

PROCEDURES FOR REZONING

Amendments to the official zoning map only, initiated by property owners

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| FEES: | \$1349.00 \$1684.00 plus \$24 per acre | Rezone to single family residential Rezone to commercial |
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- Must go before the P&Z Board for study and written recommendations prior to consideration by Town Council.
- The minutes of the Planning and Zoning Board shall specify the reasons for their commendation of approval or denial of each application.
- At the public hearing before the Planning and Zoning Board, the time and place of the public hearing of each application by the Town Council shall be announced.
- A legal ad for the rezoning is only required for the public hearing before the Planning and Zoning Board. As per Section 62-1151 (b): "Notice of the time & place of the public hearing on the application shall be published once, at least 15 days prior to the public hearing, in a newspaper of general circulation within the county. The notice shall contain the name of the applicant, the legal description of the affected property, the existing zoning classification, special classification or conditional use designation, the requested amendment to the official zoning maps, and the time and place of the public hearing on the consideration of the application by the Town Council."

P&Z Public Hearing

- Notice of hearing must be posted by the Town on Town bulletin board.
- Copy of notice of hearing before the P&Z should be sent via certified mail to applicant at least 15 days prior to the P&Z hearing
- Copy of notice of hearing before the P&Z must be posted by the applicant on the property requesting the rezoning at least 15 days prior to the public hearing within 10 feet of the road right-of-way in a manner as to be visible from that road right-of-way
- Applicant must sign and submit an affidavit evidencing posting of the property prior to the scheduled P&Z public hearing
- P&Z shall recommend to the Town Council the denial or approval of each application for amendment to the official zoning maps upon consideration of the factors as noted in the code Section 61-1151 (c)
- P&Z shall announce at their public hearing the date, time and place of the Town Council public hearing

Council

- As per FSS 166.041 (2)(c): "The local governing body shall hold 2 advertised public hearing on the proposed ordinance. At least one hearing shall be held after 5 p.m. on a week day, unless the local governing body, by a majority plus one vote, elects to conduct that hearing at another time of the day. The 1st public hearing shall be held at least 7 days after the day that the 1st advertisement is published. The

2nd public hearing shall be held at least 10 days after the 1st public hearing & shall be advertised at least 5 days prior to the public hearing.” (the item must be placed before approval of minutes on agenda)
•Send letter notifying applicant of Town Council action (approval or denial)

As per Section 9.03 of the Town Charter:“Prior to voting on a proposed increase in development intensity, including, but not limited to, density levels, building heights, and traffic impacts, the town council shall notify all property owners inside the town whose property is within 1,500 feet of the proposed change. Notification shall occur no fewer than 30 days prior to consideration by the town council. An affirmative vote of six or more members of the town council shall be required to enact any such proposed change.”

References: FSS 166.04; Section 62-1151(b) & (d) County Code of Ordinances

PETITION FOR REZONING AMENDMENT

Date: _____

No. _____

This petition must be complete and returned with all enclosures referred to below to the Town Administrator, Town of Grant-Valkaria. This petition will then be referred to the Planning and Zoning Board for study and recommendation before forwarding to the Town Council for its review and approval/disapproval.

(PLEASE PRINT)

1. APPLICANT NAME: _____

CONTACT PERSON (If Corporation): _____

ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____ TELEPHONE: _____

2. OWNER OF PROPERTY: _____

ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____ TELEPHONE: _____

3. If Applicant or Owner cannot attend the Planning and Zoning Board and/or Town Council Meeting, please list the name of the Representative who will make the presentation, answer questions or make decisions for the Applicant or Owner.

REPRESENTATIVE NAME: _____

ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____ TELEPHONE: _____

4. Attach a metes and bounds legal description of the specific property covered by this petition.

5. Size of specific area covered by application: (acreage must agree with legal & survey) _____

6. A courtesy notice shall be notice to the property owners of record within a radius of 1500 feet of the property requesting comprehensive plan amendment. Notification shall occur no fewer than 30 days prior to consideration by the town council. The notice shall state the general nature of the proposed amendments as well as the text. (List may be obtained from Brevard County Zoning & Mapping Office)

7. PHYSICAL LOCATION OF PROPERTY: _____

8. EXISTING ZONING CLASSIFICATION: _____

9. SPECIAL USE CLASSIFICATIONS WITH ANY SPECIFIED CONDITIONS OR CONDITIONAL USE
DESIGNATION : _____

10. PROPOSED ZONING CLASSIFICATION: _____

11. REASON FOR REQUEST: _____

12. THE FOLLOWING ITEMS ARE NEEDED TO COMPLETE THIS APPLICATION FOR REVIEW:

- a. _____ A copy of the most recent recorded warranty deed, and other superseding recorded instruments, if applicable, evidencing current ownership.
- b. _____ Two certified surveys of property (no larger than 11 x 17, and to scale).
- c. _____ Written legal description of specific area in question with exact acreage on a separate sheet of paper. An error in the legal description will result in the request being delayed at the owner/applicant's expense.
- d. _____ All commercial and industrial rezoning requests shall include a certified wetlands delineation and habitat description to be provided by the applicant or their designee. If the county natural resources management office, utilizing the best available data including, but not limited to, the National Wetland Inventory Maps, aerial photographs and the Brevard County Soil Survey, determines that no wetland exist on-site, a waiver of such delineation requirements may be granted from that office. If wetland delineation is required, it shall be performed by an environmental professional while utilizing the Florida Land Use, Cover and Forms Classification System (FLUCCS) to describe the wetland habitat on site.
- e. _____ Affidavit of ownership signed by all property owners listed on the warranty deeds that are authorizing someone other than themselves to act on their behalf as the applicant.
- f. _____ Address labels listing the names and addresses of all property owners to whom such courtesy notices are to be mailed by the Town Clerk.
- g. _____ Radius Map provided by Brevard County Zoning & Mapping Office denoting the 1500 feet radius.
- h. _____ Comprehensive plan amendment fee.
- i. _____ Rezoning amendment fee. All applicants shall pay fees and costs incurred by the Town for this petition. Such costs and fees include, but are not limited to legal ads; Engineering review; Planning Consultant; application fee; legal cost; postage. The estimate for these costs are \$ _____. If the actual cost exceeds this estimate, the applicant is responsible to pay the extra cost before the final rezoning amendment is approved. *Town Staff will be glad to calculate your fee prior to submitting your application.*

REFUND: Five percent (5%) of the original fee to be refunded shall be retained by the Town to offset the cost of processing the refund. No refund will be granted for any development application that has been processed for review by any or all of the agencies. After construction has commenced on site, no refund or any inspection fees will be made.

Each zoning classification requested on property under single ownership or control is considered a separate application. Where acreage fees are charged, the acreage fee shall be based on rounding to the nearest acre.

_____ I AM THE OWNER.

_____ I AM THE LEGAL REPRESENTATIVE OF THE OWNER (attach Affidavit of Ownership) of the property described which is the subject of matter of this application. Under penalties of perjury, I declare that I have read the foregoing application and that all the answers to the questions in said application and all sketches and data and matter attached to and made a part of said application are honest and true to the best of my knowledge and belief. I understand that by signing this document I am giving the Town or agent thereof the authority to duplicate, disseminate, and reproduce any and all items submitted as part of this request, whether copyrighted or not.

Please submit fee in CASH or CHECK drawn to the order of the Town of Grant-Valkaria.

DATE

SIGNATURE OF APPLICANT

SWORN TO AND SUBSCRIBED BEFORE ME this _____ day of _____, _____ by _____
_____ (applicant) who is personally known to me or has presented _____

I, D. and did take an oath.

NOTARY PUBLIC, STATE OF FLORIDA, AT LARGE

AUTHORIZATION TO ACT AS APPLICANT

I, _____ authorize _____

to act as applicant, representing me in Public Hearings before the Town of Grant-Valkaria pertaining to Land Use.

Signature

SWORN TO AND SUBSCRIBED BEFORE ME this _____ day of _____,

by _____ who is personally known to me or has presented
(Applicant)

_____ as identification and did take an oath.

NOTARY PUBLIC, STATE OF FLORIDA AT LARGE

My commission expires: