



BOARD OF COUNTY COMMISSIONERS

Planning and Development

2725 Judge Fran Jamieson Way
Building A, Room 114
Viera, Florida 32940
(321) 633-2070 Phone

CONDITIONAL USE PERMIT APPLICATION WORKSHEET

Application Number

Owner Name

Applicant Name

Property Location:

Street

City

State

Zip Code

Type of CUP Requested:

If CUP is for Alcoholic Beverages, with what use it is in conjunction?

Type of Plan Required by Section 62-1901(b) (refer to attached CUP checklist)

Reproducible Site Plan signed by a registered engineer, land surveyor, or architect

Scaled Dimensional Sketch Plan

NOTE: IF FULL SIZE DRAWINGS ARE SUBMITTED, PLEASE SUBMIT ONE COPY OF A REDUCED VERSION OF THE PLANS (8 ½" X 11", 8 ½" X 14", OR 11" X 17")

Section 62-1901 provides that the following approval procedure and general standards of review are to be applied to all CUP (Conditional Use Permit) requests, as applicable. An application for a specific conditional use within the applicable zoning classification shall be submitted and considered in the same manner and according to the same procedure as an amendment to the official zoning map as specified in Section 62-1151. The approval of a conditional use shall authorize an additional use for the affected parcel of real property in addition to those permitted in the applicable zoning classification. **The initial burden is on the applicant to demonstrate that all applicable standards and criteria are met. Applications which do not satisfy this burden cannot be approved.** Prepare responses to address how the requested CUP will meet these standards and submit this completed worksheet along with

your application for public hearing for a CUP. You may attach additional pages or documentation, if needed.

General Standards of Review

Section 62-1901(c)(1)(a): The proposed conditional use will not result in a substantial and adverse impact on adjacent and nearby properties due to: (1) the number of persons anticipated to be using, residing, or working under the conditional use; (2) noise, odor, particulates, smoke, fumes, and other emissions, or other nuisance activities generated by the conditional use; or (3) the increase of traffic within the vicinity caused by the proposed conditional use.

Section 62-1901(c)(1)(b): The proposed use will be compatible with the character of the adjacent and nearby properties with regard to use, function, operation, hours of operation, type and amount of traffic generated, building size and setback, and parking availability.

Section 62-1901(c)(1)(c): The proposed use will not cause a substantial diminution in value of abutting residential property.

*Note: A substantial diminution shall be irrebuttably presumed to have occurred if abutting property suffers a 15% reduction in value as a result of the proposed conditional use. A reduction of 10% of the value of abutting property shall create a rebuttable presumption that a substantial diminution has occurred.

Specific Standards

Section 62-1901(c)(2)(a): Ingress and egress to the property and proposed structures (including vehicular and pedestrian safety and convenience, traffic flow and control, and emergency response access) shall be: (1) adequate to serve the proposed use without burdening adjacent and nearby uses, and (2) built to applicable county standards, if any.

*Note: Burdening adjacent and nearby uses is defined as increasing existing traffic on the closest collector or arterial road by more than 20%, or 10% if the new traffic is primarily comprised of heavy vehicles, except where the affected road is at Level of Service A or B. New traffic generated by the proposed use shall not cause the adopted level of service for transportation on applicable roadways to be exceeded. Where the design of a public road to be used by the proposed use is physically inadequate to handle the numbers, types, or weights of vehicles expected to be generated by the proposed use without damage to the road, the conditional use permit cannot be approved without a commitment to improve the road to a standard adequate to handle the proposed traffic, or to maintain the road through a maintenance bond or other means as required by the Board of County Commissioners.

Section 62-1901(c)(2)(b): The noise, glare, odor, particulates, smoke, fumes, or other emissions from the conditional use shall not substantially interfere with the use or enjoyment of the adjacent and nearby property.

Section 62-1901(c)(2)(c): Noise levels for a conditional use shall comply with Section 62-2271, which includes the following: ***Additional requirements may apply, per Section 62-2271.**

The Maximum Permissible Time Averaged (Leq) and A-Weighted Sound Pressure Limits for Receiving Uses are as follows:

Type of Use	Time Period	Maximum Allowable Sound Pressure Level
Residential	7:00 a.m. to 10:00 p.m.	60 dB(A)
	10:00 p.m. to 7:00 a.m.	55 dB(A)
Commercial	7:00 a.m. to 10:00 p.m.	65 dB(A)
	10:00 p.m. to 7:00 a.m.	55 dB(A)
Industrial	7:00 a.m. to 10:00 p.m.	75 dB(A)
	10:00 p.m. to 7:00 a.m.	65 dB(A)

Section 62-1901(c)(2)(d): The proposed conditional use shall not cause the adopted level of service for solid waste disposal for the property or area covered by such level of service, to be exceeded.

Section 62-1901(c)(2)(e): The proposed conditional use shall not cause the adopted level of service for potable water or wastewater for the property or the area covered by such level of service, to be exceeded by the proposed use.

Section 62-1901(c)(2)(f): The proposed conditional use must have existing or proposed screening or buffering, in terms of type, dimensions, and character to eliminate or reduce substantial, adverse nuisance, sight, or noise impacts on adjacent and nearby properties containing less intensive uses.

Section 62-1901(c)(2)(g): Proposed signs and exterior lighting shall not cause unreasonable glare or hazard to traffic safety, or interference with this use or enjoyment of adjacent and nearby properties.

Section 62-1901(c)(2)(h): Hours of operation of the proposed use shall be consistent with the use and enjoyment of the properties in the surrounding residential community, if any. For commercial and industrial uses adjacent to or near residential uses, the hours of operation shall not adversely affect the use and enjoyment of the residential character of the area.

Section 62-1901(c)(2)(i): The height of the proposed use shall be compatible with the character of the area, and the maximum height of any habitable structure shall not be more than 35 feet higher than the highest residence within 1,000 feet of the property line.

*Note: A survey of building heights within 1,000 feet of the property lines should be furnished for applicants requesting a Conditional Use Permit for additional building height.

Section 62-1901(c)(2)(j): Off-street parking and loading areas, where required, shall not be created or maintained in a manner which adversely impacts or impairs the use and enjoyment of adjacent and nearby properties.

*Note: For existing structures, the applicant shall provide competent, substantial evidence to demonstrate that actual or anticipated parking shall not be greater than that which is approved as part of the site plan under applicable County standards.

Note to Applicant: Per Section 62-1902(f), Expiration, Conditional Use Permits approved after the effective date of Ordinance No. 99-43 shall expire within three years from the date of approval if the approved use is not constructed or under substantial and continuous construction.

I have read the above note to applicant. All answers to the standards addressed by this worksheet, and all accompanying plans and documents are true to the best of my knowledge.

Applicant Signature

Date

Office Use Only:

Submittal checked by: _____



BOARD OF COUNTY COMMISSIONERS

Planning and Development
Planning and Zoning

2725 Judge Fran Jamieson Way
Building A, Room 114
Viera, Florida 32940
(321) 633-2070 Phone

CONDITIONAL USE PERMIT (CUP) CHECKLIST

Conditional Use Permits requiring scaled dimensional sketch plan only:

Any CUP for an existing structure not to be altered more than 50% of the original floor area or seating capacity.

Or CUP is listed below.

- Section 62-1904 Agricultural Pursuits.
- Section 62-1913 Boarding of Horses and Horses for Hire.
- Section 62-1917.5 Change of Nonconforming Agricultural Use.
- Section 62-1924 Crematoriums.
- Section 62-1925 Development Rights Receipt and Transfer.
- Section 62-1927 Farm Animals and Fowl.
- Section 62-1932 Guesthouses or Servants' Quarters.
- Section 62-1935 Horses and Barns.
- Section 62-1945 Recreational Facilities.
- Section 62-1945.5 Roadside Stands.
- Section 62-1946 Security Mobile Homes.
- Section 62-1947 Single-Family Residential Second Kitchen Facility.
- Section 62-1951 Temporary Medical Hardship Mobile Homes.
- Section 62-1956 Veterinary Hospitals or Clinics; Pet Kennels.
- Section 62-1958 Wild Animals and Poisonous Reptiles

Site Plan Shows the following: parking, landscaping, external structural changes, and ingress/egress.

Conditional Use Permits requiring a reproducible site plan by a registered engineer, land surveyor or architect:

Conditional Use Permit is listed below and is for a site which is either undeveloped or which is to be altered by 50% or greater of the original floor area or seating capacity of an existing structure.

- | | |
|-------------------|---|
| Section 62-1905 | Airplane Runways. |
| Section 62-1906 | Alcoholic Beverages for On-Premises Consumption. |
| Section 62-1907 | Arsenals and Explosives. |
| Section 62-1912 | Bed and Breakfast Inns and Boardinghouses. |
| Section 62-1916 | Cement, Concrete, and Concrete Building Products. |
| Section 62-1918 | Child Care Centers. |
| Section 62-1920 | Cluster Development of Mobile Homes. |
| Section 62-1921 | Commercial Entertainment and Amusement Enterprises. |
| Section 62-1921.5 | Composting Facility. |
| Section 62-1923 | Convenience Store in the BU-1-A Zoning Classification. |
| Section 62-1929 | Farmer's Markets. |
| Section 62-1930 | Flea Markets. |
| Section 62-1933 | Hazardous Waste Facility. |
| Section 62-1934 | Hog Farms. |
| Section 62-1936 | Land Alterations. |
| Section 62-1937 | Marinas. |
| Section 62-1938 | Metal Salvage Yards and Junk Yards. |
| Section 62-1939 | Mining and Smelting Operations. |
| Section 62-1940 | Motocross. |
| Section 62-1941 | Mulching Facility. |
| Section 62-1942 | Plant Nurseries (with outside bulk storage of mulch, topsoil, et cetera.) |
| Section 62-1943 | Prison Camp Correctional Facilities. |

Section 62-1943.5 Private Heliports.

Section 62-1949 Solid Waste Management Facilities.

Section 62-1949.7 Substantial Expansion of a Pre-Existing Use.

Section 62-1953 Towers and Antennas.

Section 62-1954 Trailer and Truck Rental.

Section 62-1955 Truss Manufacturing Plants.

Section 62-1960 Zoological Parks.

Site Plan shows the following: parking, ingress/egress, landscaping, refuse, screening or buffering, height, and stormwater retention areas.