



City of St. Pete Beach
Community Development Department
155 Corey Avenue
St. Pete Beach, Florida 33706
727-363-9241
www.stpetebeach.org

INFORMATION ON THE CONDITIONAL USE

What is a Conditional Use? A conditional use is a use that has operational, physical and other characteristics that may be different from those of the predominant permitted uses in a zoning district, but which is a use that compliments or may otherwise be compatible with the intended overall development within a district, provided the specified standards are met.

How do I apply for a Conditional Use? An applicant for conditional use must submit the following documents to the Community Development Department:

- A complete and signed application. Incomplete applications will not be processed and will be returned. As such, all applicants are **STRONGLY ENCOURAGED** to meet with Community Development staff prior to submission deadlines to discuss plan submissions and the review process. Appointments can be made by calling 727.363.9266.
- A completed and signed agent authorization form if someone else will be representing the property owner at the public hearing.
- An accurate, legible, and appropriately scaled survey of the property including all existing and proposed improvements. The survey shall have been performed not more than one (1) year prior to the date of application and not less than two (2) 11"x17" copies of the survey are required for submittal.
- Scaled drawings depicting the request. The drawings can be sized from 8.5"x11" to a maximum of 24"x36" in size. These drawings are necessary to assist staff and the BOA or City Commission in the review of the request. Seven (7) copies of the drawings must be submitted if larger than 11"x17". Two (2) are acceptable for 11"x17" or under.
- Cash or check made payable to the City of St. Pete Beach for the amount of the application plus mailing fees. The application fee is \$500. The mailing fee can be calculated for you when you turn in your application, or you can calculate it yourself by searching for your property on the Pinellas County Property Appraiser's office website (www.pcpao.org), clicking on radius search at the top of the page, typing in 500 feet for the radius, and multiplying the number of properties times 0.68. For example, if 40 properties are within 500 feet of you, then the mailing fee would be \$27.20. The City is not equipped to accept Debit or Credit card transactions at this time.
- A completed Sign Posting Affidavit.
- Staff may request additional information, if necessary.

When will my Conditional Use be heard? Applications are accepted at any time and shall be scheduled pursuant to the table below provided the application is determined to be complete. The time between application deadline and meeting date is necessary to assure a proper review and fluid process for both staff and applicant alike. In fairness to all applicants, there will be **NO** exceptions to this schedule so please plan accordingly. After the Technical Review Committee approves the application, it will be heard at the next City Commission meeting, providing for enough time for advertisement. The 2016 schedule is as follows:

| Technical Review Committee Deadlines | |
|--|---------------------|
| The Technical Review Committee meets the 1 st and 3 rd Wednesday of each month at 10:00am in the Community Development Department conference room. | |
| Application Due Date By 12:00pm | Meeting Date |
| January 19, 2016 | February 3, 2016 |
| February 1, 2016 | February 17, 2016 |
| February 16, 2016 | March 2, 2015 |
| February 29, 2016 | March 16, 2016 |
| March 21, 2016 | April 6, 2016 |
| April 4, 2016 | April 20, 2016 |
| April 18, 2016 | May 4, 2016 |
| May 2, 2016 | May 18, 2016 |
| May 16, 2016 | June 1, 2016 |
| May 31, 2016 | June 15, 2016 |
| June 20, 2016 | July 6, 2016 |
| July 5, 2016 | July 20, 2016 |
| July 18, 2016 | August 3, 2016 |
| August 1, 2016 | August 17, 2016 |
| August 22, 2016 | September 7, 2016 |
| September 5, 2016 | September 21, 2016 |
| September 19, 2016 | October 5, 2016 |
| October 3, 2016 | October 19, 2016 |
| October 17, 2016 | November 2, 2016 |
| October 31, 2016 | November 16, 2016 |
| November 21, 2016 | December 7, 2106 |

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|------------------|-------------------|
| December 5, 2016 | December 21, 2016 |
|------------------|-------------------|

Can I ask for Variance with my Conditional Use application? It is not uncommon for projects that require conditional use approval to also seek variance approvals. The City Commission is authorized to hear both types of request at the same time. Accordingly, variance requests may be included as part of the Conditional Use request. An additional application form is included in this packet for this purpose.

Who decides if the Conditional Use should be granted? The City Commission is authorized to hear and make final determinations on all conditional use requests. Conditional use applications may also include variance requests as part of a conditional use application. In those cases, the City Commission also makes the final determination.

What is the City Commission and when do they meet? The City Commission is the elected body of officials who have overall responsibility for establishing policies and procedures for the operations of the City of St. Pete Beach. The Commission meetings are normally held two times a month on the second and fourth Tuesday at 6:00pm, in the City Commission Chambers at 155 Corey Avenue (City Hall).

What do I do after my Conditional Use is granted? You will receive a notice from the City immediately following your hearing. This notice is called a Development Order (DO) and it will summarize the results of the hearing including the decision to deny, approve, or approve with conditions. If approved, the owner/applicant will have one (1) year from the date the development order is signed to obtain a building permit for the proposed work. The permit must remain active during the life of the project. If a permit is not obtained within a year or if a permit does not remain active, the conditional use will expire.

What happens if my approved Conditional Use is appealed? Although rare, sometimes a neighbor or other affected party will appeal the Commission decision to the Circuit Court. Any such appeal must be taken within 30-days from the date of the decision. Should this occur, the City is normally removed from the appeal process and has no control over the timeframe or decision of the Court. The one-year timeframe for permit issuance noted above would begin from the Court's final decision date provided the applicant has properly advised the City of said appeal.

What can I do if my Conditional Use is not granted? You may correct your plans to meet current code requirements or you may file an appeal to the Pinellas County Circuit Court with 30-days of the final decision.

How are my application fees used? The application fee is primarily used to cover staff review costs. A conditional use application will typically involve reviews from multiple City agencies and may include County, State, or even Federal reviews depending on the nature of the request. All conditional use applications are required to be properly advertised and require notification to adjacent property owners. The mailing fees are used offset the cost incurred in meeting these requirements including the preparation of a legal ad and mailing costs associated to adjacent property owner notice. The City shall re-advertise a request, at no expense to the applicant, if a scheduled application is not heard due to an error by the City (i.e. lack of a quorum). Otherwise, the applicant will be responsible for any additional costs incurred as a result of his or her own (in)action.



Community Development
Department
155 Corey Avenue
St. Pete Beach, Florida 33706
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cddirector@stpetebeach.org

CONDITIONAL USE APPLICATION

Applicants must acknowledge understanding of the following. Initial each of the statements below. If you do not understand any of these, staff will explain them to you.

_____ I understand that the City will not accept or process an incomplete application.

_____ I understand that a non-conforming use or structure in a particular zoning district does not, in any way, provide justification for the granting of a conditional use. Furthermore, the existence of a permitted use or structure in adjacent districts does not constitute grounds for a conditional use.

_____ On all conditional uses, a majority vote is required. Action on this application by the City Commission may be continued to a later meeting.

_____ I understand that if a conditional use is approved by the City Commission, the applicant is required to obtain the appropriate building permits within 1 year from the date of the decision. If no permit is obtained within 1 year, the approval from the City Commission becomes voided.

_____ I understand that any person aggrieved by the final decision has the right to file a petition in the Pinellas County Circuit Court within 30 calendar days after the decision. Permits for construction may be granted prior to the expiration of this 30-day period, but an appeal will be grounds for revocation of the permit.

_____ I understand that I, as the applicant, or my authorized representative must be present at all scheduled public meetings on the application.

After acknowledgement of these conditions, complete the application form on the following pages

Signature of Applicant

Date

CONDITIONAL USE APPLICATION

Case Number: _____

PROPERTY FOR PROPOSED VARIANCE

Legal Description: _____

Parcel ID _____

Address _____

Current Zoning: _____ FLUM Designation: _____ Lot Area: _____

Existing Use: _____ Proposed Use: _____

APPLICANT/AGENT:

PROPERTY OWNER:

Name: _____ Name: _____

Address: _____ Address: _____

City: _____ State: _____ City: _____ State: _____

Zip: _____ Phone: _____ Zip: _____ Phone: _____

Email: _____ Email: _____

DETAILS OF THE REQUEST: Cite code sections for which conditional use is requested: (Add additional sheets if necessary)

Attach the following supporting documentation to this application:

- Recent survey of the property
- A site plan, drawn to scale, illustrating the proposed conditional use

This completed application, together with all required supporting documents and fees, shall be submitted by 12:00 noon on the stated filing date for the Technical Review Committee meeting. Failure to do so will delay your application to a later date. If any materials are missing or any part of this application is left blank, staff may refuse the

- f. Whether the minimum off-street parking area required and the amount of space needed for the loading and unloading of trucks, if applicable, will be provided and will function properly and safely (please provide current and proposed number of parking and loading spaces);

- g. Whether generally, the public health, safety and welfare will be preserved, and any reasonable conditions necessary for such preservation have been made;

- h. Whether the applicant has demonstrated the financial and technical capacity to complete any improvements and mitigation necessitated by the development as proposed and has made adequate legal provision to guarantee the provision of such improvements and mitigation; and,

- i. Whether the proposed use complies with all additional standards imposed on it by the particular provision of these regulations authorizing such use and by all other applicable requirements of the regulations of the City of St. Pete Beach.

| Signature of Applicant | Date | Signature of Authorized Agent | Date |
|------------------------|------|-------------------------------|------|
|------------------------|------|-------------------------------|------|

For office use only:

Hearing Date: _____ Fees: _____

Board Action: Approved as requested Approved with conditions Denied Continued



Owner's Authorization for Agent
Community Development Department
City of St. Pete Beach, Florida

I/WE _____
(print name of property owner)

hereby authorize _____
(print name of agent)

to represent me/us in an application for _____
(type of application: variance, conditional use, zoning, etc.)

Signature of Owner

Signature of Owner

Print Name of Owner

Print Name of Owner

The forgoing instrument was acknowledged before me this _____ day of _____
2015, by _____ who is personally known _____
or produced _____ as identification.

(Notary Signature) (Date)

My Commission Expires _____