



Town of Ponce Inlet
 Planning & Development Dept.
 4300 S. Atlantic Avenue
 Ponce Inlet, FL 32127
 386-236-2181 (voice)
 386-322-6717 (fax)

**SPECIAL EXCEPTION
 APPLICATION**
 Pursuant to Article X, Section 10.5 of the
 Land Use and Development Code as provided for in
 Article V, Section 5.6.9 of the Land Use and
 Development Code

Submittal Receipt # and Date: _____

Application #: _____

FEE PAID: _____

Authority to approve special exception is given to the Town Council pursuant to Article X, Section 10.5.2 of the Code of Ordinances following a recommendation by the Planning Commission and review by the development code administrator.

Please Note: Failure to *fully complete* all the applicable items will result in the application being deemed incomplete and no further action will be taken.

SECTION 1: PROPERTY INFORMATION

Property Address	
Tax Parcel Number(s)	
Legal Description	

SECTION 2: PROPERTY OWNER INFORMATION

Owner's Name		Mailing Address	
Phone		Fax	
Email			

Proof of Ownership provided:

SECTION 3: APPLICANT/AGENT INFORMATION (if not property owner)

Applicant Name		Mailing Address	
Phone		Fax	
Agent Name/Title		Mailing Address	
Phone		Fax	

SECTION 4: SPECIAL EXCEPTION LAND INFORMATION

Description of the property to be considered for special exception	
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All uses or structures considered for a special exception shall also meet the requirements of Article V, Section 5.6.9 of the Town of Ponce Inlet's Land Use and Development Code.

A narrative addressing how your request meeting all of the requirements listed in Section 5.6.9. must be attached to this application.

SECTION 5: APPLICATION PROCEDURE

Pursuant to Article X, Section 10.5.1, a written petition for a special exception shall be submitted to the development code administrator. The petition shall include any information or exhibits necessary to demonstrate that the grant of a special exception will be in harmony with the general intent and purpose of this code. Such information or exhibits may include:

- A. Site plans to scale, showing proposed placement of structures on the property, provisions for ingress and egress, off-street parking and loading areas, refuse and service areas, required yards and other open spaces.
- B. Utilities.
- C. Landscaping or buffer areas.
- D. Proposed signs and lighting.
- E. Any additional information deemed necessary by any reviewing department or agency.

The development code administrator shall refer a copy of the application to the planning commission at least one week prior to the meeting of the commission before which the application is to be heard.

SECTION 6: CONDITIONS AND SAFEGUARDS

Pursuant to Article X, Section 10.5.3, the town council may impose on the grant of any special exception any conditions or safeguards not otherwise required, if deemed necessary or desirable in furthering the purpose of this code. Violation of any such condition or safeguards shall be deemed a violation of this code. After notice to the owner and any occupant and a public hearing, the town council may revoke the special exception permit upon finding that there have been material violations of any of the criteria set forth in this code or material violations of any conditions of approval, or that the conduct of the owner and any occupant constitutes a public nuisance. The town may institute legal or equitable proceedings to revoke the special exception permit. No applicant who has had a permit revoked shall be able to apply for another special exception permit for two years after the revocation date.

SECTION 7: APPROVAL

Pursuant to Article X, Section 10.5.2, the planning commission shall hold a public hearing on any application for special exception, after due public notice and notices to all owners of contiguous property, and shall forward its recommendation to the town council and to the applicant. It may recommend approval, denial or approval with conditions. At the hearing, any person may appear in person, or by agent or attorney.

Following review by the planning commission, the town council shall consider, in a public hearing with due public notice, the planning commission's recommendation concerning the application, and shall approve, deny, or approve with conditions such application.

SECTION 8: REASONS FOR DENIAL

Pursuant to Article X, Section 10.5.4, the town council may deny any application for a special exception for one or more of the following reasons:

- A. It is inconsistent with the purpose or intent of this code.
- B. It is inconsistent with any element of the comprehensive plan.
- C. It will adversely affect the public interest.
- D. It does not meet the expressed requirements of the applicable special exception.
- E. The applicant will not be able to meet all requirements imposed by federal, state or local governments, or by the commission.
- F. It will generate undue traffic congestion.
- G. It will create a hazard, a public nuisance, or be dangerous to individuals or to the public.
- H. It will materially alter the character of surrounding neighborhoods, or adversely affect the value of surrounding land, structures, or buildings.
- I. It will adversely affect the natural environment, natural resources, or scenic beauty, or cause excessive pollution.

A narrative to this application addressing each of the above and how they apply to your request must be attached to this application.

SECTION 9: EXPIRATION OF SPECIAL EXCEPTION

Pursuant to Section 10.5.5 of the LUDC, "If a special exception does not begin to serve the purpose for which it was granted within 12 months from the date of rendition, or, if its use is abandoned for 12 consecutive months from the date of rendition, it shall expire."

I certify that I am familiar with the information contained in this application, and that to the best of my knowledge such information is true, complete and accurate.

Signature of Applicant or Agent

Date

STATE OF FLORIDA
COUNTY OF VOLUSIA

Affirmed and subscribed before me this _____ day of _____, 20____ by
_____, who is personally known to me or who has produced
_____ (type of ID) as identification.

Notary Public

My commission expires: