



# Town of St. Leo

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Saint Leo, Florida 33574  
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TownClerk@TownofStLeo.org  
www.TownofStLeo.org

## Rezoning Application

DATE SUBMITTED \_\_\_\_\_

All applications are to be filled out completely and correctly, and submitted in person (no fax or deliveries) to the Town Clerk by the scheduled deadline date. It is necessary for the applicant or the applicant's representative to be present at the meeting. No revisions to the application request will be processed later than 14 days prior to the scheduled Town Commission meeting. The public hearing will be conducted pursuant to Quasi-Judicial Proceedings.

IT IS INCUMBANT UPON THE APPLICANT TO SUBMIT CORRECT INFORMATION. ANY MISLEADING, DECEPTIVE, INCOMPLETE OR INCORRECT INFORMATION MAY INVALIDATE THE APPROVAL.

Applicant (title holder[s]) \_\_\_\_\_

Applicant's Address \_\_\_\_\_

Phone \_\_\_\_\_ Fax \_\_\_\_\_ Email \_\_\_\_\_

Representative (Affidavit of Authorization /Ownership is required) \_\_\_\_\_

Phone \_\_\_\_\_ Fax \_\_\_\_\_ Email \_\_\_\_\_

Architect/Engineer/Planner/ Contractor \_\_\_\_\_

Address \_\_\_\_\_

Phone \_\_\_\_\_ Fax \_\_\_\_\_ Email \_\_\_\_\_

Date Property Title Obtained \_\_\_\_\_ Parcel # \_\_\_\_\_

Legal Description \_\_\_\_\_

Property Address \_\_\_\_\_

Request \_\_\_\_\_

SUBMITTAL REQUIRMENTS: One copy of the application form, authorization form to act as agent/representative, map showing subject property with adjacent land uses and zoning (within 500 feet), narrative, responses to rezoning criteria and two copies of a signed and sealed property survey must be submitted. Upon a determination of application completeness, the rezoning request will be reviewed and public hearing date(s) set.

FEE: The applicant will be billed a \$50.00 application fee and for the actual expenses related to the Town of St. Leo's Attorney, Planning Consultant and other Town of St. Leo staff review of the application. This may include, but is not limited to: cost of public notices, time spent reviewing the application for completeness, site inspection(s), preparing a report to the Town Commission, telephone conversations and/or written correspondence to the applicant and others, attending any meetings with the applicant and attending public hearings. The Town Commission may request an advanced partial payment based on an estimate of the Planning Consultant and Attorney fees and expenses.

Signature of Title Holder(s)/Owner(s) \_\_\_\_\_

Date \$50.00 Application Fee Paid \_\_\_\_\_ Associated Fee Total \$ \_\_\_\_\_ Date Associated Fees Paid \_\_\_\_\_

APPLICANT'S JUSTIFICATION STATEMENT: The applicant shall address the following criteria pursuant to Land Development Code Sec. 9.5, Rezoning and amendments to zoning districts.

1. Compatibility with existing land use pattern
2. Whether changed or changing conditions make passage of the proposed amendment necessary
3. Whether the proposed change will adversely affect living conditions in the immediate and surrounding neighborhoods with regard to traffic, environmental and other relevant impacts
4. Whether the proposed change might result in lower property values
5. Whether the proposed change would result in or act as a deterrent to the improvement or development of adjacent property in accordance with existing regulations
6. Whether the proposed zoning change is consistent with the goals, objectives, and policies set forth in the adopted comprehensive plan or elements

PUBLIC NOTIFICATION REQUIREMENTS:

1. If the rezoning application submittal requirements have been met as determined by the Town Commission or its designee, then the Town Commission shall set a public hearing date within 45 days from the date that it is determined that the application is sufficient for review.
2. Public notice of amendments to the Official Zoning Map or changes to the list of permitted or special exception uses within one or more zoning districts shall follow the procedures pursuant to Florida Statutes Chapter 166.
3. The applicant shall be responsible for notice of the public hearing or hearings (as determined by Florida Statutes Chapter 166) to the surrounding owners of property (within the corporate limits of the Town of St. Leo) within 1,000 feet, excluding the distance over water bodies, of the perimeter of the subject property boundaries. At a minimum, at least the five closest abutting property owners shall be notified. Said notice shall be on a public hearing notice form that will be provided to the applicant by the Town of St. Leo. The Town Clerk will contact the applicant when the notice letter is ready. Information regarding the list of property owners within 1,000 feet can be obtained through the Pasco County Property Appraiser's office.
4. The applicant shall mail the public hearing letter to the surrounding property owners (as required in the aforementioned Public Notification Requirement number three) via the U.S. Postal Service Certificate of Mailing at least ten days prior to the public hearing date. In cases where two public hearings are required, the notice shall include both public hearing dates. A copy of the Certificate of Mailing(s) must be provided to the Town Clerk at least five calendar days prior to the public hearing date.
5. The Town Commission shall be responsible for placement of the advertisement for the public hearing in the local newspaper at least seven calendar days prior to the public hearing date(s).
6. Failure to provide the public hearing notice may be cause for the Town Commission to defer action or deny the application without prejudice.

In accordance with Florida Statutes, Chapter 80-150, if a person decides to appeal any decision made by a governmental board, commission or agency, they will need a record of the proceedings. It is up to the potentially adversely affected citizen to ensure that a verbatim record of the proceedings is made, including testimony and evidence upon which the appeal is to be based. Any persons who may need such a record may arrange for a court reporter to attend the public hearing.

## QUASI-JUDICIAL PROCEEDINGS: OVERVIEW

All rezoning proceedings of the Town Commission are Quasi-Judicial and require that certain specific procedures be followed by the staff, applicants, and the public. Under the Quasi-Judicial process, the Commission acts in the role of a “judge” and therefore is required to follow certain procedures and base their decision of factual evidence. In general, the Quasi-Judicial procedures involve the following steps:

1. The swearing in of witnesses will be done en-masse at the beginning of this meeting. Anyone who wishes to speak on any item must be sworn in prior to testifying.
2. Staff, applicants, and appellant each will have a total of ten minutes to present their case.
3. At the conclusion of the presentations, the public hearing will begin and each member of the public will have three minutes to speak. A “Request to Speak” card must be filled out prior to speaking. When called upon to speak, the speaker must state their name and address. Remarks should be brief, factual, and non-repetitious of prior testimony. Once the Commission Chair closes the public hearing, no one from the public may speak.
4. If anyone wishes to utilize the time provided for cross examination and rebuttal as an Opponent, said individual shall notify the Commission Chair prior to the conclusion of the Public Hearing. Persons opposed to the application may select one person to represent them during this phase of the process and shall declare their intent prior to the close of the public hearing. If more than one person wishes to be the Opponent representative then the Commission will choose a single representative to participate in the cross examination/rebuttal process.
5. The Cross-examination and Rebuttal phases allow each participant (staff, applicant and appellant) five minutes to ask questions of each other. All questions shall be directed to the Chair, who will direct the question to the appropriate person.

The Commission chair will then close the proceedings and the Commission will go into Executive Session and make a decision. The Commission members may ask questions at any time during the Quasi-Judicial Process.