

C I T Y O F P O M P A N O B E A C H
PLANNING AND ZONING BOARD
REQUEST FOR REZONING

A mandatory meeting must be scheduled no less than 10 business days prior to a regularly scheduled DRC meeting with the Zoning Director. The DRC meets the 1st and 3rd Wednesday of each month.

To the City Commission and to the Planning and Zoning Board of the City of Pompano Beach, Florida. Please take notice that the undersigned requests a change of zoning classification for the following described property:

Subdivision: _____ Block: _____ Lot(s): _____

or Acreage: Section: _____

Street address of above: _____

Petitioner's interest in property (owner, lessee, etc.): _____

Does petitioner have any financial interest in properties near or adjacent to this property? If so, explain: _____

Improvements located on property: _____

Present zoning: _____ Rezone to: _____

The reason the petitioner is requesting the rezoning is as follows: _____

(A separate sheet may be attached for additional information.)

Dated this _____ day of _____, 20 ____.

Print Property Owner's Name

Print Petitioner's Name

Property Owner's Signature

Petitioner's Signature

Mailing Address

Mailing Address

(Zip Code)

(Zip Code)

Telephone Number

Telephone Number

Note: Three (3) copies of this application with original signatures, three (3) sealed surveys and if any improvements are on this property, one (1) photograph must accompany this request.

\$1,125.00 Rezoning Fee _____

50.00 First Rezoning Sign _____

25.00 Additional Rezoning Sign _____

25.00 Additional Rezoning Sign _____

25.00 Additional Rezoning Sign _____

Total _____

Receipt No. _____

OWNERS CERTIFICATE

This is to certify that I am the owner of the subject lands described in this **PETITION FOR REZONING** and that I have authorized the filing of the aforesaid petition for rezoning.

Owner's Name: _____
(Print or Type)

Address: _____

_____ (Zip Code)

Phone: _____

(Signature of Owner)

SWORN AND SUBSCRIBED before me this ____ day of _____, 20 ____.

NOTARY PUBLIC, STATE OF FLORIDA

(Name of Notary Public: Print, stamp, or Type as Commissioned.)

Personally known to me, or

Produced identification: _____

(Type of Identification Produced)

**DEPARTMENTAL POLICY
FOR
PROPOSED ZONING MAP OR TEST AMENDMENTS**

31 August 2004

1. Zoning Map and Text Amendments

Any amendment to the zoning district boundaries shown on the Zoning District Map or to the text of this Zoning Code shall follow the procedures set forth in this section.

A. Authority to File Applications

The Planning & Zoning Board or the City Commission may initiate a Zoning Map and/or Text Amendment with or without an application from the property owner.

B. Initiation

1. Text Amendments

An application for an amendment to the text of this Code may be proposed by the City Commission, Planning & Zoning Board, the owner of the subject property, or the owner's agent.

2. Map Amendments

An application to amend the boundaries of the Zoning Map may be proposed by the City Commission, the Planning & Zoning Board, the owner of the subject property, or the owner's agent.

C. Review Criteria

The criteria for review of a proposed amendment to the Zoning District Map or the text of the Zoning Code are set out in this section.

1. Findings prior to changes to the Zoning District Map:

Before any property is rezoned pursuant to this section, the Planning & Zoning Board and City Commission must find:

- a. That there has occurred a substantial "**change**" in the character of the neighborhood in which the property is located since the property was last zoned **or** that the last zoning of the property was established in "**error**".

- b. That the prospective rezoning of the property is warranted by that change or error. Any finding of such a change or error and any finding that the prospective rezoning is warranted may be made only upon consideration of factors relating to the purposes of the zoning regulations and maps. This includes, but is not limited to, all of the following: population and housing trends; existing conditions; availability and adequacy of present and proposed transportation facilities, water-supply facilities, sewerage, solid-waste-disposal facilities, schools, recreational facilities, and other public facilities; compatibility of uses generally allowable under the prospective zoning with the present and projected development or character of the surrounding area; the suitability of the subject property for the uses to which it has been restricted without the proposed zoning map or text amendment; any pertinent recommendation of the Planning & Zoning Board or Zoning Department; and consistency of the prospective zoning with any adopted land use plans or policies for the area, and the capital improvement program.

At the discretion of the Zoning Director, a rezoning application must also include documentation relating to the proposed use of the property(s) under application. That documentation must include (where applicable):

- i. Existing conditions analyses (land use and structural conditions; including trend data); including, but not limited to: elevation drawings, if applicable, and a plan showing locations, coverage, floor areas, heights, character, and exterior materials of all proposed structures and all existing structures to be retained; all existing structures to be removed; signs visible outdoors; all principal uses; hours of operation, maximum number of employees, and maximum levels of emanations (including sound and other vibrations, dust, odors, gases, light and heat), if non-residential; maximum number of residents, if residential; parking and loading facilities; existing and proposed public and quasi-public facilities on and adjacent to the site, including storm-drain systems, waterlines, sewerage, streets and drives, and railroad sidings; existing ponds and other bodies of water, watercourses, floodplains, major vegetation, and unusual natural formations and proposed changes with respect to any of those; historic structures or districts; screening and landscaping, and existing topography and proposed major changes in grade; and

- ii. An impact report, addressing the items listed below, that Concerns the proposed use of the property under petition and that has been competently prepared by a professional planner, architect, or engineer of appropriate qualifications.
 - Local Economy
 - Natural Environment
 - Aesthetic and Cultural Values
 - Public and Private Services
 - Local Traffic & Transportation
 - Housing and Social Conditions
 - Neighborhood Stability

2. Use of Property:

Property may be rezoned under this section only upon making the findings required under subsection (1) of this section. Property may not be rezoned solely on the basis of documentation relating to the property's proposed use.

3. Considerations in Making Determination:

In its hearing on any rezoning petition, the City Commission shall consider in evidence without testimony thereto, absent objection by any party to the case, any report of the Planning & Zoning Board or comments from the Zoning Director relating to the petition or any duly submitted relevant report or comments from any other City agency to the Zoning Director. If any party makes an objection to the case, the item shall be entered by testimony of a proper witness, who shall be notified by the Zoning Director .

4. Findings prior to changes to the Zoning Text:

Before any Zoning Text is changed pursuant to this section, the proposed change must be reviewed based on the criteria presented in this section. The criteria to be considered shall be as follows:

- a. The consistency of the proposal with adopted plans and policies of the City;
- b. The intent and purpose of this Zoning Code;
- c. Compatibility of the proposal with the zoning, use and character of the neighborhood;
- d. The suitability of the subject property for the uses to which it has been restricted without the proposed zoning text amendment;
- e. The extent to which approval of the proposed zoning text amendment will detrimentally affect nearby property;
- f. Impact of the proposed uses permitted by the text amendment on community facilities and services;

- g. Whether or not the uses or procedures proposed in the change will substantially injure the value of adjoining or abutting property;
- h. Whether or not the uses or procedures proposed in the change will materially endanger the public health or safety; and
- i. The recommendations of staff.

D. Successive Applications

In the event that the City Commission denies an application for an amendment to the Zoning District Map, a similar application shall not be re-filed, within one year, unless the Planning & Zoning Board, upon petition by the applicant, determines that significant physical, economic or land use changes have taken place within the immediate vicinity, or a significant zoning regulation text change has been adopted, or when the reapplication is for a more restrictive change of zoning or a different use request than the original request. The applicant shall submit a statement in detail setting out those changes which he or she deems significant and upon which he or she relies for re-filing the original application.