES**

I hereby grant to the City of Homestead staff of the appropriate departments, and members of the Planning and Zoning Board of the City of Homestead, authority to enter upon my property to inspect said property either during normal business hours of a commercial establishment or during daylight hour to view the exterior of a residential property.

Yes  No

Refusal of authorization for entry on the property to the official of the City of Homestead shall not in any way prejudice the applicant in the public hearing procedure.

\_\_\_\_\_  
Signature

SWORN AND SUBSCRIBED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_

\_\_\_\_\_  
Notary Public, State of Florida at Large

My Commission expires \_\_\_\_\_ 20\_\_\_\_

**COST RECOVERY AFFIDAVIT**

I hereby acknowledge and consent to the payment of all applicable fees involved as part of my application process. These fees include but are not limited to: postage, advertising, and attorney fees regardless of the outcome of the public hearing, road closure, administrative variance, and/or site plan review.

Please type or print the following:

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

Full Name:  Mr.  Mrs.  Ms. \_\_\_\_\_

Current Address: \_\_\_\_\_ City: \_\_\_\_\_

State: \_\_\_\_\_ Zip: \_\_\_\_\_ Telephone Number (\_\_\_\_\_) \_\_\_\_\_

\_\_\_\_\_  
Signature

SWORN AND SUBSCRIBED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_

\_\_\_\_\_  
Notary Public, State of Florida at Large

My Commission expires \_\_\_\_\_ 20\_\_\_\_

Pursuant to Ordinance No. 2000-09-33-Cost Recovery

PROFESSIONAL STATEMENT OF LANDSCAPING COMPLIANCE

PUBLIC HEARING NUMBER \_\_\_\_\_

Legal Description: Lot \_\_\_\_\_, Block \_\_\_\_\_, Subdivision \_\_\_\_\_, P.B. \_\_\_\_\_, Page \_\_\_\_\_, Development Name \_\_\_\_\_ Located at (address) \_\_\_\_\_

I/We herby certify that the landscaping/irrigation plan being submitted for the above captioned complies with the requirements of the City of Homestead Ordinance 2001-04-11 (landscape ordinance) as to species, height, trunk width and location at time of planting, and that the species as shown are in accordance with the accepted species and that none of the species are from the prohibited list. Additionally automatic sprinkler systems (if applicable) comply with requirement of said ordinance as to the type of heads, spray system, location, etc.

I/We further certify that I/We am/are authorized under Chapter 481, Florida Statutes to prepare and submit this landscaping/irrigation plan.

\_\_\_\_\_  
Professional Signature

Seal:

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

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by \_\_\_\_\_, of \_\_\_\_\_  
A \_\_\_\_\_ corporation, on behalf of the corporation. He/She is personally known to me or has produced \_\_\_\_\_, as identification and did/did not take an oath.

Witness my signature and official seal this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, In the County and State aforesaid, the date and year last aforesaid.

\_\_\_\_\_  
Notary Public

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

### **Art in Public Places**

**Under Ordinance No. 2010-04-11, the City has established a “Public Art Program”. Under this program the guidelines for contributing to the Public Art Program are as follows:**

**Any development project for which costs exceed \$750,000 or any single family home project for which costs exceed \$500,000 must do one of the following:**

- 1. Pay an in lieu fee of 1% of the project cost, not to exceed \$500,000.**
- 2. Donate public art having a minimum value of 1% of the project cost.**
- 3. Place Art on developers’ site having a minimum value of 1.25% of the project cost.**

**PUBLIC HEARING FEES**  
**(Pursuant to Ordinance 2004-11-44)**

**A. ALCOHOLIC BEVERAGE MATTERS:**

1. Certificate of Use  
**\$750.00**
  
  2. Waiver (hours, distance (each))  
**\$1000.00**
- 

**B. AMEND MASTER PLAN:**

- Minimum Fee  
**\$3,000.00 per application**
- 

**C. ANNEXATION:**

- Minimum Fee  
**\$500.00**
- 

**D. PETITION FOR CLOSING ROADS AND/OR ALLEYS:**

**\$500.00**

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**E. PLATTING WITH LOTS:**

1. Preliminary Plat  
**\$750.00**
    - a. per lot **\$50.00 (additional)**
  
  2. Final Plat  
**\$500.00**
    - b. per lot above 20 **\$20.00 (additional)**
- 

**F. PLATTING WITHOUT LOTS  
(FOR ROADS Mr. Ortiz OTHER INFRASTRUCTURE ONLY):**

1. Preliminary Plat  
**\$1000.00**
  
2. Final Plat  
**\$750.00**

**G. WAIVER OF PLAT:**

**Minimum Fee**  
**\$1000.00 plus \$50.00 per lot**

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**H. REZONING:**

1. **One Family District (A-1, A-2 and R-1)**
    - a. **\$400.00 if less than one (1) acre**
    - b. **\$800.00 if one (1) acre or greater**
  
  2. **One and Two Family District (R-2 duplex)**
    - a. **\$500.00 if less than one (1) acre**
    - b. **\$.100.00 if one (1) acre or greater**
  
  3. **Townhouse, Cluster House and Multiple Apartment District (R-TH, R-CH and R-3)**  
**\$600.00 plus 10 cents for every 10 sq. ft. of build able land area.**
  
  4. **Commercial and Industrial Districts**  
**\$600.00 plus 10 cents for every 10 sq. ft. of total land area**
  
  5. **PUD:**  
**Minimum \$1,500.00 plus 10 cents for every 10 sq. ft. of total land area**
- 

**I. SITE PLAN REVIEW:**

1. **Minimum Fee (requiring no public hearing)**  
**\$500.00**
  
  2. **Requiring Public Hearing**  
**\$1,000.00**
- 

**J. SPECIAL EXCEPTION:**

- Minimum Fee**
1. **\$700.00 plus \$250.00 for each additional special exception item**
- 

**K. VARIANCE(S):**

1. **For One Family and One and Two Family Districts (A-1, A-2, R-1 and R-2)**  
**\$500.00 plus \$50.00 for each additional variance**

2. For Signs, Fences, and Walls in all other districts  
\$500.00 plus \$50.00 for each additional variance
3. For all other sections of the Zoning Code in all other districts  
\$750.00 plus \$100.00 for each additional variance
4. Administrative Variances (each)  
\$400.00
5. Administrative Variances on Urban Design (each)  
\$600.00

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**L. PUD MASTER PLAN REVIEW:**

1. Sketch Plan \$1,000.00
2. Master Plan \$2,000.00

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**M. PUBLIC HEARING NOT LISTED HEREIN:**

\$500.00

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**Additionally:**

1. All fees shall be doubled if public hearing is requested after property is in violation.
2. Public hearing fees are nonrefundable.
3. Additional fees for submittal after deadline:
  - (a) One and two family district - \$250.00
  - (b) All other district \$450.00
4. Deferral of application:
  - a. At applicants' request (based on when request for deferral is received):

**Twenty-one days before meeting ...20% of application fee, plus cost of re-advertising.**

**Fourteen days before meeting...40% of application fee, plus the cost of re-advertising**

**Seven days before meeting....60% of application fee, plus the cost of re-advertising**

**Within six days of meeting...80% of application fee, plus the cost of re-advertising**

- b. Deferral of application at board or staff request...no fee**
- 5. Extension of duration of variance...no fee**
- 6. In addition to all fees listed above, applicants must pay for all costs of providing notice, including all mailing and publication costs.**
- 7. Further, the applicant shall pay supplemental fees to the City in accordance with the cost recovery provision of Section 2-500 of the City Code.**

**Hearing fee to be paid in cash or check drawn to the order of the "City of Homestead"**

ORDINANCE NO. 2008-03-06

AN ORDINANCE OF THE CITY OF HOMESTEAD, FLORIDA, AMENDING THE CITY CODE BY AMENDING DIVISION 3 "COST RECOVERY" OF ARTICLE IX "FINANCE" OF CHAPTER 2 "ADMINISTRATION", BY REVISING PROCEDURES AND CREATING ADVANCE DEPOSIT REQUIREMENTS RELATED TO COST RECOVERY, PROVIDING FOR INTEREST CHARGE AND ENFORCEMENT, PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the City staff has conducted a review of costs incurred by the City for the review of development approvals; and

**WHEREAS**, the City Council finds that existing fee schedules do not fully cover the City's costs in administration and review of land development applications and related matters; and

**WHEREAS**, the City Council finds that it is in the best interests of the City for the City to implement additional procedures for the recovery of the costs for services relating to the review of applications for development approvals from those persons deriving the benefit of the review, as provided herein; and

**WHEREAS**, the City Council finds that requiring an advance deposit in relation to certain cost recovery items and imposing interest charges on unpaid items may serve to avoid costly collection procedures and enhance the collection of monies owed to the City.

**NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF HOMESTEAD, FLORIDA, AS FOLLOWS:** <sup>1</sup>

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<sup>1</sup> / Proposed additions to text of City Code are indicated by underline; proposed deletions from text of City Code are indicated by ~~strikethrough~~.

**Section 1. Recitals Adopted.** That the recitals set forth above are hereby adopted and confirmed.

**Section 2. Revised Cost Recovery Process Adopted.** That the City Code of the City of Homestead is hereby amended by amending Chapter 2 "Administration", Article IX "Finance", Division 3 "Cost Recovery", by amending Section 2-500 "Cost recovery required", to read as follows:

**Sec. 2-500. Cost recovery required.**

(1) *Cost recovery.* To the extent that any application for review by the city under Chapter 30 "Zoning" or, except as otherwise specified below, other City Code provisions requires additional review by city staff, city contractors, agents or consultants, the actual cost of such additional review shall be passed on to the applicant.

(a) *Cost for review of revisions.* Cost for additional review by city staff shall be based on revisions to plans and charged to the applicant. The amount charged for additional review which results from the submittal of revised plans shall be calculated in the following manner:

Submittal of the first revised plan will be processed by the department of development services at no additional cost to the applicant. Subsequent revisions will be processed at an additional charge of three hundred dollars (\$300.00) (or five hundred dollars (\$500.00) if submitted thirty (30) days or less prior to the hearing) per revised plan and shall be paid in total at the time of submittal. Other costs shall be applicable as provided by paragraph (b) below.

(b) Professional Review. Cost for the city attorney and/or outside contractors, agents or consultants of the city shall be charged to the applicant in an amount equal to the actual hourly rate charged to the city. The term "additional review", as used herein above, includes all review services provided in circumstances in which the city utilizes the services of an outside contractor, agent or consultant for the application or item or other circumstances in which review or work by the city attorney exceeds a period of one (1) hour.

(c) Administrative Fee. An administrative fee of three (3) percent of the recoverable costs shall be added as a surcharge to cover the city's cost in administering and billing cost recovery hereunder. This surcharge shall not apply if sufficient funds are deposited with the city by the applicant as an advance of recoverable cost in accordance with procedures established by the city manager or his designee.

(d) Preliminary Deposit. Persons who file any applications or who file review requests for which cost recovery is applicable which necessitates additional review shall pay, prior to or at the time the application is filed or the review request is made, an initial preliminary deposit which shall be credited toward the charges for such review and processing, and shall pay additional deposits as may be required from time to time. The amount of the initial deposit for the different types of applications or review requests shall be commensurate with the anticipated cost recovery, and shall be established, and from time to time may be amended, by the city manager or his designee.

(e) Application Account.

(i) Opening. When the person pays the initial deposit, a financial account for the application or review request (the "project account") will be opened and shall be maintained throughout the entire review process until: the person receives a certificate of occupancy; the Development Services or other applicable city department determines that no further action is necessary for the review and processing of the matter; or the applicant voluntarily withdraws the application or the request for review, and in such event the project account shall be closed.

(ii) Closure. Once the project account is closed, any remaining funds that are not owed to the city shall be refunded to the person making the deposit no later than two months after the project account's closing date.

(iii) Supplemental Deposit. The project account will be monitored by the city on a periodic basis. Whenever the account balance is found by city staff to have become diminished to an inadequate level, a supplemental deposit will be required before any further review or processing continues. The person making the initial deposit will be notified when a supplemental deposit will be required. The amount of the supplemental deposit shall be 50% of the initial deposit. Several supplemental deposits may be necessary depending on the complexity of the review request. Except as provided herein, any notification provided in this section for supplemental deposits from the city to a person initiating an application or a review request shall be deemed sufficient if such notification is made by a telephone call to such person or his or her agent with a confirming certified letter to follow.

(iv) *Contacts; notification.* It shall be the duty of persons who initiate applications or review requests to provide on the filed application or review request a continuously updated address and telephone number where said persons or their agents may conveniently be reached for purposes of notification under this section. If an attempt to notify a person initiating an application or a review request or his or her agent is frustrated because the furnished phone numbers or addresses were incorrect or not up to date when the notification attempt was made, such frustrated attempt shall be deemed sufficient notice for purposes of complying with this section.

(2) *Applicability of provisions.* The cost recovery required above shall not apply to applications or transactions that are originally initiated by or on behalf of the city.

(3) *Building permit fee schedule not affected.* The schedule of building permit and related fees established by resolution of the city council as authorized by section 6-52 of the City Code, shall not be affected by this section.

(4) *City preparation of real estate transactional documents.* Unless prohibited by law, in circumstances in which the city prepares closing papers, deeds or other documents in conjunction with city programs such as in-fill lot housing or other housing measures, or for other matters in which the city holds a lien and is requested to subordinate its position, the city shall charge the applicant a reasonable fee as determined by the city manager in an amount equal to the actual costs of the city for the preparation of such documents.

(5) *City loan and economic development programs.* In cases where the city prepares loan documents, liens, mortgage papers, subordination documents and other

such documents in conjunction with or resulting from city loan and economic development programs, including, but not limited to, the city revolving loan fund program, the city shall charge the applicant a reasonable fee as determined by the city manager in an amount equal to the actual costs of the city for the preparation of such documents.

(6) *Interest Charge; Enforcement.* Unpaid costs and fees payable to the city under this section, including unpaid costs and fees that exist at the time of the adoption of this paragraph (6), which are more than thirty days overdue shall be delinquent and shall accumulate interest at the rate of one **and one-half** (1.5 %) per cent per month upon the unpaid balance until paid. Overdue costs, fees and interest accrued thereon may be collected and enforced in any manner that is allowed by law, and the city shall be authorized to recover its reasonable attorney's fees incurred in such collection.

**Section 3. Severability.** That the provisions of this Ordinance are declared to be severable, and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

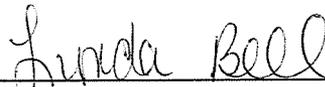
**Section 4. Inclusion in the Code.** That it is the intention of the City Council, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of the City of Homestead; that the sections of this Ordinance may be

renumbered or relettered to accomplish such intentions; and that the word "Ordinance" shall be changed to "Section" or other appropriate word.

**Section 5. Effective Date.** That this Ordinance shall be effective immediately upon adoption on second reading.

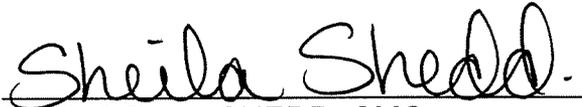
PASSED on first reading this 19<sup>th</sup> day of February, 2008.

PASSED AND ADOPTED on second reading this 3<sup>rd</sup> day of March, 2008.



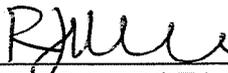
LYNDA BELL  
Mayor

ATTEST:

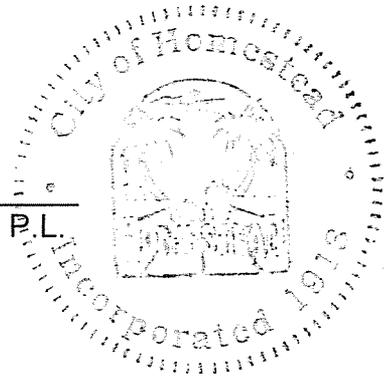


SHEILA PAUL SHEDD, CMC  
City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:



WEISS SEROTA HELFMAN PASTORIZA COLE & BONISKE, P.L.  
City Attorney



Motion to adopt by Councilwoman Lobos seconded by Councilwoman Sierra.

FINAL VOTE AT ADOPTION

<i>Mayor Lynda Bell</i>	<u>YES</u>
<i>Vice Mayor John Burgess</i>	<u>YES</u>
<i>Councilwoman Wendy Lobos</i>	<u>YES</u>
<i>Councilman Melvin McCormick</i>	<u>YES</u>
<i>Councilman Timothy Nelson</i>	<u>YES</u>
<i>Councilwoman Nazy Sierra</i>	<u>YES</u>
<i>Councilwoman Judy Waldman</i>	<u>YES</u>