



# REZONING APPLICATION



## INSTRUCTIONS FOR COMPLETING AND FILING THE REZONING APPLICATION

Applications for rezoning may be submitted to the Planning and Zoning Department at any time between the hours of 8:00 a.m. and 5:00 p.m., Monday thru Friday. In order to be accepted for processing, the application must be accompanied by the Standard Application Items, as listed on Page 8. The application must be accompanied by the \$2,100.00 processing fee [no fee is required when accompanied by a petition for voluntary annexation] (make checks payable to the City of Delray Beach). The Applicant shall be responsible for all advertising fees including newspaper publications.

Please print or type all of the required information, and ensure that the application is complete and accurate.

Applications for rezoning are reviewed by the Planning and Zoning Board, which holds its regular meetings on the third Monday of each month. Final action on a rezoning is by the City Commission, which meets on the first and third Tuesday of each month. An application for rezoning shall be submitted by the first Friday of the month in order to be on the agenda of the following month's P&Z Board meeting. It takes approximately twelve (12) weeks between submission of the application and final action by the City Commission.

Please refer to Section 2.4.5(D) of the City's Land Development Regulations for the procedures and findings required for a rezoning application. A pre-application conference with a member of the Planning staff is strongly recommended, and can be scheduled at your convenience. We will be glad to assist you in any way possible.

### **NOTE:**

- It is the policy of the Planning and Zoning Board of the City of Delray Beach that it is generally inappropriate for Board Members to discuss with petitioners, their agents, or affected parties, a land use petition outside of a formal meeting situation. In order to provide a forum for discussion prior to the public hearing, a petitioner or a Board Member may request that the petition be placed on a work session agenda. When this occurs, notice will be given to the petitioner and to the designated representative of nearby neighborhood organizations (pursuant to a listing maintained by the Planning and Zoning Department). At the work session, the petitioner may present his/her project and, discussion may ensue among the Board, staff, and petitioner. At the Chair's discretion, limited public comment may be taken.
- Development presentations before all Boards and City Commission must be either on a LCD projector (power point) or an overhead projector. If you wish to use the City's equipment please notify staff ahead of time. Board-mounted displays should not be used as a part of a presentation.

Rez No. \_\_\_\_\_

Date Received \_\_\_\_\_

**CITY OF DELRAY BEACH PLANNING AND ZONING DEPARTMENT  
APPLICATION FOR REZONING**

Project Name: \_\_\_\_\_

Address or General Location: \_\_\_\_\_

\_\_\_\_\_

**PART ONE - APPLICANT INFORMATION:**

**APPLICANT**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Telephone Number: \_\_\_\_\_ E-Mail/Fax: \_\_\_\_\_

**AGENT**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Telephone Number: \_\_\_\_\_ E-Mail/Fax: \_\_\_\_\_

**OWNER** (if other than applicant)

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Telephone Number: \_\_\_\_\_ E-Mail/Fax: \_\_\_\_\_

**PART TWO - PROPERTY INFORMATION:**

Property Control Number: \_\_\_\_\_

Legal Description (attach separate sheet if necessary): \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Existing Zoning District: \_\_\_\_\_

Proposed Zoning District: \_\_\_\_\_

Existing Future Land Use Map Designation: \_\_\_\_\_

Proposed Future Land Use Map Designation: \_\_\_\_\_

Area of Property: \_\_\_\_\_ sq.ft. \_\_\_\_\_ acres

Briefly Describe the Present Use of the Subject Property: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Briefly Describe the Proposed Use of the Subject Property: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**PART THREE - STATEMENT OF REASONS FOR REZONING**

Land Development Regulations (LDR'S) Section 2.4.5(D)(2), requires a statement justifying the rezoning. The valid reasons stated in the code for approving a change in zoning include:

- A. That the zoning had previously been changed, or was originally established, in error;
- B. That there has been a change in circumstances which makes the current zoning inappropriate; and,
- C. That the requested zoning is of similar intensity as allowed under the Future Land Use Map and that it is more appropriate for the property based upon circumstances particular to the site and/or neighborhood.

Identify the reason which applies and state specifically how your request fits within one or more of these reasons (if additional space is needed, please use separate sheet): \_\_\_\_\_

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Has any previous application been filed within the last year in connection with the subject property? (Yes) (No). If yes, briefly describe the nature of the application.

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**OWNER'S CONSENT**

(This form must be completed by **ALL** property owners)

I \_\_\_\_\_, the fee simple owner of the following  
(Owner's Name)

described property (give legal description): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

hereby petition to the City of Delray Beach to change the zone district From \_\_\_\_\_ To \_\_\_\_\_.

I certify that I have examined the application and that all statements and diagrams submitted are true and accurate to the best of my knowledge. I consent to inspection and photographing of the subject property by the Planning and Zoning Department Staff for purposes of consideration of this application and/or presentation to the approving body. Further, I understand that this application, attachments and fees become part of the Official Records of the City of Delray Beach, Florida, and are not returnable.

\_\_\_\_\_  
Owner's Signature)

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

\_\_\_\_\_  
(Printed Name of Notary Public)

\_\_\_\_\_  
(Signature of Notary Public)

Commission # \_\_\_\_\_, My Commission Expires \_\_\_\_\_

**(NOTARY'S SEAL)**

**OWNER'S DESIGNATION OF AGENCY**

(This form must be completed by **ALL** property owners if designating an Agent)

I \_\_\_\_\_, the fee simple owner of the following  
(Owner's Name)

described property (give legal description): \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

hereby affirm that \_\_\_\_\_  
(Applicants/Agent's Name)

is hereby designated to act as agent on my behalf to accomplish the above.

I certify that I have examined the application and that all statements and diagrams submitted are true and accurate to the best of my knowledge. Further, I understand that this application, attachments and fees become part of the Official Records of the City of Delray Beach, Florida, and are not returnable.

\_\_\_\_\_  
(Owner's Signature)

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

\_\_\_\_\_  
(Printed Name of Notary Public)

\_\_\_\_\_  
(Signature of Notary Public)

Commission # \_\_\_\_\_, My Commission Expires \_\_\_\_\_

**(NOTARY'S SEAL)**

**AFFIDAVIT**

Before me, the undersigned authority, personally appeared \_\_\_\_\_,  
who being by me first duly sworn, deposes and says: (Applicant's Name)

1. That the accompanying property owners list is, to the best of my knowledge, a complete and accurate list of all property owners' names, mailing addresses, and legal descriptions of all property lying within five hundred feet (500') of the subject property as recorded on the latest official County tax rolls.
  
2. That the subject property is legally described as follows: (give legal description)

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The foregoing instrument was acknowledged before me this \_\_\_\_\_, day of \_\_\_\_\_, 20 \_\_\_\_\_ by \_\_\_\_\_, who is personally known to me or has produced \_\_\_\_\_ (type of identification) as identification and who did take an oath.

\_\_\_\_\_  
(Printed Name of Notary Public)

\_\_\_\_\_  
(Signature of Notary Public)

Commission # \_\_\_\_\_, My Commission Expires \_\_\_\_\_

**(NOTARY'S SEAL)**

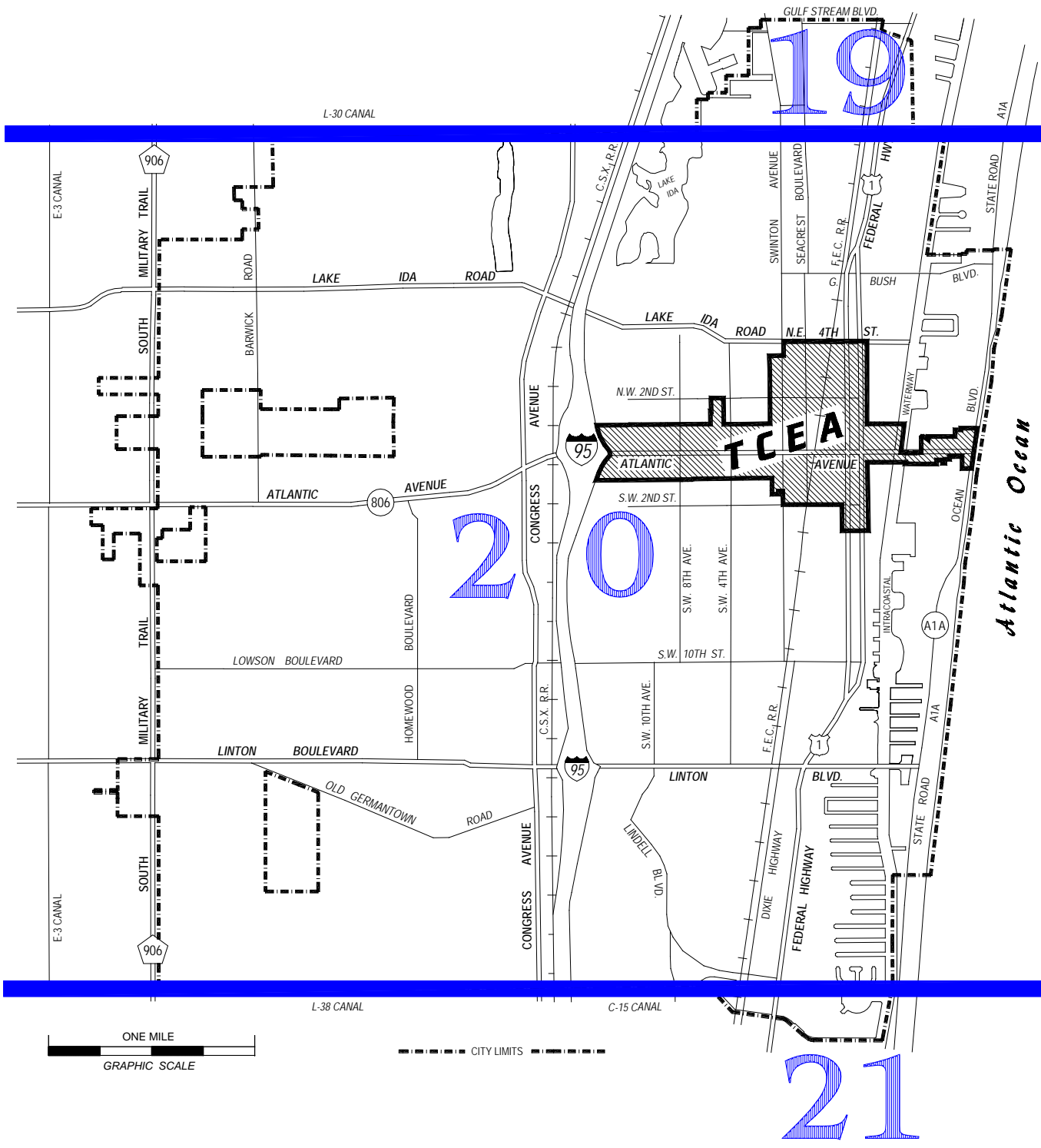
## Standard Application Items

### LDR section 2.4.3(A)

1. A copy of the latest recorded warranty deed, and a certificate from an attorney or title insurance company (not title insurance) certifying who the current fee simple title holders of record of the subject property are, and the nature and extent of their interest therein.
2. The written consent of the owner(s) must be provided in a certified form (page 6). When an application is executed on behalf of a corporation or business entity, documentation must be provided which demonstrates that the corporation's representative is authorized to act on behalf of the corporation. These forms are available from the Planning and Zoning Department.
3. A vicinity map which clearly shows the subject property, adjacent properties, and their relationship to streets located at a minimum within one-half mile of the property. Vicinity map shall be at a scale that is readily readable and include sufficient landmarks to quickly identify location of proposed project.
4. Survey (2 copies) which shows the property described pursuant to the legal description contained in the warranty deed. Such survey shall show all improvements on the property and must be certified as reflecting conditions on the site as they existed within six (6) months prior to the filing of the application. The survey shall be drawn at a scale of 1"=10'; or 1"=20' or 1"=30'.
5. A list of property owners within a 500' radius of the subject taken from the latest official County tax roll. In addition, a tax map showing all property lying within 500' of the subject property must be provided. **NOTE:** The applicant shall provide standard white (number 10) pre-addressed envelopes with the required postage for mailed notices. (Postage may either be in the form of stamps or metered postage. For metered postage, please ensure that the mailing date is turned off). The mailing labels must be typed and shall state the property owner's name, mailing address and property control number (PCN#). (For duplicates i.e. owners name and addresses are the same, please provide postage for only one pre-addressed envelope and submit the remaining duplicate labels). Please note: The list of property owners, tax map and mailing labels can be obtained at: Palm Beach County Property Appraiser's Office, 14925 Cumberland Drive (northwest corner of West Atlantic Avenue and Cumberland Drive), Delray Beach, FL 33446 Ph: (561)276-1250.
6. Application filing fee, pursuant to LDR Section 2.4.3(K)(1). In addition, the applicant shall be responsible for all advertising fees including newspaper publications. If the required advertising fees are not paid at least four days (4) prior to the hearing, the presiding body, shall postpone action on the application until such fees are paid. In the event such postponement results in additional mailing or publication costs, the applicant shall be responsible for the additional fees.
7. For all projects which include residential dwelling units complete the attached "School District of Palm Beach County – School Concurrency Application and Service Provider Form" and a check or money order for the appropriate fee made payable to: The School District of Palm Beach County.
8. In addition to the above a traffic study which addresses the most intense development potential of the site at both the existing and proposed zoning classifications must be provided. The study shall be prepared in accordance with Palm Beach County Unified Land Development Code, Traffic Performance Ordinance. **Note:** This requirement may be waived if it is determined by the Planning and Zoning Director that the existing and proposed zoning classifications are of similar intensity and that the potential changes in traffic are insignificant.



**- CITY OF DELRAY BEACH, FLORIDA -**



**CONCURRENCY SERVICE AREA  
(CSA) MAP**



CITY OF DELRAY BEACH, FL  
PLANNING & ZONING DEPARTMENT  
2002

-- DIGITAL BASE MAP SYSTEM --