

2016 ZONING BOARD OF APPEALS APPLICATION

PRE-SUBMITTAL REQUIREMENTS:

1. It is required that the applicant, or a representative, meet with a Planner prior to completing this application. Adequate time shall be provided prior to an application deadline.
2. The applicant must fill out and sign the form below, and provide all material listed on **page 2** of this application.
3. The applicant or a representative must schedule an appointment with a Planner to submit the application.

Note: The file number assigned to this case must be written on any permit application(s) for the Construction Services Department in order to process the permit in a timely manner.

TYPE OF APPLICATION: _____

PROJECT NAME: _____

PROJECT LOCATION: Street Address: _____

City: West Palm Beach State: FL Zip Code: _____

PROPERTY CONTROL NUMBER: _____ - _____ - _____ - _____ - _____ - _____ - _____

PROPERTY OWNER: _____

APPLICANT: _____

AGENT/CONTACT PERSON: _____

PHONE NO.: _____ FAX NO.: _____ E-MAIL: _____

MAILING ADDRESS: Street Address: _____

City: _____ State: _____ Zip Code: _____

(I) (WE) affirm and certify that (I) (WE) understand and will comply with the provisions and regulations of the City of West Palm Beach Zoning and Land Development Regulations. (I) (WE) further certify that the above statements and the statements and showings made in any paper or plans submitted herewith are true to the best of (my) (our) knowledge and belief. Further, (I) (WE) understand that the application, attachments and fees become part of the Official Records of the Development Services Department – Planning Division and are not returnable. (I) (WE) also recognize that if one or more deficiencies exist in the application, (I) (WE) will be notified of the deficient items, and the department shall take no further action on the application until the required information is submitted. (I) (WE) understand that misrepresentation of information contained within this application may be cause to void any development approvals associated with this application.

SIGNATURE OF APPLICANT: _____ DATE: _____

All applicants may be required to meet with the appropriate NEIGHBORHOOD ASSOCIATIONS and/or DISTRICT COMMISSIONERS as part of the review process. Please contact the Neighborhood Services Division (561) 822-1413 and/or the City Commission Office (561) 822-1390 to schedule necessary meetings. Please advise the Development Services Department – Planning Division (561) 822-1435, of the date, time, and location of such meetings, or for more information.

A. REQUIRED MATERIALS

Please refer below to determine the materials required for a specific type of application. The Planning Manager or his/her designee has the discretion to require from the applicant additional studies, data, or analysis upon an evaluation of the application. The application may not move forward until this additional information is provided. The Planning Manager or his/her designee shall allow the applicant reasonable time to prepare and submit this information.

	Deadline & Meeting Dates	Application Fee	Advertisement Fee	Engineering Services Fee	Concurrency	Project Fact Sheet	Justification Letter	Address Lists & Envelopes	Architectural Drawings	Site Plan & Landscape Plan	Tree Alteration Permit	Survey	Warranty Deed & Owner's Consent	City Service & Public Utility Letters	Traffic Study	Standards for Code Compliance	Other Requirements
Type of Application	B	C			D	E	F	G	H	I	J	K	L	M	N	O	P
Variance (Single Family, including up to one (1) accessory apartment)	X	\$600 + \$120 Each Add'l Variance	\$216			1	15	1	15	15	*	15	1			1	1
Variance (Multifamily)	X	\$1,000 + \$200 Each Add'l Variance	\$216			1	15	1	15	15	*	15	1			1	1
Variance (Non-Residential and Mixed-Use)	X	\$1,500 + \$300 Each Add'l Variance	\$216			1	15	1	15	15	*	15	1			1	1
Class B Special Use Permit (Residential)	X	\$1,000 + \$200 Per Waiver	\$216	*	*	1	15	1	15	15	*	15	1	1	*	1	1
Class B Special Use Permit (Non-Residential and Mixed-Use)	X	\$1,350 + \$270 Per Waiver	\$216	*	*	1	15	1	15	15	*	15	1	1	*	1	1
Class B Special Use Permit (Re-Establish Commercial Use in Residential Zoning District)	X	\$500	\$216	*	*	1	15	1	15	15	*	15	1	1	*	1	1
Site Plan Review Appeal	X	\$400	\$216				15	1								1	
Administrative Appeal	X	\$400	\$216				15	1								1	
RV/Boat Waivers	X	\$250	\$216				15	1		15		15	1			1	1

Key: (1-15) = Number of copies. (X) = Items required by the applicant. (*) = Items which may be required.

IMPORTANT: All items shall be submitted in hard copy and electronic format. Additional formats may be required for certain items. Please refer to each item description for more information.

INFORMATION

Continuance: Any application may be continued for a period not to exceed sixty (60) days at the request of the Zoning Board of Appeals or the Planning Manager (or his/her designee), if the authority requesting the continuation determines there is a need for further study or additional information.

(Continued on following page)

Withdrawal: Any application may be withdrawn by the applicant or designated representative by giving a written notice to the Planning Manager (or his/her designee). An application may be withdrawn at a public hearing at the request of the applicant or designated representative and must be done so from the agenda.

Refund: Public hearings are advertised in the Palm Beach Post’s legal notice section. When any application is withdrawn by the applicant for any reason, the following refund policy shall apply:

- 1) When withdrawn by the applicant prior to the advertisement, 90% of the application fee should be refunded.
- 2) When withdrawn by the applicant after advertisement, but prior to the hearing, 50% of the application fee should be refunded.
- 3) When withdrawn by the applicant after the hearing, no refund should be made.

B. DEADLINE AND MEETING DATES

Application Deadline	Plans and Plats Review Committee (If Required)	Zoning Board of Appeals
January 11, 2016	February 10, 2016	March 3, 2016
February 9, 2016	March 9, 2016	May 5, 2016
March 8, 2016	April 13, 2016	June 2, 2016
April 12, 2016	May 11, 2016	July 7, 2016
May 10, 2016	June 8, 2016	August 4, 2016
June 7, 2016	July 13, 2016	September 1, 2016
July 12, 2016	August 10, 2016	October 6, 2016
August 9, 2016	September 14, 2016	November 3, 2016
September 13, 2016	October 12, 2016	December 1, 2016
October 11, 2016	November 9, 2016	January 5, 2017
November 8, 2016	December 14, 2016	February 2, 2017
December 13, 2016	January 11, 2017	March 2, 2017

All agendas and staff reports may be viewed online at: wpb.org/Meetings-Events/Meetings-List-Agendas
 Project information and Plans and Plats Review Committee comments may be viewed online at:
onestopshop.wpbgov.com/eqovplus/zoning/zd_search.aspx

IMPORTANT (PLEASE READ THE FOLLOWING):

- All application deadlines are strictly enforced. See **page 2** for the types of applications which must comply with the deadlines specified above. The applicant must have an appointment with a Planner to submit the application. **All applications must be submitted to the Development Services Department – Planning Division no later than 12:00 p.m. (noon) on the day of the deadline. In order to be accepted, the application must contain all required items and information described in the application.**
- Within ten (10) working days following the application deadline, the Planning Manager or his/her designee shall determine whether or not the application contains sufficient information for substantive reviews. The applicant will be notified of any deficiencies and the nature of the information necessary before a formal review of the application will be commenced.
- Following the Plans and Plats Review Committee meeting (**if required**), if no response to the comments is received within 60 days of their issuance, the application will be considered withdrawn and any further action will require submission of a new Application.

C. FEES

- **Application Fee** – Refer to **page 2**.
- **Advertising Fee** – Refer to **page 2**.
- **Engineering Services Fee** – Refer to **page 2**. Some applications may require review by the Engineering Services Department. If so, fees will be assessed at a rate of \$212 per trade (i.e. Traffic Engineering, Surveyor, Engineering, Public Utilities/Stormwater).
- **Resubmittal Fee** – Following the Plans and Plats Review Committee meeting (**if required**), the applicant will be permitted one (1) resubmittal at no additional cost. If previously-issued comments continue to not be sufficiently addressed, the applicant will be assessed a Resubmittal Fee. Such fee will be 20% of the original application fee.

IMPORTANT: Please make all checks payable to “City of West Palm Beach.” Additionally, separate applications/fees may be required by other departments as part of the development process.

D. CONCURRENCY

The following items establishing Concurrency are required at the time of the application submittal:

- A Traffic Letter provided by the Palm Beach County Traffic Division - (561) 684-4030.
- A completed School Concurrency Application for projects containing two (2) or more residential dwelling units (Concurrency Application on **page 17**).

E. PROJECT FACT SHEET

Complete the Project Fact Sheet found on **page 9** of this application. Contact a Planner for assistance.

F. JUSTIFICATION STATEMENT

Supply a letter addressing the following:

- General description of the request.
- Related background information on the project and site.
- Justification, special reasons, or basis for the request.

IMPORTANT: A copy of the Justification Letter shall be provided in Microsoft Word, or compatible, format.

G. ADDRESS AND LABELS

The applicant must provide the following:

- One (1) set of addressed labels affixed to size #10 **stamped** envelopes for each property owner within 400 feet of property line, and have the City’s address as the return address as follows:

City of West Palm Beach
Development Services Department – Planning Division
401 Clematis Street – 2nd Floor
P.O. Box 3366
West Palm Beach, Florida 33402

(Continued on following page)

Note: If more than 50 envelopes, the applicant is responsible to mail all required notices and provide a notarized affidavit (page 10) to the Development Services Department – Planning Division indicating that all notices have been sent.

- One (1) copy of a list of the same property owner's addresses within 400 feet of the subject property line.
- One (1) copy of the map provided by the Palm Beach County Property Appraiser's Office along with the labels and list mentioned above, showing those properties within 400 feet of the subject property line.

The applicant can provide these items by contacting the following:

Palm Beach County Property Appraiser's Office
301 North Olive Avenue, 1st floor
West Palm Beach, Florida 33401

Phone Number: (561) 355.2881.

The Affidavit on **page 15** of this application shall be signed by the individual who obtained the above information from the Palm Beach County Property Appraisers Mapping Office.

H. ARCHITECTURAL DRAWINGS

Submit schematic architectural drawings (floor plans and elevations and/or perspectives) of all proposed buildings, signs, fences and other structures for the project.

IMPORTANT: All Architectural Drawings shall also be submitted in .PNG graphic format. Additionally, two (2) sets of reduced plans (1 set 8 ½" x 11" and 1 set 11" x 17") shall be provided.

I. SITE PLAN & LANDSCAPE PLAN

- **Site Plan** - See the Site Plan Checklist on **page 11** of this application for the required information; and
- **Landscape Plan** - See the Landscape Plan Checklist on **page 13** of this application for the required information.

IMPORTANT: All Site Plans and Landscape Plans shall also be submitted in .PNG graphic format. Additionally, two (2) sets of reduced plans (1 set 8 ½" x 11" and 1 set 11" x 17") shall be provided.

J. TREE ALTERATION PERMIT

An Application for a Tree Alteration Permit shall be submitted to the Development Services Department – Planning Division (application on **page 18**).

K. SURVEY

An ALTA/ACSM Land Title Survey shall be prepared and signed/sealed by a Florida registered surveyor. The

ALTA/ACSM Land Title Survey must meet the "Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys" as adopted by the American Land Title Association, American Congress on Surveying and Mapping, and the National Society of Professional Surveyors. In addition to the minimum standards, the ALTA/ACSM Land Title Survey shall also provide the following:

- Vicinity map showing the property in reference to nearby highways or major street intersections.

(Continued on following page)

- Gross land area (to the nearest one-hundredth (1/100) of an acre).
- Substantial, visual improvements (in addition to buildings) such as billboards, signs, parking structures, swimming pools, etc.
- Parking areas and, if striped, the striping and type (e.g. handicapped, motorcycle, regular, etc.) and number of parking spaces.
- Indication of access to a public way on land such as curb cuts and driveways, and to and from waters adjoining the surveyed tract, such as boat slips, launches, piers and docks.
- Location of utilities as determined by observed evidence together with evidence obtained from utility companies.

The ALTA/ACSM Land Title Survey shall be within one (1) year old and accompanied by a current Ownership and Encumbrance (O & E) Report, which shall include all easements and restrictions of record, or a current title policy.

IMPORTANT: The Survey shall also be submitted in .PNG graphic format, and two (2) sets of reduced plans (1 set 8 ½" x 11" and 1 set 11" x 17") shall be provided. Additionally, the legal description shall be provided in Microsoft Word, or compatible, format.

L. WARRANTY DEED AND OWNER'S CONSENT

A copy of the last recorded Warranty Deed and written consent of all property owners (**page 16**) and as applicable:

- If a Contract Purchase, a copy of the Purchase contract and written consent of the owner; or
- If an authorized agent, a copy of the Agency Agreement and written consent of the owner; or
- If a lessee, a copy of the lease agreement and written consent of the owner; or
- If a corporation or other business entity, the name of the officer or person responsible for the application and written proof that said representative has the delegated authority to represent the corporation or other business entity; or
- If a group of contiguous property owners, written consent of the owners of a least (50) percent of the property described in the application.

In the case of an application submitted by a neighborhood or condominium association, documentation shall be provided indicating that a formal motion was made and approved by the association regarding the proposed application (i.e. meeting minutes, final order, etc.).

M. CITY SERVICE AND PUBLIC UTILITY LETTERS

- Provide written confirmation that the Public Utilities Department has reviewed the proposal for water, sewage treatment, storm drainage and garbage collection services. Please contact:

City of West Palm Beach
Public Works Department – Engineering Services
401 Clematis Street – 4th Floor
P.O. Box 3366 – West Palm Beach, Florida 33402
Phone: (561) 494.1040 – Fax: (561) 494.1117

IMPORTANT: Review the notice from the City of West Palm Beach Public Utilities Department on page 20 regarding information required to be submitted with the letter request. Additionally, information may be found about extension of water or sewer service facilities.

- Provide letters from all of the following public utilities confirming that the proposed project does not encroach into their easements or otherwise interfere with the provisions of their services:

Telephone:

Garth Bedward
AT&T Utility Coordinator (Palm Beach County)
2021 South Military Trail, First Floor – West Palm Beach, FL 33415
Phone: (561) 357.6553 – Fax: (561) 964.3499 – Email: gb7410@att.com

Natural Gas:

Ivan Gibbs
Florida Public Utilities
1641 Worthington Road, Suite 220 – West Palm Beach, FL 33409
Phone: (561) 838.1785 – General phone: (561) 832.2461 – Fax: (561) 838.1769 (Easement consent forms can be faxed) – Email: ENGINEERING-WPB@fpuc.com

Electric Service:

Florida Power & Light Company
810 Charlotte Avenue – West Palm Beach, FL 33401

The FP&L Project Manager (including name and telephone number) for the project's location may be found by visiting the following website:

<http://www.fplmaps.com/pml/>

Television Cable:

Anthony Springsteel
Comcast Cable Communications
10435 Ironwood Road – Palm Beach Gardens, FL 33410
Phone: (561) 804.0973 – Fax: (561) 640.0231 – Email: anthony_springsteel@cable.comcast.com

N. TRAFFIC STUDY

A traffic study of the proposed development certified by a professional engineer practicing traffic engineering may be required by the staff.

A meeting shall be held with the City Traffic Engineer prior to submission of the application in order to discuss the traffic study, impact of the development and possible mitigation that may be required.

Brian Collins – City Traffic Engineer
City of West Palm Beach Engineering Services Department
401 Clematis Street – 4th Floor
P.O. Box 3366 – West Palm Beach, Florida 33402
Phone: (561) 494.1040

O. STANDARDS FOR CODE COMPLIANCE

In connection with the application type below, please provide responses to each of the applicable standards indicated. Unless otherwise noted, all references are to the City's Zoning and Land Development Regulations.

IMPORTANT: All responses shall also be provided in Microsoft Word, or compatible, format.

Variance – See page 21.

- Section 94-38(d)(6) – Variance Standards

(Continued on following page)

Class B special Use Permit – See pages 22-23.

- Section 94-36(e)(3) – General Use Standard
- Section 94-36(e)(4) – Specific Use Standards
- Section 94-36(e)(5) – Residential District Standards

IMPORTANT: Only needs to be provided if the request is located within a residential zoning district.

- Section 94-273(d) – Additional Use Standards

IMPORTANT: Please contact a Planner for assistance in obtaining the correct Additional Use Standards.

- Section 94-273(a)(2) – Waiver Standards

IMPORTANT: Only needs to be provided if any waivers from the Additional Use Standards are being requested.

P. OTHER REQUIREMENTS

Submit these additional items which apply to the types of applications listed below:

Variance.....Please provide the following:

1. Pictures from all angles of the subject property.
2. Letters of support from the surrounding neighbors.

Class B Special Use Permit.....Please provide the following:

1. Pictures from all angles of the subject property.
2. Letters of support from the surrounding neighbors.

Site Plan Review AppealThe applicant shall provide a list of the standards in Article II, Section 94-35(c) upon which the appeal is being made and justification as to how the site plan does not meet those standards. Please provide 15 copies of all justification statements and supporting documents.

RV/Boat WaiversPlease provide the following:

1. A copy of proof of ownership.
2. A copy of proof of insurance.
3. A copy of all current licenses.
4. Evidence, owing to the conditions of the applicant’s property, including but not limited to the nature and location of structures and landscaping thereon, the size, shape and location of the property, and the type of restricted vehicle involved, that the decision of the Planning and Zoning Administrator was unreasonable.

PROJECT FACT SHEET

PROJECT DATA

Project Name: _____

Total Site Area (Acres): _____ (Square Feet): _____

RESIDENTIAL PROJECT DATA

	Number of Units	Site Area (Acres)
Single Family Detached:	_____	_____
Single Family Attached:	_____	_____
Multifamily:	_____	_____
Group Quarters (Beds):	_____	_____
Total:	_____	Gross Density: _____

NON-RESIDENTIAL PROJECT DATA

	Floor Area (SF)	Lot Area (Acres)
Office:	_____	_____
Medical Office:	_____	_____
Retail:	_____	_____
Industrial:	_____	_____
Other (Specify):	_____	_____
_____ :	_____	_____
_____ :	_____	_____
Total:	_____	_____
Non-Residential Floor Area Ratio:	_____	

ZONING AND FUTURE LAND USE (FLU) DESIGNATIONS AND EXISTING USES

	Current Zoning	Current FLU	Describe Existing Use(s)
Subject Area			
North			
South			
East			
West			

PUBLIC NOTICE MAILER AFFIDAVIT

(Do NOT Sign and Notarize Until Mailers Have Been Sent)

State of Florida)
) SS:
County of Palm Beach)

Before me personally appeared _____, who, being duly sworn,
Print Name
deposes and states the following:

- 1. That on the _____ day of _____ 20____, the public notices for Case Number _____ were mailed to all property owners within _____ hundred (_____) feet of the land contained in the application.

Signature

SWORN TO AND SUBSCRIBED before me this _____ day of _____ 20____, by _____,
Print Name
who personally appeared before me and who did not take an oath.

- Personally Known; OR
- Produced Identification – Type of Identification Produced: _____

[SEAL]

Notary Public Signature

Print Name: _____

Commission Number: _____

SITE PLAN CHECKLIST

The following checklist is designed to assist applicants in preparing their plan for review. The applicant should check off (X) each item that is included and submit this form with the application. Items which are omitted may cause a delay in the review process. Plans should be drawn to scale with adequate resolution for verification of measurements. The site plan should include the items listed below:

Project Name: _____

Project Address: _____

- 1. Date, north arrow, and a graphic scale.
- 2. Vicinity map showing the property in relation to the surrounding area.
- 3. Location of the property line, right-of-way, proposed/existing easements, water courses and other essential features.
- 4. Streets, driveways, intersections, curbs cuts and turning lanes adjacent to or across from the subject property.
- 5. The outlines of all buildings showing their proposed uses, setbacks, dimensions, floor area, number of stories, height and points of access.
- 6. Location and dimensions of all perimeter treatment (sidewalks, fences, walls, or berms).
- 7. Location, height and size of all freestanding signs and other accessory structures.
- 8. Phasing of the site including any temporary access drives, uses, etc.
- 9. Location and width of any proposed dedication of property for public road right-of-way.
- 10. Means of vehicular and pedestrian access to and from the site.
- 11. Layout and location of all off-street parking, loading and other vehicular use areas, including where applicable, the distance from the principle uses.
- 12. Location of all disabled spaces, ramps and signs.
- 13. Schematic of drainage system.
- 14. Location, height and intensity of all outdoor illumination.
- 15. Indication of any areas of the site subject to flooding or high ground water level.
- 16. Location of existing and proposed fire hydrants (or operational equivalents) within 250 feet of the proposed structure or structures.
- 17. Location, percentage, and size in acres to be dedicated or reserved as open space, public parks, recreational, and similar uses.

Location and extent of any wetlands located on the property. Site plans shall provide measures to ensure that normal water flows and quality of water will be provided to maintain such wetlands after development. Where alteration of wetlands is necessary in order to allow reasonable use of property, either the restoration of disturbed wetlands shall be provided or additional wetlands shall be created to mitigate the alteration. See Section 94-375(b) of the City's Zoning and Land Development Regulations.
- 18.
- 19. Location and screening of all garbage receptacles.
- 20. Standard City details of parking (small car, handicap space, standard space), handicap ramps, driveways, dumpsters and signs.
- 21. Location, dimensions and screening all of proposed satellite dishes.

(Continued on following page)

-
- 22. Supply a data table which indicates the following:
 - a. Existing/Proposed land use and zoning.
 - b. Total acres of the project.
 - c. Total gross building square footage.
 - d. Percent of open space, landscaping, building coverage & impermeable surface.
 - e. Acres and percent of water bodies.
 - f. Density and number of dwelling units (residential).
 - g. Parking computations (parking required, provided, etc.)
 - h. Floor Area Ratio (FAR).
 - 23. Reduced copies of the plans (one (1) set 8½"x11" and one (1) set 11"x17").
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LANDSCAPE PLAN CHECKLIST

The following checklist is designed to assist applicants in preparing the plan for review. The applicant should check off (X) each item that is included and submit this form with the application. Items which are omitted may cause a delay in the review process. Plans should be drawn to scale with adequate resolution for verification of measurements. The landscape plan should include the items listed below:

Project Name: _____

Project Address: _____

- 1. Date, north arrow, and graphic scale which is easily interpreted.
- 2. The location of all existing and proposed structures, improvements, and uses both on the site and off the site, adjacent to the project.
- 3. The location of dedicated and/or ultimate rights-of-way, property lines, adjacent streets, alleys and access ways, existing or proposed setback and yard requirements.
- 4. The location of all existing and proposed trees, shrubs, ground covers, plant communities and other landscape materials (clearly indicate the relocation of any plant material by means of labels, symbols, etc.). Identify all palms and/or canopy trees on neighboring property that are in close proximity to subject property.
- 5. Phasing of the site including temporary landscaping and existing adjacent land uses.
- 6. The location, dimensions, and screening of all garbage receptacles, proposed satellite dishes, outdoor storage areas and other mechanical equipment.
- 7. The delineation of existing and proposed parking spaces or other vehicular use areas.
- 8. The location of utility and drainage easements, overhead lines, water meters, transformers check valves, clean-outs, fire hydrants, light poles and other structures that may impact landscaping.
- 9. Tabulation necessary for the evaluation of compliance with Article XIV (clearly indicate the amount of plant material that will be relocated).
- 10. The delineation of irrigation coverage, sensors and high, medium and low zones of water usage. Include a statement that all landscape areas, excluding those areas with native noninvasive plants, will be provided with permanent automatic irrigation, including adjacent rights-of-way.
- 11. The tabulation clearly displaying statistical requirements to satisfy the xeriscape point system and its accompanying point allocation.
- 12. Landscape details (including landscape installation, staking, and tree protective barriers) sufficient to comply with Article XIV of the Zoning and Land Development Regulations.
- 13. Designate by botanical and common name, quantity, height, spread, spacing, and location of the plant materials to be installed or preserved. This information is to be presented in a tabular format or legend.
- 14. Landscape plans must be prepared, signed and sealed by a registered landscape architect.
- 15. Landscape plans shall be drawn at the same scale and directional orientation as the site plan.
- 16. Reduced copies of the plans (one (1) set 8½"x11" and one (1) set 11"x17").

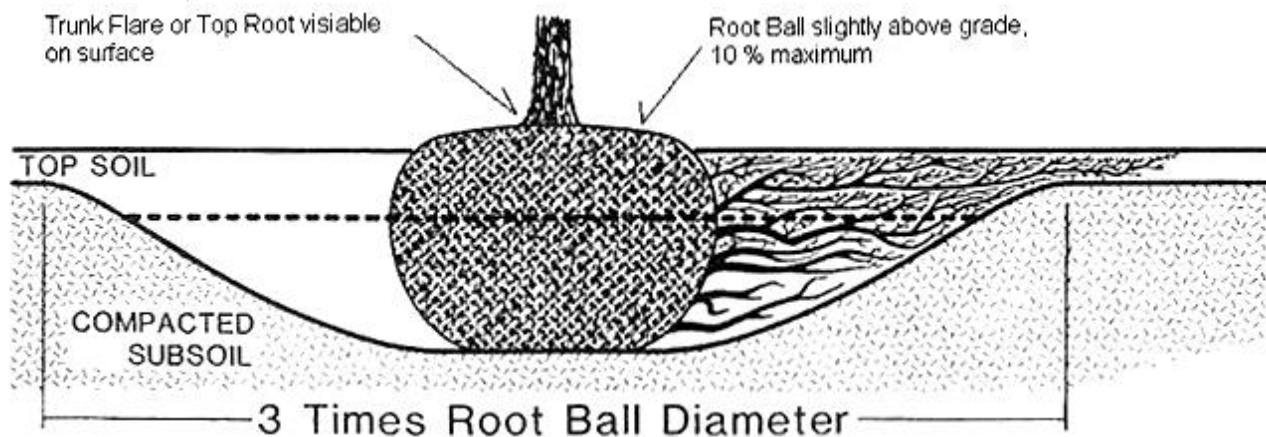
IMPORTANT: As indicated on page 2 of this application, an application for a Tree Alteration Permit may be required prior to submission. An Irrigation Permit Application and Plans shall be submitted at the time of permitting.

Refer to **page 14** of this application for additional tree-planting information that shall be provided within the landscape plans.

PLANTING PLANS AND DIAGRAMS

Recent research results obtained from the Agricultural Division of the University of Florida and Georgia State University have convincing evidence that the following changes in Tree and Shrub Planting Plans of Submitted Landscape Plans are warranted.

1. The **planting hole** shall be three (3) times the diameter of the root ball on the surface and two (2) times the root ball diameter at the base. This will produce a sloping hole.
2. The **planting depth** shall be determined by the tree's trunk flare or the top surface root. Planting plans and diagrams will require that the Trunk Flair or the top surface root will be visible on the surface of the planting.



3. The **removal of the root ball covering**.
 - Cut back **wire baskets** below the top half of the root ball.
 - Fold back **burlap** covering materials below the top half of the root ball.
 - Completely remove **synthetic burlap** covering materials.
4. A statement shall be provided that tree support materials are to be removed from each tree once it is 'established.' This is usually done after SIX (6) MONTHS for Shade Trees and ONE (1) YEAR for Palms.

Important Note on Tree Species – Large trees such as Live Oak, or Mahogany should not be planted within 10 feet of a building or in an island of less than (six) 6 feet between curbing. Smaller species are suggested in The City's Category Two Tree List.

AFFIDAVIT

State of Florida)
) SS:
County of Palm Beach)

Before me personally appeared _____, who, being duly sworn,
Print Name
deposes and states the following:

1. That the accompanying Property Owners List is, to the best of his/her knowledge, is a complete and accurate list of all the property owners, mailing addresses, and property control numbers as recorded in the Palm Beach County Courthouse for all properties within _____ hundred (_____) feet of the below described parcel of land.
2. The property in question is legally described as follows:

Signature

SWORN TO AND SUBSCRIBED before me this _____ day of _____ 20____, by _____
_____, who personally appeared before me and who did not take
Print Name
an oath.

Personally Known; OR
 Produced Identification – Type of Identification Produced: _____

[SEAL]

Notary Public Signature

Print Name: _____

Commission Number: _____

OWNERS CONSENT FORM

_____, the sole owner of record of the property legally described as
Print Name of Owner

Street Address: _____

City: West Palm Beach State: FL Zip Code: _____

Property Control Number (PCN): _____ - _____ - _____ - _____ - _____ - _____ - _____

states that he/she has thoroughly examined and is familiar with the application submitted to the City of West Palm Beach Development Services Department – Planning Division, submitted by _____, on behalf of _____ and expressly consents to the use of the subject property for the purpose described in the application and expressly consents to all conditions which may be agreed to for the application which may be imposed.

Agent/Representative Name

Applicant's Name

_____ understands that the granting of an application with any conditions made apart thereof, may affect the future development of the subject property.

Print Name of Owner

Signature

SWORN TO AND SUBSCRIBED before me this _____ day of _____ 20____, by _____, who personally appeared before me and who did not take an oath.

Print Name

- Personally Known; OR
- Produced Identification – Type of Identification Produced: _____

[SEAL]

Notary Public Signature

Print Name: _____

Commission Number: _____



The School District of Palm Beach County School Concurrency Application & Service Provider Form

Instructions: Submit one copy of the completed application and fees for each new residential project requiring a determination of concurrency for schools. A determination will be provided within fifteen (15) working days of receipt of a complete application. A determination is not transferable and is valid for one year from date of issuance. Once the Development Order is issued, the concurrency determination shall be valid for the life of the Development Order.

Please check (√) type of application (one only):

- Concurrency Determination Concurrency Exemption Concurrency Equivalency
 Adequate School Facilities Determination Letter of No Impact Time Extension

Fees: Concurrency Determination or Adequate School Facilities Determination (\$200.00 for more than 20 units / 20 units or less \$100.00); Equivalency (\$125.00); Exemption or Letter of No Impact (\$25.00); Time Extension (\$75.00)

PART I. PROJECT INFORMATION

Please attach a copy of the site/subdivision plan, last recorded warranty deed and consent form

Project Name: _____ Municipality: _____

Property Control Number (PCN): _____

Location / Address of Subject Property: _____ Street: _____

City: _____ State: _____ Zip: _____

DEVELOPMENT REQUEST:

Project Data		Type of Units	
Section/Township/Range	/ /		Single Family
Project Acreage			Multi-Family (Other than apartments)
Total Number of Units			Apartments (3 stories or less)
Will the Project be Phased?*(Y/N)			High Rise Apartments
Concurrency Service Area (CSA)			Age Restricted (Adults Only)**

* If applicable, please attach a Phasing Plan showing the number and type of units to receive certificate of occupancy yearly.
 ** A Restrictive Covenant is required for age-restricted communities.

OWNERSHIP / AGENT INFORMATION:

Owner's Name: _____

Agent's Name: _____

Mailing Address: _____

Telephone Number: _____ Fax Number: _____

I hereby certify the statements or information made in any paper or plans submitted herewith are true and correct to the best of my knowledge.

 Owner or Owner's Agent Signature Date

PART II. LOCAL GOVERNMENT REVIEW

Date Application Filed: _____ Petition Number: _____

Reviewed By: _____ Title: _____

- Did the Applicant pay the filing fee to you? YES (Please attach proof of payment)
 NO (If no, the applicant must pay the School District. The School District will not review without payment).

 Government Representative Signature Date

PART III. TO BE COMPLETED BY SCHOOL DISTRICT

Date & Time Received: _____ Case Number: _____

- I verify that the project complies with the adopted Level of Service (LOS) for Schools
 I verify that the project will comply with the adopted Level of Service (LOS) for Schools subject to the attached conditions
 I cannot verify that the project will comply with the adopted Level of Service (LOS) for Schools

 School District Representative Date



APPLICATION FOR TREE ALTERATION PERMIT

I. APPLICANT INFORMATION:

Name: _____

Mailing Address: Street Address: _____

City: _____ State: _____ Zip Code: _____

Phone No.: _____ Fax No.: _____ E-Mail: _____

II. AUTHORIZED AGENT FOR LICENSE APPLICATION COORDINATION (If Applicable):

Name: _____

Mailing Address: Street Address: _____

City: _____ State: _____ Zip Code: _____

Phone No.: _____ Fax No.: _____ E-Mail: _____

III. LOCATION WHERE PROPOSED ACTIVITY EXISTS OR WILL OCCUR:

Property Control Number: _____ - _____ - _____ - _____ - _____ - _____ - _____

Address: _____

IV. PRESENT USE OF SUBJECT PROPERTY: _____

V. PROPOSED USE OF SUBJECT PROPERTY: _____

VI. DESCRIPTION OF PROJECT:

Total number of trees proposed to be removed: _____

Total number of trees proposed to be relocated: _____

Reasons for removal or relocation: _____

VII. PROPOSED COMMENCEMENT DATE: _____

VIII. PROPOSED COMPLETION DATE: _____

(Continued on following page)

IX. REQUIRED INFORMATION:

- Application fee:
 Single family residence – \$25.00
 Multi-family residential and/or non-residential - \$50.00

Attach any additional remarks on a separate sheet.

Attach two (2) copies of the following:

- Map/aerial showing the size and location of the site.
- A certified tree survey (**required for the removal/relocation of six (6) or more trees**) and landscape plan designating trees to be preserved, relocated and/or removed. Copies shall also be provided in electronic format.
- A detailed list describing species and diameter breast height for each tree proposed to be removed or relocated.
- A legal description of the subject property and a drawing of the proposed work or a certified site plan showing the location of all existing and proposed buildings.

X. AFFIDAVIT OF OWNERSHIP OR CONTROL OF THE PROPERTY FROM WHICH THE PROPOSED WORK IS TO BE UNDERTAKEN:

I certify that (please check the appropriate space):

- I am the fee simple title owner of the subject property.
- I am a lessee, optionee, contract purchaser, or agent of the owner of the subject property (attach certified owner authorization for the proposed work and lease, option to purchase or land sales contract).
- I am the record easement owner of the subject property and the proposed tree removal is consistent with the use granted by the easement (attach certified owner authorization for the proposed work and copy of the document granting the easement and showing the location of the easement).

Name of Agent (Please Print)

Signature of Applicant/Agent

NOTE: AN AGENT MAY SIGN ABOVE IF THE APPLICANT COMPLETES THE FOLLOWING:

Application is made for a license to authorize the activities described herein.

- A. I authorize the agent listed in Section II of this application to negotiate modifications or revisions, when necessary, and accept or assent to any stipulations on my behalf.
- B. I understand I may have to provide additional information/data that may be necessary to show that the proposed project will comply with Article XIV, Section 94-447 'Protection of Trees,' of the City of West Palm Beach Code.
- C. In addition, I agree to provide entry to the project site for inspectors with proper identification for the purpose of reviewing the site as covered by the scope of Article XIV titled 'Landscaping, Land Clearing and Tree Protection.'
- D. Further, I hereby acknowledge the obligation and responsibility for obtaining all of the required state, federal, and local permits before commencement of construction activities.
- E. I certify that I am familiar with the information contained in this application, and that to the best of my knowledge and belief, such information is true, complete and accurate. I further certify that I possess the authority to undertake the proposed activities.

Name of Applicant (Please Print)

Signature of Applicant

Sworn to and subscribed before me this _____ day of _____ A.D., _____

Notary Public – State of Florida at Large

My Commission Expires: _____



PUBLIC UTILITIES DEPARTMENT
Engineering Services Division
1000 45th Street, Suite 15
West Palm Beach, FL 33402
Telephone: (561) 494-1040
Fax: (561) 494-1117

To Whom It May Concern

The proposed project may lie within an area where demands may exceed the current capacities. Please state the flow requirements for domestic water, sewage service and private fire protection for the proposed development.

Upon receipt, the City of West Palm Beach will determine the feasibility of providing the requested service, and the conditions under which such service will be provided.

City of West Palm Beach Code of Ordinance - Sec. 90-7.

Policy regarding extension of water or sewer service facilities of the city

- (a) Each person desiring to extend water or sewer service facilities of the city shall do so at his own cost and according to the particular guidelines therefore established by resolution of the city commission. Either the applicant or the city may design or construct the proposed facilities at the applicant's cost. All designs shall be approved by the Public Utilities Director.
- (b) If the city requires the applicant to install facilities greater than the facilities needed for the applicant's own use, the applicant shall install such facilities as required by the city at the applicant's own cost. The city, under a contract between the city and the applicant, shall recover on behalf of the applicant the excess costs identified as being due to the over-sizing of facilities and shall reimburse the applicant only when such costs are recovered from future users. The city shall not reimburse the applicant, however, for costs recovered more than ten years from the date of the contract.
- (c) The applicant shall be required to extend water or sewer facilities across the entire frontage of the applicant's property to the property line with the adjoining property most distant from the point of connection.
- (d) Upon completion of the water or sewer facilities as set forth in this section the applicant shall convey such facilities and property rights attendant thereto to the city by an instrument suitable for such purpose.
- (e) The applicant shall provide the required bond and insurance in amounts and coverage satisfactory to the city.

(Code 1979, § 31-7)

STANDARDS FOR CODE COMPLIANCE

VARIANCE

Section 94-38(d)(6) – Variance Standards

As provided in Chapter 166, Florida Statutes, to authorize any variance from the provisions of the Zoning and Land Development Regulations, the application must be determined by the review authority that the application be consistent with the criteria for granting variances listed below, according to Article II, Section 94-38(d)(6) of the City of West Palm Beach Zoning and Land Development Regulations.

- A. The special conditions and circumstances exist which are peculiar to the land, structure or building involving and which are not applicable to other lands, structures or building in the same zoning district.
 - B. The special conditions and circumstances necessitating the variance do not result from the action of the applicant.
 - C. The granting of a variance requested will not confer on the applicant any special privilege that is denied to other lands, building or structures in the same zoning district.
 - D. The literal interpretation of the provisions of the regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district and would work unnecessary and undue hardship on the applicant.
 - E. The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.
 - F. The granting of a variance will be in harmony with the general intent & purpose of these regulations and the Comprehensive Plan.
 - G. The variance will not be injurious to the area involved or otherwise detrimental to the public welfare.
 - H. The property cannot be put to a reasonable use which fully complies with the requirements of this Code.
 - I. The nonconforming use of the neighboring lands, structures or building in other zoning districts shall not be considered grounds for the authorization of a variance.
 - J. Financial hardship is not the only evidence of a hardship considered in the authorization of a variance.
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STANDARDS FOR CODE COMPLIANCE

CLASS B SPECIAL USE PERMIT

Section 94-36(e)(3) – General Use Standards

According to Article II, Section 94-36(e)(3), the applicant must demonstrate that the proposed use will be in harmony with the zoning ordinance and protection of the public interest for the following:

- A. Future Uses – The use exactly as proposed at the location where proposed will be in harmony with the uses which, under zoning ordinance and land use plan, are most likely to occur in the immediate area where located.
- B. Surrounding Uses – The use exactly as proposed at the location where proposed will be in harmony with existing uses in the immediate area where located.
- C. Public Benefit – The use exactly as proposed at the location where proposed will not result in substantially less public benefit nor greater harm than would result from use of the site for some use permitted by right or by some other special use permitted on the site.

Section 94-36(e)(4) – Specific Use Standards

According to Article II, Section 94-36(e)(4), the applicant must demonstrate that the proposed use will be in harmony with the following requirements:

- A. Traffic:
 - 1. The proposed use will not generate traffic that will reduce the level of service on any road to a lower level than would result from a use permitted by right.
 - 2. The proposed use will not require extension or enlargement or any other alteration of the street system in a manner resulting in higher net public cost or earlier expenditure of public cost than would result from a use permitted by right.
 - 3. The property or structure for the proposed use will be located, designed, and constructed so that the access and egress standards of Section 33-92 are satisfied for uses subject to those standards.
- B. Utility Systems – The proposed use will be so located in relation to water lines, sanitary sewers, storm sewers, surface drainage systems, and other utility systems that neither extension nor enlargement nor any other alternation of such systems in a manner resulting in higher net public cost than would result from a use permitted by right will be required.
- C. Public Safety – The proposed use will not place a demand on municipal police or fire protection services beyond the capacity of those services, a demand which does not exceed that likely to result from a use permitted by right.

Section 94-36(e)(5) – Residential District Standards

IMPORTANT: Only needs to be provided if the request is located within a residential zoning district.

According to Article II, Section 94-36(e)(5), the applicant must demonstrate that the proposed use will be in harmony with the following requirements:

(Continued on following page)

- A. Location – The location of the special use will not be hazardous to or inconvenient to the predominantly residential character of the area in which it is to be located or to be long-range development if the district for residential purposes intended.
- B. Size and Intensity – The size of the special use and the nature and intensity of the operations involved will not be hazardous or inconvenient to the residential character of the area in which it is to be located. The district for residential purposes shall not be affected adversely.
- C. Contiguous Residential Uses – The location of the special use will not result in the isolation of a small existing or planned residential developments by its being completely or largely surrounded by arterial streets or nonresidential land uses.
- D. Residential Character – Building for special uses in a residential district shall be designed and constructed in a manner similar other neighborhood residential structures. Design factors shall include building mass, height, materials, window arrangement, yards, and similar considerations.

Section 94-273(d) – Additional Use Standards

IMPORTANT: Please contact a Planner for assistance in obtaining the correct Standards.

The application shall conform to all of the Additional Standards found in Article IX, Section 94-273, in addition to all other requirements of the Zoning and Land Development Regulations.

Section 94-273(a)(2) – Waiver Standards

IMPORTANT: Only needs to be provided if any waivers from the Additional Use Standards are being requested.

According to Article IX, Section 94-273(a)(2), the application shall conform to all of the additional standards unless the special use review authority reduces the standards upon a finding that the proposed special use nevertheless meets the following waiver standards:

- A. The use will be consistent with the comprehensive plan of the City adopted by the City Commission.
 - B. The use will be in harmony with the general character of the neighborhood considering population, density, design, scale and activity, traffic and parking conditions, and number of similar uses.
 - C. The use will not be detrimental to the use, peaceful enjoyment, economic value, or development of surrounding properties or the general neighborhood; and will cause no objectionable noise, vibrations, fumes, odors, dust, glare physical activity.
 - D. The use will have no detrimental effect on vehicular or pedestrian within a district due to detrimental affects on permitted uses.
 - E. The use will not adversely affect the health, safety, security, morals, or general welfare of residents, visitors, or workers in the area.
 - F. The use will not, in conjunction with existing development in the area and development permitted under existing zoning, overburden existing public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage, and other public improvements.
 - G. The use otherwise meets the definition standards set forth elsewhere in this ordinance for such particular use.
 - H. The use will provide alternative measures consistent with the intent of the additional standards to provide protection to adjacent properties and preserve neighborhood character.
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