SPECIAL EXCEPTION APPLICATION

Includes the information required for the associated public hearing

NOTICE REQUIREMENT FOR PUBLIC HEARING: Pursuant to Sec. 74-101 when any person, property owner or other entity, makes application before either the planning and zoning board, the board of adjustment, special magistrate, or the council, the application shall come on before such board or council for a public hearing, prior to which time 15 days' notice shall be given to all property owners within 150 feet in any direction from the property which is the subject of the application. The notice required herein shall be by mail to the person or entity who is the owner of property within 150 feet as set out and listed on the tax rolls for the county.

1. Filing and Public-Hearing Information

Submit the completed application and all required materials to town57@kennethcityfl.org.

2. Fees

Application fee	$750 nonrefundable Special Exception application fee
Legal review	$500 for two hours of legal review
Planning and Zoning review	All applications are subject to outside consulting costs and additional fees, if applicable (actual provider costs + 5% and $2,000 escrow deposit).

The applicant is responsible for actual outside professional and consulting costs associated with the application, including contracted planning and legal review and public-hearing attendance, plus the applicable five-percent administrative charge. Costs will be charged against the escrow. The applicant shall replenish the escrow when requested before further processing or scheduling. Any unpaid balance remains the applicant's responsibility, and any unused balance will be refunded after final disposition and payment of all costs.

3. Applicant and Property Information

Property owner	Name: _____ Phone: _____
Owner contact	Email: _____ Mailing address: _____
Applicant / agent	Name: _____ Phone: _____
Applicant contact	Email: _____ Mailing address: _____
Property	Street address:_____

Parcel / STRAP no.	_____
Legal description	☐ Attached ☐ Provided below
Zoning / FLUM	Zoning: _____ Future land use: _____
Existing use	_____

Legal description, if not attached:

_____
_____
_____

4. Special Exception Request

Proposed use	_____ _____
Applicable Code section	Section _____, identifying the use as allowable by special exception
Request summary	_____ _____ _____ _____ _____ _____ _____ _____ _____ _____ _____ _____ _____ _____
Related applications	☐ None ☐ Variance ☐ Other: _____ Application no.: _____

NOTE: Each variance or other independently required approval must be submitted on the applicable separate application. Related applications should be submitted concurrently when required.

5. Proposed Use and Operations

Describe the nature and purpose of the proposed use.

_____

_____

_____

Identify the portions of the property and any existing or proposed structures that will be used.

_____

_____

_____

State the proposed days and hours of operation.

_____

_____

_____

Identify licenses or approvals required from other governmental agencies.

_____

_____

_____

6. Review-Criteria Narrative - Section 82-72(5)(a)-(h)

Address each criterion separately and attach supporting documentation where applicable. Add pages if additional space is needed.

The Town of Kenneth City Land Development Code provides the submittal requirements and criteria for issuance of a Special Exception. At the quasi-judicial hearing and as part of the following application, the petitioner has the burden of proving by competent, substantial evidence that the following criteria have been met. Prior to granting a Special Exception, Town Council shall ensure that:

a. All outstanding charges, fees, interest, fines, or penalties owed to the Town by the applicant or property owner must be paid in full before consideration of the request.

_____

_____

_____

_____

_____

b. The proposed use is specifically allowable by special exception in the applicable zoning district and future land use category.

_____

_____

c. The proposed use meets the applicable concurrency requirements of Chapter 62 for public services and facilities with adopted level-of-service standards.

_____

_____

d. The proposed use conforms to all applicable regulations of the zoning district unless a variance is granted.

e. The proposed use is compatible with adjacent development and the planned character of the surrounding area and will not interfere with the legitimate use of nearby property.

f. The proposed use is adequately separated and screened from adjacent uses through structural setbacks and landscaped buffers required by the Land Development Code.

g. Adequate off-street parking and loading are provided; ingress and egress minimize interference with traffic; and the use will not generate excessive vehicular traffic on residential streets.

h. Any variance desired or required in conjunction with the special exception is identified in a separate application submitted concurrently.

7. Required-Materials Checklist

☐ Completed Special Exception Application and separate narrative attachments, if used.

☐ Proof of ownership: recorded deed, current title insurance policy, or attorney's opinion of title, including a complete legal description.

☐ Property-owner authorization and notarized affidavit when the applicant is not the owner.

☐ Boundary survey with legal description.

☐ Site plan drawn to scale and floor plan identifying the area of the proposed use.

☐ Separate application for each required variance or other related approval, if applicable.

☐ Intoxicating Beverage On-Site Indoor/Outdoor Special Exception Supplement, if applicable.

☐ $750 application fee and required escrow deposit.

☐ Other supporting materials requested by the Town to evaluate the review criteria and public-hearing request.

8. Applicant Certification and Affidavit

I swear or affirm that I am the property owner or the authorized representative of the property owner; that I have authority to submit this application; that the information and materials submitted are true and correct to the best of my knowledge; and that I authorize Town staff and authorized representatives to enter the property during normal business hours, upon reasonable notice, to evaluate this request. I understand that approved conditions may run with the property as provided by law.

Printed name	
Capacity	☐ Owner ☐ Authorized agent/applicant
Signature / date	

STATE OF _____ **COUNTY OF** _____

Sworn to (or affirmed) and subscribed before me by ☐ physical presence or ☐ online notarization this ____ day of _____, 20____, by _____.

Identity	☐ Personally known ☐ Identification produced: _____
Notary	Signature: _____ Printed/stamped name: _____