



STEPS IN APPLYING FOR SPECIAL EXCEPTION PURSUANT TO ORDINANCE 2007-03

1. APPLICATION

An application may be picked up at West Park Planning & Zoning, c/o Calvin, Giordano & Associates, Inc., 1800 Eller Drive, Suite 600, Fort Lauderdale or sent electronically by calling Calvin, Giordano & Associates at 954-921-7781.

2. SUBMITTAL REQUIREMENTS – APPLICATION FOR HEARINGS

Please contact the Community Development Director for the City of West Park before filing application. Applications shall be submitted to City of West Park Planning & Zoning, c/o Calvin, Giordano & Associates, Inc.

- (a) Any person desiring a quasi-judicial hearing before the City Commission shall make application to the Planning & Zoning Department to provide the City Commission with the information necessary to render a decision on any matter requested for hearing. The petitioner shall be responsible for the payment of costs in connection with the application as may be determined by the City Commission through action in setting fees to be charged.
- (b) All applications for special exception shall also include 10 sets of the following:
 - 1) An as-built survey
 - 2) A site plan, including setbacks from property boundaries and all improvements on the property
 - 3) Any other information necessary to explain the request.
- (c) Special Exception Criteria:
 - (a) The use is compatible with the existing natural environment and other properties within the vicinity.
 - (b) There will be adequate provision for safe traffic movement, both vehicular and pedestrian, both internal to the use and in the area which will serve the use.
 - (c) There will be adequate setbacks, buffering, and general amenities in order to control any adverse effects of noise, light, dust, or other potential nuisances.
 - (d) The land area is sufficient, appropriate, and adequate for the use as proposed.
 - (e) The proposed special exception use shall disclose the square feet of use sought for approval so that an adequate evaluation can be made of the special exception use in keeping with the standards and criteria of this Ordinance. Should any special exception use seek to expand in size, the extent of expansion shall undergo special exception use review as provided in this Ordinance.
 - (f) Conditions may be stipulated and made a requirement in granting any application for a special exception when it is found by the City Commission to be necessary to further the purpose of the zoning district or compatibility with other property within the vicinity.
- (d) The City shall schedule a public hearing on any request for special exception or appeal to an administrative decision within thirty (30) days of acceptance of any application or as soon thereafter as possible.

4. NOTICE REQUIREMENTS

- 1. *Notice to surrounding property owners:* For existing single-family residences, notice shall be sent to all property owners whose property touches the property of the applicant. For all other applications, a notice shall be sent by the applicant to all property owners within 300 feet of the site, exclusive of road

rights-of-way and water bodies. The notices shall include the location, and nature of the land development approval applied for and the date, time, the nature of the issue and location of the City Commission meeting. The notices shall be sent by first class mail and postmarked at least 15 days prior to the hearing. The City Administrator may provide for specific mailing procedures not inconsistent with this Ordinance.

2. *Signage.*

(a) A sign shall be posted on the affected property at least 15 days, and not more than 30 days, prior to the Commission meeting. The sign shall include the type of application, date, time, and location of hearing, and number to call for additional information. The sign shall measure at least 24 inches by 24 inches and shall be made of a weather resistant non-paper material, set at least 24 inches above surrounding grade from the bottom of the sign board. The sign shall be posted in a location that is clearly visible from the adjacent right-of-way within 10 feet of the right-of-way line. Lettering shall be in gothic style upper case with the top line measuring at least four inches in height and all other lines measuring at least three inches in height. The text shall read as follows:

REQUEST FOR _____
PROJECT TITLE: _____
PROPOSED USE: _____
CITY COMMISSION MEETING: (Date and time)
LOCATION
ADDRESS
COMPLETE INFORMATION REGARDING THE APPLICATION IS AVAILABLE BY
CONTACTING THE CITY AT:

(b) Signs must be maintained in readable condition while posed and be removed within five days of the hearing where the City Commission takes final action on the application.

3. *Legal Advertising.* The legal notice shall be published in a newspaper of general circulation in Broward County in accordance with applicable Florida Statutes.

4. *Obtaining lists for mailed notice.* All lists of property owners to whom notice must be mailed shall be based upon the most recently updated records available from the Broward County Property Appraiser and be obtained from the Property Appraiser no more than 30 days prior to the date of mailing.

5. *Evidence of compliance.*

(a) City Commission hearing. Evidence of compliance of all advertising required for the City Commission hearing must be received by the City Clerk no later than 5:00 pm at least five days prior to the date of the City Commission meeting, and shall consist of the following:

- Photograph of posted sign;
- Copy of mailed notice sent to surrounding property owners;
- List of surrounding property owners to whom mailed notice was sent;
- Affidavit of mailing notice to surrounding property owners on form approved by the City Administrator or his or her designee; and
- Proof of advertised legal notice, where required.

6. *Enforcement.* Failure to comply with these advertising requirements will result in the hearing being rescheduled for the next available City Commission meeting. All advertisements, notices and signs must be reissued with the correct meeting date shown. The failure of an applicant to satisfy the advertising requirement for the same item two consecutive times shall constitute sufficient grounds for denial of the application. A failure to remove the sign required above within the time mandated shall result in a fine to be set and amended by resolution of the City Commission.