

Change of Use Guidelines

A Building Permit is required when a change of use (occupancy) occurs. For example: when a retail space changes into a restaurant or if an office changes into a retail space. Plan review from the Building Department will ensure that the minimum building and life-safety requirements are complied with.

Before submitting for the change of use permit, the tenant must get approval from the Environmental Protection and Growth Management Department (also known as DPEP). A drawing of the space must be submitted to DPEP with the following items:

- Name of tenant and address
- Layout of space with all dimensions and total square footage
- Life safety items (including emergency lights, exit signs, fire extinguishers, etc.)
- Name all rooms and their intended use. This includes bathrooms and closets
- Door swings
- Notes to include on drawings:
 - Fire extinguishers mounted at 48" AFF
 - Exit signs illuminated with battery back-up
 - All doors in means of egress shall be single-action release and require no special knowledge, keys, or tools from egress side

Once approved, the tenant will receive a "Broward County Environmental Review Approval Certificate" and a "Broward County Transportation Concurrency Satisfaction Certificate". The original approved copies must be submitted with the permit application. Samples of these pages are attached for reference.

Environmental Protection and Growth Management Department

One N. University Drive Suite 102A
Plantation, FL 33324
954-357-6666

For all change of use permits, 2 sets of drawings must be submitted to the Building Department for review. See above requirements for DPEP for these drawings. Certain proposed change of uses may have additional requirements. For example: For change of uses to assemblies (banquet halls, churches, etc.) and educational (K-12 ed.) signed and sealed architectural drawings are required. For additional requirements for plans, please contact the Building Department at 954-435-6502

CHANGE OF USE GUIDELINES IF **NO** WORK IS BEING DONE:

If there is a change of use with **NO** work occurring, then the permit can be pulled without a contractor. However, the normal process of an owner-builder permit must be followed. This includes the "Permit Application" and the "Property Owner Acting as Their Own Contractor" being signed by the owner or authorized agent in person in the Building Department. If the owner or authorized agent does not want to personally come into the Building Department to sign these forms, then they may fill out an "Owner's Affidavit for Tenant Improvement" form. This informs us that they are allowing the tenant to sign the "Permit Application and "Property Owner Acting as Their Own Contractor" as the owner. If this is used, then the tenant must sign these forms in person in the Building Department.

If **NO** work is being done, once the permit is approved and issued a final inspection is required in each of the following disciplines:

- Structural
- Mechanical
- Electrical
- Plumbing
- Fire

CHANGE OF USE GUIDELINES IF WORK IS BEING DONE:

If there is a change of use with work occurring, then the permit **MUST** have a contractor in the discipline in which the work is being done. Example: Ductwork must be added to a job site (this is the only construction occurring). When this occurs, 1 application is required for the change of use to cover all disciplines in which work is not occurring, and a separate application for each discipline in which work is occurring. The latter application must be signed by **both** the contractor and property owner/authorized agent.

If work is being done, once the permit is approved and issued a final inspection is required in each of the disciplines listed below, **plus** any other inspections required, if applicable:

- Structural
- Mechanical
- Electrical
- Plumbing
- Fire

PLEASE NOTE:

**If a permit was originally opened as a change of use with no work being done and after going to the space, an inspector determined that certain work is required, a new application must be submitted with a contractor for the work.

**There is a submittal fee due at the time of submittal for all permits.

**For additional information, please contact the Building Department at 954-435-6502

BROWARD COUNTY UNIFORM BUILDING PERMIT APPLICATION

Select One Trade: Building Electrical Plumbing Mechanical Other _____

Application Number: _____

Application Date: _____

1	Job Address: _____		Unit: _____		City: _____	
	Tax Folio No.: _____		Flood Zn: _____		BFE: _____	
	Building Use: _____		Construction Type: _____		Occupancy Group: _____	
	Present Use: _____		Proposed Used: _____			
	Description of Work:					
	<input type="checkbox"/> New <input type="checkbox"/> Addition <input type="checkbox"/> Repair <input type="checkbox"/> Alteration <input type="checkbox"/> Demolition <input type="checkbox"/> Revision <input type="checkbox"/> Other: _____					
	Legal Description: _____					<input type="checkbox"/> Attachment

2	Property Owner: _____		Phone: _____		Email: _____	
	Owner's Address: _____		City: _____		State: _____ Zip: _____	

3	Contracting Co.: _____		Phone: _____		Email: _____	
	Company Address: _____		City: _____		State: _____ Zip: _____	
	Qualifier's Name: _____		Owner-Builder: <input type="checkbox"/>		License Number: _____	

4	Architect/Engineer's Name: _____		Phone: _____		Email: _____	
	Architect/Engineer's Address: _____		City: _____		State: _____ Zip: _____	
	Bonding Company: _____					
	Bonding Company Address: _____		City: _____		State: _____ Zip: _____	
	Fee Simple Titleholder's name (if other than owner): _____					
	Fee Simple Titleholder's Address (If other than owner): _____		City: _____		State: _____ Zip: _____	
	Mortgage Lender's Name: _____					
Mortgage Lender's Address: _____		City: _____		State: _____ Zip: _____		

Application is hereby made to obtain a permit to do the work and installations as indicated. I certify that no work or installation has commenced prior to the issuance of a permit and that all work will be performed to meet the standards of all laws regulating construction in this jurisdiction. I understand that a separate permit must be secured for ELECTRICAL WORK, PLUMBING, SIGNS, WELLS, POOLS, FURNACES, BOILERS, HEATERS, TANKS, and AIR CONDITIONERS, etc.

OWNER'S AFFIDAVIT: I certify that all the foregoing information is accurate and that all work will be done in compliance with all applicable laws regulating construction and zoning.

WARNING TO OWNER: YOUR FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY RESULT IN YOUR PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. A NOTICE OF COMMENCEMENT MUST BE RECORDED AND POSTED ON THE JOB SITE BEFORE THE FIRST INSPECTION. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE COMMENCING WORK OR RECORDING YOUR NOTICE OF COMMENCEMENT.

X _____
Signature of Property Owner or Agent

STATE OF FLORIDA
COUNTY OF BROWARD

Sworn to (or affirmed) and subscribed before me this _____ day of _____, 20____ by _____

(Type / Print Property Owner or Agent Name)

NOTARY'S SIGNATURE as to Owner or Agent's Signature

Notary Name _____
(Print, Type or Stamp Notary's Name)

Personally Known _____ or Produced Identification _____

Type of Identification Produced _____

X _____
Signature of Qualifier

STATE OF FLORIDA
COUNTY OF BROWARD

Sworn to (or affirmed) and subscribed before me this _____ day of _____, 20____ by _____

(Type / Print Qualifier's Name)

NOTARY'S SIGNATURE as to Qualifier's Signature

Notary Name _____
(Print, Type or Stamp Notary's Name)

Personally Known _____ or Produced Identification _____

Type of Identification Produced _____

APPROVED BY: _____ Permit Officer Issue Date: _____ Code in Effect: _____

A jurisdiction may use a supplemental page requesting additional information and citing other conditions, please inquire.
Note: If any development work as described in FS 380.04 Sec. 2 a-g is to be performed, a development permit must be obtained prior to the issuance of a building permit.



Owner's Affidavit for Tenant Improvement

As owner/authorized agent of the tenant space with address _____,

I hereby give authorization for my lessee _____ to apply and obtain a building permit for the scope of work described as follows:

Owner/Authorized Agent Signature

Date

State of _____ County of _____

Sworn to (or affirmed) and subscribed before me this _____ day of _____, 20_____

By: _____

(SEAL)

(NOTARY) _____

Type of Identification Produced _____

Please note: An authorized agent is a person who is legally authorized to act for another through employment, contract, or other apparent authority.

PROPERTY OWNERS ACTING AS THEIR OWN CONTRACTOR:

NOTE 1: If you are thinking of beginning a project at your home which will require a building permit from the City, be aware that ***deed restrictions may pertain to your property***. The City does not have the authority to enforce *deed restrictions*, and it is not part of the permitting process. For your own protection, you should investigate to find out what, if any restrictions apply to your property. *Deed restrictions* may affect the design of your project or prohibit it altogether. Homeowners Association documents may contain *deed restrictions* and should also be studied prior to considering construction projects.

NOTE 2: Forty-eight (48) hours before you dig, call Sunshine at 1-800-432-4770. It is the law in Florida.

Florida Statutes, Chapter 489, Licenses Required, 489.103, Exemption [7]

(7) (a) License requirements do not apply to: Owners of property when acting as their own contractor and providing direct, onsite supervision themselves of all work not performed by licensed contractors:

(1) When building or improving farm outbuildings or one-family or two-family residences on such property for the occupancy or use of such owners and not offered for sale or lease, or building or improving commercial buildings, at a cost not to exceed \$75,000, on such property for the occupancy or use of such owners and not offered for sale or lease. In an action brought under this part, proof of the sale or lease, or offering for sale or lease, of any such structure by the owner-builder within 1 year after completion of same creates a presumption that the construction was undertaken for purposes of sale or lease.

(2) When repairing or replacing wood shakes or asphalt or fiberglass shingles on one-family, two-family, or three-family residences for the occupancy or use of such owner or tenant of the owner and not offered for sale within 1 year after completion of the work and when the property has been damaged by natural causes from an event recognized as an emergency situation designated by executive order issued by the Governor declaring the existence of a state of emergency as a result and consequence of a serious threat posed to the public health, safety, and property in this state.

(3) When installing, uninstalling or replacing solar panels on one-family, two-family or three-family residences and the local permitting agency's county or municipal government is participating in a "United States Department of Energy SunShot Initiative: Rooftop Solar Challenge" grant. However, an owner must utilize a licensed electrical contractor to effectuate the wiring of the solar panels, including any interconnection to the customer's residential electrical wiring. The limitations of this exemption shall be expressly stated in the building permit approved and issued by the permitting agency for such project.

(4) When completing the requirements of a building permit, where the contractor listed on the permit substantially completed the project as determined by the local permitting agency for a one-family or two-family residence, townhome or an individual residential condominium unit or cooperative unit. Prior to qualifying for the exemption, the owner must receive approval from the local permitting agency and the local permitting agency must determine that the contractor listed on the permit substantially completed the project. An owner who qualifies for the exemption under this paragraph is not required to occupy the dwelling or unit for at least 1 year after the completion of the project.

Rev. 07/01/19

(b) This subsection does not exempt any person who is employed by or has a contract with such owner and who acts in the capacity of a contractor. The owner may not delegate the owner's responsibility to directly supervise all work to any other person unless that person is registered or certified under this part and the work being performed is within the scope of that person's license. For the purposes of this subsection, the term "owners of property" includes the owner of a mobile home situated on a leased lot.

(c) To qualify for exemption under this subsection, an owner must personally appear and sign the building permit application and must satisfy local permitting agency requirements, if any, proving that the owner has a complete understanding of the owner's obligations under the law as specified in the disclosure statement in this section. However, for the purpose of implementing a "United States Department of Energy SunShot Initiative: Rooftop Solar Challenge" grant and the participation of county and municipal governments, including local permitting agencies under the jurisdiction of such county and municipal governments, an owner's notarized signature or personal appearance to sign the permit application is not required for a solar project, as described in subparagraph (a) (3), if the building permit application is submitted electronically to the permitting agency and the owner certifies the application and disclosure statement using the permitting agency's electronic confirmation system. If any person violates the requirements of this subsection, the local permitting agency shall withhold final approval, revoke the permit, or pursue any action or remedy for unlicensed activity against the owner and any person performing work that requires licensure under the permit issued. The local permitting agency shall provide the person with a disclosure statement in substantially the following form:

DISCLOSURE STATEMENT

1. I understand that state law requires construction to be done by a licensed contractor and have applied for an owner-builder permit under an exemption from the law. The exemption specifies that I, as the owner of the property listed, may act as my own contractor with certain restrictions even though I do not have a license.

2. I understand that building permits are not required to be signed by a property owner unless he or she is responsible for the construction and is not hiring a licensed contractor to assume responsibility.

3. I understand that, as an owner-builder, I am the responsible party of record on a permit. I understand that I may protect myself from potential financial risk by hiring a licensed contractor and having the permit filed in his or her name instead of my own name. I also understand that a contractor is required by law to be licensed in Florida and to list his or her license numbers on permits and contracts.

4. I understand that I may build or improve a one-family or two-family residence or a farm outbuilding. I may also build or improve a commercial building if the costs do not exceed \$75,000. The building or residence must be for my own use or occupancy. It may not be built or substantially improved for sale or lease. If a building or residence that I have built or substantially improved myself is sold or leased, unless I am completing the requirements of a building permit where the contractor listed on the permit substantially completed the project. If a building or residence that I have built or substantially improved myself is sold or lease within 1 year after the construction is complete, the law will presume that I built or substantially improved it for sale or lease, which violates the exemption.

5. I understand that, as the owner-builder, I must provide direct, onsite supervision of the construction.

6. I understand that I may not hire an unlicensed person to act as my contractor or to supervise persons working on my building or residence. It is my responsibility to ensure that the persons whom I employ have the licenses required by law and by county or municipal ordinance.

7. I understand that it a frequent practice of unlicensed persons is to have the property owner obtain an owner-builder permit that erroneously implies that the property owner is providing his or her own labor and materials. I, as an owner-builder, may be held liable and subjected to serious financial risk for any injuries sustained by an unlicensed person or his or her employees while working on my property. My homeowner's insurance may not provide coverage for those injuries. I am willfully acting as an owner-builder and am aware of the limits of my insurance coverage for injuries to workers on my property.

8. I understand that I may not delegate the responsibility for supervising work to a licensed contractor who is not licensed to perform the work being done. Any person working on my building who is not licensed must work under my direct supervision and must be employed by me, which means that I must comply with laws requiring the withholding of federal income tax and social security contributions under the Federal Insurance Contributions Act (FICA) and must provide workers' compensation for the employee. I understand that my failure to follow these laws may subject me to serious financial risk.

9. I agree that, as the party legally and financially responsible for this proposed construction activity, I will abide by all applicable laws and requirements that govern ownerbuilders as well as employers. I also understand that the construction must comply with all applicable laws, ordinances, building codes, and zoning regulations.

10. I understand that I may obtain more information regarding my obligations as an employer from the Internal Revenue Service, the United States Small Business Administration, the Florida Department of Financial Services, and the Florida Department of Revenue. I also understand that I may contact the Florida Construction Industry Licensing Board at 850-487-1395 or <http://www.myfloridalicense.com/dbpr/pro/cilb/forms.html> for more information about licensed contractors.

11. I am aware of, and consent to, an owner-builder building permit applied for in my name and understand that I am the party legally and financially responsible for the **proposed construction activity at the following address:**

12. I agree to notify the Building Department immediately of any additions, deletions, or changes to any of the information that I have provided on this disclosure.

Licensed contractors are regulated by laws designed to protect the public. If you contract with a person who does not have a license, the Construction Industry Licensing Board and Department of Business and Professional Regulation may be unable to assist you with any financial loss that you sustain as a result of a complaint. Your only remedy against an unlicensed contractor may be in civil court. It is also important for you to understand that, if an unlicensed contractor or employee of an individual or firm is injured while working on your property, you may be held liable for damages. If you obtain an owner-builder permit and wish to hire a licensed contractor, you will be responsible for verifying whether the contractor is properly licensed and the status of the contractor's workers' compensation coverage.

Before a building permit can be issued, this disclosure statement must be completed and signed by the property owner and returned to the local permitting agency responsible for issuing the permit. A copy of the property owner's driver license, the notarized signature of the property owner, or other type of verification acceptable to the local permitting agency is required when the permit is issued.

Signature: _____

Date: _____

.....

STATE OF FLORIDA

COUNTY OF BROWARD

Sworn to and subscribed before me this _____ day of _____, _____ by (Print Owner's name) _____, who is personally known to me, or has produced _____ as identification.

Notary Public State of Florida (SEAL)

My commission expires: _____