

INSTRUCTIONS FOR APPLICANTS
FILING REZONING APPLICATIONS

The following information is required from an applicant filing a rezoning application:

1. Copy of property deed.
Copy of aerial map from Property Appraiser's Office with the subject property highlighted.
3. Legal description of subject property, if the legal description in the deed is larger than the actual property being applied for.
4. \$750 application fee.
5. Completed application (attached).
6. Authorization letter from owner, if owner is represented by an agent (see attached sample).

The above information must be submitted to the Planning & Zoning Office, 224 Pine Avenue, Live Oak, Florida 32064 by the 15th day of the month. Rezoning applications require two hearings. The first hearing will be held by the Planning and Zoning Board at the regular Board meeting on the last Thursday of the following month (approximately 45 days later). The Planning and Zoning Board will make a recommendation on whether to grant or deny the application. The Board of County Commissioners will hold the second hearing to consider the recommendation of the Planning and Zoning Board and will make the final decision on whether to grant or deny the application. Meeting dates are subject to change. The Planning & Zoning Office will notify the applicant by mail of the exact date, time and place of the hearings.

The County LDRs require that public notices be published once in the legal section of a local newspaper at least 10 days prior to the hearing dates. The LDRs also require that a sign be posted on the subject property. The Planning & Zoning Office will ensure these requirements are met. In addition, the Planning & Zoning Office will send letters to all landowners who own property in close proximity to the subject property.

The burden is on the applicant to furnish competent evidence to prove that the request is consistent with the Comprehensive Plan and LDRs and complies with all procedural requirements. The proceedings will be quasi-judicial in nature, and the parties will be able to present evidence, cross-examine witnesses, and be informed of all the facts upon which the Planning and Zoning Board acts. Anyone may appear at the hearings to comment on the application.

The decision to grant or deny the application will be based on requirements in Section 16.2.2 of the LDRs. A copy of said section is attached.

For further information, contact the Planning & Zoning Office at 386/364-3401.

IMPORTANT NOTICE

In some instances, buildings used in association with rezoning applications, even if they are existing buildings, must be permitted by the County Building Department and comply with building and fire codes and the Americans with Disabilities Act (ADA) and Florida handicapped provision (which includes bathroom facilities). Compliance with these codes can be costly, which may result in the project not being feasible. Therefore, before proceeding with zoning approval, all applicants are strongly advised to contact the Suwannee County Building Department, 220 Pine Avenue, Live Oak (386/364-3407) to determine if such permitting will be required from that office.

Also, your project may require a sanitary sewer permit and/or water well monitoring from the local Environmental Health Department or the Florida Department of Environmental Regulation. All applicants are strongly advised to contact the local Environmental Health Department, County Road 249 (Nobles Ferry Road), Live Oak (386/362-2708 Ext. 243) to obtain permitting information prior to proceeding with zoning approval, since the applicant may discover information about the sewer/water permit that could prohibit the intended project.

APPLICATION FOR
REZONING

Name of Title Holder(s): _____

Address: _____ City, State, Zip: _____

Phone Number: _____

Agent's Name & Address (if applicable): _____

_____ Phone Number: _____

Please provide the following information:

1. Legal Description: _____

_____ (Attach separate sheet if necessary.)

2. Driving Directions to Subject Property: _____

3. Describe the proposed use, if it has been determined, including, where applicable, size of buildings, number of employees, expected average daily traffic, and any other data pertinent to this Use; _____

4. Has a zoning application been applied for on the subject property in the past? _____ If so, please provide the Application No.: _____

5. Zoning District:

Present: _____

Requested: _____

IF REPRESENTED BY AN AGENT, A LETTER OF CONSENT FROM THE TITLE HOLDER(S) MUST BE ATTACHED.

I HEREBY CERTIFY THAT ALL OF THE ABOVE STATEMENTS AND ALL INFORMATION PROVIDED IN ANY PAPERS OR PLANS SUBMITTED HEREWITH ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Signature of Title Holder(s)

Date

FOR OFFICE USE ONLY

Date Filed: _____ Rezoning Request No. _____

Fee amount: \$750 _____

Date hearings held: _____

Action by Board of County Commissioners: _____

(Granted, Denied, etc.)

Additional Comments: _____

Planning & Zoning Director
Suwannee County, Florida

Date

AUTHORIZATION FOR AGENT TO REPRESENT OWNER(S) IN
ZONING/LAND USE MATTERS

I (We), the undersigned owner(s), do hereby authorize _____

to act as my (our) agent in any and all zoning/land use requests and to represent us at all zoning/land use hearings pertaining to the following described real estate:

Date

Owner

Owner

ARTICLE SIXTEEN. AMENDMENTS

These land development regulations, and Official Zoning Atlas, and other material as set out may from time to time be amended, supplemented, changed, or repealed. Procedures shall be as follows:

SECTION 16.1 INITIATION OF AMENDMENTS.

A land development regulation amendment may be proposed by:

1. Board of County Commissioners;
2. Planning and Zoning Board;
- 3. Board of Adjustment;
4. Any department or Board of the County;
5. Any person other than those listed in 1, 2, 3, or 4 above; provided, however, that no such person shall propose an amendment for the rezoning of property which he does not own except as agent or attorney for an owner.

All proposals for land development regulation amendments shall be submitted in writing to the office of the Land Development Regulation Administrator accompanied by all pertinent information which may be required by the Planning and Zoning Board for proper consideration of the matter, along with, for persons under 5 above, the payment of such fees and charges as have been established by the Board of County Commissioners (see Article 1). In the case of a petition for the rezoning of land, the Land Development Regulation Administrator shall post a sign advertising the petition for rezoning on a prominent position on said land in conformance with Article 13 herein.

SECTION 16.2 PLANNING AND ZONING BOARD REPORT

16.2.1 Procedure. It is the intent of these land development regulations that all proposed amendments shall be heard in the first instance by the Planning and Zoning Board. Within a reasonable time after a proposed amendment is filed, the Planning and Zoning Board shall submit its report and recommendation concerning the proposed amendment to the Board of County Commissioners.

Before making a recommendation concerning the proposed amendment, the Planning and Zoning Board shall hold a public hearing to consider the proposed zoning amendment in conformance with Article 13 of these land development regulations.

16.2.2 Nature and requirements of Planning and Zoning Board report. When pertaining to the rezoning of land, the report and recommendations of the Planning and Zoning Board to the Board of County Commissioners required by Section 16.2.1 above shall show that the Planning and Zoning Board has considered the proposed change in relation to the following, where applicable:

1. Conformity with the County's Comprehensive Plan and the effects upon the County's Comprehensive Plan.
2. The existing land use pattern.
3. The creation of an isolated district unrelated to adjacent and nearby districts.
4. The impact of the proposed change upon population density pattern and the load on public facilities such as schools, utilities, streets, etc.
5. The existing district boundaries in relation to existing conditions on the property proposed for change.
6. Changed or changing conditions which justify the recommended action on the proposed amendment.
7. The impact of the proposed change upon living conditions in the neighborhood.
8. The impact of the proposed change upon traffic with particular regard to congestion or other public safety.
9. The impact of the proposed change upon drainage.
10. The impact of the proposed change upon light and air to adjacent areas.
11. The impact of the proposed change upon property values in the adjacent area.
12. The impact of the proposed change upon the improvement or development of adjacent property in accordance with existing regulations.

13. The granting of a special privilege to an individual owner as contrasted with the needs of the overall public welfare.
14. Substantial reasons, if any, why the property cannot be used in accordance with existing zoning.
15. The impact of the proposed change with regard to the scale of needs of the neighborhood or the County.
16. The availability of alternate, adequate sites in the County in districts already permitting such use.

When pertaining to other proposed amendments of these land development regulations. The Planning and Zoning Board shall consider:

1. The need and justification for the change.
2. The relationship of the proposed amendment to the purposes and objectives of the comprehensive planning program and to the County's Comprehensive Plan, with appropriate consideration as to whether the proposed change will further the purposes of these land development regulations and other ordinances, regulations, and actions designed to implement the County's Comprehensive Plan.

16.2.3 Status of Planning and Zoning Board report and recommendations. The report and recommendations of the Planning and Zoning Board required by Section 16.2.1 above shall be advisory only and shall not be binding upon the Board of County Commissioners.

SECTION 16.3 BOARD OF COUNTY COMMISSIONERS: ACTION ON PLANNING AND ZONING BOARD REPORT. Within a reasonable time after receiving the Planning and Zoning Board report and recommendation on a proposed zoning amendment, the Board of County Commissioners shall hold a public hearing to consider the proposed zoning amendment in conformance with Article 13 herein. The Board of County Commissioners shall take final action on the proposed land development regulation amendment by either approving or denying the proposed amendment.

SECTION 16.4 RELATIONSHIP OF AMENDMENTS TO THE COMPREHENSIVE PLAN. If the amendment requires the prior amendment of the County's Comprehensive Plan adopted pursuant to the Local Government Comprehensive Planning and Land Development Regulation Act (Chapter 163.3161 through 163.3215, Florida Statutes) action on an amendment to the County's Comprehensive Plan shall be taken prior to final action on such land development regulation amendment. However, this provision shall not prohibit the concurrent review and consideration of a Comprehensive Plan amendment and land development regulation amendment.