



**APPLICATION**  
**MONROE COUNTY, FLORIDA**  
**PLANNING AND ENVIRONMENTAL RESOURCES DEPARTMENT**  
**Application for Residential Administrative Relief**  
**Monroe County Land Development Code Section 138-27**

Application Fee: \$1,010.00

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

Advertising Costs: \$245.00

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***Administrative Relief requirements:***

- (1) If an applicant for an allocation award:
  - a. Whose application has been denied an allocation award for four (4) successive years in the Permit Allocation System, and fails to receive an allocation award, said applicant may apply to the board for administrative relief pursuant to the terms and conditions set forth herein; and
  - b. Whose proposed development otherwise meets all applicable county, state, and federal regulations; and
  - c. Whose allocation application has not been withdrawn; and
  - d. Who has complied with all requirements of the Permit Allocation System; and
  - e. Applicant follows procedures for administrative relief contained in the land development regulations; and
  - f. Applicant has not received an allocation award.
- (2) An application for administrative relief shall be made on a form prescribed by the Director of Planning and may be filed with the Director of Planning no earlier than the conclusion of the fourth annual allocation period and no later than one hundred eighty (180) days following the close of the fourth annual allocation period.
- (3) Upon filing of an application for administrative relief, the Director of Planning & Environmental Resources shall forward to the Board of County Commissioners (BOCC) all relevant files and records relating to the subject applications. Failure to file an application shall constitute a waiver of any rights under this section to assert that the subject property has been taken by the county without payment of just compensation as a result of the dwelling unit allocation system.
- (4) Upon receipt of an application for administrative relief, the BOCC shall notice and hold a public hearing at which time the applicant will be given an opportunity to be heard.
- (5) The BOCC may review the relevant applications and applicable evaluation ranking, taking testimony from county staff and others as may be necessary and hear testimony and review documentary evidence submitted by the applicant.
- (6) At the conclusion of the public hearing, the BOCC may take any or a combination of the following actions pursuant to Monroe County Code Section 138-27(g) and Monroe County Comprehensive Plan Policy 101.7.1:
  - a. Offer to purchase the property at fair market value as the Board of County Commissioners preferred action if the property is located within:
    - i. A designated Tier I area or within the Florida Forever (or its successor) targeted acquisition areas (unless, after 60 days from the receipt of a complete application for administrative relief, it has been determined no county, state or federal agency or any private entity is willing to offer to purchase the parcel);
    - ii. A designated Tier II area (Big Pine Key and No Name Key);
    - iii. A designated Tier III-A area (Special Protection Area); or
    - iv. A designated Tier III area on a nonwaterfront lot or parcel for affordable housing.
  - b. Grant the applicant an allocation award for all or a number of dwelling units requested in the next succeeding quarterly allocation period or extended pro rata over several succeeding quarterly allocation periods as the preferred action for buildable properties not meeting any of the criteria Monroe County Code Section 138-27(g) and Monroe County Comprehensive Plan Policy 101.7.1
  - c. Suggest such other relief as may be necessary and appropriate.
- (7) Monroe County Comprehensive Plan Policy 101.7.3: Monroe County shall preclude the granting of administrative relief in the form of the issuance of a building permit for lands within the Florida Forever targeted acquisition or Tier I land areas unless, after 60 days from the receipt of a complete application for administrative relief, it has been determined the parcel cannot be purchased for conservation purposes by any county, state or federal agency or any private entity.
- (8) Limits on administrative allocations per quarter: The number of allocations that may be awarded under administrative relief in any one quarter shall be no more than 50 percent of the total available market rate allocations available, excluding banked administrative relief allocations and those allocations received from Key West, in a quarter for that subarea. Any allocations, excluding banked administrative relief allocations and those allocations received from Key West, in excess of 50 percent shall be extended into the succeeding quarter or quarters until the number of such allocations is 50 percent or less of the total number of market rate allocations available to be awarded.
- (9) Refusal of the purchase offer by the property owner shall not be grounds for the granting of a ROGO allocation award.



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**ATTACHMENTS: 1) COPY OF CURRENT PROPERTY RECORD CARD, 2) COPY OF THE RECORDED DEED OF THE SUBJECT PROPERTY AND 3) A VEGETATION SURVEY DATED WITHIN SIX MONTHS OF ADMINISTRATIVE APPLICATION SUBMITTAL. IF YOU HAVE QUESTIONS OR WISH TO MAKE AN APPOINTMENT TO DELIVER YOUR APPLICATION PLEASE CALL THE GROWTH MANAGEMENT OFFICE CLOSEST TO YOUR PROJECT.**

Property Owner's Name: \_\_\_\_\_  
 (Business/Corp Documents showing who is authorized to sign)

Property Owner's complete mailing address: \_\_\_\_\_  
 \_\_\_\_\_

Phone: (Work) \_\_\_\_\_ (Home): \_\_\_\_\_

Email Address: \_\_\_\_\_

Agent's Name: \_\_\_\_\_  
 (Required for agents: are agent authorization for the Administrative Relief Application from all property owners)

Agent's complete mailing address: \_\_\_\_\_

Phone: (Work) \_\_\_\_\_ (Home): \_\_\_\_\_

Email Address: \_\_\_\_\_

(Please attach a notarized statement authorizing representation of this application by all property owners. The statement should read: "I, (owner's name) authorize (individual you are authorizing to represent you) to represent my property for this application for Administrative Relief".

PROPERTY DESCRIPTION: Lot(s) \_\_\_\_\_ Block \_\_\_\_\_ Subdivision \_\_\_\_\_

Key (island): \_\_\_\_\_ Street: \_\_\_\_\_ MM: \_\_\_\_ RE: \_\_\_\_\_  
*If metes and bounds, attach legal description on separate sheet. (Parcel ID)*

Building Permit Application #: \_\_\_\_\_

ROGO Application #: \_\_\_\_\_ Date of most recent ROGO application: \_\_\_\_\_

What kind of administrative relief are you seeking? \_\_\_\_\_

Note: Pursuant to Monroe County Code preferred Board of County Commissioners action is to offer purchase if the property is designated Tier I, II, III-A (Special Protection Area); or III on nonwaterfront lot suitable for affordable housing.

NOTARY:  
 STATE OF \_\_\_\_\_  
 COUNTY OF \_\_\_\_\_

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

Sworn to and subscribed before me, by means of  physical presence or  online notarization this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_,  
 (PRINT NAME OF PERSON MAKING STATEMENT)

who is personally known to me OR produced \_\_\_\_\_ as identification.  
 (TYPE OF ID PRODUCED)

\_\_\_\_\_  
 Signature of Notary Public

\_\_\_\_\_  
 Print, Type or Stamp Commissioned Name of Notary Public

**My commission expires:**

TO BE COMPLETED BY STAFF- DATE: \_\_\_\_\_ ROGO APPLICATION # \_\_\_\_\_

