



# APPLICATION FOR REZONING

FLAGLER COUNTY, FLORIDA  
 1769 E. Moody Boulevard, Suite 105  
 Bunnell, FL 32110  
 Telephone: (386) 313-4009 Fax: (386) 313-4109

Application/Project #: \_\_\_\_\_

<b>PROPERTY OWNER(S)</b>	Name(s):			
	Mailing Address:			
	City:	State:	Zip:	
	Telephone Number			

<b>APPLICANT/ AGENT</b>	Name(s):			
	Mailing Address:			
	City:	State:	Zip:	
	Telephone Number		Fax Number	
	Email Address			

<b>SUBJECT PROPERTY</b>	SITE LOCATION ( <i>street address</i> ):				
	LEGAL DESCRIPTION: ( <i>briefly describe, do not use "see attached"</i> )				
	Parcel # ( <i>tax ID #</i> ):				
	Parcel Size:				
	Subject to A1A Scenic Corridor IDO?		YES	NO	

<b>ZONING</b>	<b>PRESENT Zoning Classification:</b>			
	Present Future Land Use Designation:			
	<b>PROPOSED ZONING CLASSIFICATION</b>			

Signature of Owner(s) or Applicant/Agent  
 if Owner Authorization form attached

\_\_\_\_\_ Date

**\*\*OFFICIAL USE ONLY\*\***

PLANNING BOARD RECOMMENDATION/ACTION:

APPROVED [ ]  
 \*APPROVED WITH CONDITIONS [ ]  
 DENIED [ ]

Signature of Chairman: \_\_\_\_\_

Date: \_\_\_\_\_ \*approved with conditions, see attached.

BOARD OF COUNTY COMMISSIONERS ACTION:

APPROVED [ ]  
 \*APPROVED WITH CONDITIONS [ ]  
 DENIED [ ]

Signature of Chairman: \_\_\_\_\_

Date: \_\_\_\_\_ \*approved with conditions, see attached.

NOTE: The applicant or a representative, must be present at the Public Hearing since the Board, at its discretion, may defer action, table, or take decisive action on any application. Rev. 05/08



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## REQUIRED ATTACHMENTS:

1. Copy of Owner's recorded Warranty Deed;
2. Owner's authorization if applicable;
3. Boundary Survey;
4. Set of plans meeting all requirements of the Flagler County Land Development Code.
5. Application fee in the amount of \$420.00 + \$25.00/acre.

Fee amount per Resolution 2008-31

*Fee is subject to cost of newspaper ad(s) and postage at prevailing rates, and \$50 for each notification of public hearings (posting of signs).*

**NOTE:** Pursuant to Section 286.0105 of Florida Statutes, the Flagler County Planning Board hereby notifies all interested persons that if a person decides to appeal any decision made by the Planning Board with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made which record includes the testimony and evidence upon which the appeal is to be based.



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## 3.07.05. Procedure for requesting a land use amendment.

The commission may, from time to time, amend, supplement or change the regulations and land classifications herein or subsequently established. Proposals for land use amendments, whether initiated by the commission, the planning board and/or the property owner, shall be treated in accordance with the following procedure:

- A. *Commission initiated changes.* The commission, or its designee, may propose changes in regulations and land use classifications as deemed necessary. Such changes shall be governed by the procedural and public notice requirements of Florida Statute 125.66(5).
- B. *Other changes.*
  1. Except as provided for in subsection 3.07.05A, an application for a change of classification for a parcel of land may only be initiated by the planning board or the owner of the parcel of property to be considered under the application for a land use amendment.
  2. An application, including the information required in Appendix A, must be submitted in writing to the planning and zoning director. An application for a land use text amendment shall be submitted in writing, including reason(s) for the proposed change.
- C. *Planning board review.*
  1. The planning and zoning director shall schedule a hearing before the planning board to consider the application. Scheduling of this hearing shall provide ample time for the applicant to provide notice to surrounding property owners as set forth in subsection 3.07.05H. In no event shall such hearing be scheduled more than forty-five (45) days from the date of application.
  2. The hearing provided for under this section shall be for the purpose of reviewing relevant information from the applicant regarding the requested land use amendment. The planning board shall also review written and/or oral comments from the public in accordance with its established procedures.
  3. At the conclusion of the hearing provided for under this section, the planning board shall agree upon a recommendation regarding the application. This recommendation shall be recorded in the planning board's official minutes. The planning and zoning director shall advise the commission of the planning board's recommendation during the hearing called for under subsection 3.07.05D.
- D. *Commission hearing.*
  1. Within fifteen (15) days of the hearing called for under subsection 3.07.05C, the planning and zoning director shall schedule a hearing on the application before the commission. Scheduling of this hearing shall provide ample time for the applicant to repeat the notification requirements specified under subsection 3.07.005H. In no event shall such hearing be scheduled more than forty-five (45) days from the date of hearing provided for under Section 7.63.
  2. The hearing provided for under this section shall be for the purpose of reviewing all pertinent information regarding the application. The applicant shall provide all relevant factual data, materials and/or oral testimony to support the action



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requested in the application. The commission shall also review written and/or oral comments from the public in accordance with its established procedures. The planning and zoning director, during the course of the hearing, shall inform the commission of the recommendation of the planning board regarding the application.

3. At the conclusion of the hearing provided for under this section, the commission shall render a decision on the application. Any decision rendered by the commission during this hearing shall be deemed final.

E. *Judicial review.* Any persons claiming to be injured or aggrieved by any final action of the county may present to the circuit court of the county a petition for writ of certiorari to review such final action as provided by law. Such petition shall be presented to such court within thirty (30) days after the date of such final action by the county. No act of the planning and zoning director, the county commission, or any other county agency, other than the issuance of a development order, is intended to be a final county action under this article for the purpose of judicial review.

F. *Withdrawal of application.* Any petition for a land use amendment may be withdrawn prior to action thereon by the planning board or commission at the discretion of the applicant upon written notice to the planning and zoning director.

G. *Frequency of application.* A property owner shall not initiate action for a land use amendment affecting the same parcel of land more often than once every six (6) months.

H. *Reserved.*

(Ord. No. 97-12, § 3, 8-18-97; Ord. No. 04-22, § 3, 12-20-04)

## APPENDIX A

### ZONING AMENDMENT

A development order for a rezoning will require the following information for any project.

1. Present land use classification.
2. Proposed land use classification.
3. Proposed occupancy.
4. Names of abutting property owners.
5. Legal description of property
6. Boundary survey and location of all existing streets and the distance from building of abutting property owners.
7. Owner of the property.

This information shall be submitted to the Development Administrator for review, as required by Section 3.07.05 of this Ordinance.