



1. Submittal review conference
Date _____ C.C. _____

2. Legal Department:
Date _____ Atty _____

3. Planning:
Date _____ Plnr _____

4. Legal Department:
Date _____ Atty _____

Date Received _____

File Number: SE-200 - _____

Adopted: _____

Petitioner: _____

Address: _____

Telephone #: _____ Fax #: _____ E-mail: _____

Agent for Petitioner: _____

Address: _____

Telephone #: _____ Fax #: _____ E-mail: _____

Owner of Property: _____

Address: _____

Telephone #: _____ Fax #: _____ E-mail: _____

Address/Location of Subject Property _____

Legal Description of Property Involved _____

Existing Zoning _____

Total Acreage/Square Footage of Subject Property _____

Current Use of Land _____

Code Section _____

Proposed Conditional Use and Summary of Facts _____

Signature of Petitioner

Signature of Owner

Print or type name of person signing above

Print or type name of person signing above

Date

Date

NOTE: IF THE PETITIONER WISHES TO BE REPRESENTED BY AN AGENT, THE POWER OF ATTORNEY ON THE FOLLOWING PAGE MUST BE PROPERLY EXECUTED. IF DRAWINGS PREPARED BY AN ARCHITECTURAL, ENGINEERING OR OTHER FIRM ARE SUBMITTED, THE FIRM MUST EXECUTE THE ATTACHED PERMISSION TO REPRODUCE.

AFFIDAVIT

I, _____ certify that I am the owner or authorized representative of the property described herein, and that all answers to the questions in this application and any sketches, data or other supplementary matter attached to and made a part of this application, are honest and true to the best of my knowledge and belief.

KNOW ALL MEN THAT I, _____, do hereby constitute and appoint _____ my true and lawful attorney, to execute the foregoing instrument in my name, place and stead this _____ day of _____, _____.

Signature of owner or authorized agent Date: _____

Print or type name of person signing above

Name of owner/agent entity if a corporation, L.L.C., partnership, or trust

Representative capacity of person signing Affidavit:
President of Vice President of Corporation
Managing Member of L.L.C.
General Partner
Trustee

STATE OF FLORIDA)
)
COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of _____, _____, by _____ who is personally known to me or who has produced _____ as identification and who did not take an oath.

Notary Public

Print or type name
My Commission Expires: _____

KNOW ALL MEN THAT I, _____, _____(Title), of the firm of _____, do hereby grant the City of LaBelle permission to reproduce all or a portion of all plans, drawings, etc., submitted in connection with the foregoing petition.

Signature
Title: _____
Date: _____

STATE OF FLORIDA)
)
COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of _____, _____, by _____ who is personally known to me or who has produced _____ as identification and who did not take an oath.

Notary Public

Print or type name
My Commission Expires: _____

**CONFIRMATION OF OWNERSHIP BY OWNER; AND
AUTHORIZATION FOR AGENT OR PETITIONER (WHEN A DIFFERENT ENTITY)**

The undersigned to hereby swear or affirm that they are the fee simple title holders and owners of the record of property commonly known as _____
And legally described in Exhibit A attached hereto.

The property described herein is the subject of a Special Exception/Conditional use application. We hereby designate _____ as the legal representative of the property in the course of seeking approval of this application. This representative will remain the only entity to authorize development activity until such time as anew or amended authorization is delivered to the City.

Owner Signature

Printed Name

Name of owner entity if a corporation, L.L.C., partnership, trust

Representative capacity of person signing: President or Vice
President of Corporation, Managing Member of L.L.C., General
Partner, Trustee

Address of Owner

STATE OF FLORIDA)
COUNTY OF _____)

Sworn to (or affirmed) and subscribed before me this _____ day of
_____, 200__, by _____
(_____) capacity if applicable, who is personally known to me or produced
_____ as identification.

Notary Public
Notary Public – State of Florida
My commission expires _____

Name typed, stamped or printed

INSTRUCTIONS FOR FILING A CONDITIONAL USE PETITION

PROCEDURE:

1. Conditional use petitions may be obtained at the office of the City Clerk. A petition must be completed and submitted to the City Clerk, together with the required fee and supportive materials, at least 30 days prior to the meeting of the City Commission at which the petition is to be considered. City Commission meetings are held regularly on the second Thursday of each month at 7 p.m.

Petitioners are required to arrange a submittal-review conference with the City Clerk to take place at the time of submittal. Petitioners may arrange an appointment by calling 675-2872. Petitions received later than 30 days in advance of a meeting or petitions which are determined to be incomplete will be placed on the agenda of the next meeting. Therefore, early submittal and the submittal-review conference with the City Clerk will help ensure consideration of your petition by the City Commission.

2. After reviewing the petition for completeness and discussing it with other City staff, the City Clerk forwards the application to the City attorney to determine if the application is legally sufficient. The City Clerk will give due public notice that a public hearing will be held by the City Commission to consider the request. Owners of property within 500 feet of the site will be notified of the request and invited to comment.
3. Approximately one week before the public hearing, a sign will be placed on the subject property notifying the general public of the hearing.
4. The petitioner or his authorized representative shall appear at the City Commission meeting. The petitioner should be prepared to address the guidelines and standards listed for the special exception/conditional use. After considering the recommendation of the staff and comments by the petitioner and the public, the City Council will approve, deny, or approve the request with conditions.
5. Special exception/conditional use applications approved by the City Council will be done by resolution.

TIME LIMITATION:

Approved conditional uses expire 12 months after the date of approval, unless a building permit has been issued or the use initiated within the 12-month period. Commissioners may impose an annual review of the special exception/conditional use. Failure to comply with conditions set by the City Commission may result in revocation of the special exception/conditional use.

REQUIRED SUPPORTIVE MATERIALS:

- A. A check for the application fee made payable to the City of LaBelle (see fee schedule).
- B. Ten (10) **sets** of the following:
1. Completed petition form (*Original and 9 copies*);
 2. Proof of ownership (10 copies of warranty deed, lease agreement with legal description, or the like).
 3. A site plan. Ten (10) copies of a site plan must be submitted with ten (10) copies of the petition and any other necessary supportive materials (i.e., 10 complete **SETS***). This plan must be at a suitable scale and be no smaller in size than 8-1/2" x 11" and no larger in size than 24" x 36". Plans larger than 8-1/2" x 11" **MUST BE FOLDED**. One legible reduced plan (either 8½" x 11" or 11" x 17") is also required. The architectural, engineering or other firm preparing the plans **MUST SIGN** permission to reproduce on Page 3 of the application and have his or her signature notarized. The site plan must show all data pertinent to the proposed conditional use, including at least the following:
 - a. Date of drawing
 - b. Scale
 - c. North arrow
 - d. Name of person or firm who drew the plan
 - e. Location of property, property dimensions, abutting rights of way, easements, setbacks, off-street parking, proposed landscaping, existing or proposed structures
 - f. All properties immediately adjacent to and across an alley or street: show location of building footprints, access points, other significant features

In addition, one colored site plan is required for meeting presentation purposes.

 - g. All 8½ x 11" papers must be three-hole punched to accommodate packets for City Council. All plans or supplemental material that is larger than 8½ x 11" must be placed in plastic sleeves that are three-hole punched or presented in a way that is suitable for inclusion in a three-ring binder.
- C. A residential impact statement petition may also be required.

***For example, one petition, one site plan, and one each of other supportive materials should be put together to comprise a set. Do not submit, for example, one stack of 9 site plans, one stack of 9 petitions, and one stack of other supportive materials separate from each other supportive material, as this is not a set.**

PLEASE NOTE: If the petition is continued for any reason, additional folded plans may be required OR, if any changes are made, an additional 10 folded plans will absolutely be required. The City of LaBelle reserves the right to refuse to accept a petition if incomplete on the filing deadline date. The complete petition may be submitted for the following month's City Commission meeting.

STANDARDS:

In their deliberations concerning the granting of a conditional use, the City Commission shall carefully consider the following guidelines and standards:

1. Ingress and egress to the subject property and the proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic generation flow and control, and access in case of fire or catastrophe shall be adequate and not potentially detrimental to existing or anticipated uses in the vicinity and particularly not detrimental to property immediately adjacent to the subject site.
2. Off-street parking and loading areas, where required or requested by the property owner, shall be adequate, well-designed, and relate well, in terms of proximity, access, and the like, to the uses intended to be serviced, with particular attention to the items in (1) above and the smoke, noise, glare, dust, vibrations, fumes, pollution or odor effects related to the vehicular use area or the conditional use and such shall not be detrimental to the adjoining properties in the general area.
3. Refuse and service areas, with particular reference to the items in (1) and (2) above, shall be adequately screened so as not to be visible from adjacent properties or a public right of way and shall be located in such a way as not to be a nuisance, by virtue of smoke, noise, glare, and the like, to adjacent properties.
4. Utilities, whether public or private, shall be adequate and not detrimental with reference to location, availability, adequacy, and compatibility.
5. Screening, buffering or separation or any nuisance or hazardous feature, with reference to type, dimensions and character, shall be fully and clearly represented on the submitted plans and shall be adequate to protect adjacent properties.
6. Proposed signs and exterior lighting shall be considered with reference to glare, traffic safety, and compatibility and harmony with surrounding properties and shall be determined to be adequate, safe, and not detrimental or a nuisance to adjacent properties.
7. A determination shall be made that the proposed development will not hinder development of nearby vacant properties with a permitted use in the subject zone district.
8. The land and/or buildings, which are involved, shall be adequate in terms of size, shape, type of building and the like to ensure compatibility with the proposed conditional use.
9. The proposed development shall be compatible and/or appropriate with adjacent properties and other property in the district and geographic area.