



City of Hialeah Gardens

10001 N.W. 87th Avenue, Hialeah Gardens, FL 33016
Phone (305) 558-3862 -(305) 558-4114 Fax (305) 698-7236

ZONING DEPARTMENT APPLICATION FOR SUBSTANTIAL COMPLIANCE DETERMINATION

Folio Number (s): _____ D _____
(Application #)

Section _____ Township _____ Range _____

Applicant Name: _____

Applicant's Email Address: _____

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Telephone Number: _____ Fax Number: _____

Name of Property Owner: _____

Owner's Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Owner's Telephone Number: _____ Fax Number: _____

Contact Person: _____

Contact Person's Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Contact Person's Telephone Number: _____ Fax Number: _____

Contact Person's Email Address: _____

Location of Subject Property: _____

Size of Property: (_____) X (_____) or _____ Acres

Legal Description of the Property: _____

State in brief and concise language the justification for proposed deviation from the approved plans.

PLANS INFORMATION

Name of Plan: _____

Plans Prepared By: _____

Number of Pages: _____ including landscape plans

ZONING INFORMATION

Property Zoning: _____

Type of Development: _____

Residential: Total Number of Units _____ Office: Total Sq.ft. _____

Business: Total Sq.ft. _____ Industrial: Total Sq.ft. _____

Applicable Resolution (s) (attach copy)

Applicable Covenant (s) (Official Record Book and Page Number (s)) (attach copy)

**APPLICATION FOR SUBSTANTIAL COMPLIANCE DETERMINATION
GENERAL INFORMATION**

A substantial compliance determination is required when a development plan is not sufficiently identical to the plan approved pursuant to a Zoning Hearing procedure.

The following items must be submitted to the Zoning Department for a substantial compliance review determination.

2 Letters of Intent

6 Copies of the Application (attached hereto)

6 Sets of Plans (These plans must reflect the same size property as the previously approved plans). **Each set of plans consists of site plans** (including a comparison of the approved and proposed zoning legends), **landscaping plans** (including landscape legend), **floor plans, building elevations, etc.** (with the application attached)

6 Copies of Legal Description

2 Copies of the Zoning Resolution/ Ordinance

Please make check payable to the City of Hialeah Gardens for the amount of \$ 1,000.00

The plans will be reviewed by the Zoning Department and in compliance with plan review standards, and with Zoning Code and Resolution provisions and conditions for Substantial Compliance Determination.

Applicants will be notified of required revisions or corrections to the plans approximately **30 days** from the day of submittal. Revised plans, once received will again be reviewed, and if approved will proceed to the **Technical Review Committee** for final review, resulting in written approval or denial of the plan.

Please, note the following guidelines which will be used to determine approval or denial of the Substantial Compliance Determination Application.

A. Development Intensity

1. The buildings shall be no greater in height, or in number of stories.
2. There are the same or fewer numbers of units, and the same or less overall lot coverage and F.A.R., except as otherwise noted herein.
3. Quality of buildings and bedrooms may increase or decrease by 10% based on the entire plan, provided the plan complies with other requirements of this memo.

Note: Lot coverage and bedroom count increases will not apply to single-family developments (zero lot line, townhouse, clusters, etc.)

B. Development Similarity

1. The roadway patterns, particularly ingress-egress points, shall be similar. Public Works should be consulted on these issues.
2. The building setbacks shall be generally the same or greater distances from perimeter property lines.

Note: Single -family development setbacks can be decreased provided they do not create a variance that was not previously approved.
(Applies to: zero lot line, townhouse, clusters, etc.)

3. The open space and proposed walls/fences shall be in the same general locations and in the same or greater amount, particularly in perimeter property areas, except as otherwise noted herein.
4. Elevations and renderings of buildings must be comparable to hearing-related submittals.
5. Recreational facilities, if shown on hearing-approved plans, may not be omitted. If these facilities were not shown in the public hearing process, they may be added if they do not substantially increase lot coverage or decrease open space and are located internally within the development.
6. The proposed changes must not create variances which have not been approved previously, or which worsen the severity of those which have been approved.

The proposed changes must be in compliance and within the scope of the uses and request specified in the Zoning Hearing and the conditions imposed as listed in the resolution.

Final review will result in written approval or denial of the plan. All approved plans will be stamped ***“The following plans consisting of () pages are in Substantial Compliance with Resolution No. ()”***. A letter signed by the Chief Zoning Official will be mailed to the applicant along with a stamped copy of the plans showing approved or denial. A second set of plans, application and letter will be filed in the official records of the Zoning Department. The applicant will have the option to file a zoning hearing application with the Zoning Department if the request for Substantial Compliance Determination is denied.

If further information on this procedure is necessary, please contact the Zoning Department at (305) 558-4114.