



VILLAGE OF EL PORTAL  
PLANNING AND ZONING DEPARTMENT  
500 NE 87th St, Miami, FL 33138  
Telephone No. +1 (305) 795-7880

## ZONING REVIEW APPLICATIONS

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Step 1. Please refer to the appropriate sections of the [Village of El Portal Code of Ordinances](#) when designing your project and completing this application.

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Step 2. A pre-application meeting with the Zoning Consultant may be scheduled at your convenience and will help in understanding the zoning review process and application requirements.

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Step 3. Complete the Application. Only a complete application will be reviewed by the Departments. This application, with all supplemental data and information, must be completed in accordance with the specific instructions in this application. Submit the complete application to The Village of El Portal Zoning Consultant electronically to [zoning@villageofelportal.org](mailto:zoning@villageofelportal.org) and pay the associated fee to the Village of El Portal.

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Step 4. Once the completed application is reviewed by the Zoning Consultant, the applicant will be notified whether additional documentation is required and next steps (please see *Village of El Portal Planning Review Procedure Flow Chart* on page 2).

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Step 5. Once the zoning application is approved, you may proceed to obtain a certificate of use, business tax receipt, or building permit if applicable.

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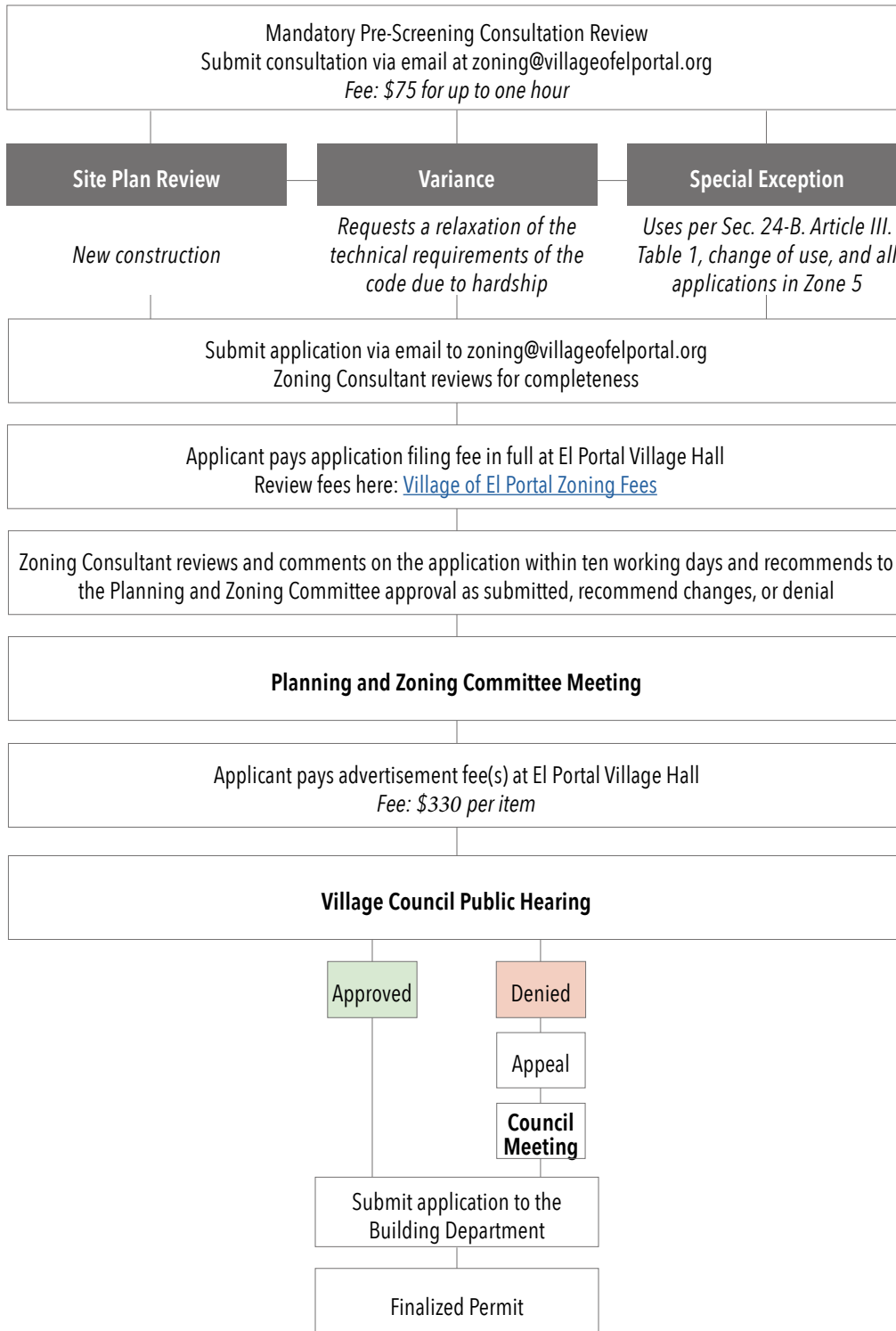
Acknowledge receipt and understanding of application instructions.

Name \_\_\_\_\_ Date \_\_\_\_\_ Signature \_\_\_\_\_



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## VILLAGE OF EL PORTAL ZONING PROCESS REQUIREMENTS AND PROCEDURES





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**APPLICATION TYPE REQUESTED**

Please check each type of application your are applying for:

<input type="checkbox"/> Site Plan Review
<input type="checkbox"/> Variance
<input type="checkbox"/> Special Exception

**ADDRESS OF PROPERTY AND FOLIO NUMBER**

Information available at [www.miamidade.gov/pa/property\\_search.asp](http://www.miamidade.gov/pa/property_search.asp)

Property Address:	
Folio Number:	

**APPLICANT INFORMATION SHEET**

Property Owner's Name:	
Mailing Address, City, State, Zip	
E-mail Address	
Phone Number	
Name of Agent (Contractor and Architect may act as agents)	
Mailing Address, City, State, Zip	
E-mail Address	
Phone Number	

**OWNER AFFIDAVIT**

I, \_\_\_\_\_, being first duly sworn, depose and say that I am the legal owner of record of the property described and which is the subject of the proposed Temporary Use Permit and Occupancy Permit, and that all statements and representations made are true and correct.

I acknowledge that I am subject to penalties of law, including the laws on perjury, and to possible revocation of this variance for any false or misleading statements in this application.

\_\_\_\_\_  
 Print Owner's Name

\_\_\_\_\_  
 Owner's Signature

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

\_\_\_\_\_  
 Name:  
 Notary Public - State of Florida  
 Commission no:  
 My commision expires:



### VARIANCE CHECKLIST

- Letter of intent.** Describe the request in full. Explain the purpose of the application, benefit(s) in the change and reasons why this application should be approved. Specify the exact nature of the use or operation applied for, together with any pertinent technical data, which will clarify the proposal.
- 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.
- Survey,** less than six (6) months old, signed and sealed by a by a Florida registered surveyor and mapper.
- Project Plan,** scaled and dimensioned with appropriate area calculations as necessary. Use clouding to identify the area of new work. Clearly mark setbacks, heights, areas, etc.
- Landscape Plan.** Clearly identifying any removal of trees.
- Variance requirements** per Sec. 17-58 (a)(b) (see page 5).
- Sketches and/or color photographs.** Any graphical representation of the requested changes to clearly describes the proposal.
- Other data as required.** (Planning official may request additional information).
- Submit (1) digital copy** of the each application with all required material to zoning@villageofelportal.org.
- Application fee** (\$30) and **filing fee** (\$700) per variance requested paid in full to the Village of El Portal before review.
- Avertisement fee** (\$330) per variance requested paid in full to the Village of El Portal.

### SPECIAL EXCEPTION CHECKLIST

- Letter of intent.** Describe the request in full. Explain the purpose of the application, benefit(s) in the change and reasons why this application should be approved. Specify the exact nature of the use or operation applied for, together with any pertinent technical data, which will clarify the proposal.
- 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.
- Survey,** less than six (6) months old, signed and sealed by a by a Florida registered surveyor and mapper.
- Project Plan,** scaled and dimensioned with appropriate area calculations as necessary. Use clouding to identify the area of new work. Clearly mark setbacks, heights, areas, etc.
- Landscape Plan.** Clearly identifying any removal of trees.
- Special Exception requirements per Sec. 17-59 (c) (d) (e) (see page 7).
- Site Plan Review requirements** per Sec. 17-53 (e) (see page 6).
- Sketches and/or color photographs.** Any graphical representation of the requested changes to clearly describes the proposal.
- Other data as required.** (Planning official may request additional information).
- Submit (1) digital copy** of the each application with all required material to zoning@villageofelportal.org.
- Application fee** (\$30) and **filing fee** (\$3,500) per special exception requested paid in full to the Village of El Portal before review.
- Avertisement fee** (\$120) per special exception requested paid in full to the Village of El Portal.

### SITE PLAN REVIEW CHECKLIST

- Letter of intent.** Describe the request in full. Explain the purpose of the application, benefit(s) in the change and reasons why this application should be approved. Specify the exact nature of the use or operation applied for, together with any pertinent technical data, which will clarify the proposal.
- 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.
- Survey,** less than six (6) months old, signed and sealed by a by a Florida registered surveyor and mapper.
- Project Plan,** scaled and dimensioned with appropriate area calculations as necessary. Use clouding to identify the area of new work. Clearly mark setbacks, heights, areas, etc.
- Landscape Plan.** Clearly identifying any removal of trees.
- Site Plan Review requirements** per Sec. 17-53 (e) (see page 6).
- Sketches and/or color photographs.** Any graphical representation of the requested changes to clearly describes the proposal.
- Other data as required.** (Planning official may request additional information).
- Submit (1) digital copy** of the each application with all required material to zoning@villageofelportal.org.
- Application fee** (\$30) and **filing fee** (\$0.10 p/ lot sf) paid in full to the Village of El Portal before review.
- Avertisement fee** (\$330) per site plan review requested paid in full to the Village of El Portal.

### GENERAL REQUIREMENTS

Once the entire list of requirements is satisfied, the application has been submitted, the application and filing fees paid, and the review is complete, the applicant can present the project to the Planning and Zoning Committee and to the Village Council (refer to page 2 for procedures).

**Note:** For public hearings, applications can be presented digitally on the screens at Village Hall or physically on boards. The applicant is responsible for removing all presentation material from Village Hall after every meeting. Anything left behind will be discarded.



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## VARIANCE REQUIREMENTS

According to **Sec. 17-58 (a) and (b) - Requirements and procedures for variances and administrative adjustments**, any application for a variance shall abide by the following:

(a) Generally, Variances or administrative adjustments are relaxations of the technical requirements of this chapter where such action will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the actions of the applicant, and where a literal enforcement of this chapter would result in unnecessary or undue hardship. No variance that would increase flood damage on other property shall be granted unless flowage easements have been obtained from the owners of affected properties.

(b) Variance. The village may grant a variance from the provisions of this chapter in accordance with the following procedures, regulations and requirements:

(1) Property owners or their authorized representatives, who possess written authorization, shall be the only eligible applicants for variances other than the village itself.

(2) Applications shall be received by the village in a form prescribed by the village accompanied by any necessary information or documentation supporting the request and shall be reviewed in accordance with the provisions of this chapter and applicable state law. Information supporting said request shall include:

- a. Existing land use designation(s);
- b. Existing zoning districts;
- c. Type of development proposal;
- d. Density/intensity of use;
- e. Survey of property;
- f. Subdivision plat, if platted;
- g. Variance requested;
- h. Reason and justification for variance;
- i. Information on other required permits, if any;
- j. Other information in order to explain proposal.

(3) The planning and zoning director shall review all submitted applications for completeness.

(4) The director shall meet to consider applications for variances and shall make an initial determination of conformance with applicable regulations. Upon conclusion of the review, the director shall make a recommendation to the village council.

(5) The village council shall hold a public hearing to consider the recommendation of the director with respect to applications for variances and shall, upon conclusion of the public hearing, determine where, owing to special conditions, a literal enforcement of the provisions of these land development regulations will result in unnecessary and undue hardship. In order to authorize any variance from the terms of this zoning code, the village council must and shall find the following:

- a. Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not generally applicable to other lands, structures, or buildings in the same district.
- b. The special conditions and circumstances do not result from the actions of the applicant and/or the property owner.
- c. Literal interpretation of the provisions of this zoning code would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this zoning code and would result in unnecessary and undue hardship, but not economic hardship, on the applicant.
- d. The variance granted is the minimum variance that will make possible the reasonable use of land, structure, or building.
- e. The grant of the variance will be in harmony with the general intent and purpose of this zoning code, and the variance will not be injurious to the area involved or otherwise detrimental to the public welfare.
- f. Granting the variance requested will not be detrimental to adjacent property or adversely affect the public welfare.
- g. No nonconforming use of neighboring lands, structures, or buildings in other districts shall be considered grounds for the authorization of a variance.



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## SITE PLAN REVIEW REQUIREMENTS

According to **Sec. 17-53 (e) Requirements and procedures for site plan review submittal requirements**, any application for site plan approval shall abide by the following:

- (1) Letter of intent describing the nature of the request and any other pertinent information.
- (2) Application fee.
- (3) A legal description, including the section, township, and range.
- (4) Site boundaries clearly identified, and ties-to-section corners.
- (5) Proposed land uses.
- (6) Location and height of all structures and total floor area with dimensions to lot lines, and designations of use.
- (7) Building separations dimensioned.
- (8) Vehicular circulation system for cars, bicycles, and other required vehicle types, with indication of connection to public rights-of-way. Location of all parking and loading areas.
- (9) All adjacent rights-of-way, with indication of ultimate right-of-way line, center line, width, paving width, existing median cuts and intersections, street light poles, and other utility facilities and easements. Location of all cross streets and driveways within 350 feet of property limits.
- (10) Pedestrian circulation system.
- (11) Provider of water and wastewater facilities.
- (12) Existing and proposed fire hydrant locations.
- (13) The following computations shall be provided in a legend:
  - a. Gross acreage.
  - b. Net acreage. Gross acreage covered by the property excluding road easements and rights-of-way, if any.
  - c. Number of dwelling units and density for residential uses only.
  - d. Square footage of ground covered by buildings or structures and designation of use.
  - e. Required number of parking spaces.
  - f. Number of parking spaces provided.
  - g. Front, side(s), rear setbacks required and provided.
  - h. Pervious, impervious and paved surfaces, in square footage and percentage.
  - i. Open space, in square footage and percentage.
- (14) Site plan location sketch, including section, township, and range, showing adjacent property owners.
- (15) Geometry of all paved areas including centerlines, dimensions, radii, and elevations.
- (16) Location of trash and garbage disposal system and provisions for accessibility to garbage trucks.
- (17) Loading areas and provisions for accessibility to vehicles of the required type.
- (18) Areas for emergency vehicles and fire engines, and provisions for accessibility to vehicles of the required type.
- (19) Location of septic tank and drain field, if applicable.
- (20) Street names and addresses, or a range of addresses, for any proposed building within the site plan, in conformity with village standards.
  - a. All addresses must be reviewed and approved by the planning and zoning director or his or her designee. New addresses associated with a site plan shall be submitted at the time of site plan application. All other addresses shall be submitted in a format acceptable to the village manager or his or her designee.
  - b. Address assignment shall be based on the primary frontage the site faces or accesses. The primary frontage can be either a public or private right-of-way. Driveways serving as access to a location which connect to the primary frontage cannot be used for addressing purposes.

(21) A recent survey prepared by a Florida registered surveyor and mapper, certified as to meeting the requirements of the applicable section of the Florida Administrative Code, reflecting existing natural features, such as topography, vegetation, existing paving, existing structures, and water bodies.

(22) Landscape plan and irrigation plan with landscape calculations, existing tree survey with indication of existing native vegetation that will be preserved, as required herein.

(23) Lighting plan showing photometric measurements and spillage onto adjacent properties and rights-of-way.

(24) Sign plan, for all signs which will be on site.

(25) A 24-inch by 36-inch color rendition of the building elevations of all four sides. This must be set upon an easel in the lobby of the place of the village council meeting at least 30 minutes prior to any village council meeting where the site plan will be considered. In addition, five copies of an 11-inch by 17-inch color renderings depicting the architectural design elements and theme for all sides of a building structure. All sides of a building structure are required to possess similar architectural design elements and theme that is depicted on the primary side of the same building structure.

(26) Pavement markings and traffic signing plan.

(27) Schematic water and sewer plan including the location and size of all mains and lift stations.

(28) Paving, grading, and drainage plan showing location of all drainage features, and retention areas at two-foot elevation intervals.

(29) Materials chart requirement:

a. All applicants for site plan approval, where applicable, shall create and present to the village council a materials chart, which shall consist of actual samples, indicating the color, type and the manufacturer's name and identifying numbers of roofing materials, and the color, type and the manufacturer's name and identifying numbers of paint, to be used in the project.

b. The village shall maintain the materials chart until the issuance of the certificate of completion or the certificate of occupancy, and for such additional time as it may determine is necessary.

c. The applicant shall also provide the village with the information from the materials chart in written form, including the name of the manufacturer and the manufacturer's designation number for each item used on the materials chart. This sheet shall be attached to the site plan approval application and shall be incorporated as part of the application.

(30) Applications submitted that utilize an existing approved site plan, shall either include: A current "as built" or existing conditions survey delineating all buildings, parking spaces and easements of record; or the certification of a surveyor, engineer or architect, duly licensed by the state, that the existing conditions are identical with those shown on the submitted site plan.

(31) If deemed necessary by village planning director, a traffic study shall be submitted by the applicant.

(32) Two full set of plans reviewed and approved by the Miami-Dade County Fire and Rescue Department. An original stamp and signature from the fire and rescue department is required. If plans change significantly prior to site plan approval, village staff may determine that an additional review by the fire and rescue department is required.

(33) Other such information as required by the village planning director.



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## SPECIAL EXCEPTION REQUIREMENTS

According to **Sec. 17-59 - Requirements and procedures for site plan and special exceptions**, any application for site plan approval shall include the following information:

The following requirements, procedures and standards shall apply to any uses requiring site plan and/or special exception approval by the village council.

(c) Site plan. Every site plan presented to the village council shall show the complete layout of the proposed development of the site drawn to engineers scale and including the following:

- (1) Locations of all buildings and the front, sides and rear elevations thereof, including the location, size, type and design of all signs;
- (2) Locations of all areas to be used for automobile parking and, in B-1 districts, for the loading and unloading of goods;
- (3) Locations and widths of all driveways on and giving access to the site;
- (4) Locations and nature of all walls, fences and landscaping;
- (5) Existing and proposed drainage of the site;
- (6) Elevations of the proposed buildings, including colored renderings;
- (7) A description of the major facilities to be located on-site;
- (8) Such other information as the village council may require in order to act on such site plan in accordance with the requirements of this article;

(d) Items to be reviewed. The village council shall review and require all of the following when appropriate:

- (1) Require adequate space for automobile parking and for the loading and unloading of any goods;
- (2) Make requirements as to the location of such parking spaces and driveways giving access thereto and of other vehicular access to the site as will protect the public safety and serve the public convenience;
- (3) Make requirements as will assure adequate drainage of the site, subject to approval by the South Florida Water Management District with respect to any land lying adjacent to the Little River Canal;
- (4) Make requirements with respect to the following matters:
  - a. Building design and location, including setbacks;
  - b. The location, size, type, design and extent of display of signs;
  - c. The location and nature of walls and fences;
  - d. Sidewalks and bike paths;
  - e. The location, nature and provision for the maintenance of landscaping; as will assure a harmonious relation between the uses to which the site plan applies and existing and prospective residential and other development in the vicinity.

The use will not create an unreasonable disruption to the area from increased noise, light, storage and use of dangerous materials, intensity and density of the development. It is the intent of this section that each application for approval of a special exception use be evaluated in light of the regulations and permitted uses governing the zoning district in which the subject property is located, and the positive and negative effects that it will have on surrounding land uses, the neighborhood and the community as gauged by the criteria contained herein.

(e) Performance standards. The village council shall apply the following standards in acting on proposed new uses and changes of use and such standards shall govern both the establishment of any use and its continuing operation:

- (1) No odor, dust, fumes, gas, smoke or other atmospheric pollutant shall be disseminated beyond the boundaries of the immediate site of the building in which the use is conducted in B-1 districts.
- (2) There shall be no noise or vibration resulting from or in connection with the use that is perceptible from any part of any district. See also chapter 13 of the Code of Ordinances.
- (3) There shall be no glare resulting from lights in connection with the use that is observable from outside the boundaries of the district within which the use is conducted.
- (4) The volume and type of vehicular traffic associated with such use, particularly its impact on residential streets, must be appropriate to the location and to the surrounding road network, as demonstrated by a professional traffic study to be prepared by the applicant or the applicant's representative and accepted by the village planning director as complete and adequate. The village council may condition the approval of a special exception on improvements to the surrounding road network, or other multi-modal transportation improvements, if it determines them to be necessary based on the special exception hearing.
- (5) Compliance with the goals, objectives and policies of the village's adopted comprehensive plan.
- (6) Compliance with all applicable provisions of the village's code.
- (7) The design of the proposed special exception prevents adverse visual impacts and the impact of intensity of the proposed use on adjacent lands. When considering design, the village council shall review the application to ensure that the dimensions, height, floor area ratio, setbacks, buffers, location and extent of parking, access drives, open space, appropriate connections to the community, service areas and landscaping are provided in a manner compatible with the area.



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**VILLAGE OF EL PORTAL DEPARTMENTS - APPROVAL - FOR OFFICIAL USE ONLY**

**Zoning Administrator**

- Approval
- Approval with Conditions (see back)
- Denial

Name \_\_\_\_\_ Date \_\_\_\_\_ Signature \_\_\_\_\_

**Planning and Zoning Committee**

- Approval
- Approval with Conditions (see back)
- Denial

Name \_\_\_\_\_ Date \_\_\_\_\_ Signature \_\_\_\_\_

**Village Council**

- Approval
- Approval with Conditions (see back)
- Denial

Name \_\_\_\_\_ Date \_\_\_\_\_ Signature \_\_\_\_\_

