

APPLICATION
MONROE COUNTY
PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT



Appeal to the Hearing Officer (State of Florida Division of Administrative Hearings (DOAH))

Appeals of Monroe County Planning Commission decisions must be filed with the Planning & Environmental Resources Department within 30 days of the date of the written decisions. DOAH Appeals exclude Rate of Growth Ordinance (ROGO) decisions, Federal Emergency Management Agency (FEMA) variance decisions and Development of Regional Impact (DRI) decisions.

DOAH Appeal Application Fee: \$816.00

In addition to the application fee, the following fees also apply:

Payment of ½ the cost of the hearing officer, which is \$66.00 per hour (Monroe County is charged \$135 per hour)

Date of Submittal: ____/____/____
Month Day Year

Decision being appealed (Please attach additional sheets if necessary):

Date of decision being appealed: ____/____/____
Month Day Year

Appellant:

Name

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

Daytime Phone

Email Address

Appellant Agent/Attorney (if applicable):

Name

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

Daytime Phone

Email Address

Appellee:

Name

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

Daytime Phone

APPLICATION

Basis for Appeal (State the applicable section of the code which applies to the appeal and describe the basis of your appeal. Attach additional sheets if necessary):

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	Alternate Key Number
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Street Address (Street, City, State, Zip Code)	Approximate Mile Marker
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Land Use District Designation(s): _____

Present Land Use of the Property: _____

Are there any pending codes violations on the property? Yes: _____ No: _____

If yes, please provide case number: _____

A copy of the basis for the appeal in the nature of an initial brief and any evidence including testimony, affidavits and the curriculum vitae of any expert witness that will be called must be attached to this application. The brief must at a minimum state all grounds for the appeal, including but not limited to, the law being appealed and any facts necessary for interpretation of those laws (Attach additional sheets).

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 DOAH appeal application** (unaltered and unbound);
- Correct fee** (check or money order to Monroe County Planning & Environmental Resources);
- Proof of ownership (i.e. Warranty Deed);**
- Current Property Record Card(s) from the Monroe County Property Appraiser;**
- A copy of the document(s), which comprise the decision being appealed;**

APPLICATION

- Any evidence and record which forms the basis for the appeal;**
- Transcript of the Planning Commission Hearing** (Pursuant to Monroe County Code, “the body conducting the hearing shall record the proceedings by any appropriate means which shall be transcribed at the request of any person upon application to the County Administrator and payment of a fee to cover the cost of transcription or duplication of the audio record or tape. Except, however, if a person desires to appeal a decision of the Planning commission pursuant to the hearing officer appellate article, such person shall, at his own expense, provide a transcript of the hearing before the planning commission transcribed by a certified court reporter.” Please note that a transcript made from recordings or other secondary means does not provide a sufficiently accurate record of all the speakers. Therefore, such "secondary" transcripts may not be accepted as a valid verbatim transcript.)

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)

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.

Signature of Applicant: _____ **Date:** _____

Sworn before me this _____ day of _____

Notary Public
My Commission Expires

Please send the complete application packages to:

Planning Commissioner Coordinator
Monroe County Planning & Environmental Resources Department
2798 Overseas Highway, Suite 400, Marathon, FL 33050

-AND-

Initial briefs must be filed within fifty (50) days of submitting the notice of appeal. All briefs should be filed with the hearing officer and served on the parties in order for the appeal to be scheduled for oral arguments. A hearing officer will be appointed by the division of administrative hearings. All initial briefs should be sent to:

State of Florida
Division of Administrative Hearings
The Desoto Building
1230 Apalachee parkway
Tallahassee, FL 32399-1550
(904) 488-9675