

City of Melbourne



Community Development Department
City Hall • 900 E. Strawbridge Avenue, Melbourne, FL 32901
(321) 608-7500 • Fax (321) 608-7519 • E-Mail p&z@melbourneflorida.org

APPLICATION FOR COMPREHENSIVE PLAN AMENDMENT

Date: _____

Amendment No. _____

This application shall comply with the criteria established in City Code, Appendix D, Chapter 4, Section 9.406(c). This application must be completed and returned to the Community Development Department of the City of Melbourne, Florida, along with all required documents. The application will then be reviewed by staff and referred to the Melbourne Local Planning Agency/Planning and Zoning Board for study and recommendation to the City Council. A major Comprehensive Plan Amendment (>10 acres) may take from 6 to 9 months or longer, depending on when this application is filed and when action is taken by the State (Department of Community Affairs). If the request for an amendment to the future land use map falls under the minor plan amendment requirements (<10 acres), the City may be able to proceed with the amendment, without a limitation on the frequency of adoption of amendments to the plan. A minor plan amendment can only occur if all of the following criteria are met:

- The proposed amendment is a residential land use of 10 acres or less and with a density of 10 units per acre or less, or involves other land use categories, singularly or in combination with residential use, of 10 acres or less and unless in an infill/redevelopment area;
- The cumulative effect of the above amendments shall not exceed 60 acres annually (120 acres in infill/redevelopment areas);
- The proposed amendment does not involve the same property more than once a year; and
- The proposed amendment does not involve the same owner's property within 200 feet of property granted a change within the prior 12 months. (F.S. 163.3187(c))

1. APPLICANT NAME: (Print) _____
CONTACT PERSON: (if Corp.) _____
ADDRESS: _____
CITY: _____ STATE: _____ ZIP: _____
PHONE: _____ FAX: _____
E-MAIL ADDRESS: _____

2. OWNER OF PROPERTY: (if other than applicant) _____
ADDRESS: _____
CITY: _____ STATE: _____ ZIP: _____
PHONE: _____ FAX: _____
E-MAIL ADDRESS: _____

3. REPRESENTATIVE/AGENT FOR OWNER/APPLICANT:
(Authorization to Represent Required) _____

10. Does the site have any historical significance? Yes ____ No _____. If yes, explain on additional page.
11. Does land contain environmentally fragile lands? Yes _____ No _____
- a. Please submit an environmental impact analysis consistent with City Code, Appendix D, Chapter 9, Article IV.
- b. If no, and the site is already developed, submit a request for exemption to City Code, Appendix D, Chapter 9, Article IV.
12. What is the reason for this land use designation request? (If for an intended development, insure that you state the approximate size of the development, number of units, and density. If the request is to obtain a zoning change, insure that you state the zoning classification desires.)
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13. Are there any structures currently located on the property? Yes ___ No ___.
14. Provide an analysis of the impact upon the City's ability to provide adequate public facilities and maintain the existing level of service for public facilities as identified in the Comprehensive Plan.
15. Provide a statement regarding compatibility of the amendment with surrounding neighborhoods and land uses.
16. The following items are needed to complete this application for Public Hearing:
- a. _____ Two certified surveys of area in question, if not a recorded Plat. (For future land use designations only)
- b. _____ Hearing fee (\$1,079 for Minor; \$1,787.00 for Major) Plus \$25.00 per acre for fraction thereof. (Round up) Paid in CASH or CHECK made payable to the City of Melbourne.
- c. _____ Advertising Fee (\$210 for Minor; \$2,750 for Major)
- d. _____ Completed Facility Planning and (School) Concurrency Application and appropriate fee **if applicable**
- e. _____ Proof of Ownership - Warranty Deed Preferred **(if a Corporation, Partnership, LLC or Trust, provide proof of authority to authorize request)**

Signed and sealed
in the presence of:

OWNER(S):

Signature of Witness #1

Owner 1 Printed Name

Name Printed/Typed

Owner 1 Signature

Signature of Witness #2

Name Printed/Typed

STATE OF _____
COUNTY OF _____

The foregoing Owner Consent was acknowledged before me this ____ day of _____, 20____, by _____, who is personally known to me OR who has produced _____ as identification.

My commission expires:

Notary Public

Signature of Witness #1

Owner 2 Printed Name

Name Printed/Typed

Owner 2 Signature

Signature of Witness #2

Name Printed/Typed

STATE OF _____
COUNTY OF _____

The foregoing Owner Consent was acknowledged before me this ____ day of _____, 20____, by _____, who is personally known to me OR who has produced _____ as identification.

My commission expires:

Notary Public

This petition/application must be completed and returned to the Community Development (P & ED) Department with all the required exhibits. The Community Development staff and other applicable City Departments will then review it. Following staff review, your request will be scheduled for the Planning and Zoning Board/Local Planning Agency (LPA) for public hearing, consideration, and recommendation. The petition/application and the P & Z Board/LPA's recommendation will then be forwarded to City Council for action. This will also be a public hearing. An ordinance is required to implement the action (i.e., zoning, rezoning, conditional use, comprehensive plan amendment) the request will appear before the Council twice, once as a first reading of the ordinance and once as a second reading and public hearing of the ordinance. The applicant as identified on the petition/application, will be advised of all dates and times of public hearings by mail, and will receive an agenda and staff recommendation. The applicant will receive a letter from the City Clerk notifying the applicant of the final action by the City Council. This letter will represent the development order for this action.

The applicant, the applicant's representative as stated on the application, or the applicant's attorney should appear at the public hearings. If photographs, documents, maps or other materials are provided to the P & Z Board/LPA or the Council as evidence at public hearings, you will need to leave those instruments with the Board Secretary or the City Clerk. By law those instruments become public record and cannot be returned to you.

The public hearings before the P & Z Board/LPA and City Council regarding land development are considered quasi-judicial in nature. This means that the P & Z Board/LPA or Council is sitting as a judge would sit in a courtroom and that the decision(s) made should be based on the evidence or findings presented at the hearings. All evidence should be presented at the public hearings. Appeals to the court are based on the evidence presented at the public hearings. Applicants or interested individuals may **CONTACT, IN PERSON, BY PHONE, OR IN WRITING, ANY OF THE P & Z BOARD/LPA MEMBERS AND/OR CITY COUNCIL MEMBERS WHO WILL BE MAKING DECISION ON THE ACTION. HOWEVER, SUCH BOARD/LPA MEMBER OR COUNCIL MEMBER IS REQUIRED TO PUBLICLY DISCLOSE SUCH CONTACT, CONVERSATION, OR LETTERS RECEIVED.**

If you wish to appeal any determination of the City Council, you will need a verbatim transcript of the record and copies of all the evidence presented. It will be your responsibility to make arrangements for the preparation of that verbatim record at your expense.

Attachment to all land development applications: Zoning, rezoning, conditional use, site plan approval, plat approvals, parking lot in a residential district, vested rights, and comprehensive plan amendment.

**PLANNING AND ZONING BOARD / CITY COUNCIL
AUTHORIZATION TO REPRESENT**

I, _____, owner of the following described property:

PROPERTY ADDRESS: _____, hereby authorize the following named individual to appear on my behalf before the Planning and Zoning Board / City Council public hearing for _____.

AUTHORIZED REPRESENTATIVE: _____

BY: _____
PROPERTY OWNER

STATE OF FLORIDA
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me this _____ day of _____, 20_____, by _____ who is personally known to me, or who has produced _____ as identification and who did (did not) take an oath.

NOTARY PUBLIC

NAME: _____

TITLE: _____

COMMISSION NUMBER: _____