

SPECIAL EXCEPTION APPLICATION

APPLICATION INFORMATION PACKET



**City of Flagler Beach
P.O. BOX 70 105 S. 2ND STREET
FLAGLER BEACH, FL 32136
Phone (386) 517-2000 Fax (386) 517-2016**

Request for Special Exception

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OUTLINE OF REQUIREMENTS

In order to simplify the Special Exception process we have compiled an outline of the requirements and approximate time frame involved in a special request below:

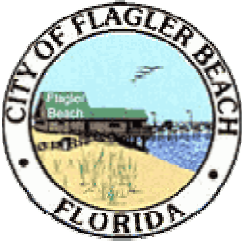
1. **PETITIONER SHALL SUBMIT A COMPLETE APPLICATION PACKAGE THAT INCLUDES:**
 1. Complete petition application
 2. Justification statement(s), addressing that the seven (7) individual criteria required for a Special Exception has been met. (See Attachment A, Special Exception Standards)
 3. Recorded warranty deed
 4. File Fee of \$200.00 and additional fees associated with certified mail and newspaper advertising
 5. Current survey of subject property
 6. See checklist

2. **UPON RECEIPT OF A COMPLETED APPLICATION STAFF WILL PROCESS THE PETITION IN THE FOLLOWING MANNER**
 - A. STAFF REPORT AND RECOMMENDATION
 1. A packet is compiled consisting of the meeting agenda, previous meeting minutes, the Staff's report and recommendation based on the satisfaction of the criteria for a Special Exception has been met along with supporting documents.
 2. The packet is delivered to the Board Members a minimum of three (3) days before the meeting and a copy of the Staff's Report is available to the Petitioner at such time.

 - B. NOTIFICATION:
 1. Each property owner within 200 feet of the subject property will be notified of the Special Exception petition. (Property owner notification fees are comprised of the actual cost for postage plus a surcharge of \$1.80 per item.)
 2. Publication of public notice (legal ad) will be placed in a newspaper ten (10) days prior to a Public Hearing. The Petitioner shall also pay for the ad.

3. **THE PLANNING AND ARCHITECTURAL REVIEW BOARD MEETING IS HELD ON THE FIRST (1ST) TUESDAY OF THE MONTH AT 5:30 P.M., IN THE CITY COMMISSION CHAMBERS AT THE CALL OF THE CHAIRMAN:**
 1. The Board will ask for a presentation from the Petitioner.
 2. Staff will present the Administration's recommendation to the Board.
 3. The Board will ask for comments from the public.
 4. Following the public discussion, the Board will discuss the petition and vote for approval or denial.
 5. A majority of affirmative votes is required for approval of the Special Exception. Following the vote the Chairman will announce the results to the Petitioner and all assembled, the results of which will be forwarded to the City Commission.
 6. The City Commission will conduct a quasi-judicial public hearing in which sworn testimony will be taken and recorded. The City Commission will take the appropriate action on the request.

4. **THE ACTION OF THE CITY COMMISSION SHALL BE RECORDED IN THE MINUTES AND THE PETITIONER WILL BE NOTIFIED BY MAIL OF THE COMMISSIONS ACTIONS.**



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Special Exception – (SPEX)

PETITION NO.: _____

DATE: _____

**Pursuant to Appendix A, Land Development Regulations, Section 2.06.01 of the Zoning Ordinance,
I hereby request a Special Exception as described below:**

PURPOSE FOR THE SPECIAL EXCEPTION PETITION: _____

PETITIONER: _____

PROJECT ADDRESS: _____ PHONE NO.: _____

OWNER OF SUBJECT PROPERTY: _____

ADDRESS: _____ PHONE NO.: _____

PETITIONER'S RELATION TO SUBJECT PROPERTY: _____

ADDRESS/LEGAL DESCRIPTION: _____

LOT: _____ BLOCK: _____ SUBDIVISION: _____ ZONING DISTRICT: _____

ATTACH JUSTIFICATION STATEMENTS ADDRESSING ALL SEVEN (7) REQUIREMENTS FOR THIS SPECIAL EXCEPTION REQUEST AS REQUIRED: (See Attachment "A" Special Exception Requirements.)

TO BE COMPLETED BY THE PLANNING & ZONING DEPARTMENT

ACCEPTED BY: _____ DATE: _____

PETITION #: _____

Authorzation

Owner/Applicant

THIS IS TO CERTIFY THAT I AM THE OWNER AND/OR PETITIONER OF THE SUBJECT PROPERTY DESCRIBED IN THIS SPECIAL EXCEPTION PETITION. I HAVE READ THIS PETITION AND THE STATEMENTS CONTAINED HEREIN ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

SIGNATURE OF PETITIONER: _____

SIGNATURE OF OWNER: _____

DATE: _____

Owner- Designating Agent on his/her behalf

AS OWNER, I AUTHORIZE _____ TO ACT AS MY AGENT IN THIS MATTER.
PRINT NAME, ADDRESS AND PHONE NUMBER OF REPRESENTATIVE, IF APLICABLE.

NAME: _____

ADDRESS: _____

PHONE: _____

STATE OF FLORIDA,
County of Flagler

Subscribed and Sworn to (or affirmed) before me by

SIGNATURE OF OWNER

OWNER'S NAME (Print/Type)

ADDRESS (Street, City) & Phone Number

This ____ day of _____, 20____. Who is personally known to me or has produced _____ as identification.

Commission Number & Expiration

Notary Public

SPECIAL EXCEPTION STANDARDS - ATTACHMENT A

The Planning and Architectural Review Board may grant Special Exceptions only upon finding that the request meets the criteria set forth in Appendix A, Land Development Regulations, Section 2.06.01. Describe how your request meets each requirement.

1. That the use is a permitted Special Exception use as set forth in Schedule One hereof.
2. That the use is so designed located and proposed to be operated that the public health, safety, welfare and convenience will be protected.
3. That the use will not cause substantial injury to the value of other property in the neighborhood where it is to be located.
4. That the use will be compatible with adjoining development and the proposed character of the district where it is to be located.
5. That the adequate landscaping and screening is provided as required herein, or otherwise required.
6. That adequate off-street parking and loading is provided and ingress and egress is so designed as to cause minimum interference with traffic on abutting streets.
7. That the use conforms with all applicable regulations governing the district where located.

In advocating any Special Exception, the Planning and Architectural Review Board may prescribe appropriate conditions and safeguards in conformity with this ordinance. Violation of such conditions and safeguards, when made a part of the terms under which the Special Exception is advocated, shall be deemed a violation of this ordinance. The Planning and Architectural Review Board may prescribe a reasonable time limit within which the action for which the Special Exception is required shall be begun or completed or both. Under no circumstances except as permitted above shall the Planning and Architectural Review Board advocate a Special Exception to permit use not generally permitted in the zoning district involved or any use expressly or by implication prohibited by the terms of this ordinance in the zoning district. No nonconforming use of neighboring lands, structures or buildings in the same zoning district and no permitted use of lands, structures or buildings in other zoning districts shall be considered grounds for the advocacy of a Special Exception.

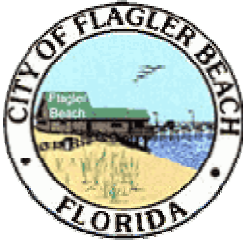
CHECKLIST OF REQUIRED ITEMS

The information and attachments requested as part of this application are the minimum necessary to determine compliance with the requirements of the City of Flagler Beach Zoning Ordinance. The City may require additional information, or waive certain requirements, at any time during the application process depending upon the nature of the Special Exception request.

ATTACHMENTS CHECKLIST:

- ___ DESCRIPTION OF HOW THIS APPLICATION MEETS THE SEVEN (7) REQUIREMENT STANDARDS (Complete Attachment A, "Special Exception Requirements").
- ___ RECORDED WARRANTY DEED
- ___ OWNER'S AUTHORIZATION
- ___ SURVEY OF PROPERTY
- ___ LOCATION MAP
- ___ SITE DEVELOPMENT PLAN (1"=20' if applicable)
- ___ ARCHITECTURAL BUILDING ELEVATION
- ___ ROOF MATERIAL AND COLOR (if applicable)
- ___ EXTERIOR FINISH AND COLOR (if applicable)
- ___ SANITARY SEWER/ WATER AVAILABILITY (FORM PROVIDED)

**YOU MUST PROVIDE FOURTEEN (15) COMPLETE SETS OF
ALL REQUIRED MATERIALS**



PLANNING & ZONING

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Dear Petitioner,

Please be aware that your petition for a Special Exception to the Planning and Architectural Review Board may be subject to deed restrictions. You are advised to check your deed for information relative to the person(s) or organizations which enforce such restrictions. Failure to receive approval may result in a clouded title or other legal action due to non-compliance with recorded deed restrictions. However, the City of Flagler Beach does not enforce deed restrictions except those in Appendix A, Land Development Regulations, Section 6.02.04. The City will process said petition regardless of whether such action has been reviewed and approved by those who may enforce the deed restrictions.

Planning & Zoning

APPLICATION FOR WATER AND/OR SEWER AVAILABILITY

1. APPLICANT NAME

_____ (Applicant) _____ (Owner)

ADDRESS: _____ PHONE: _____

2. PROPERTY

STREET ADDRESS: _____

LEGAL DESCRIPTION: _____

Has the site plan been approved by the City Commission? _____ If yes, when? _____

3. PROPOSED DEVELOPMENT

What is the property to be used for? _____
(Type of Use)

If commercial use, please give information on water and sewer flow requirements:

_____ (FLOW/G.P.D.)

4. CERTIFICATION

I certify that to the best of my knowledge that all information supplied with this application is true.

_____ (Print Name)

_____ (Signature)

FOR CITY USE ONLY:

AVAILABILITY:		YES	NO		YES	NO
	WATER			SEWER		
COST ITEMS:		YES	NO		YES	NO
	WATER LINE TAP			SEWER LINE TAP		
	WATER LINE ROAD BORE			SEWER LINE ROAD BORE		
	STREET CUT			STREET CUT		
	WATER LINE DEPTH			SEWER LINE DEPTH		

UTILITIES OPERATIONS COORDINATOR _____

(DATE) _____

PUBLIC WORKS DIRECTOR _____

DATE) _____

