

APPLICATION
MONROE COUNTY
PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT



Request for a Special Vacation Rental Permit (Initial)

Vacation Rental Application Fee: \$490.00

This application and fee is for initial applications only, not renewals.

Vacation rental means a dwelling unit that is rented, leased or assigned for tenancies of less than 28 days duration.

An owner or agent is required to obtain an annual special vacation rental permit for each dwelling unit prior to renting any dwelling unit as a vacation rental unless an exemption to the vacation rental permit has been issued for the property as provided in Section 134-1(b) of the Monroe County Code.

All vacation rental units shall have a vacation rental manager, who has been issued a vacation rental manager license by the Planning & Environmental Resources Department

A special vacation rental permit is nontransferable between owners. A change of ownership of the vacation rental unit shall require the new owner or his agent to obtain a new vacation rental permit for the residential dwelling unit.

Date of Application: _____/_____/_____
Month Day Year

Applicant / Agent Authorized to Act for Property Owner: (Agents must provide notarized authorization from all property owners.)

Applicant (Name of Person, Business or Organization)

Name of Person Submitting this Application

Mailing Address (Street, City, State and Zip Code)

Work Phone

Home Phone

Cell Phone

Email Address

Vacation Rental Manager:

Vacation Rental Manager Name

Address (Street, City, State and Zip Code)

Daytime Phone

Email Address

APPLICATION

Legal Description of Property:

(If in metes and bounds, attach legal description on separate sheet)

Block	Lot	Subdivision	Key (Island)
Real Estate (RE) Number		Alternate Key Number	
Street Address (Street, City, State and Zip Code)		Approximate Mile Marker	

Current Land Use (Zoning) District Designation: _____

Zoning districts which <u>may</u> allow vacation rentals	Zoning districts which <u>do not</u> allow vacation rentals
Commercial Fishing Special Fishing District 16 (CFSD 16 Conch Key) [Vacation rental use if a special vacation rental permit is obtained in accordance with section 134-1.]	Airport (A)
Destination Resort (DR) [Vacation rental use if a special vacation rental permit is obtained in accordance with section 134-1.]	Conservation (C)
IS-V (Improved Subdivision-Vacation Rental District)	Commercial Fishing Area (CFA)
Improved Subdivision (IS) Vacation rental use is prohibited in all IS districts and sub-districts, except in: (1) IS-V districts (as set forth in section 130-83); and (2) In gated communities that have: a. Controlled access; and b. A homeowner's or property owner's association that expressly regulates or manages vacation rental uses.	Commercial Fishing Residential (CFR)
Maritime Industries (MI) [Vacation rental use of <i>any nonconforming dwelling units</i> if a special vacation rental permit is obtained under the regulations established in section 134-1.]	Commercial Fishing Special Fishing District (except CFSD 16 on Conch Key)
Mixed Use (MU) [Vacation rental use of <i>detached dwelling units</i> is permitted if a special vacation rental permit is obtained under the regulations established in section 134-1.]	Commercial Fishing Village (CFV)
Offshore island (OS) [Tourist housing uses that were established (and held valid state public lodging establishment licenses) prior to January 1, 1996. Vacation rental use, of a <i>dwelling unit in existence as of January 1, 2000</i> , if a special vacation rental permit is obtained under the regulations established in section 134-1.]	Industrial (I)
Recreational Vehicle (RV) [Vacation rental use of <i>nonconforming detached and attached dwelling units constructed prior to February 16, 2011</i> , if a special vacation rental permit is obtained where necessary under the regulations established in section 134-1.]	Improved Subdivision (IS) (except in gated communities with controlled access & association which specifically regulates/manages)
Suburban Commercial (SC) [Vacation rental use of <i>nonconforming detached and attached dwelling units</i> , if a special vacation rental permit is obtained under the regulations established in section 134-1.]	Military facilities (M)
Suburban Residential (SR) [Vacation rental use if a special vacation rental permit is obtained under the regulations established in section 134-1.]	Mainland Native Area (MN)
Suburban Residential- limited (SR-L) [Vacation rental use if a special vacation rental permit is obtained under the regulations established in section 134-1.]	Native Area (NA)

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Zoning districts which may allow vacation rentals	Zoning districts which do not allow vacation rentals
Urban Commercial (UC) [Vacation rental use of <i>nonconforming detached and attached dwelling units</i> if a special vacation rental permit is obtained under the regulations established in section 134-1.]	Park and Refuge (PR)
Urban Residential (UR) [Vacation rental use if a special vacation rental permit is obtained under the regulations established in section 134-1.]	Sparsely Settled (SS)
Urban Residential Mobile Home (URM) Tourist housing uses, including vacation rental uses, are prohibited except in gated communities that have: <ol style="list-style-type: none"> a. Controlled access; and b. A homeowner's or property owner's association that expressly regulates or manages vacation rental uses 	Urban Residential Mobile Home (URM) (except in gated communities with controlled access & association which specifically regulates/manages)
Urban Residential Mobile Home –Limited (URM-L) Tourist housing uses, including vacation rental uses, are prohibited except in gated communities that have: <ol style="list-style-type: none"> a. Controlled access; and b. A homeowner's or property owner's association that expressly regulates or manages vacation rental uses 	Urban Residential Mobile Home – Limited (URM-L) (except in gated communities with controlled access & association which specifically regulates/manages)
	Commercial 1 (C1)
	Commercial 2 (C2)

All of the following must be submitted in order to have a complete application submittal:

(Please check as you attach each required item to the application)

- Complete vacation rental application** (unaltered and unbound)
- Correct fee** (check or money order to *Monroe County Planning & Environmental Resources*)
- Current Property Record Card(s) from the Monroe County Property Appraiser**
- Proof of ownership** (i.e. Warranty Deed)
- Photograph of dwelling unit from adjacent roadway**
- Floor plan of dwelling unit** (showing square footage, building layout and types of rooms)
- Site Plan** (including all property lines, structures, drives and parking spaces)
- Current and valid Monroe County Business Tax**
- Current and valid Florida Department of Revenue Certificate of Registration** (issued pursuant to Chapter 212, Florida Statutes)
- Current and valid Florida Department of Business and Professional Regulation license** (issued pursuant to Chapter 509, Florida Statutes)
- Current and valid federal tax identification number**
- Approved Florida Department of Health or Florida Department of Environmental Protection inspection or certification of the adequacy of the sewage disposal system for use as a vacation rental**
- Current and valid Special Vacation Rental Manager License** (or copy of application for license)
- Copy of completed “Tenants Agreement”** (please see attachment)
- Copy of completed “Notice of Vacation Rental Use”** (please see attachment)

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- Proof that the completed "Notice of Vacation Rental Use" and "Tenants Agreement" were sent by certified return mail to all property owners located within 300 feet of the property on which the dwelling unit is situated, not less than 30 days prior to the date of approval of the application (This list should be compiled from the current tax rolls of the Monroe County Property Appraiser. In the event that a condominium development is within the 300 foot radius, each unit owner must be included)**
- An approved inspection report from the Office of the Fire Marshal verifying compliance with NFPA Life Safety Code 101**

If applicable, the following must be submitted in order to have a complete application submittal:

- Notarized Agent Authorization Letter** (note: authorization is needed from all owner(s) of the subject property)

Is there a pending code enforcement proceeding involving all or a portion of the parcel proposed for development:

Yes No Code Case file # _____ Describe the enforcement proceedings and if this application is being submitted to correct the violation: _____

The applicant/owner hereby acknowledges and agrees that any staff discussions or negotiations about conditions of approval are preliminary only, and are not final, nor are they the specific conditions or demands required to gain approval of the application, unless the conditions or demands are actually included in writing in the final development order or the final denial determination or order.

By signing this application, the owner of the subject property authorizes the Monroe County Planning & Environmental Resources staff to conduct all necessary site visits and inspections on the subject property.

If deemed necessary, the Planning & Environmental Resources Department reserves the right to request additional information.

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APPLICATION

I certify that all provisions and regulations set forth in Monroe County Code, Vacation rental uses, shall be met.

I certify that I am familiar with the information contained in this application, and that to the best of my knowledge such information is true, complete and accurate.

I grant the Monroe County Code Compliance Department the right to inspect the premises of the vacation rental unit prior to the issuance of the special vacation rental permit and at any other time after issuance of the permit to determine compliance with the county land development regulations.

This application shall bear the signature of all owner(s) and all authorized manager(s) of the owner(s). If necessary, please attached additional sheets with notarized signatures of all other authorize property owners and/or vacation rental managers:

Property Owner Signature: _____ **Date:** _____

Printed Name of Owner: _____

Sworn to and subscribed before me this _____ day of _____, 20____,

by _____, who is personally known to me OR produced
(PRINT NAME OF PERSON MAKING STATEMENT)

_____ as identification.
(TYPE OF ID PRODUCED)

Signature of Notary Public, State of Florida

Print, Type or Stamp Commissioned Name of Notary Public
My commission expires:

Vacation Rental Manager Signature: _____ **Date:** _____

Printed Name of Manager: _____

Sworn to and subscribed before me this _____ day of _____, 20____,

by _____, who is personally known to me OR produced
(PRINT NAME OF PERSON MAKING STATEMENT)

_____ as identification.
(TYPE OF ID PRODUCED)

Signature of Notary Public, State of Florida

Print, Type or Stamp Commissioned Name of Notary Public
My commission expires:

Please deliver or mail the complete application package to the:
Monroe County Planning & Environmental Resources Department
Marathon Government Center
2798 Overseas Highway, Suite 400
Marathon, FL 33050
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Last Revised August 2016

NOTICE OF VACATION RENTAL USE
MONROE COUNTY
PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT

NOTICE OF VACATION RENTAL USE APPLICATION

The following information is regarding a special vacation rental permit application for the following property.

You have the right to appeal a decision to approve or deny this special vacation rental permit to the Planning Commission within 30 days under Monroe County Code. You may have other rights that Monroe County cannot enforce. Review of a special vacation rental permit application by Monroe County will consider the existence of valid private deed restrictions, restrictive covenants or other restrictions of record which may prohibit the use of the dwelling unit for vacation rental purposes. You may wish to consult an attorney concerning these private rights.

The Monroe County Planning Department may be contacted at (305)289-2500 and the Monroe County Code Compliance Department may be contacted at: Lower Keys office (305)292-4495, Middle Keys office (305)289-2810 and Upper Keys office (305)453-8806.

Legal Description of Property:

(If in metes and bounds, attach legal description on separate sheet)

Block	Lot	Subdivision	Key
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Real Estate (RE) Number

Street Address (Street, City, State and Zip Code)

Applicant/Property Owner:

Property Owner (Name/Entity)	Contact Person (If Different Than Property Owner)
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Mailing Address (Street, City, State and Zip Code)

Daytime Phone/Evening Phone	Email Address
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Vacation Rental Manager:

Vacation Rental Manager Name

Address (Street, City, State and Zip Code)

Daytime Phone/Evening Phone	Email Address
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If necessary, please attach additional sheets with names of any other vacation rental managers, agents, caretakers and/or owners of the dwelling unit.

TENANT'S AGREEMENT
SPECIAL VACATION RENTAL PERMIT REGULATIONS AND CONDITIONS
TENANT'S AGREEMENT

Legal Description of Property:

(If in metes and bounds, attach legal description on separate sheet)

Block	Lot	Subdivision	Key
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Real Estate (RE) Number

Street Address (Street, City, State and Zip Code)

- 1) No more than one motorized watercraft, including a jet ski or wave runner, shall be allowed at each vacation rental unit. The watercraft may be moored at either an existing on-site docking facility or stored on a trailer in an approved parking space.
- 2) Vehicles, watercraft and trailers shall not be placed on the street or in yards. All vehicles, watercraft and boat trailers must be parked or stored off-street in parking spaces specifically designated and approved in the special vacation rental permit. One vehicle parking space shall be required per bedroom or efficiency unit and one boat trailer space per vacation rental unit.
- 3) No boat docked at a vacation rental property shall be chartered to a person other than registered guests of the vacation rental unit or used for live-boards, sleeping or overnight accommodations. In addition, recreation vehicles shall not be used for sleeping or overnight accommodations at the vacation rental unit.
- 4) Occupants shall be prohibited from making excessive or boisterous noise in or about any residential dwelling unit at all times. Noise, that is audible beyond the boundaries of the residential dwelling unit, shall be prohibited between the hours of 10:00 p.m. and 8:00 a.m. weekdays and 11:00 p.m. and 9:00 a.m. on weekends.
- 5) All trash and debris on the vacation rental property must be kept in covered trash containers. Each vacation rental unit must be equipped with at least four covered trash containers for such purpose. Owners must post, and occupants must comply with, all trash and recycling schedules and requirements applicable to the vacation rental unit. Trash containers must not be placed by the street for pick-up until 6:00 p.m. the night before pick-up and must be removed from the area by the street by 6:00 p.m. the next day.
- 6) A tenant's agreement to the forgoing rules and regulations must be made a part of each and every lease under F.S. § 509.01 for any vacation rental unit subject to the provisions of this section. These vacation rental regulations governing tenant conduct and use of the vacation rental unit shall be prominently posted within each dwelling unit subject to the provisions of this section along with the warning that violations of any of the vacation rental regulations constitutes a violation of this Code subject to fines or punishable as a second degree misdemeanor and is also grounds for immediate termination of the lease and eviction from the leased premises and criminal penalties under F.S. § 509.151 ("defrauding an innkeeper"), F.S. § 509.141 ("ejection of undesirable guests"), F.S. § 509.142 ("conduct on premises) or F.S. § 509.143 ("disorderly conduct on premises, arrest").
- 7) The owner or agent shall require a lease to be executed with each vacation rental use of the property and maintain a guest and vehicle register listing all vacation rental occupants' names, home addresses, telephone numbers, vehicle license plate and watercraft registration numbers. Each lease and this register shall be kept by the vacation rental manager and available for inspection by county code enforcement personnel during business hours.

TENANT'S AGREEMENT

- 8) Vacation rental units must be registered, licensed and meet all applicable state requirements contained in F.S. Ch. 212 (Florida Tax and Revenue Act) and F.S. Ch. 509 (Public Lodging Establishments) as implemented by the Florida Administrative Code, as may be amended.
- 9) The vacation rental use must comply with all State of Florida Department of Health and State of Florida Department of Environmental Protection standards for wastewater treatment and disposal.
- 10) All vacation rental units shall have a vacation rental manager, who has been issued a vacation rental manager license by the planning department. The vacation rental manager shall reside within and be licensed for that section of the county (Upper, Middle, and Lower Keys) where the vacation rental unit is located and be available 24 hours per day, seven days a week for the purpose of promptly responding to complaints regarding conduct or behavior of vacation rental occupants or alleged violations of this section. Any change in the vacation rental manager shall require written notification to the planning department and notification by certified return mail to property owners within 300 feet of the subject dwelling.
- 11) Complaints to the vacation rental manager concerning violations by occupants of vacation rental units to this section shall be responded to within one hour. The neighbor who made the complaint shall be contacted by telephone or in person and informed as to the results of the actions taken by the manager. A record shall be kept of the complaint and the manager's response for a period of at least three months after the incident, which shall be available for inspection by the county code enforcement department during business hours.
- 12) The name, address, and telephone number of the vacation rental manager, the telephone number of county code enforcement department and the number of the special vacation rental permit shall be posted and visible from the front property line of the vacation rental unit.
- 13) The tenants' agreement with the rules of conduct shall be posted in a conspicuous location in each vacation rental unit.
- 14) Review of this permit did not consider the existence of valid private deed restrictions, restrictive covenants or other restrictions of record which may otherwise legally prohibit the use of the dwelling unit for vacation rental purposes.

VIOLATION WARNING

Violations of any of the vacation rental regulations constitutes a violation of Monroe County Code punishable as a second degree misdemeanor and is also grounds for immediate termination of the lease and eviction from the leased premises and criminal penalties under Florida Statutes §509.151 ("Defrauding an Innkeeper"), §509.141 ("Ejection of Undesirable Guests"), §509.142 ("Conduct on Premises) or §509.143 (Disorderly Conduct on Premises, Arrest").

TENANT'S AGREEMENT

This tenant's agreement shall bear the signature of all owner(s) and all authorized manager(s) of the owner(s). If necessary, please attached additional sheets with notarized signatures of all other authorize property owners and/or vacation rental managers:

Property Owner Signature: _____ **Date:** _____

Printed Name of Owner: _____

Sworn to and subscribed before me this _____ day of _____, 20____,

by _____, who is personally known to me OR produced
(PRINT NAME OF PERSON MAKING STATEMENT)

_____ as identification.
(TYPE OF ID PRODUCED)

Signature of Notary Public, State of Florida

Print, Type or Stamp Commissioned Name of Notary Public
My commission expires:

Vacation Rental Manager Signature: _____ **Date:** _____

Printed Name of Manager: _____

Sworn to and subscribed before me this _____ day of _____, 20____,

by _____, who is personally known to me OR produced
(PRINT NAME OF PERSON MAKING STATEMENT)

_____ as identification.
(TYPE OF ID PRODUCED)

Signature of Notary Public, State of Florida

Print, Type or Stamp Commissioned Name of Notary Public
My commission expires: