



# DEPARTMENT OF SUSTAINABLE DEVELOPMENT

## Special Land Use Application

PROJECT NAME: \_\_\_\_\_

PROJECT LOCATION: \_\_\_\_\_

PLAT NAME: \_\_\_\_\_

CURRENT ZONING: \_\_\_\_\_ ACREAGE: \_\_\_\_\_ FOLIO NO.: \_\_\_\_\_

EXISTING USE: \_\_\_\_\_ FUTURE LAND USE DESIGNATION: \_\_\_\_\_

PLAT RESTRICTION: \_\_\_\_\_

### DESCRIBE IN DETAIL APPLICATION REQUEST

AGENT/CONTACT: \_\_\_\_\_ PHONE NO. \_\_\_\_\_ FAX NO. \_\_\_\_\_

ADDRESS: \_\_\_\_\_

E-MAIL ADDRESS: \_\_\_\_\_

**NOTE: ATTACH COPY OF AGENT LETTER**

OWNER'S NAME \_\_\_\_\_ PHONE NO. \_\_\_\_\_

ADDRESS: \_\_\_\_\_

**ADDITIONAL INVOLVED PARTIES: SEE ATTACHED SHEET**

DEVELOPMENT ACTION:

SPECIAL LAND USE  OTHER \_\_\_\_\_

FEES:

SPECIAL LAND USE: \$2,000.00

**NOTE: ADDITIONAL FEES MAY BE ASSIGNED AS COST RECOVERY FOR CONSULTANT REVIEW**

**\*PLEASE ENSURE APPLICATION IS COMPLETED IN ITS ENTIRETY PRIOR TO SUBMISSION\***



**ADDITIONAL INVOLVED PARTIES:**  
**(include name, address, phone number, fax number & email)**

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**OWNER:**

**APPLICANT/AGENT:**


**DEVELOPER:**

**LANDSCAPE ARCHITECT:**


**ENGINEER:**

**PLANNER:**


**SURVEYOR:**

**ATTORNEY:**


**TRAFFIC ENGINEER:**

**OTHER:**


## DRC MEMBERS

### **PLANNING & ZONING:**

*W. Scott Stoudenmire, Deputy Director of Sustainable Development* 954-973-6756  
*Lizet Aguiar, Development Review Supervisor* 954-973-6756

### **BUILDING:**

*Sean Flanagan, Chief Structural Inspector* 954-973-6750

### **LANDSCAPE ARCHITECTURE:**

*Pamela Stanton, Landscape Architect* 954-973-6756

### **UTILITIES & ENGINEERING:**

*Raj Verma, Director of Engineering & Utilities* 954-973-6786  
*Osama Elshami, Senior Engineer* 954-973-6786

### **FIRE:**

*Steve Pollio, Fire Rescue Administrator* 954-956-1534  
*Rodney Zancanata, Deputy Fire Marshal* 954-956-1563

### **POLICE:**

*Anthony Avello, Public Information Officer* 954-973-6721

**FAX No. 954-956-1424**

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## DRC SCHEDULE\*

1. Application Submittal Deadline: 4<sup>th</sup> Tuesday of each month
2. DRC Meeting: 2<sup>nd</sup> Thursday of each month
3. Resubmit: As indicated on DRC comments
4. Planning & Zoning Board Meeting: 2<sup>nd</sup> Wednesday of each month
5. City Commission Meetings (if applicable): 2<sup>nd</sup> & 4<sup>th</sup> Thursday of each month

\* Please contact Marianne Bowers at 954-973-6756 to confirm dates and times.

**NOTE: ALL SUBMITTALS AND RE-SUBMITTALS MUST BE RECEIVED NO LATER THAN 5:00 PM ON THE SUBMITTAL DAY. ANY SUBMITTAL RECEIVED AFTER 5:00 PM WILL BE CONSIDERED A SUBMITTAL FOR THE NEXT MONTH'S DEADLINE DATE.**



## OWNERSHIP CERTIFICATION/AGENT LETTERS

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All applicants must provide proof of ownership of the subject property for development or modification at the time of submittal. If an applicant is other than the owner, the applicant must also provide an agent letter authorizing the agent to represent the property owner at the time of submittal. The following is a list of requirements that must be included with proof of ownership/agent letters:

1. Legal description of property.
2. Property tax folio number.
3. Effective date of ownership of property.
4. Copy of Warranty Deed.
5. Description of developer interest, if different than owner.
6. Copy of executed contract of sale and purchase.
7. Owner's name, address, telephone number, fax number, and email.
8. Agent's name, address, telephone number, fax number, and email.
9. Agent's authorization from owner to submit specific action (site plan, plat, etc.)
10. Names, addresses, telephone numbers and fax numbers of all firms involved in the application process including attorneys, engineers, architects, etc.

**NOTE: Owner must attest to ownership and his/her notarized signature must be included on ownership certification/agent letters.**

**The application may not proceed to the Planning and Zoning Board meeting if the above information is not provided to the Department of Sustainable Development one week prior to the scheduled meeting date.**



## GUIDELINES FOR SPECIAL LAND USE APPROVAL:

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1. The applicant is required to schedule a pre-application conference with staff no later than one week prior to the DRC submittal date. The purpose of the meeting shall be to advise the applicant of filing requirements, filing fees, the City's development review process and other issues which may affect the application. Please call 954-973-6756 to schedule an appointment.
2. The standards by which Special Land Use Applications are reviewed and approved, as established in the City's Land Development Code, Section 13-35 "Special land use," are listed below:

### *SEC. 13-35 Special Land Use*

*(a) Definition. A special land use is defined as a use which would not be appropriate throughout the particular zoning district or classification; however, it may be permitted if limited as to number, area, location or relation to a neighborhood, and would not adversely affect the public health, safety, comfort, appearance, morals and general welfare. Such uses may be permitted in zoning districts or classifications as special land uses only if specific provisions and standards are met. Three (3) main characteristics distinguish special land uses from uses permitted by right:*

- (1) Special land uses may be restricted as to number, area or location within an individual district where they are located.*
  - (2) Special land uses may be subject to more stringent development standards than uses that are permitted by right.*
  - (3) Special land uses may be subject to restricted hours of operation and other aspects pertaining to a specific use.*
3. In addition to the attached application, a letter detailing the proposed use and a written justification statement addressing each of the following general and specific standards established in Section 13-35 are required (please do not simply restate the standard):

#### *General standards:*

- (1) The proposed special land use will be in harmony with nearby uses permitted under Article III of the Land Development Code.*
- (2) The proposed special land use will be in harmony with nearby existing uses.*
- (3) The proposed special land use must be reasonably compatible with surrounding and adjacent uses in its function, its hours of operation, the*

*type and amount of traffic to be generated, the building size and setbacks, and its relationships to the land values.*

- (4) The proposed special land use will be in the best interests of the City, the convenience of the community, the public welfare, and be a substantial improvement to the property in the immediate vicinity.*
- (5) The proposed special land use will contribute to the economic stability of the community.*
- (6) The proposed special land use will not decrease public benefit or increase undesirable impacts other than those resulting from use of the site as permitted by right under Article III of the Land Development Code or some other special land use permitted on the site.*
- (7) The proposed special land use will not result in more intensive development than what is approved by the land use element of the Comprehensive Plan.*
- (8) The proposed special land use will be consistent with goals, objectives, and policies of the Comprehensive Plan.*

*Specific standards for all uses.*

- (1) The proposed use will not reduce the level of service provided on any street to a lower level than would result from a development permitted by right.*
- (2) The proposed use will not result in significantly greater amount of through traffic on local streets than would result from a development permitted by right.*
- (3) The proposed use will not require extension or enlargement of the thoroughfare system at a higher net public cost than would result from a development permitted by right.*
- (4) The proposed use will not require enlargement or alteration of utility facilities, drainage systems, and other utility systems other than what would result from a development permitted by right.*
- (5) The proposed use will not demand greater municipal public safety services exceeding the demand resulting from a development permitted by right.*
- (6) If a special land use is combined with other special land uses or permitted uses on a site, the overall intensity and scale of uses on the site is appropriate given the adequacy of proposed buffers and setbacks and the land uses of surrounding properties.*

*Standards for nonresidential uses in residential districts.*

- (1) The location of the proposed special land use will not be hazardous or inconvenient to the residential character of the area where it is to be located.*

- (2) *The size of the special land use application and nature and intensity of the operations involved will not be hazardous or inconvenient to the residential character of the area or to long range development in accordance with the land use element of the Comprehensive Plan.*
  - (3) *The location of the special land use will not result in isolating an existing or planned residential area from other residential development.*
  - (4) *The design of buildings for commercial and office space special land uses in residential districts shall be in a manner similar to residential structures in the same general area or neighborhood. Such a finding shall be based on consideration of building mask, height, materials, window arrangements, yards, and other considerations.*
  - (5) *The proposed use will have direct access to an arterial or collector street. Ingress and egress shall be designed to minimize traffic congestion on the public roadways.*
  - (6) *Parking areas for special land uses shall be of adequate size for the particular use and shall be properly located and suitably screened from adjoining residential uses, and that ingress and egress shall be designed for maximum safety for vehicles and pedestrians and minimize traffic congestion in the residential district.*
4. The application shall be accompanied by a legal description of the subject property with a current signed and sealed survey prepared by a registered land surveyor. The person who files the application must be the property owner or agent of the owner.
  5. The applicant is also required to obtain a list of all property owners within three hundred (300) feet of the boundary lines of the property under consideration along with a radius map. Two (2) sets of mailing labels must be provided for all property owners. The list shall be certified by the county property appraiser, an abstract and title company, or an attorney.
  6. DRC re-submittals are due one week after the DRC meeting or as directed by staff. DRC comments will be emailed to the applicant. The applicant is required to provide written responses to each comment in the format emailed to them and revise plans accordingly by the re-submittal date.
  7. Once all DRC comments are addressed, 20 copies of the special land use package must also be provided for Planning and Zoning Board and City Commission review. A special land use request shall be considered by the Planning and Zoning Board and then forwarded to the City Commission for final action.

**NOTE: Applicants are advised that the special land use approval shall be effective for a period of 18 months from the date of the issuance of the approval.**



## SUBMITTAL REQUIREMENTS

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The Special Land Use Application must include **6 sets** of the submittal. Each set of the submittal must be saved onto a compact disc.

Each disc must be identical and include required application materials in pdf format. Pdf files should be organized in two folders with the titles as described below:

### **Folder #1:** Project Name and Application Type (e.g. *'Creek Homes Special Land Use'*)

Pdf files located in Folder #1:

- Completed Application
- Involved Parties List
- Ownership Certification Documents
- Agent Letters
- Letter Detailing Proposed Special Land Use
- Justification Responses Addressing Code Standards as found in Land Development Code Section 13-35 (see page 5 and 6 of application instructions)
- Survey and Legal Description of property in question
- Certified List of all Property Owners within 300 feet of the Boundary Lines of the Property Under Consideration (2 corresponding sets of hard copy mailing labels is also required)

### **Folder #2:** Project Name and Plans (e.g. *'Creek Homes Special Land Use Plans'*)

If an applicant wishes to provide plans, maps, or drawings that may strengthen a Special Land Use Application, the plans can be saved in Pdf format in Folder #2.

Pdf files located in Folder #2:

- Site Plans (as needed)
- Landscape Plans (as needed)
- Building Elevations or Project Details (as needed)

Note: If provided individually within Folder #2, each pdf should be named to identify its contents (e.g. Pdf of landscape plans should be named 'Landscape Plans')

**Re-submittals:** City staff will advise applicant on re-submittal procedures and deadlines as needed.