

**MONROE COUNTY, FLORIDA  
DEPARTMENT OF PLANNING AND ENVIRONMENTAL  
RESOURCES**



**APPLICATION FOR  
BENEFICIAL USE DETERMINATION (BUD)**

**Administrative Fee: \$ 4,490.00**

Additionally a deposit is required for the applicant's portion of the expenses of the hearing. This includes the hourly rate of the special magistrate (currently \$142.00) and any reimbursable expenses. The deposit is \$900.00; however, if the costs are shared by other applicants or the expenses are less than \$1800.00, the unused portion of the deposit will be refunded. If the applicant's share is more than the deposit, the applicant will be billed for a proportionate share of the difference.

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This application is intended to facilitate processing of applications submitted pursuant to sections 102-102 through 102-110 of the Land Development Regulations (LDRs), Beneficial Use Determinations (the BUD Ordinance).

Please provide all information required by Monroe County Section 102-105(b). Incomplete applications will be returned to the applicant and will not be processed. A separate application and application fee must be submitted for each parcel, unless contiguous parcels are the subject of the application. Please attach additional sheets as necessary in order to respond fully the requirements of the BUD Ordinance.

In accordance with the process set forth in Section 102-105, of the BUD, once a complete application is accepted, a special master will be assigned to make a recommended determination to the Board of County Commissioners. The special master may require the applicant and/or landowner to provide additional information in order to make a determination.

If you have any questions or need assistance to complete this application, please contact the Planning Department at (305) 289-2500.

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**TO BE COMPLETED BY THE PLANNING DEPARTMENT:**

Date Application Received by Department: \_\_\_\_\_

Date Application Transmitted to County Attorney: \_\_\_\_\_

Application Deemed Sufficient? *See* §102-105(d), LDRs. Yes \_\_\_\_\_ No \_\_\_\_\_

If Yes:

(i) Date Application Deemed Sufficient: \_\_\_\_\_

(ii) Complete Last Section of this Form.

If No, date of Notice to Applicant; *see* §102-105(d)(1), LDRs: \_\_\_\_\_

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**TO BE COMPLETED BY THE APPLICANT:** Please complete this section and provide all requested information. In addition to the information requested here, the applicant may provide any other information relevant to the determination of the special master, in accordance with the criteria set forth in the BUD Ordinance, including section 102-109, “Beneficial Use Standards,” and section 102-110, “Granting of Relief.”

**1. CONTACT INFORMATION:**

**a. Landowner Information:**

Name:

\_\_\_\_\_

Address:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Phone Number:

\_\_\_\_\_

**b. Agent/Applicant (If different from Landowner):**

Name:

\_\_\_\_\_

Address:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Phone Number:

\_\_\_\_\_

**2. LEGAL DESCRIPTION (please include a copy of the County property record card with the application):**

- a. Lot \_\_\_\_\_ Block \_\_\_\_\_
- b. Subdivision \_\_\_\_\_
- c. Island (Key) \_\_\_\_\_
- d. Real Estate (RE) Number \_\_\_\_\_

**3. LETTER OF AGENCY:**

If a person other than the landowner is requesting a Beneficial Use Determination, please include a notarized letter of agency from the landowner authorizing the person to represent them with respect to this application. Except as specifically provided otherwise in the BUD Ordinance, the landowner will be bound by the representations, obligations, and agreements made by the landowner's agent in the course of the BUD process.

**4. DATE OF ACQUISITION; ATTEMPTS TO SELL:**

- a. What date was the Property transferred to the Landowner? *Please include a copy of the deed with this application.* \_\_\_\_\_.
- b. From who was the Property transferred?  
\_\_\_\_\_.
- c. What was the purchase price of the Property? \$ \_\_\_\_\_.
- d. List the date, amount, and party name for any offers by another person or entity to acquire the Property, whether written or verbal.

<u>Date</u>	<u>Amount of Offer</u>	<u>Name of Offeror</u>
_____	\$ _____	_____
_____	\$ _____	_____
_____	\$ _____	_____
_____	\$ _____	_____

- e. Describe any attempts to sell the Property, including any offers, the approximate dates the Property was for sale, the asking price, and, if offers were made, the name of the person or entity making the offer.

<u>Date</u>	<u>Asking Price</u>	<u>Name of Potential Purchaser(s)</u>
_____	\$ _____	_____
_____	\$ _____	_____
_____	\$ _____	_____
_____	\$ _____	_____

**5. FINAL DECISION OF THE COUNTY:**

Please provide the specific decision of the County for which relief is requested. Include the effective date of the decision, the LDR or Comprehensive Plan policy upon which the final decision was based, and the County agency or official making the final decision.

a. Date Building Permit Application Filed: \_\_\_\_\_

b. Was a Building Permit Granted? \_\_\_\_\_

c. If yes, on what date? \_\_\_\_\_

d. Effective Date and/or Date of Final Decision Other than Building Permit:  
\_\_\_\_\_

e. County agency or official making Final Decision: \_\_\_\_\_  
\_\_\_\_\_

f. Section number of the LDR upon which Final Decision was based, if applicable:  
\_\_\_\_\_  
\_\_\_\_\_

g. Goal, Objective, or Policy Number of the Comprehensive Plan upon which Final Decision was based, if applicable: \_\_\_\_\_  
\_\_\_\_\_

h. Additional information related to the Final Decision of the County:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**6. DESCRIBE IN DETAIL THE PROPERTY'S PHYSICAL AND ENVIRONMENTAL FEATURES, TOTAL ACREAGE, AND THE NUMBER OF SQUARE FEET OF HABITAT TYPES CURRENTLY FOUND ON THE PROPERTY. PLEASE INCLUDE A BIOLOGIST'S STATEMENT OF HABITAT VERIFYING THIS INFORMATION.**

<u>Habitat Type</u>	<u>Square Feet</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

\_\_\_\_\_  
**TOTAL SQUARE FEET/  
ACREAGE OF PROPERTY:**

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

**7. INDICATE THE USE OF THE PROPERTY AS FOLLOWS:**

- a. At the time of acquisition by the Landowner: \_\_\_\_\_.
- b. At the time of the Final Decision indicated above: \_\_\_\_\_.
- c. At the time of submittal of the BUD Application: \_\_\_\_\_.
- d. In any manner not described in a-c above: \_\_\_\_\_

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

**8. DESCRIBE THE TYPE AND EXTENT OF ANY DEVELOPMENT ON THE PROPERTY, INCLUDING ANY ADJACENT PROPERTY CURRENTLY OR PREVIOUSLY OWNED BY THE LANDOWNER OR USED IN CONJUNCTION WITH THE PROPERTY.**

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

**9. DESCRIBE ANY IMPROVEMENTS TO THE PROPERTY, INCLUDING THE DATE EACH IMPROVEMENT WAS MADE AND THE COST OF THE IMPROVEMENT.**

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

**10. DESCRIBE THE ALLOWABLE USES OF THE PROPERTY, FROM THE TIME THE LANDOWNER ACQUIRED IT UNTIL THE TIME OF THIS APPLICATION, INCLUDING ALLOWABLE DENSITY FOR THE SITE, PERMITTED AND CONDITIONAL USES, OPEN SPACE RATIOS, AND OTHER FACTORS AFFECTING THE PROPERTY'S DEVELOPMENT POTENTIAL.**

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**11. DESCRIBE IN DETAIL THE FORM OF RELIEF DESIRED BY THE LANDOWNER, PURSUANT TO SECTION 102-110 OF THE BUD ORDINANCE.**

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**12. PLEASE INCLUDE WITH THIS APPLICATION MAPS THAT SHOW THE PROPERTY, AS FOLLOWS:**

- a. at the time of acquisition;
- b. at the time of the Final Decision of the County;
- c. at the time of submission of the BUD application.

Maps should indicate the land use designation, future land use designation, aerial photography, and environmental conditions and habitat on the property at the above times.

**13. DESCRIBE ALL EFFORTS TO SECURE DEVELOPMENT APPROVAL FOR THE PROPERTY, INCLUDING DATE OF APPLICATION; NAME OF THE LOCAL, STATE, OR FEDERAL PERMITTING AGENCY; NATURE OF APPROVAL, DENIAL, OR APPEAL SOUGHT; DISPOSITION; AND THE DATE OF DISPOSITION.**

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**14. PLEASE ATTACH ANY LETTERS OF COORDINATION REQUIRED BY SECTION 110-141 OF THE COUNTY LAND DEVELOPMENT REGULATIONS.**

In accordance with section 102-105(c), LDRs, please read and attest to the following:

**ALL INFORMATION PROVIDED AS PART OF THIS APPLICATION HAS BEEN VERIFIED AND IS TRUE AND CORRECT.**

\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Applicant's Printed Name

Sworn before me this \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_\_.

\_\_\_\_\_  
Notary Public  
My Commission Expires

\_\_\_\_\_  
**Landowner's Signature, if different than Applicant**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Landowner's Printed Name, if different than Applicant**

Sworn before me this \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_\_.

\_\_\_\_\_  
**Notary Public**  
**My Commission Expires**

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**STOP. THE FOLLOWING IS TO BE COMPLETED BY THE  
PLANNING DEPARTMENT.**

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Date of County notice of sufficiency mailed to Applicant: \_\_\_\_\_.

Name and Contact Information of Special Master:

**Name:**

\_\_\_\_\_

**Address:**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Phone Number:**

\_\_\_\_\_

Date application and any additional materials mailed to Special Master by  
Planning Director \_\_\_\_\_.