



# Board of Adjustment Application for Tree Appeal or Administrative Tree Variance

City of Coral Gables

Development Services Department

Phone# 305.460.5235

## Preamble

Pursuant to the City Charter, and subject to those provisions, a Board of Adjustment is created to provide relief from hardships and errors in the application of the regulations.

## Application review request

The undersigned applicant(s)/agent(s)/property owner(s) request(s) a Board of Adjustment hearing for the following application(s) (please check all that apply):

- Tree permit appeal
- Administrative variance (approved by staff as per Sec. 82-34 of the City Code)
- Other: \_\_\_\_\_

## Property information

Property/project name: \_\_\_\_\_

Street address of the subject property: \_\_\_\_\_

Property Legal Description: Lot(s): \_\_\_\_\_

Block(s): \_\_\_\_\_

Section(s): \_\_\_\_\_

Plat Book(s)/Page(s): \_\_\_\_\_

Has there been a Board of Adjustment hearing on the property in the last year? \_\_\_\_\_

Is this request the result of a Notice of Violation? \_\_\_\_\_

Is this request the result of a deviation from an approved set of plans? \_\_\_\_\_

Has the property owner owned the property for at least one (1) year? \_\_\_\_\_

Current land use classification(s): \_\_\_\_\_

Current zoning classification(s): \_\_\_\_\_

Listing of all folio numbers for subject property:

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**Board of Adjustment Application**

**General information**

Applicant(s)/Agent(s) Name(s): \_\_\_\_\_

Telephone#: \_\_\_\_\_ Fax#: \_\_\_\_\_ Email: \_\_\_\_\_ @ \_\_\_\_\_

Mailing Address: \_\_\_\_\_  
(City) (State) (ZIP Code)

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Property Owner(s) Name(s): \_\_\_\_\_

Telephone#: \_\_\_\_\_ Fax#: \_\_\_\_\_ Email: \_\_\_\_\_ @ \_\_\_\_\_

Mailing Address: \_\_\_\_\_  
(City) (State) (ZIP Code)

\* Section 82-36 of the City Code allows any affected property owner to appeal the denial of a tree permit if a tree whose trunk is located at the property line and shared between two (2) or more properties as indicated by a survey.

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Property Owner(s) Name(s): \_\_\_\_\_

Telephone#: \_\_\_\_\_ Fax#: \_\_\_\_\_ Email: \_\_\_\_\_ @ \_\_\_\_\_

Mailing Address: \_\_\_\_\_  
(City) (State) (ZIP Code)

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Project Architect(s) Name(s): \_\_\_\_\_

Telephone#: \_\_\_\_\_ Fax#: \_\_\_\_\_ Email: \_\_\_\_\_ @ \_\_\_\_\_

Mailing Address: \_\_\_\_\_  
(City) (State) (ZIP Code)

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Provide the date(s) and type(s) of application(s) previously filed with the City of Coral Gables and type of reviews, approvals, actions related to this request:

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

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Application received by: \_\_\_\_\_ Date: \_\_\_\_\_

## Board of Adjustment Application

### Application requirements and supporting information

The Development Services Department cannot accept applications that are not complete for any hearing before the Board of Adjustment. Failure to provide the information necessary pursuant to the established time frames included but not limited to application submittal, submission of revised documents, etc. for review by City Staff and the designated reviewing entity may cause application to be deferred without further review until such time the requested information is submitted.

**Pre-application Meeting Requirements.** A pre-application meeting is required to be held in advance of an application submittal to determine the information necessary to be filed with the application(s). The City reserves the right to request additional information as necessary.

**Application submittal (order of documents).** The order of the documents for the application submittal shall be as follows (required documents will be determined at pre-application meeting):

- Completed Application.
- Letter of intent.
- Standards for appeal #1 through #7 (see pages 8 & 9 for details).
- Owner's Affidavit.
- Proof of property ownership.
- Plans in 8.5" x 11" or larger size format site or landscape plans (13 sets).
- Color photographs (35mm or digital photographs), must be labeled (13 sets).
- One (1) compact disc (CD) containing required plans and color photographs.
- Signed and sealed survey.
- Recent aerial.
- Other (letter of support, rescheduling letter, etc.) \_\_\_\_\_.

**Application supporting materials.** The following application supporting materials shall be provided separately from the application submittal and are as follows:

- Appeal application fees of \$150.00 and \$1.45 per sheet for document preservation fee.  
(There is no fee required for Administrative Tree Variance.)
- City of Coral Gables Annual Registration Application and Issue Application Lobbyist forms.

## Board of Adjustment Application

### Applicant/agent/property owner/architect affirmation and consent

(We) affirm and certify to all of the following:

1. The application will not be heard unless the Applicant/Agent is present at the Board of Adjustment hearing.
2. No application shall be accepted during a six (6) month time periods after the denial of a substantially similar application affecting the same property or any portion thereof.
3. That the only appeal or items being requested are those that have been specified in the written application for an appeal, and any other code or plan issues will be corrected by modifying the plans to comply with the respective codes and ordinances of the City of Coral Gables.
4. That the applicant will be responsible for complying with all of the conditions and restrictions imposed by the Board of Adjustment in connection with the requested appeal, and will take the necessary steps to make the appeal effective if approved by the Board of Adjustment.
5. That it is the responsibility of the applicant to submit a complete application with all of the documents necessary for the Board of Adjustment to hear the applicant's request.
6. Any action by the Board of Adjustment or the City Commission shall be in effect for twelve (12) months from the date of approval. If a permit is not issued within the twelve (12) months, and work commenced, then the decision shall become null and void. One (1) twelve (12) month extension of a decision may be granted by the Development Review Official.
7. That the application fee is not refundable or any portion thereof regardless of final resolution, deferment, or non-presentation to the Board of Adjustment. Applicants and/or agents are subject to City of Coral Gables False Claims and Presentations Law, Ordinance No. 2015-32.
8. That all the information contained in this application and all documentation submitted herewith is true to the best of (my) (our) knowledge and belief.
9. Understand that the application, all attachments and fees become a part of the official records of the City of Coral Gables and are not returnable.
10. Failure to provide the information necessary pursuant to the established time frames included but not limited to application submittal, submission of revised documents, etc. for review by City Staff and the designated reviewing entity may cause application to be deferred without further review until such time the requested information is submitted.
11. Applicant has read and understands all of the information in the City of Coral Gables Board of Adjustment Information brochure.
12. All representatives of the application have registered with and completed lobbyist forms for the City of Coral Gables City Clerk's office.
13. Submission of the following:
  - a. Warranty deed/tax record as proof of ownership for all properties considered as a part of the application request; or
  - b. Authorized as the applicant(s)/agent(s) identified herein to file this application and act on behalf of all current property owner(s) and modify any valid City of Coral Gables entitlements in effect during the entire review process.
14. The Board of Adjustment's approval of an appeal that overrides the decision of the tree preservation agency may be subject to the Board's approval of a tree replacement and mitigation plan that consists of tree replacement on or off site, or money contribution into the tree trust fund in compliance with this section, or both a tree replacement on or off site and money contribution into the tree trust fund in compliance with the City Code.

**Board of Adjustment Application**

Applicant(s)/Agent(s) Signature:

Applicant(s)/Agent(s) Print Name:

Address:

Telephone:

Fax:

Email:

**NOTARIZATION**

STATE OF FLORIDA/COUNTY OF

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_ by \_\_\_\_\_

(Signature of Notary Public - State of Florida)

(Print, Type or Stamp Commissioned Name of Notary Public)

Personally Known OR  Produced Identification; Type of Identification Produced \_\_\_\_\_

\* Section 82-36 of the City Code allows any affected property owner to appeal the denial of a tree permit if a tree whose trunk is located at the property line and shared between two (2) or more properties as indicated by a survey.

**Board of Adjustment Application**

Property Owner(s) Signature:

Property Owner(s) Print Name:

Property Owner(s) Signature:

Property Owner(s) Print Name:

Property Owner(s) Signature:

Property Owner(s) Print Name:

Address:

Telephone:

Fax:

Email:

**NOTARIZATION**

STATE OF FLORIDA/COUNTY OF

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**Board of Adjustment Application**

Architect(s) Signature:

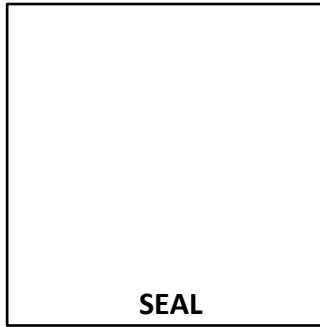
Architect(s) Print Name:

Address:

Telephone:

Fax:

Email:



**NOTARIZATION**

STATE OF FLORIDA/COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_ by \_\_\_\_\_

(Signature of Notary Public - State of Florida)

(Print, Type or Stamp Commissioned Name of Notary Public)

Personally Known OR  Produced Identification; Type of Identification Produced \_\_\_\_\_

Attachments:

- A. Board of Adjustment supporting information.
- B. Board of Adjustment Calendar.

December 7, 2017

**Board of Adjustment Application**

**City Code Section 82-36. Standards for Tree Permit Appeal**

The Board of Adjustment shall consider all of the following criteria. Please prepare a detailed response how each criterion is met.

(1) The natural growth of the subject specimen tree is causing clear and present damage to the structures in the area to the point that any modification to the tree may cause irreparable harm to the tree or pose greater risk to the immediate structures.

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(2) The subject specimen tree poses an inordinate burden to allow reasonable development of the property in accordance to these regulations.

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(3) The subject specimen tree was planted at a location that will preclude its natural healthy growth due to site constraints.

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(4) The subject specimen tree poses a potential threat to the health, safety and welfare of the public.

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(5) The subject specimen tree has been documented by qualified professionals such as a certified arborist as diseased and its existence will cause potential property damage during an extreme weather event.

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**Board of Adjustment Application**

(6) The subject specimen tree is overcrowding other trees in the area and its removal serves as a greater overall horticultural benefit.

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(7) The subject specimen tree does not contribute to the aesthetic, economic and environmental integrity of the surrounding area.

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