











## II. Applications and the Development Review Process

The applications for the processing of development reviews under the authority of the Planning Division are listed below.

Type of Application	Staff Review	Development Review Team (DRT) <sup>1</sup>	Zoning Board	Village Council	Miami Dade County	SFRPC <sup>2</sup>	DCA <sup>3</sup>	Estimated time frame/ In months <sup>4</sup>
Change in Zoning District (Rezoning) <sup>5</sup>	✓	✓		✓				3
Small Scale Comprehensive Plan Amendment	✓	✓		✓			✓	6
Comprehensive Plan Amendment	✓	✓		✓	✓	✓	✓	12
Conditional Use	✓	✓		✓				3
Variance	✓		✓	✓ <sup>6</sup>				3
Administrative Site Plan	✓	✓						0.5
Site Plan	✓	✓		✓				3
Ordinance Amendment	✓	✓		✓				3

### Summary of the Planning Division Development Review Process:

The following flow chart provides an overview of the review process for applications that require public hearing consideration. Please note that both Village Council and Zoning Board public hearing processes are identical.

<sup>1</sup> Development Review Team or DRT is an informal meeting with Department Heads to go over developmental issues that affect building, police, and public works. Other affected agencies include DERM, SFWMD, and the Miami-Dade County Fire Department.

<sup>2</sup> SFRPC: South Florida Regional Planning Council

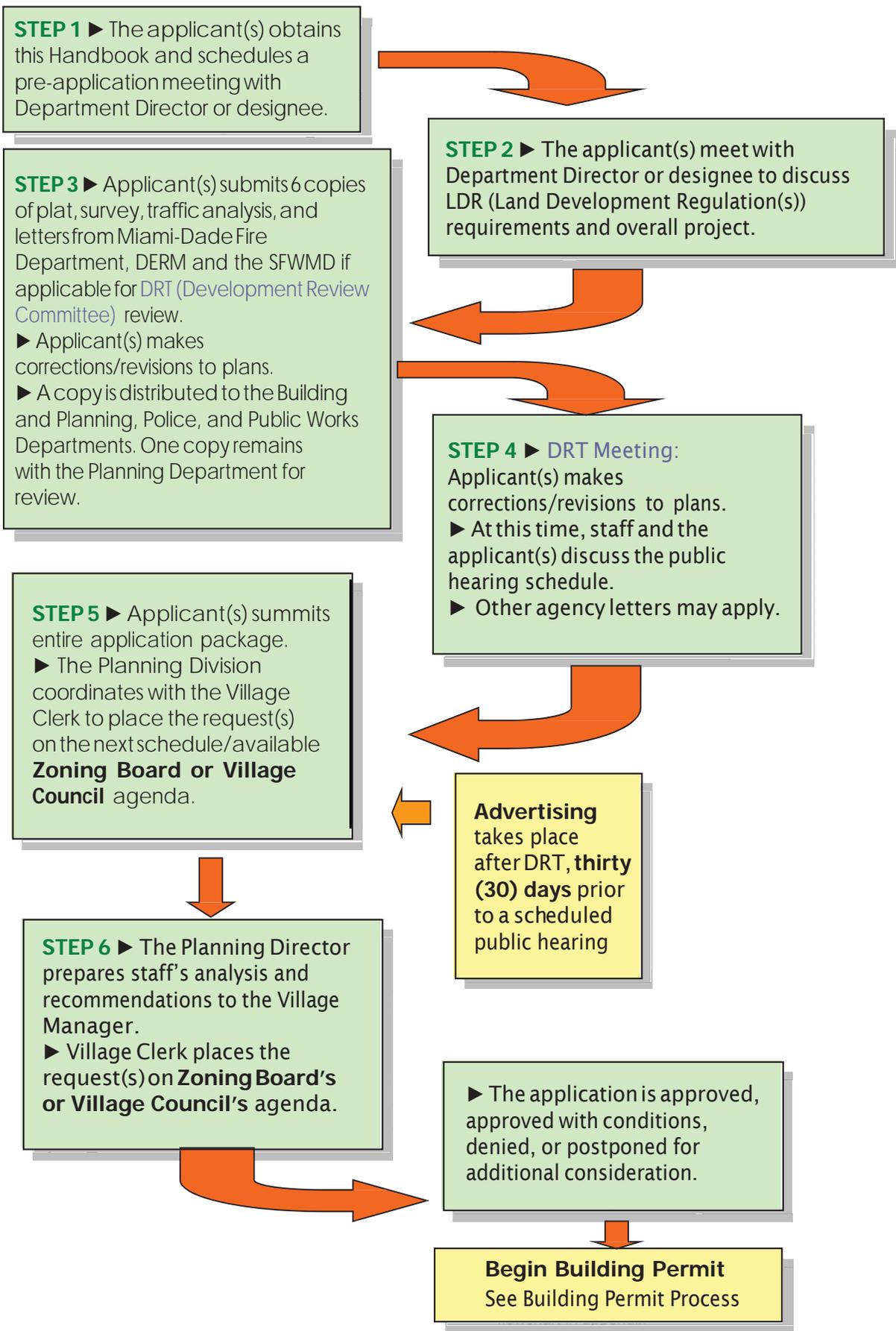
<sup>3</sup> DCA: Department of Community Affairs

<sup>4</sup> For more information about time schedules, please go to page 6.

<sup>5</sup> Rezoning applications also require a Comprehensive Plan Amendment. A rezoning will not be in effect until submission and approval of the Comprehensive Plan amendment.

<sup>6</sup> The Village Council would consider granting variances to the parking and flood regulations pursuant to Division 2.1 of the Village Land Development Regulations.

# Going to the Village Council? Or Going to the Zoning Board? The Process is the same...



<b>COUNCIL – 2018</b>					
Application Deadline	DRT	Staff Report Draft	Advertising	Posting	Meeting
Oct-4	Oct-18	Nov-15	Nov-29	Dec-8	Jan-9
Nov-6	Nov-20	Dec-20	Jan-3	Jan-12	Feb-13
Nov-27	Dec-11	Jan-10	Jan-24	Feb-2	Mar-6
Jan-1	Jan-15	Feb-14	Feb-28	Mar-9	Apr-10
Jan-15	Feb-12	Mar-14	Mar-28	Apr-6	May-8
Mar-5	Mar-19	Apr-18	May-2	May-11	Jun-12
Apr-9	Apr-23	May-23	Jun-16	Jun-15	Jul-17
					No meeting
May-30	Jun-13	Jul-13	Jul-27	Aug-11	Sep-TBA
Jul-26	Jul-10	Aug-10	Aug-24	Sep-8	Oct-TBA
Jul-31	Aug-14	Sep-14	Sep-28	Oct-13	Nov-TBA
Aug-29	Sep-12	Oct-12	Oct-26	Nov-10	Dec-TBA

<b>ZONING BOARD - 2018</b>					
Application Deadline	DRT	Staff Report Draft <sup>1</sup>	Advertising	Posting	Meeting
Oct-18	Nov-1	Nov-29	Dec-13	Dec-22	Jan-24
Nov-22	Dec-6	Jan-3	Jan-17	Jan-26	Feb-28
Dec-11	Dec-25	Jan-24	Feb-7	Feb-16	Mar-21
Jan-15	Jan-29	Feb-28	Mar-14	Mar-23	Apr-25
Feb-14	Feb-28	Mar-28	Apr-18	Apr-28	May-23
Mar-19	Apr-2	May-2	May-16	May-25	Jun-27
Apr-16	Apr-30	May-30	Jun-13	Jun-26	Jul-25
					No Meeting
Jul-4	Jul-18	Aug-1	Aug-15	Aug-24	Sep-26
Jul-16	Jul-30	Aug-29	Sep-12	Sep-21	Oct-24
Aug-20	Sep-3	Oct-10	Oct-17	Oct-26	Nov-28
Sep-10	Sep-24	Oct-24	Nov-7	Nov-16	Dec-19

TBD - To be determined by Planning Director - depending on type of application  
DRT (Development Review Team)

Note: Dates are subject to change depending on the complexity of the applications.

**ADVERTISING WILL NOT BE DONE UNTIL IT IS DEEMED, BY THE PLANNING DIRECTOR, THAT THE APPLICATION IS COMPLETE AND THAT ALL PRESENTATION MATERIALS ARE IN THE POSSESSION OF THE PLANNING DIVISION PRIOR TO THE ABOVE MENTIONED ADVERTISING DATE.**

Footnote<sup>1</sup>: All traffic analysis/studies, letters, permits and/or approvals from Miami Dade County agencies must be submitted prior to drafting Staff's report.

**Revised as of: 3/1/2018**

## PUBLIC HEARING APPLICATION INSTRUCTIONS

1. Fill out the application (application forms that are not completely filled out will not be accepted).
2. Prepare a letter of intent, which should address in full detail the extent of the application (see type of application below).
3. Submit an up-to-date signed and sealed as-built survey including trees.
4. Site plan (including applicable easements, preliminary reviews from Miami-Dade County Fire Department, DERM, South Florida Water Management, etc.).
5. Provide letter of authorization from owner, if a different applicant is processing application.
6. Owner/Agent must sign application.
7. Photographs (optional, but suggested).
8. Letters of support from area residents (optional, but highly recommended in some cases).
9. One (1) sealed set of plans to scale PLUS twelve single sided copies of all documents, plans, surveys, photographs, etc. Papersize shall not be larger than 11" x17".
10. Fee for each application (see fee schedule on page 14).
11. The assigned Planning Division staff must review all applications to determine acceptability. No application shall be accepted unless it is complete.
12. All applications and all supplemental information must be filed no later than ninety (90) days prior to the Village Council or Zoning Board meeting date.

<sup>1</sup> For Public Hearing Application, see appendix.

### III. If you are applying for a Conditional Use, then your application must meet the following criteria...

Division 3.3(c) of the Land Development Regulations (LDRs) states that a conditional use shall be permitted upon a finding by the Village Council that the proposed use, application, and site plan comply with the criteria outlined below. A conditional use shall be denied if the Village determines that the proposed use does not meet the criteria or is adverse to the public interest. The applicant shall demonstrate the following:

- 1. Land Use Compatibility.** The conditional use, including its proposed scale and intensity, traffic generating characteristics, and off-site impacts shall be compatible and harmonious with adjacent land uses and shall not adversely impact land use activities in the immediate vicinity.
- 2. Sufficient Site Size, Site Specifications, and Infrastructure to Accommodate the Proposed Use.** The size and shape of the site, the proposed access and internal circulation, and the urban design must be adequate to accommodate the proposed scale and intensity of conditional use requested. The site shall be of sufficient size to provide adequate screening, buffers, landscaping, open space, off-street parking, efficient internal traffic circulation, infrastructure and similar site plan improvements needed to mitigate against potential adverse impacts of the proposed use.
- 3. Compliance with the Comprehensive Master Development Plan and Land Development Code.** The conditional use and site plan shall comply with environmental, zoning and other applicable regulations of the Land Development Code, and shall be consistent with the Comprehensive Development Master Plan.
- 4. Proper Use of Mitigative Techniques.** The conditional use and site plan shall incorporate mitigative techniques needed to prevent adverse impacts to adjacent land uses. In addition, the design scheme shall appropriately address off-site impacts to ensure that land use activities in the immediate vicinity, including community infrastructure, are not burdened with adverse impacts detrimental to the general public health, safety and welfare.
- 5. Hazardous Waste.** No conditional use which generates hazardous waste or uses hazardous materials shall be located in the Village unless the specific location is consistent with the Comprehensive Development Master Plan, Land Development Code, and does not adversely impact wellfields, aquifer recharge areas, or other conservation resources, as may be applicable now or in the future. The proposed use shall not generate hazardous waste or require use of hazardous materials in its operation unless the Village Council approves conditions requiring mitigative techniques designed to prevent any adverse impact to the general health, safety and welfare. The plan shall provide for appropriate identification of hazardous waste and hazardous material, and regulate its use, storage and transfer consistent with best management principles and practices.

#### **IV. If you are applying for an Administrative Site Plan, then your application must contain the following information...**

Division 3.4 of the Village of Pinecrest Land Development Regulations (LDRs) outlines the information that is required when submitting a site plan. A site plan submittal must include, but is not limited to, the following:

- 1) Survey (showing all existing structures, trees, and utilities)
- 2) Traffic Study
- 3) Site Plan (showing numbered parking, all dimensions, buffers, etc.)
- 4) Preliminary reviews from Miami-Dade County Fire and DERM
- 5) Landscape and irrigation plans, pursuant to Division 6
- 6) Lighting plan
- 7) Building elevations
- 8) Certificate of Landscape Compliance
- 9) Paving and Drainage plans (for Public Works use)

#### **V. If you are applying for Site Plan Approval by the Village Council, then your application must include all of the above site plan information and follow the public hearing process outlined on page 7.**

**VI.** If you are applying for **a Variance from the Zoning Board**, then your application must meet all seven (7) criteria pursuant to Division 3.5(f) of the Village's Land Development Regulations (LDRs), and follow the public hearing process (see page 5). Please note that variance requests for parking and/or flood related issues must be approved by the Village Council. The applicant(s) must write a letter of intent to the Village demonstrating that the request meets the following:

1. **Variance Consistent with Authorized Powers**

The first criterion that an applicant has to satisfy is that the variance is in fact a variance as set forth in the Land Development Code and within the province of the Board or Village Council, as applicable, based upon the opinion of the Village Attorney.

2. **Existence of Special Conditions or Circumstances**

The second requirement is that special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district.

3. **Conditions Not Created by Applicant**

This third condition requires that the special conditions and circumstances of this property do not result from the actions of the applicant.

4. **Special Conditions not Conferred**

That granting the variance requested will not confer on the Applicant any special privilege that is denied by this Land Development Code to other lands, buildings, or structures in the same zoning district.

5. **Hardship Conditions Exist**

That literal interpretation of the provisions of this Land Development Code would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the Land Development Code and would work unnecessary and undue hardship on the applicant.

6. **Only the Minimum Variance Granted**

That the variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure.

7. **Not Injurious Public Welfare or Intent of the Land Development Code**

That the granting of the variance will be in harmony with the general intent and purpose of the Comprehensive Development Master Plan and this Land Development Code and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

Also, the application must be accompanied by the information outlined on page 6 above –**under public hearing application instructions**.

**VII.** If you are applying for **Amendment(s) to the Official Zoning Map (Rezoning) or the Text of the Land Development Code**, then your application must contain the information required by Division 3.6 of the Land Development Regulations (LDRs) and follow the public hearing process outlined on page 5.

**a) Division 3.6 requires the following:**

1. A statement identifying the text or map area proposed to be amended.
2. An explanation/description of the proposed amendment including size of property and dimensions.
3. An explanation of the need and justification for the proposed change.
4. The application shall also include the following:
  - a) A legal description and a description by street address of the property whose zoning designation is proposed to be changed.
  - b) Current and proposed Comprehensive Development Master Plan Land Use Map designation for the subject property.
  - c) The existing and proposed zoning designation for the subject property.
  - d) The existing and proposed use of the subject property, if applicable.
  - e) A verified statement showing each and every individual person having a legal or equitable ownership interest in the property upon which the amendment is sought. In the case of publicly held corporations, the names and addresses of the principal corporate officers, directors and any shareholder owning more than ten percent (10%) of the interest in the corporation shall be disclosed.

**(b) Process and Criteria for Review.** All proposed amendments, regardless of the source, shall be evaluated by the Administrative Official (in this case, the Planning Director or designee), the Local Planning Agency and the Village Council. In evaluating proposed amendments, the Village Council shall consider the following criteria:

1. Whether the proposal is consistent with the Comprehensive Development Master Plan, including the adopted infrastructure minimum levels of service standards and the concurrency management program.
2. Whether the proposal is in conformance with all applicable requirements of the Code of Ordinances, including the Land Development Code.
3. Whether, and the extent to which, land use and development conditions have changed since the effective date of the existing regulations, and whether such changes support or work against the proposed change in land use policy.
4. Whether, and the extent to which, the proposal would result in any incompatible land uses, considering the type and location of uses involved, the impact on adjacent or neighboring properties, consistency with existing development, as well as compatibility with existing and proposed land use.
5. Whether, and the extent to which, the proposal would result in demands on transportation systems, public facilities and services, exceeding the capacity of such facilities and services, existing or programmed, including transportation, water and wastewater services, solid waste disposal, drainage, recreation, education, emergency services, and similar necessary facilities and services.

6. Whether, and to the extent to which, the proposal would result in adverse impacts on the natural environment, including consideration of wetland protection, preservation of groundwater aquifer, wildlife habitats, and vegetative communities.
7. Whether, and the extent to which, the proposal would adversely affect the property values in the affected area, or adversely affect the general welfare.
8. Whether the proposal would result in an orderly and compatible land use pattern. Any positive and negative effects on such pattern shall be identified.
9. Whether the proposal would be in conflict with the public interest, and whether it is in harmony with the purpose and intent of this Land Development Code.
10. Other matters which the Local Planning Agency or the Village Council in its legislative discretion, may deem appropriate.

**(c) Final Action by the Village Council.** The applicant will be advised of the time and place of the Village Council hearings. The notice and hearings on the proposed amendment shall be provided pursuant to this Land Development Code and the Florida Statutes. After the necessary public hearing(s), the Village Council shall take action to deny or approve the application, or approve it with modifications or conditions. If denied, the applicant may resubmit the application after a period of one (1) year from the denial.

**(d) Official Zoning Map.** Each amendment to zoning district boundaries or other zoning requirement as portrayed on the Official Zoning Map will be entered by the Planning Division promptly after the amendment has been approved by the Village Council.

**VIII.** If you are applying for **Amendment(s) to the Comprehensive Master Development Plan (CMDP)**, then your application must contain the information required by Division 3.7 of the Land Development Regulations (LDRs) and follow the public hearing process outlined on [page 5](#).

- a) The application shall contain at least the following information:
  1. A statement identifying the section proposed to be amended.
  2. An explanation of the text of the amendment desired including size of property and dimensions.
  3. An explanation of the need and justification for the proposed change, including the data and analysis that supports the amendment.
  4. An explanation of how the proposed amendment meets the requirements of Chapter 163.3161, et seq., "The Local Government Comprehensive Planning and Land Development Regulation Act."
- b) For an amendment to the Future Land Use Map, the application shall also include the following information:
  1. A legal description and a description by street address of the property whose land use designation is proposed to be changed.
  2. Current and proposed Future Land Use Map designation for the subject property.
  3. The existing and proposed zoning designation for the subject property.
  4. The existing and proposed use of the subject property, if applicable.
  5. A verified statement showing each and every individual person having a legal or equitable ownership interest in the property upon which the amendment is sought. In the case of publicly held corporations, the names and addresses of the principal corporate officers, directors and any shareholder owning more than ten percent (10%) of the interest in the corporation shall be disclosed.

## **Process and Criteria for Review**

All proposed amendments, regardless of the source, shall be evaluated by the Administrative Official, the Local Planning Agency and the Village Council. If the amendment is proposed by the Village, the Administrative Official shall prepare the necessary information for the amendment to be reviewed pursuant to the requirements of Chapter 163.3161, et seq., "The Local Government Comprehensive Planning and Land Development Regulation Act."

In evaluating proposed amendments, the Village Council shall consider the following criteria:

1. Whether the proposal is internally consistent with the Comprehensive Development Master Plan, including the adopted infrastructure minimum levels of service standards and the concurrency management program.
2. Whether, and the extent to which, land use and development conditions have changed since the effective date of the existing Comprehensive Development Master Plan, and whether such changes support or work against the proposed amendment.
3. Whether, and the extent to which, the proposal would result in any incompatible land uses, considering the type and location of uses involved, the impact on adjacent or neighboring properties, consistency with existing development, as well as compatibility with existing and proposed neighboring property land use.

4. Whether, and the extent to which, the proposal would adversely affect the property values in the affected area, or adversely affect the general welfare.
5. Whether the proposal would result in an orderly and compatible land use pattern. Any positive and negative effects on such pattern shall be identified.
6. Whether the proposal would be in conflict with the public interest, and whether it is in harmony with the purpose and interest of the Comprehensive Development Master Plan.
7. Whether the proposed amendment meets the requirements of Chapter 163.3161 et seq., Florida Statutes.
8. Other matters which the Local Planning Agency or the Village Council, in its legislative discretion, may deem appropriate.

### **Final Action by the Village Council**

The Applicant shall be advised of the time and place of the Village Council hearings. The notice and hearings on the proposed amendment shall be provided pursuant to Florida Statutes. After the necessary public hearing(s), the Village Council shall take action to deny or approve the application, or approve it with modifications or conditions for purposes of transmittal to the Florida Department of Community Affairs pursuant to the Florida Statutes.

1. If denied, the Applicant may resubmit the application after a period of one (1) year from the denial.
2. If approved for purposes of transmittal, the Village shall thereafter provide the necessary administrative support for the state review process required under Chapter 163.3161, et seq., "The Local Government Comprehensive Planning and Land Development Regulation Act." The Village Council shall have the legislative discretion to adopt, adopt with conditions, or not adopt the amendment once the state review process has been completed.

**IX.** If you are applying for **Plat Approval**, then your application must contain the information required by Division 8 of the Land Development Regulations (LDRs) and follow the public hearing process outlined on page 17. The Platting process is depicted in the 10-step flowchart below.

## PRELIMINARY PLAT:

**STEP 1** ▶ The applicant(s) obtains this Handbook and schedules a pre-application meeting with Department Director or designee.

**STEP 2** ▶ The applicant(s) meets with Department Director or designee to discuss Preliminary Plat requirements.

**STEP 3** ▶ Applicant(s) submits 6 copies of plat, survey, traffic analysis, letters from Miami-Dade Fire Department, DERM, and the SFWMD if applicable for the Development Review Team or DRT to review.

- ▶ Preliminary Plat must contain the required information pursuant to Division 8, Table XIX-A of the Village's LDRs.
- ▶ Applicant(s) makes corrections/revisions to plans, obtains.
- ▶ A copy is distributed to the Building, Police, and Public Works Departments. Three copies remain with the Planning Department for review.

▶ **STEP 4 DRT Meeting:** Applicant(s) makes corrections/revisions to plans, if applicable.

- ▶ At this time, staff and the applicant(s) discuss the public hearing schedule.
- ▶ Other agency letters may apply.

**Advertising** takes place after DRT, **thirty (30)** days prior to a scheduled public hearing.

**STEP 5** ▶ Applicant(s) submits entire application package.

- ▶ Village Clerk places the request(s) on the next schedule/available **Village Council** agenda.

**STEP 6** ▶ The Planning Director prepares staff's analysis and recommendations to the Village Manager.

**STEP 7** ▶ The application is approved, approved with conditions, denied, or postponed for additional consideration.

- Take Preliminary Plat to Miami-Dade County Plat Committee; then,
- Begin Final Plat Process, or
- Go to Miami-Dade County for Recording if Final Plat was approved.

## FINAL PLAT:

**STEP 8** ▶ The applicant(s) schedules a meeting with Department Director or designee to discuss final plat.

**STEP 9** ▶ The applicant(s) meet with Department Director or designee to discuss Final Plat.

**STEP 10** ▶ The Department Director or designee supplies a copy of the Final Plat to a Professional Surveyor to review for compliance with Chapter 177 F.S.

## ZONING AND PLANNING FEES

ITEM	FEE
<b>I. COUNCIL</b>	
Comprehensive Master Plan Change	11,300.00
Zoning change to Residential or to Districts within Residential	2,900.00
Zoning change to Non Residential	11,300.00
Conditional Use Residential	800.00
Conditional Use Non Residential	2,900.00
Modification of Resolutions / Covenants / Development Orders	1,500.00
Appeal Zoning Board Decision to Council – Residential <b>(to be submitted within 14 days of Zoning Board decision)</b>	500.00
Appeal Zoning Board Decision to Council – Non Residential	1,050.00
Variance Residential <b>(Parking &amp; Flood)</b>	1,500.00
Variance Non Residential <b>(Parking &amp; Flood)</b>	2,900.00
Public Hearing Private School, House of Worship, Congregate Living Facilities, Nursing Homes and Convalescent Homes	Conditional Use
Site Plan Review	2,200.00 minimum plus and \$230.00/ 10 units or portion thereof or \$230.00/ 5,000ft <sup>2</sup> or portion thereof <b>Note:</b> <b>Exceptions</b> <b>for Site Plan</b> <b>Review are</b> <b>Listed under</b> <b>Division</b> <b>3.2(b) of the</b> <b>Village of</b> <b>Pincrest</b> <b>LDRs.</b>
Amendment to Approved Site Plans	½ of original site plan fee
Government Facility <b>(Conditional Use Non -Residential)</b>	1,500.00
Subdivision / Plat Pre -Application	700.00
Subdivision / Plat Preliminary	1,400.00 plus \$115 /lot
Subdivision/Plat Final	1,400.00
<b>II. ZONING BOARD</b>	
Variance Residential Non-Use <b>(Setbacks, F.A.R., Landscape)</b> Commercial Non-Use	800.00 each 1,500.00 each
Sign Variance	1,050.00
Appeals to Administrative Decision	525.00

FEE	PROPOSED
<b>III. ADMINISTRATIVE REVIEW</b>	
Site Plan Review	2,200.00 plus \$575.00/acre and \$230.00 / 10 units or portion thereof or \$230.00 / 5,000ft <sup>2</sup> or portion thereof  <b>Note: Exceptions for Site Plan Review are Listed under Division 3.2(b) of the Village of Pinecrest LDRs</b>
Each Addition Revision	700.00 each revision
Amendment to Site Plan	½ original site plan fee
Tree Removal / Relocation Permit	70.00 first three trees 30.00 Each additional
Zoning Verification Letter	25.00
Other processing Fees	62.00 minimum fee
<b>IV. OTHER</b>	
Plan reproductions from microfilm- per sheet	6.15
Reproduced records - per page	0.15
Double sided copies - per page	0.20
Certified copies - per page	7.00
Research and Ordering Plans	7.00
Research of Open Permits	50.00
Hearing Audio Tapes - per tape	10.00
Future Land Use/ Official Zoning Map	10.00 - 50.00 **

\*\* Dependent upon size

# Planning Division Contacts

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Village of Pinecrest, Florida  
**Building and Planning Department**  
12645 Pinecrest Parkway  
Pinecrest, Florida 33156  
(305) 234-2121

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**Planning Director:** ..... Stephen Olmsted ..... [solmsted@pinecrest-fl.gov](mailto:solmsted@pinecrest-fl.gov)

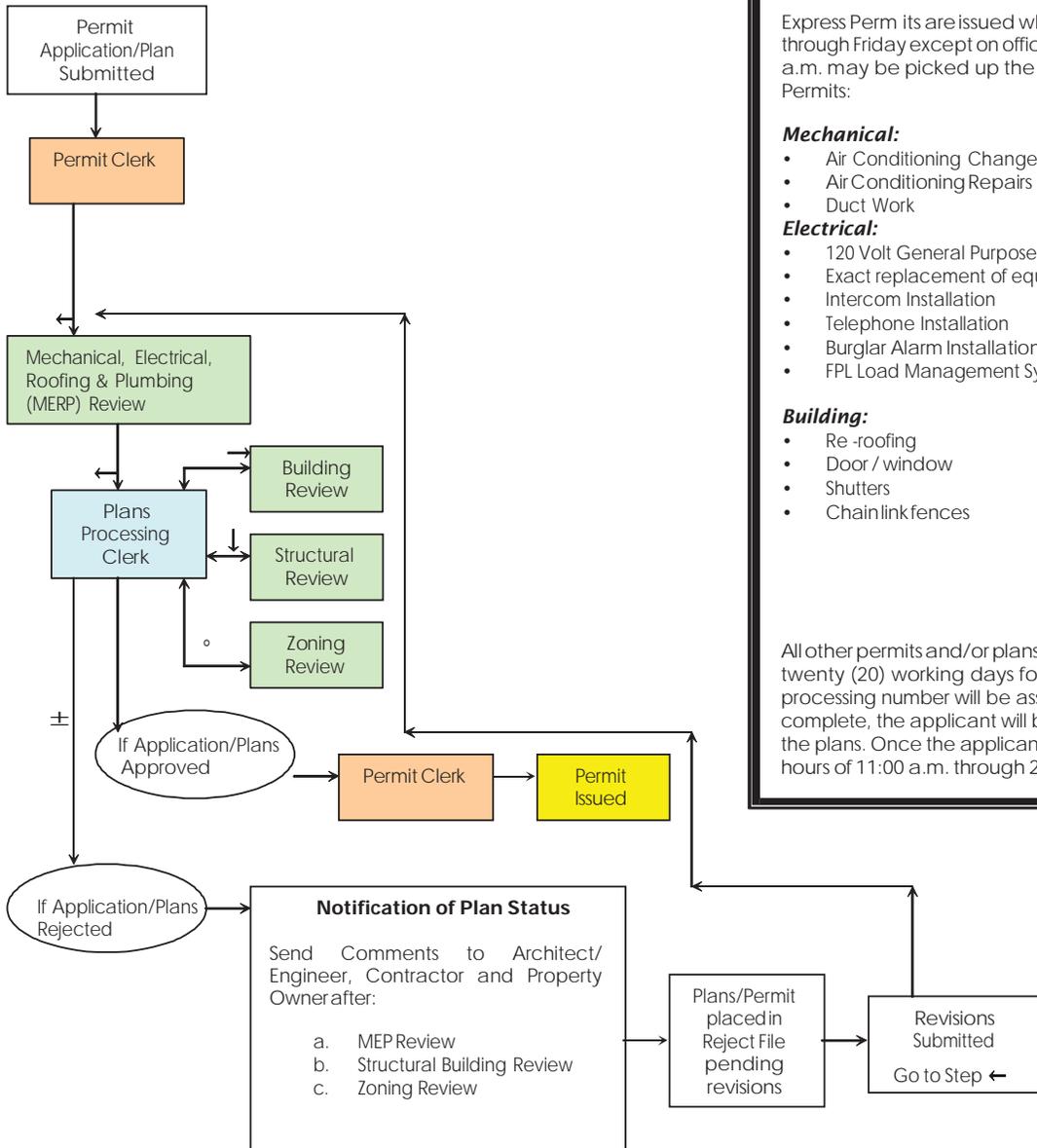
**Administrative Assistant  
to Planning Director:** ..... Carolina Rojas ..... [rojas@pinecrest-fl.gov](mailto:rojas@pinecrest-fl.gov)

**Planner:** ..... Patricia Janisse ..... [janisse@pinecrest-fl.gov](mailto:janisse@pinecrest-fl.gov)

**Code Compliance Officer:** ..... Ida Mesa ..... [mesa@pinecrest-fl.gov](mailto:mesa@pinecrest-fl.gov)

**Code Compliance Officer:** ..... Esther Cabrera ..... [ecabrera@pinecrest-fl.gov](mailto:ecabrera@pinecrest-fl.gov)

## APPENDIX



### Express Permits

Express Permits are issued while you wait within the hours of 8:00 a.m. through 10:00 a.m. Monday through Friday except on official holidays. An application for an Express Permit submitted after 10:00 a.m. may be picked up the next business day before 2:00 p.m. The following is a list of Express Permits:

#### Mechanical:

- Air Conditioning Change Out
- Air Conditioning Repairs
- Duct Work

#### Electrical:

- 120 Volt General Purpose Receptacles, Lights, Paddlefans, and Smoke Detectors
- Exact replacement of equipment (air conditioning, disposal, dishwasher, pumps, etc.)
- Intercom Installation
- Telephone Installation
- Burglar Alarm Installation
- FPL Load Management Systems

#### Building:

- Re-roofing
- Door / window
- Shutters
- Chainlink fences

#### Zoning:

- Fence, chain link only
- Wall sign or non-electric sign attached to wall
- Wall banner

#### Plumbing:

- Plumbing Repairs
- Drainfield Repairs
- New Septic Tank Installation
- Residential Gas Installation
- All permits that are part of an approved Master Permit

### Drop-Off Permits

All other permits and/or plans are considered "Drop-Off Permits/Plans". The Village may take up to twenty (20) working days for initial plan review depending on the complexity of the project. A processing number will be assigned to each application when it is dropped off. When the review is complete, the applicant will be notified that the permit is ready or that revisions need to be made to the plans. Once the applicant is notified, they must come in to pick up the permit/plans between the hours of 11:00 a.m. through 2:00 p.m.