

Sec. 3-20. Application for change of zoning classification.

(1) *In general.* The following steps are to be followed to request a change in the zoning classification or designation for a parcel of real property.

(2) *Filing application.* All applications shall be filed with the building and zoning official on the proper form obtained through that office.

(3) *Consistency with comprehensive plan.* The zoning official shall determine if the application is consistent with the comprehensive plan. If it is not, the application and filing fee shall be returned to the applicant for such amendments as are necessary to bring the application into conformity with the comprehensive plan. Any applicant may appeal such rejection to the board of adjustment as provided in section 3-23, with final action thereon to be taken by the county commission after receipt of the written comments of the planning commission and a public hearing as provided in section 3-2(10); however, such review and final decision shall relate solely to the issue of whether or not the proposed change in zoning would be consistent with the most recent version of the comprehensive plan and shall not address the other merits of the application for the change in zoning.

(4) *Contents of application.* The application submitted shall include the following information in triplicate (no application will be accepted which does not include each of the following items):

(a) *Description.* The legal description, including lot and block number, and acreage of the subject property.

(b) *Owner.* The names and addresses of all owners of the property.

(c) *Zoning.* The existing and proposed uses and zoning classifications of the property.

(d) *Applicant interest.* A statement of the applicant's interest in the property including a copy of the latest recorded warranty deed and:

1. If joint and several ownership, a written consent to the rezoning petition by all owners of record
2. If a contract purchase, a copy of the purchase contract and written consent of the seller/owner.
3. If an authorized agent, a copy of the agency agreement or written consent of the principal/owner.
4. If a corporation or other business entity, the name of the officer or person responsible for the application and written proof that said representative had the delegated authority to represent the entity, or in lieu thereof, written proof that the person is, in fact, an officer of the corporation.

5. If a group of contiguous property owners, at least fifty-one (51) percent of the contiguous property owners of the property described in the petition must provide written consent.

(e) *Adjacent owners.* A complete list of all property owners, mailing addresses and legal descriptions for all property within five hundred (500) feet of the subject parcel (1000 feet for commercial rezoning requests) as recorded in the official tax rolls of the county.

(f) *Reason for application.* A statement of the special reasons that the rezoning request is needed and justified.

(g) *Fee.* Payment of any filing fee set by the county commission to cover advertising and other administrative costs.

(h) *Plan designation.* The current land use designation of said property under the comprehensive plan.

(i) *Signature.* A signed statement under penalty of perjury that all the materials submitted are true and correct to the best of the applicant's knowledge and belief.

(5) *Referral to planning commission.* The building and zoning official shall promptly forward the application and accompanying documents to the planning department for review by the planning commission.

(6) *Planning commission agenda and notice.* The planning official shall ensure that the application is promptly placed on the planning commission agenda and advertised under section 3-2(2) or section 3-2(3).

(7) *Planning commission review.* The planning commission shall study each request for rezoning for compliance with the intent of this Code and the comprehensive plan and, after a duly advertised public hearing, make a written recommendation to the county commission regarding the request, and the reasons for said recommendation, not later than thirty (30) days after the public hearing thereon. The recommendations shall be forwarded to the zoning official for final action by the county commission.

(8) *County commission agenda and notice.* The zoning official and clerk shall ensure that the application is duly advertised in accordance with section 3-2(2) or section 3-2(3) for public hearings before the county commission, which shall consider the application and the recommendations of the planning commission.

(9) *County commission action.* Following the public hearings the county commission may approve or deny the request in accordance with this Code and the intent of this Code and the comprehensive plan. If the application is

approved, the county commission may by ordinance amend, modify or change the existing zoning classification of the property. In the event the request is denied, no public body of Wakulla County shall thereafter take any further action on another application for rezoning or for substantially the same requested relief on the same premises for a period of twelve (12) months from the date of the prior action disapproving such relief.

(10) *Construction.* Nothing in this section shall be construed to limit the power of any Wakulla County agency, officer, board or commission to initiate proposals to rezone or reclassify property in the county, and no such agency, officer, board or commission shall pay a filing fee in connection with the initiation of said proposal.

(Ord. No. 85-4, 7-23-85)