

SPECIAL EXCEPTION APPLICATION
THE ZONING ORDINANCE OF VOLUSIA COUNTY, FLORIDA

The undersigned applicant requests Special Exception for a _____

If a Group Home, or Day Care Center the number of proposed clients: _____

Square Footage of Building, if applicable: _____

Tax Parcel #: _____ Zoning Classification: _____

Comprehensive Plan Land Use Designation: _____

Address of Parcel: _____ Size of Parcel: _____

Circle Applicable Utility:

Private Septic
and/or Well

Central Sewer
and/or Water (By Whom) _____

Other _____

This property is located on the _____ side of _____ Road,
approximately _____ feet/miles from its intersection with _____ Road. The property is
near _____ in the community of _____.

Applicant's Name: _____

Address: _____ Phone: (_____) _____
Street

_____ City State Zip Code

Status: _____ Owner _____ Attorney for Owner
_____ Agent for Owner _____ Contract Purchaser

Owner's Name: _____

Address: _____ Phone: (_____) _____
Street

_____ City State Zip Code

Case No: _____

TO BE SUPPLIED AT TIME OF SUBMISSION:

- G 2 Surveys of Property (No older than 2 years).
- G 2 Copies of Legal Description (Also, furnish on 3½" computer diskette, if possible).
- G Authorization of Owner (if applicant is other than owner or attorney for owner).
- G 10 copies of the site plan (to scale) that complies with Section 1104.00(A) (4) & (5) of the Zoning Ordinance and one 8½" X 11" reduced copy of site plan.
- G Written explanation of Special Exception (i.e. hours of operation, duration, number of clients, etc.)
- G Application Fee

ALL SUBMITTALS MUST BE MADE IN PERSON BY 12:00 NOON ON DEADLINE DATE AND FEES MUST BE PAID BEFORE APPLICATION WILL BE ACCEPTED.

IF THIS APPLICATION IS APPROVED, ALL OTHER COUNTY ORDINANCES SHALL BE COMPLIED WITH AND FEES PAID.

This request will be considered at the Planning and Land Development Regulation Commission Public Hearing on _____, 19____, in the County Council Meeting Room of the Thomas C. Kelly Administration Center, 123 West Indiana Avenue, DeLand, Florida, beginning at 9:00 a.m.

Under Section 1104.00(J), if a Special Exception does not begin to serve the purpose for which it was granted within 12 months from the date of rendition, or if its use is abandoned for 12 consecutive months from the date of rendition, it shall expire. However, the zoning enforcement official may extend the special exception for up to an additional 12-month period of time if the applicant can demonstrate that good-faith reliance have [has] been on-going to accomplish the approved special exception.

APPLICANT'S RIGHTS FOR APPEAL OR REHEARING AND RES JUDICATA ARE STATED IN SECTION 1105.00 OF THE ZONING ORDINANCE 80-8, AS AMENDED.

EX-PARTE CONTACTS MUST BE CONSISTENT WITH ORDINANCE 95-36.

Signature of Applicant: _____

----- DO NOT WRITE BELOW THIS LINE -----

Date Submitted: _____ Ind. Accepting App.: _____

FILING FEE PAID: _____ RECEIPT#: _____ OFFICE: _____

CITY NOTIFICATION REQUIRED (1,320 ft.) YES _____ NO _____

NAME OF CITY _____

NOTARIZED AUTHORIZATION OF OWNER

I/We _____, as the sole or joint fee
(owner's name)

simple title holder(s) of the property described as: _____

(legal description or parcel number)

authorize _____ to act as my agent to seek a
(applicant's name)

_____ on the above referenced property.
(special exception, rezoning, or variance)

My application will be heard at a public hearing on _____, 19____, before
the Planning and Land Development Regulation Commission and on _____, 19____,
before the Volusia County Council (if applicable), unless continued or rescheduled at the public
hearing.

OWNER'S SIGNATURE

OWNER'S SIGNATURE

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ (date) by
_____ (name of person
acknowledging), who is personally known to me or who has produced
_____ (type of ID) as identification and who did not take
an oath.

NOTARY PUBLIC - STATE OF FLORIDA

NAME OF NOTARY - TYPED OR PRINTED

COMMISSION # _____

SPECIAL EXCEPTIONS
(Ord 80-8, Art XI, Sec 1104.00)

A written petition for a Special Exception shall be submitted to the zoning enforcement official. The petition shall include any information or exhibits necessary to demonstrate that the grant of a Special Exception will be in harmony with the general intent and purpose of this ordinance. Such information or exhibits should include the following:

- 1.) 10 site plans to scale showing:
 - ! existing structures
 - ! proposed placement of structures on the property
 - ! provisions for ingress and egress
 - ! off-street parking and loading areas
 - ! refuse and service areas
 - ! required yards and other open spaces
 - ! utilities
 - ! landscaping and buffer areas
 - ! proposed signs and lighting

- 2.) Any additional information deemed necessary by a reviewing department or agency.

SPECIAL EXCEPTION PROCESS

APPLICATION PROCEDURE

Applications for special exceptions may be obtained from the Growth Management Services Group, 123 West Indiana Avenue, DeLand or 250 North Beach Street, Daytona Beach.

CHECKLIST

Information needed to complete the application includes:

- 1. A description of the special exception requested.
- 2. The property owner's name, address, and telephone number.
- 3. If the owner is not the applicant, the applicant's name, address and telephone number.
- 4. Information on utilities.
- 5. The tax parcel number and address of parcel.

NOTE: **ITEMS 4 AND 5 CAN BE OBTAINED FROM THE VOLUSIA COUNTY PROPERTY APPRAISER'S OFFICE, 123 W. INDIANA AVENUE, DELAND OR 250 NORTH BEACH STREET, DAYTONA BEACH.**

- 6. General location of the site.
- 7. The number of acres in the parcel.
- 8. The square footage of each proposed building, if applicable.
- 9. If a Community Residential Home or Group Home, the number of residents; if day care, hours of operation and the number of children/adults.

ADDITIONAL REQUIREMENTS - CHECKLIST

The completed application must be returned in person to the Growth Management Services Group.

- 1. The application fee.
- 2. A notarized authorization form from the owner or an attorney representing the owner.
- 3. Two (2) copies of the legal description.

- ___ 4. Two (2) current (no older than two years) surveys of the property prepared by a Florida Registered Land Surveyor.
- ___ 5. Ten (10) copies of a site plan that complies with Section 1104.00(A)(4) & (5) of the Zoning Ordinance and one 8½" X 11" reduced copy of survey.
- ___ 6. Written explanation of special exception (i.e. hours of operation, duration, number of clients, etc.).

APPLICATION DEADLINE

The deadline to submit applications to the Growth Management Services Group is 12:00 noon, forty-five (45) days prior to the Planning and Land Development Regulation Commission (PLDRC) public hearing.

The Growth Management Services Group has seven (7) days from the date you submit your application to determine if it is complete and correct. If your application is found to be lacking any of the requested information or if the data and exhibits are inaccurate, it will not be considered "filed" for the purpose of processing, nor will it be placed on the PLDRC agenda unless a correct application is submitted within 7 days after the filing deadline date.

PUBLIC NOTIFICATION

1. At least **10 days** prior to the PLDRC public hearing, the applicant shall mail a letter of notification to owners of all property abutting the request site. (This includes property across the street.) Letters are to be sent by **certified mail** and are to contain an explanation of the request; the legal description of the property; and times, dates, and places of the PLDRC public hearing and the County Council public hearing. A sample letter can be obtained from the Growth Management Services Group. The names and addresses of the adjoining property owners are to be obtained from the Volusia County Property Appraiser's Office, 123 West Indiana Avenue, DeLand or 250 North Beach Street, Daytona Beach.
2. The applicant shall erect a Public Hearing Notice Poster on the property at least **ten days** prior to the PLDRC hearing. The poster will be furnished by the Growth Management Services Group. The poster shall remain in place until final action has been taken on the request. Maintenance of the poster is the responsibility of the applicant. If for some reason a new poster is required, the Growth Management Services Group will furnish it upon request by the applicant.
3. An affidavit certifying compliance with these notification requirements and bearing the notarized signature of the applicant must be submitted to the Growth Management Services Group prior to the PLDRC public hearing. A copy of the letter mailed to adjacent property owners and certified mail receipts must accompany the affidavit.
4. For further public notification, the Growth Management Services Group will prepare a legal advertisement for publication in the local newspaper.

WRITTEN STAFF REPORT

The Growth Management Services Group will prepare on each application, a written report for consideration by the Planning and Land Development Regulation Commission. The report will include comments on Comprehensive Plan consistency, existing land use, zoning, traffic, environment, availability of public services and will conclude with a recommendation. A copy of this report is forwarded to the applicant approximately 10 days prior to the PLDRC Hearing.

PLANNING AND LAND DEVELOPMENT REGULATION COMMISSION PUBLIC HEARING

The PLDRC is a body consisting of nine (9) members appointed by the Volusia County Council. A public hearing is held the **second Tuesday of every month**, at 9:00 a.m. in the County Council Meeting Room of the Thomas C. Kelly Administration Center, 123 West Indiana Avenue, DeLand. Following the public hearing and discussion of each application, the Commission votes on the application. They may accept, modify, return or seek additional information.