



# CITY OF BROOKSVILLE REZONING PETITION/CHECKLIST

**Petitioner:** \_\_\_\_\_ **Petition # RZ** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Phone#** \_\_\_\_\_ **Email:** \_\_\_\_\_

### TO BE PROVIDED BY PETITIONER

- \_\_\_\_\_ **Narrative providing details of Zoning Request** (Written by petitioner)
- \_\_\_\_\_ **Appointment of Agent** (Use if Petitioner is not landowner and/or the Petitioner has named another party to present or represent the petition to the Planning and Zoning Commission.)
- \_\_\_\_\_ **Petition** [Rezoning Petition attached; four (4) copies must be filed]
- \_\_\_\_\_ **Pictures** (Optional)
- \_\_\_\_\_ **Proof of Ownership** (i.e., Copy of Deed)
- \_\_\_\_\_ **Owner or Agent Affidavit** (Standard form attached)
- \_\_\_\_\_ **List of properties located within 150 feet of subject site, including list of addresses for certified mailing.** (Obtain this information from the Property Appraiser's office.)
- \_\_\_\_\_ **List of properties located within 151 feet through 300 feet of subject site, including list of addresses for standard mailing.** (Obtain this information from the Property Appraiser's office.)
- \_\_\_\_\_ **Site Plan** (for standard or PDP rezoning, see Sec. 8-2.10.B.3.e.i. thru xiv. of City's LDR)
- \_\_\_\_\_ **Notice Sign** provided to the petitioner to be posted within three (3) days after a public hearing date is established and maintained through the public hearing date.

**REVIEW FEE – The fee for STANDARD REZONING is \$350.00** \$ \_\_\_\_\_  
+ Administrative Costs (See Resolution No. 2018-01 eff. 3/1/18)

**The fee for REZONING TO PDP WITH MASTER PLAN is \$600.00** \$ \_\_\_\_\_  
+ Administrative Costs (See Resolution No. 2018-01 eff. 3/1/18)

**CERTIFIED LETTERS** (\$1.00 Administrative Cost + Certified/Return Receipt + postage per letter) \$ \_\_\_\_\_

**STANDARD LETTERS** (\$1.00 Administrative Cost + postage per letter) \$ \_\_\_\_\_

Check # \_\_\_\_\_ Receipt# \_\_\_\_\_ **TOTAL** \$ \_\_\_\_\_

**ALL ADVERTISED PUBLIC HEARING NOTICES ARE PAID BY THE PETITIONER.** (Newspaper bills petitioner directly)

**RECORDING FEES TO BE DETERMINED AFTER APPROVAL/DENIAL OF SUBJECT PETITION.**

Petitioner's Portion Complete  Planning and Zoning Commission Meeting Date: \_\_\_\_\_

Review for sufficiency completed by: \_\_\_\_\_ Date: \_\_\_\_\_

**NOTE: The Rezoning review process is a land use determination which does not constitute a permit for**

***either construction on or use of the property. Nor is the action considered a Certificate of Concurrency. Prior to use of or construction on the property, the petitioner must receive approvals from the appropriate City Departments and/or other governmental agencies that may have regulatory authority over the proposed use/development.***

***The granting of a land use determination does not protect the owner from civil liability for recorded deed restrictions which may exceed City land use ordinances. Homeowner's associations or architectural review committees may require submission of plans for their review and approval. The applicant for this land use request should contact the local association (if there is one) and review the Public Records for all restrictions that may be applicable to this property.***

### **PUBLIC HEARING PROCESS (Sec. 8-2.10.B.4.)**

The public hearing process for Zoning Map and Land Development Code Amendment petitions shall be as follows:

a. All proposals for amendments to the Zoning District Map and text of this Code pursuant to the section shall be referred to the Planning and Zoning Commission for consideration and the formulation of a recommendation to the City Council.

b. Upon receipt of an application for amendment to the Zoning District Map, the Chief Administrative Officer shall establish a date at which the Planning and Zoning Commission shall hear the petition. The Chief Administrative Officer shall cause notices of the time, place and purpose of a hearing upon the application to be published, mailed and posted in the manner provided in Section 8-2.7.B.2. and Section 8-2.7.B.3. of this Part. At the time and date established by such notice, the Planning and Zoning Commission shall conduct a hearing upon the application in the manner provided by Section 8-2.7.B.4. and 8-2.7.B.5. of this Part and shall recommend in writing for either the approval or denial of the application to the City Council provided, however, that in the case of a proposed Special Use or Planned Development Project Plan, the Planning and Zoning Commission shall recommend approval, approval with modifications and/or conditions or denial of the application to the City Council. *(See Sections 8-2.7B.2. thru 5. Below)*

c. Upon receipt of an application for amendment to the text of the Land Development Code, the Chief Administrative Officer shall establish a date at which the Planning and Zoning Commission shall hear the petition. The Chief Administrative Officer shall cause notice of the time, place and purpose of a hearing upon the application to be published in the manner provided in Section 8-2.7.B.2. and 8-2.7.B.3 of this Part. At the time and date established by such notice, the Planning and Zoning Commission shall conduct a hearing upon the application in the manner provided by Section 8-2.7.B.4. and 8-2.7.B.5. of this Part and shall recommend in writing for either the adoption or denial of the application to the City Council. *(See Sections 8-2.7B.2. thru 5. Below)*

d. Following hearing by the Planning and Zoning Commission, the Chief Administrative Officer shall submit the proposed Zoning District Map and/or text amendments, with the recommendations of City staff and the Planning and Zoning Commission, to the City Council for consideration. The City Council shall consider and act upon such application and the recommendations of City staff and the Planning and Zoning Commission in the manner prescribed by law for the adoption of ordinances by the City Council or refuse to adopt such proposed amendment. If the City Council denies a proposed amendment, the City Council shall indicate the reason or reasons for said denial.

e. When the City Council has taken action to deny a proposed amendment to the Zoning District Map, no other application by the owner(s) of such land for amendment to the Zoning District Map respecting such land shall be accepted for consideration by the Planning and Zoning Commission and City Council for a period of one (1) year from the date of the action denying the proposed amendment. Notwithstanding the above, an applicant may request a waiver of said prohibition.

f. Applicants submitting a petition requesting a Land Development Code text amendment or a Zoning Map amendment, including planned development projects, shall pay all cost and expenses in connection with notice of such public hearings and related notices as required by the provisions of this ordinance in addition to the fees required for City review and administration. An estimate of the cost of the publication of notice of public hearing and publishing the ordinance making such change in zoning text or district classification shall be made by the Chief Administrative Officer and the petitioner shall deposit with the Chief Administrative Officer the estimated cost amount attached to the petition, and in the event that the actual cost of the items, as hereinabove enumerated, shall be less than the deposit, the remaining balance shall be refunded to the petitioner. In the event the cost is more than the deposit, the petitioner shall submit the required additional funds to the City.

**ARTICLE VIII / SECTION 8-2.7.B**

1. A public hearing shall be held by the Planning and Zoning Commission at their regularly scheduled meeting or at a special meeting date called by the Chairman of the Commission. The hearing shall be held in less than sixty (60) days after the filing of a completed application, unless the applicant or Community Development Department staff requests a hearing date in excess of sixty (60) days after the filing of the completed application.
2. Upon submittal of an application, the Community Development Department shall assign a hearing date for hearing on any matter subject to the provisions of this Section, the Chief Administrative Officer, shall cause a notice of the time, place and purpose of such hearing to be published at least once in a newspaper of general circulation in the City of Brooksville with such publication to be at least ten (10) days prior to the date of the hearing. The Chief Administrative Officer shall mail, by certified mail, similar notices setting forth the time, place and purpose of the hearing to (a) the applicant, (b) the owner of the property described in the application, if other than the applicant, and (c) the owners of every parcel of land within a distance of one hundred- fifty (150) feet from the property line of the property described in the application. Also, the Chief Administrative Officer shall mail by U.S. Postal Service standard mail delivery similar notices setting forth the time, place and purpose of the hearing to all property owners located in excess of 150 feet but not farther than 300 feet of the subject property. For purposes of determining the name and address of persons entitled to notice under this Section, the owner of property shall be deemed to be the person who is so identified in the most current tax roll certified for collection and maintained in the office of the Hernando County Tax Collector. Such notices shall be mailed at least ten (10) days prior to the scheduled hearing date. All costs for public notification shall be borne by the applicant.
3. Within three (3) business days of application submittal, the applicant shall post on the subject property a notice sign(s) prepared by the Chief Administrative Officer. The sign(s) shall be placed at a conspicuous location(s) adjacent to each right-of-way fronting the property. The applicant shall ensure that the sign(s) remain posted until the hearing process has concluded.
4. At any hearing upon any matter subject to the provisions of this Section, the applicant seeking action and any other party desiring to be heard upon the application may appear in person, by agent or by attorney. The applicant shall be entitled to make an initial presentation respecting the application and, at the conclusion of presentations or statements by all other parties, shall be entitled to offer a statement in rebuttal or support to such presentations. The Chairman of the Planning and Zoning Commission may, at the commencement of the hearing or at any time during such hearing, require that parties desiring to make a presentation identify themselves and may specify the time to be allowed each such party within which to make such presentation.
5. Action by the Planning and Zoning Commission upon any matter subject to the provisions of this Section shall be announced by the Chairman of the Planning and Zoning Commission immediately following the vote determining such action and shall thereafter be embodied in a written Order or recommendation as appropriate. Such written Order or recommendation shall be incorporated into the minutes of the meeting at which such action occurred.

# CITY OF BROOKSVILLE REZONING PETITION

## *Application for Public Hearing*

Date: \_\_\_\_\_

Type all information. If you need any assistance, call the Community Development Department at (352) 540-3810.

<b>APPLICANT:</b>		
Mailing Address: _____		
Daytime Telephone: _____	FAX No: _____	E-Mail Address: _____
<b>REPRESENTATIVE:</b>		
Mailing Address: _____		
Daytime Telephone: _____	FAX No: _____	E-Mail Address: _____
<b>PUBLIC CONTACT PERSON:</b>		
Daytime Telephone: _____	FAX No: _____	E-Mail Address: _____
<b>Will Expert Witness be utilized during the public hearings?</b>		
<b>Legal Description:</b> Type below the complete legal description of the property, including street address, if any, and the names of all owners. Include Section, Township and Range; and if applicable, Subdivision Name, Lot, Block, and Unit Number. Attach additional sheet if necessary.		
<b>Size of Area Covered by Application:</b>		
<b>Highway and Street Boundaries:</b>		
<b>Current Zoning Classification:</b>		
<b>Rezoning Requested:</b>		
<b>Proposed Use of Property:</b>		
<b>Has a public hearing been held on this property within the past twelve months?</b>		
<b>ACKNOWLEDGMENT</b>		
This acknowledgment must be signed in the presence of a Notary Public.		
I, _____, hereby state and affirm that all information submitted within this petition is in all respects true and correct to the best of my knowledge and belief and that:		
<input type="checkbox"/> I am the owner of the property covered under this application.		
<input type="checkbox"/> I am the legal representative of the owner or lessee of the property described, which is the subject matter of this application.		
_____ Signature of Applicant or Representative		
<b>STATE OF FLORIDA</b>		
<b>COUNTY OF HERNANDO</b>		
The foregoing instrument was acknowledged before me this _____ day of _____, 20____, by _____ who is personally known to me or who has produced _____ as identification.		
_____ Signature of Notary Public		_____ Notary Seal/Stamp

**APPOINTMENT OF AGENT**

**CITY OF BROOKSVILLE  
COUNTY OF HERNANDO  
STATE OF FLORIDA**

I, \_\_\_\_\_, the owner(s) in fee simple of the below described real property hereby appoint \_\_\_\_\_ as my (our) agent to file required petitions, sign required documents, make representations as to issues of fact and to appear, as may be necessary, before the appropriate City of Brooksville authority. My agent shall also have the authority to commit myself as owner to the necessary future performance conditions as may be directed by the appropriate City authority as a condition of granting my petition.

**(Insert Legal Description Below)**

\_\_\_\_\_  
\_\_\_\_\_

**CITY OF BROOKSVILLE  
COUNTY OF HERNANDO  
STATE OF FLORIDA**

I, \_\_\_\_\_, being duly sworn, hereby depose and say \_\_\_\_\_ is the owner of the herein described property to-wit:

Signature \_\_\_\_\_ Print Name \_\_\_\_\_ Date \_\_\_\_\_