



Community Development

Building | Code Enforcement | Planning | Zoning

Application for Special Exception

The following information is required for submission of a special exception application. It is important that all information be complete and accurate when submitted to the City. Please print or type the required information below. Board of Adjustment hearings to consider special exception requests are scheduled as needed. Applications must be accompanied by a survey copy of property, and a sketch of the request. Applications may be submitted electronically via email, however one (1) original signed application with attachments is required.

Property Identification

Property Address or General Location: _____

Present Use of the Property: _____

Existing Structures Located on the Site: _____

Total Acreage: _____ Parcel I.D.#: _____

Legal Description of the Property: _____

Describe the special exception which you are requesting: _____

Variance from Code Section: _____

***Applicant must use the criteria listed in this application to support the request.
(Use sheet that is provided, and attach additional sheets if necessary)***

I hereby depose and swear that all the above statements and information contained in all the exhibits transmitted herein are true.

Signature: _____ Print Name: _____

Mailing Address: _____

Email: _____ Phone: _____

City Use Only:

Date Received: _____ Received By: _____ Fee Paid: _____

BOA Hearing Date: _____ Public Notice Publish Date: _____

The Lake Alfred Board of Adjustments has the following functions:

1. To hear specific variance requests from appropriate provisions of the Unified Land Development Code, where literal enforcement would result in an unnecessary hardship for the applicant
2. To hear any appeals of administrative decisions where there is an alleged error in requirement or policy by the City staff.
3. To hear and decide on applications for special exception uses identified in the Table of Land Uses 2.04.01(A) located in Article 2 of the Land Development Code.

SPEAKING LIMITATIONS: All speakers shall be limited to no more than five (5) minutes, unless the speaker requests planning staff for additional time, no less than 48 hours prior to the public hearing. In the event speaker(s) request additional time, the determination of the amount of time to be allowed shall be at the discretion of the Chair, but in no event shall speaker be allowed to speak longer than 15 minutes. This time limitation shall not apply to presentations made by the city staff and/or their consultants.

VERBATIM TRANSCRIPT MAY BE REQUIRED TO APPEAL: Any person deciding to appeal any decision made by the Board of Adjustment, with respect to any matter considered at such meeting, will need a record of that proceeding, and for such purpose, may need to ensure that a verbatim record be made which record includes the testimony and evidence upon which the appeal is to be made.

SPECIAL ACCOMMODATIONS: In accordance with the American with Disabilities Act (ADA), any person with a disability requiring reasonable accommodation in order to participate in this meeting should contact the City Clerk at 863-291-5747 at least four days prior to the meeting.

APPEALS OF DECISIONS: Should the Board of Adjustment deny the request, it is up to the applicant to apply to the circuit court within 30 days.

**City of Lake Alfred
Unified Land Development Code**

7.09.00 Procedure for Obtaining a Special Exception

Special exceptions shall be granted only for those activities specified as Special Exception uses and identified by an "S" in the Table of Land Uses 2.04.01(A), Article 2.

The Board of Adjustment shall hear and decide applications for special exceptions authorized under this Code in the manner prescribed below.

7.09.01 Application

- (A) *Application; Fees.* All requests for special exceptions shall be submitted in writing to the Chief Planning Official, together with all applicable fees as provided by resolution.
- (B) *Contents.* The application shall contain the following items, as applicable:
 - (1) A legal description and street address of the property.
 - (2) Notarized authorization of the owner if the applicant is other than the owner or an attorney for the owner.
 - (3) Site plan or sketch plan drawn to scale showing:
 - a. The dimensions of the property;
 - b. The existing and proposed location of structures on the property including signage, vehicular access ways and circulation areas, off-street parking and loading areas, sidewalks, refuse and service areas, required yards and other open spaces, and landscaping or buffer areas;
 - c. The measurements of existing and proposed adjacent rights-of-way, setbacks, distances between buildings, widths of access ways and driveways, and sidewalks.
 - (4) A tabular summary describing the proposed use of the property including:
 - a. Existing and proposed use of property;
 - b. Conditions on the use, such as hours of operation, numbers of residents, etc.;

- c. Area of the property, pervious and impervious areas, and existing and proposed structures.
- d. Number of required and provided off-street parking and loading spaces, existing and proposed density, and number of existing and proposed units.

7.09.02 Review of Proposed Special Exception

- (A) *Completeness Review.* Within five (5) working days of receipt of an application for a special exception, the Chief Planning Official shall:
 - (1) Determine that the information is incomplete and inform the applicant in writing of the deficiencies.
 - (2) Determine that the plan is complete and proceed with the following procedures.
- (B) *Report to Board of Adjustment.* The Chief Planning Official shall submit a written report containing his/her recommendations on the proposed special exception to the Board of Adjustment prior to the meeting at which the application will be heard. A copy of the report shall be made available to the applicant. The Board of Adjustment review shall include a concurrency management review of the proposed use pursuant to the standards and procedures in Article 6 of this Code.
- (C) *Board of Adjustment Hearing.* The Board of Adjustment shall hold a public hearing on each application.
- (D) *Conditions and Safeguards.* The development and use of the site of an approved special exception shall be in accordance with the approved site plan and application materials. The approved site plan shall be filed with the Chief Planning Official, and all development shall be in compliance with that plan. The Board of Adjustment may recommend and may impose on the grant of any special exception any conditions or safeguards found to be necessary to ensure the compatibility of the special exception with surrounding properties or the community in general. These may include, but are not limited to, requiring restrictions on hours of operation and size of buildings, additional landscape and buffer areas, limiting vehicular access points and location of off-street parking, and similar conditions. Violation of any such condition or safeguard shall be deemed a violation of this Code and may result in a revocation of any special exception, in addition to any other remedy for such violation provided in this Code.
- (E) *Denial.* The Board of Adjustment may recommend denial of any application for any special exception, for one or more of the following reasons:
 - (1) It is inconsistent with the City of Lake Alfred Comprehensive Plan.

- (2) It would violate the concurrency management standards in Article 6 of this Code.
 - (3) It does not meet the requirements of the applicable special exception regulations.
- (F) *Findings.* The Board of Adjustment shall make written findings, based on one or more of the reasons listed above, in support of a denial of an application for a special exception.

7.09.03 Expiration or Abandonment of Special Exception Use

If a special exception does not begin to serve the purpose for which it was granted permission within 180 days from the date of approval, it shall expire. Once initiated, the special exception use may continue indefinitely or until the expiration of any time limit established as a condition of approval. However, if such use is abandoned for 180 days, it shall expire.

OWNER'S SIGNATURE PAGE

(I) (We), _____ being duly sworn, depose and say that (I) (we) own one or more of the properties involved in this petition and that (I) (we) authorize the City of Lake Alfred to process this application for Special Exception, in accordance with all adopted City rules and regulations, and in conformance with State law.

Further, the undersigned (has) (have) appointed and (does) (do) appoint _____ as agent(s) to execute any petitions or other documents necessary to affect such petition; and request that you accept the signature of my agent(s) as representing my agreement of all terms and conditions of the approval process:

Further, (I) (we) or any agent or lessee of the subject property authorized by (me) (us) to file this petition, deposes and say that the statements and answers contained in the application and any information attached thereto, present the arguments in behalf of this petition to the best of (my) (our) ability; and that the statements and information referred to above are in all respects true and correct to the best of (my) (our) knowledge and belief.

OWNERS

_____/_____
Owner's Signature/Print Title

_____/_____
Owner's Signature/Print Title

Printed Name of Owner

Printed Name of Owner

OWNER'S NOTARIZATION

STATE OF FLORIDA
COUNTY OF _____.

The foregoing instrument was acknowledged before me this ___ day of _____, 20___, by _____, who is personally known to me or who has produced _____ as identification.

Notary Public
Notarial Seal and Commission
Expiration Date

AGENT OR LESSEE SIGNATURE PAGE

(I) _____ (We),
_____ being
duly sworn, that (I) (we) serve as ____(agent or lessee)_____ for the owner(s) in
making this petition and that the owner(s) (has) (have) authorized (me) (us) to act in this
capacity.

Further, (I) (we) depose and say that the statements and answers herein contained and
other information attached hereto present the arguments on behalf of the petition herein
requested to the best of (my) (our) ability and that the statements and information above
belief.

AGENT OR LESSEE SIGNATURE

_____/_____
Agent or Lessee's Signature/Print Title

_____/_____
Agent or Lessee's Signature/Print Title

Printed Name of Agent or Lessee

Printed Name of Agent or Lessee

Company's Name

Company's Name

Company's Address

Company's Address

AGENT OR LESSEE(S) NOTARIZATION

STATE OF FLORIDA
COUNTY OF _____.

The foregoing instrument was acknowledged before me this ___ day of
_____, 20___, by _____,
who is personally known to me or who has produced _____ as
identification.

Notary Public
Notarial Seal and Commission
Expiration Date