

**SPECIAL EXCEPTION AMENDMENT APPLICATION
LEVY COUNTY, FLORIDA**

Filing Date _____

Petition No. SEA _____

Fee: _____ (see fee schedule)

Validation No. _____

TO THE LEVY COUNTY PLANNING COMMISSION:

Special Exceptions are intended to provide for land use and activities not permitted “By Right” in the applicable zoning district. Because a Special Exception is not normally permitted in a particular district, the burden is placed upon the applicant to document that the granting of the Special Exception will not create a hardship upon adjoining properties as they are currently being used or as they may be used in the future. [Source: Levy County Code of Ordinances, Section 50-796]

This application is hereby made to the County Commission of Levy County, Florida pursuant to the provisions of Chapter 163, Florida Statutes, the adopted Levy County Comprehensive Plan and the Levy County Zoning Ordinance petitioning for a Special Exception on the following described property:

Section I. APPLICANT AND REQUEST INFORMATION:

Please print unless otherwise specified.

Applicant's Name _____

Owner's Name _____

Address _____

Address _____

_____ Zip Code _____

_____ Zip Code _____

Phone No. (____) _____

Phone No. (____) _____

Section II. PARCEL INFORMATION:

Parcel Number (s)

Section/Township/Range

Acreage

1. _____

2. _____

3. _____

Total Acreage: _____

Subdivision Name (if applicable): _____ Lot ____ Block ____

Current Land Use: _____

Current Zoning: _____

Current Use (Actual) and Improvements on the Property: (i.e. Single-family, well & septic, pole barn, etc....

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Directions to the Property: (Please start directions from a State or County Road):

Section III. TO BE SUPPLIED AT THE TIME OF SUBMISSION; Attach the items in the order listed below. The application will not be processed without these items. Any information changes must be submitted, in writing, to the Development Department and received one week prior to the Planning Commission Public Hearing.

*** Upon completion of the above application, **please submit the original and four (4) copies** to the Levy County Development Department, 622 East Hathaway Avenue, Bronson, Florida, for staff review and comment. After the application has been found complete, an additional twenty (20) copies will need to be submitted for distribution to the Planning Commission and BOCC.

Surrounding Land Owners & Mapping

___ A list of names and addresses of property owners within 300 feet of the subject property (excluding rights-of-way) with corresponding address labels. This information shall be based on the latest available property records of the property appraiser's office. The applicant shall also provide a map clearly showing the subject property and all of the other properties within 300 feet.

Property Description

___ **Property Deed.** The most recent one pertaining to the proposed amendment property; obtained from the Clerk of the Circuit Court's Office.

___ **Certified property boundary survey.** Provide a certified legal boundary survey of the proposed amendment site. If the proposed Special Exception Amendment is to be on only part of the parcel, indicate that area. The legal description of the parcel or portion of the parcel must be described and signed and stamped by a certified Registered Land Surveyor (RLS), (PLS, PMS) or a Civil Engineer.

___ **Detailed Site Plan.** See Section IV of this application for required information to be shown on the site plan.

___ **Photographs.** Provide at least four (4) photographs showing site views from the site looking north, south, east and west. Identify the photo viewpoint and provide a brief description beneath each view (North, South, East, West). Additional photos showing relevant information may also be included.

Maps All required maps and information can be obtained at the Levy County Property Appraiser's Office.

___ **Property Appraiser's Parcel Map.** Identify the proposed site clearly using a color or pattern.

___ **Property Appraiser's Aerial Photograph with Parcel Overlay.** Identify the proposed site clearly using a bright color or pattern taking care to obscure as little information as possible.

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Documentation

_____ **Existing Conditions and Compatibility on Property adjacent to the proposed amendment site.** Provide a cover letter for this application which documents in writing how you believe the proposed Special Exception will be compatible with the adjoining development and the proposed zoning district where it is to be located.

_____ A narrative description of the total project in sufficient detail to provide an understanding of the nature of the development proposal and a statement describing how the special exception meets all requirements, criteria, and standards for approval set forth in division 5.

Note: The development department director or the board of county commissioners, or other provisions of this code, may require additional information to be included in any site plan submitted pursuant to this section.

IV. Detailed Site Plan: The developer shall submit a site plan of his proposed Special Exception Amendment to be reviewed by the Planning Commission and the Board of County Commissioners. The site plan should be detailed at a scale of 1" = 20' or larger [subject to the Zoning Official's approval], showing the relationship of existing and proposed structures and uses to the parcel on which it is located. Where site plan approval is required, and the development is not being submitted as a PUD as provided in Section 50-796, the following shall be required:

- 1) Project identification.**
 - a. Title of project or development.
 - b. Name of engineer, architect and developer.
 - c. North point, scale, date and legal description of the entire property encompassing the special exception.

- 2) Existing conditions.**
 - a. Boundaries of the property involved, all existing easements, existing buildings, section lines, property lines, existing street paving and rights-of-way, topography, existing surface water areas, existing water mains, sanitary and storm sewers, culverts and other underground structures in and adjacent to the property.

 - b. A one inch equals 200 feet aerial photograph of sufficient quality to delineate existing vegetation, or a tree survey prepared by a licensed surveyor or engineer.

- 3) Proposed development plans.**
 - (a) Location and dimensions of proposed uses, setbacks, structure heights, streets, parking and loading areas, docks, surface water areas, fire hydrants, sanitary and storm sewers, culverts, water mains and other underground structures.

 - (b) Size of proposed lots or parcels

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4) Tabulation of proposed development plans.

- a. Tabulations of total number of gross acres in the site and the acreages and percentages thereof proposed to be devoted to the uses including: uses (residential, commercial, industrial or other nonresidential), streets, parking and open and enclosed storage areas.
- b. Tabulations of total number of dwelling units by dwelling type within the project.
- c. Proposed development schedule and phasing.
- d. Square footage of floor area by type of structure.

V. Additional Written and Mapping Documentation is required for the specific proposed Special Exceptions listed in Schedule I in applicable Zoning Districts. These uses include, but are not limited to, Mining, Excavation and Quarries, development in the Airport Overlay Zone, and Concentrated Commercial Farming Operations. Confirm with the Zoning Department whether the proposed use requested has additional requirements.

VI. In order for a special exception amendment to be approved, the applicant must show that it meets the following criteria at a minimum and any other applicable requirements, criteria or standards as set forth in the Land Development Code. **Please make all responses to numbers 1 – 8 on the following provided page. Responses cannot be referred to another document, map, etc. in your application or code section from the Land Development Code. Doing so will result in an incomplete application.*

- 1) **That** the use is a special exception use as set forth in Schedule 1. Use Regulations, of section 50-676 hereof or as set forth in the Levy County Comprehensive Plan.
- 2) **That** the use is so designated, 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 property that is the subject of the special exception is suitable for the type of use proposed by virtue of its location, shape, topography, and by virtue of its compatibility with adjacent development, with uses allowed in adjacent land use and zoning districts, and with the character of the zoning district where it is located.
- 5) **That** adequate buffering, landscaping and screening are provided as required in this article, or as necessary to provide a visual and sound barrier between adjacent property and the property that is the subject of the special exception.
- 6) **That** adequate off-street parking and loading are provided and ingress and egress are so designed as to cause minimum interference with or congestions of vehicular or pedestrian traffic on abutting streets or of boat or vessel traffic on adjacent waterways.
- 7) **That** the use conforms with all applicable regulations governing the district where located, as may otherwise be determined for large-scale developments.
- 8) **That** the use is consistent with the provisions of the Levy County Comprehensive Plan and the Land Development Code, and that the application and use comply with the applicable provisions of subdivision II of this [division 5](#) and with any specific requirements for the use contained in subdivision II of division 3 hereof.

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COMPLETE RESPONSES MUST BE PROVIDED ON THIS PAGE. IF MORE SPACE IS NEEDED, PLEASE ATTACH AN ADDITIONAL PAGE.

1) That the use is a special exception use as set forth in Schedule 1. Use Regulations, of section 50-676 hereof or as set forth in the Levy County Comprehensive Plan.

2) That the use is so designated, 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 property that is the subject of the special exception is suitable for the type of use proposed by virtue of its location, shape, topography, and by virtue of its compatibility with adjacent development, with uses allowed in adjacent land use and zoning districts, and with the character of the zoning district where it is located.

5) That adequate buffering, landscaping and screening are provided as required in this article, or as necessary to provide a visual and sound barrier between adjacent property and the property that is the subject of the special exception.

6) That adequate off-street parking and loading are provided and ingress and egress are so designed as to cause minimum interference with or congestions of vehicular or pedestrian traffic on abutting streets or of boat or vessel traffic on adjacent waterways.

7) That the use conforms with all applicable regulations governing the district where located, as may otherwise be determined for large-scale developments.

8) That the use is consistent with the provisions of the Levy County Comprehensive Plan and the Land Development Code, and that the application and use comply with the applicable provisions of subdivision II of this [division 5](#) and with any specific requirements for the use contained in subdivision II of division 3 hereof.

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STANDARD CONDITIONS OF APPROVAL

1. The following words, terms, or phrases, when used in this Order or Conditions of Approval, shall have the meanings ascribed to them in this Condition 1, except where the context clearly indicates a different meaning:

Applicant shall mean _____, jointly or severally (use this phrase if more than one applicant) or any of his/her, its or their successors or assigns.

Application SEA _____ shall mean the request filed by Applicant with the County for a special exception amendment for _____ including the completed application form and all additional documents submitted by the Applicant (include all supplementary documents if unusual supplementary documents are part of the application so that maps/other documents that were part of the Application are identifiable).

County shall mean Levy County, Florida.

Department shall mean the Levy County Development Department, or any successor County Department with the duties of administering and enforcing the zoning regulations of the County.

Subject Property shall mean the property described on Exhibit "A" attached hereto. (Or described as (and insert legal): _____).

2. The Conditions of Approval contained in this Order shall be enforceable against the Applicant, any of the Applicant's parent entities, any of the Applicant's subsidiary entities that are involved in any way in the activities, uses, or operations approved by this Order, the owner of the Subject Property, any operator of the activities or operations approved by this Order, the holder of the special exception approval granted by this Order, or any of their successors or assigns, jointly and severally. In addition, any decision, approval, or determination made or required to be made by the County or the Department pursuant to any Condition of Approval contained in this Order shall be final.

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STANDARD CONDITIONS OF APPROVAL

3. The approval granted by this Order is for _____ (insert the use from the Application). The approval granted by this Order is also subject to any and all conditions or requirements contained in Section _____ (insert the specific section number that governs the use, if any), Levy County Code, for _____ (insert the term from the Code for the proposed use), and all other applicable provisions of the Levy County Code, regardless of whether such condition or requirement is expressly set forth in these Conditions of Approval.

4. Issuance of this Order does not in any way create any rights on the part of the Applicant to obtain a permit from any state or federal agency and does not create liability on the part of the County for issuance of this Order if the Applicant fails to obtain requisite approvals or fulfill the obligations imposed by such state or federal agency or undertakes actions that result in violation of state or federal law.

5. All other state or federal permits applicable to the approvals granted by this Order shall be obtained prior to commencement of the use of the Subject Property for _____ (insert proposed use from Application).

I hereby have read and understand the above Standard Conditions of Approval as written.

Applicant's Signature _____ **Date** _____

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VII. COMPREHENSIVE PLAN. The proposed use must be compatible with the Comprehensive Plan and Future Land Use Map. Refer to the adopted Levy County Comprehensive Plan for applicable goals, objectives and policies. For assistance, call the Levy County Planning Department at 352/486-5405.

VIII. The applicant states that he/she has read and understands the instructions and submission requirements stated in this application. Approval granted by said Commission in no way constitutes a waiver from any applicable Local, state, or Federal regulation.

I hereby certify that the information contained in this application and its supplements are true and correct, and that I am the legal owner or authorized agent of the above described property.

Applicant's Signature _____ Date _____

IX. APPLICATION INSTRUCTIONS:

- (a) An application for a Special Exception Amendment must be accompanied with a fee as per the most recent fee schedule.. Please note, the application fee may be subject to change. Confirm fee at the time of application.
- (b) If the applicant is not the owner of record of the property, the owner must agree to this application either by signing the application form, or by submitting a notarized letter authorizing the applicant to act as an agent. **Owner's authorization is required at the time this application is submitted.**
- (c) **All required documentation and submission material is required to accompany the application at the time the request is submitted. Applications are screened for completeness. Depending on the proposed use, additional information may be required. Failure to provide all information and submission material required shall delay the public review of the application until such time as all materials are received.**
- (d) The minimum criteria for the applicable zoning district must be met uniformly for every special exception. These standards are not exclusive of any other standards which may be established by the Planning Commission due to particular circumstances which are unique to the property for which the change of zoning is being requested.
- (e) **Special Exception Amendment applications are processed once a month. Applications received and found complete by the first day of the month** will tentatively be scheduled, advertised and presented at the public hearing the following month. **Applications received after the first day of the month will not be scheduled for the following month.**
- (f) Any information changes must be submitted, in writing, to the Development Department and received 10 days prior to the Planning Commission Public Hearing.
- (g) Applications may be submitted as follows:

In Person: Levy County Zoning Department, located on Alternate 27 (622 East Hathaway Avenue), within the Levy County Building and Zoning Office.

By Mail: Levy County Zoning Department, Levy County Courthouse, Post Office Box 672, Bronson, Florida, 32621.

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X. CERTIFICATION

The undersigned has read and understands the application, and has received, read and understands the submittal requirements. It is agreed and understood that the undersigned will be held responsible for the accuracy of the application and information submitted. The undersigned hereby attests to the fact that the parcel number (s) and legal description (s) provided is/are the true and proper identification of the area of which the petition is being submitted. Signatures of all owners or their agents are required on this form. Signatures by other than the owner (s) will be accepted only with notarized proof of authorization by the owner (s).

Owner of Record

Owner of Record

Name: _____ Name: _____

Address: _____ Address: _____

Phone: _____ Phone: _____

No person submitting an application may rely upon any comment concerning a proposed amendment, or any expression of any nature about the proposal made by any participant, at the pre-application conference as a representation or implication that the proposal will be ultimately approved or rejected in any form. To meet with staff to discuss the proposal, please call (352) 486- 5203 for an appointment.

OWNER VERIFICATION

I hereby certify that the information contained in this application and its supplements are true and correct, and that I am the legal owner of the above described property.

Date: _____ Owner Signature _____

STATE OF FLORIDA
COUNTY OF _____

Sworn to and scribed before me this _____ Day of _____ 20____, by
(name)

Personally known _____ Identification Expiration Date: _____

Notary Public Signature

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AGENT VERIFICATION

I hereby certify that the information contained in this application and its supplements are true and correct, and that I am the authorized agent of the above described property.

Date: _____ Authorized Agent Signature _____

STATE OF FLORIDA
COUNTY OF _____

Sworn to and scribed before me this _____ Day of _____ 20____, by
_____.

Signature – Notary Public _____

Personally known _____ Identification Expiration Date _____