

**CITY OF ST. PETE BEACH**

**ORDINANCE NO. 2011-21**

**AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA PROVIDING FOR AMENDMENTS TO THE LAND DEVELOPMENT CODE AS THEY RELATE TO APPLICATION REQUIREMENTS FOR VARAINCE AND CONDITIONAL USE APPLICATIONS AS ILLUSTRATED IN EXHIBIT "A"; PROVIDING FOR THE REPEAL OF ORDINANCES, OR PARTS OF ORDINANCES, IN CONFLICT HEREWITH, TO THE EXTENT OF SUCH CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of St. Pete Beach finds that consistent and complete applications assist in the decision making of appointed and elected board members; and

**WHEREAS**, the Planning Board of the City of St. Pete Beach conducted a public hearing on October 26, 2011 noticed pursuant to Florida law and conducted pursuant to Ordinance 88-36 of the City of St. Pete Beach and Section 3.4 of the Land Development Code; recommending approval of the Ordinance; and

**WHEREAS**, City Commission of the City of St. Pete Beach conducted public hearings on November 8, 2011 and November 22, 2011, noticed pursuant to Florida law and conducted pursuant to Ordinance 88-36 of the City of St. Pete Beach and Section 3.4 of the Land Development Code; and

**WHEREAS**, the City Commission finds this text amendment to the Land Development Code to be Consistent with the Goals, Objectives, and Policies of the Comprehensive Plan; and

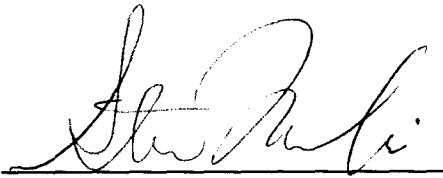
**NOW, THEREFORE, THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH, FLORIDA, HEREBY ORDAINS:**

**Section 1.** The Land Development Regulations are hereby amended as shown in "Exhibit A".

**Section 2.** All ordinances or parts of ordinances, in conflict herewith are hereby repealed to the extent of any conflict with this Ordinance.

**Section 3.** If any portion or part of this Ordinance is declared invalid by a court of competent jurisdiction, the valid remainder hereof shall remain in full force and effect.

**Section 4.** This Ordinance shall become effective immediately upon adoption.



**STEVE MCFARLIN, MAYOR**

**LPA NOTICE PUBLISHED: 10/12/2011 and 10/19/2011**

**LPA PUBLIC HEARING: 10/26/2011**

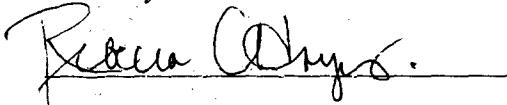
**FIRST READING: 11/8/2011**

**PUBLISHED: 11/2/2011**

**SECOND READING/ADOPTION HEARING: 11/22/2011**

**PUBLISHED : 11/13/2011**

I, Rebecca Haynes, City Clerk of the City of St. Pete Beach, Florida, do hereby certify that the foregoing Ordinance was duly adopted in accordance with the provisions of applicable law this 22<sup>nd</sup> day of November 2011



**Rebecca Haynes, City Clerk**

Exhibit "A"

Sec. 3.12. Variances.

(c) Application submission requirements

Each application is due no later than 30 days prior to the public hearing and shall contain the following information, accompanied by the payment of the applicable fee set forth in Appendix A, St. Pete Beach Code of Ordinances:

1. A completed application, signed by the property owner. The format of the application shall be determined by the City Manager.
2. Proof of ownership.
3. When the applicant is a representative of the property owner or purchaser under contract, a notarized statement authorizing the representative to act as an agent of the property owner with regard to the application and associated procedures.
4. A property survey containing the legal description, land area, and existing improvements on the site. The survey shall be signed and sealed by a surveyor licensed in the State, and shall have been performed not more than ten (10) years prior to the date of application. The survey shall accurately depict all improvements on the site. If all improvements are not depicted on the survey, the applicant shall conduct a new survey of the property and submit it with the application materials.
5. A site plan illustrating the request, drawn to scale. The sheet size shall not be less than eleven inches by seventeen inches (11 x 17) and shall not be more than thirty-six inches by forty-eight inches (36 x 48). An electronic version may be required.
6. Any stipulation, condition, or proffer the applicant wishes to offer along with the application.
7. Applicants are encouraged and may be required to submit additional information, such as elevations, photos, and/or product information, when appropriate.

- (d) Determination of completeness of application. The city shall determine whether the application is complete. If the application is complete, the application shall be forwarded for review. If the application is not complete the city shall take no further action on the application until the required information is submitted by the applicant.

**DIVISION 4 CONDITIONAL USE PERMITS**

**Sec. 4.2. Applications and administrative review procedures.**

(a) *Simultaneous applications.* Applications for conditional uses, site plan review, zoning changes, variances and any other similar applications may be filed simultaneously by the applicant; however, all such applications shall be finalized before any permits or licenses are granted.

(b) *Application submission requirements.* ~~All applications shall be submitted to the city manager in a form specified by the city, accompanied by the payment of the applicable fee set forth in Appendix A, St. Pete Beach Code of Ordinances, as follows:~~

~~(1) All applications shall contain the submittal requirements established by administrative regulation. Each application is due no later than 30 days prior to the public hearing accompanied by the payment of the applicable fee set forth in Appendix A, St. Pete Beach Code of Ordinances, and shall contain the following information:~~

1. A completed application, signed by the property owner. The format of the application shall be determined by the City Manager.

2. Proof of ownership.
  3. When the applicant is a representative of the property owner or purchaser under contract, a notarized statement authorizing the representative to act as an agent of the property owner with regard to the application and associated procedures.
  4. A property survey containing the legal description, land area, and existing improvements on the site. The survey shall be signed and sealed by a surveyor licensed in the State, and shall have been performed not more than ten (10) years prior to the date of application. The survey shall accurately depict all improvements on the site. If all improvements are not depicted on the survey, the applicant shall conduct a new survey of the property and submit it with the application materials.
  5. A site plan illustrating the request, drawn to scale. The sheet size shall not be less than eleven inches by seventeen inches (11 x 17) and shall not be more than thirty-six inches by forty-eight inches (36 x 48). An electronic version may be required.
- (2) 6. Applications—Applicants are encouraged and may be required to submit additional information, such as elevations, photos, and/or product information, when appropriate. after the initial submission.