



ZONING ORDINANCE AMENDMENT **APPLICATION (TEXT ONLY)**

Community Services Department
Planning and Zoning Division
65 Stone Street
Cocoa, Florida 32922

Phone: (321) 433-8535
Fax: (321) 433-8543
Web: <http://www.cocoafl.org>

This form is divided into steps, which will help you prepare your application, provide supplemental items, and prepare for the Planning and Zoning Board and City Council hearings. A pre-application meeting with Staff is **required**.

For Office Use Only - Date Received

Please TYPE or PRINT this application neatly.

Stamp Only When Application is Fully Complete

1. **Request:** To add "major recreational equipment" as a permitted use in the C-G zoning district.

2. **Applicable City Code Section(s):** Article XI, Section 12(A)(11).

3. **Applicant Information:** * NOTE: Applicant is the main contact, who must attend the meeting!

Company (if applicable): GrayRobinson, P.A.

Name: Thomas R. Sullivan

Mailing Address: 301 E. Pine Street, Suite 1400

City: Orlando State: FL Zip Code: 32839

Phone #: 407 244 5664 Fax #: 407 244 5690

Mobile #: 407 275 7740 E-mail: thomas.sullivan@gray-robinson.com

4. **Please submit the following items in order complete the application:**

- a. ☒ **Notarized application.**
- b. ☒ **Application fee.** Please make checks payable to the 'City of Cocoa' and submit payment **ONLY** to the Community Services Department. Public mail notice and legal advertising fees must also be paid a few weeks after application submittal. See Schedule of Fees, Charges and Expenses for applicable fees.
- c. ☒ **Corporate documents.** If the applicant is representing a company, articles of incorporation which show the applicant is authorized to represent the company is required. A data record printout from the Florida Department of State, Division of Corporations website may also be provided (<http://www.sunbiz.org/corpweb/inquiry/search.html>).
- d. ☐ **Additional information.** Submit any information that may be helpful in understanding the request. This may include, but limited to, desired ordinance text, examples, photos, sketches, elevations, and letters.

5. **Application filing procedure.** This application, together with all required exhibits and attachments, shall be completed and filed with the Planning and Zoning Division.

Public hearings process information – please read this!

6. **Dates and locations of public hearings.** All zoning text ordinance amendments require one hearing in front of the Planning & Zoning Board and two hearings in front of the City of Cocoa Council.
7. **Board types.** The Planning & Zoning Board is an advisory board to the City Council and therefore is only authorized to make recommendations. City Council is an authoritative body and is able to make binding decisions.
8. **Presence required at the public hearings.** The applicant or his/her representative must be present to answer any questions concerning the application. If there are extenuating circumstances why the applicant or his/her representative cannot attend, he or she must notify the City in writing prior to the public hearing.
9. **Preparing for the public hearings.** It is the applicant's responsibility to research and know all laws that may be applicable and may affect the outcome of any decision on the application request. The City assumes no responsibility or liability relating to the applicant's failure to research and know all applicable laws including, but not limited to state, federal, and city laws, codes, land development regulations, and the comprehensive plan.
10. **Exhibits at public hearings.** If photographs, documents, maps or other materials are provided to the Board/Council as evidence at the public hearing, the applicant must leave those instruments with the Recording Secretary. By law those instruments automatically become part of the public records and cannot be returned to the applicant.
11. **Witnesses at public hearings.** For the purposes of making a decision on the application, the Board/Council shall only consider testimony of qualified witnesses. A witness is determined by the Board/Council and is generally based on:
- a. The witness has personal knowledge of the fact in which the witness will testify; and/or
 - b. In the case of testimony consisting of opinions or inferences, the testimony is qualified as the following:
 1. *Layman witness:* Testimony of a witness other than an expert witness is qualified only if:
 - The witness can readily, and with equal accuracy and adequacy, communicate what he or she perceived to the Board without testifying in the form of opinions or inferences.
 - The opinions and inferences do not require any special knowledge, skill experience or training.
 2. *Expert witness.* Testimony of an expert witness is qualified only if:
 - The subject matter is proper for expert testimony because scientific, technical, or other specialized skill will help the Board understand the evidence being presented, or helps establish a fact in issue.
 - The witness is adequately qualified to express an opinion on the matter.
12. **Planning & Zoning Board vs. City Council actions.** If the Planning & Zoning Board finds that the facts presented in the matter justify approval, it may recommend to approve the request, or a portion thereof, and it may specify any conditions deemed necessary to preserve the intent of the City of Cocoa Code. If the Board finds that the facts presented do not justify approval, it may recommend to deny the request and will specify the reasons for denial. A decision is usually made at the same meeting that the hearing is held. Regardless of the outcome, the application will be forwarded to the City Council for consideration where a final decision can be made.

13. Zoning Text Amendment Petition

I, the undersigned, hereby petition the City of Cocoa Council for a zoning text amendment as specified below:

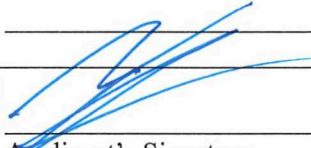
a. In order to approve a zoning text ordinance amendment, the Planning & Zoning Board and City Council must consider and study the criteria listed below (as described in Appendix A, Article XXII, Section 1 (G)(2) of the City of Cocoa Code). Please provide your consideration of the following criteria and any pertinent data and evidence that may be useful to the Planning & Zoning Board and City Council.

a. The need and justification for the change.

The stated intent of the C-G zoning district is to be developed and preserved as a major commercial center serving the commercial needs of the community and region. Adding "major recreational equipment" as a permitted use is in keeping with the intent of the C-G zoning district as it would allow for the sale of work trailers for various small businesses in the City and surrounding area (i.e., utility trailers for landscapers, enclosed trailers for plumbers and contractors).

b. The relationship of the proposed amendment to the purposes and objectives of the comprehensive planning program and to the comprehensive plan, with appropriate consideration as to whether the proposed change will further the purposes of this zoning code and other codes, regulations, and actions designed to implement the comprehensive plan.

The requested amendment is consistent with a number of goals, objectives and policies set forth in the Future Land Use Element of the City's Comprehensive Plan, including Policy 1.1.2.9, which provides that Commercial areas are intended to be areas that serve several neighborhoods, sub-regional and regional areas and provide an array of retail, personal and professional uses.


Applicant's Signature

6/2/24
Date

Thomas R. Sullivan
Applicant's Printed Name

14. Signatures and Notarization.

STATE OF FLORIDA COUNTY OF ORANGE. I, Thomas R. Sullivan
being first duly sworn, depose and say that:

- ☐ I am the applicant, or if corporation, I am the officer of the corporation authorized to act on this request.
- ☒ I am the legal representative of the applicant of this application and a notarized Letter of Authorization form or agent affidavit accompanies this application giving written, unless the applicant is the Attorney representing the owner.

I hereby certify that I have read, completed and understand this application and applicable petition, and understand that if my application and all associated attachments are not complete and accurate in all respects, the application will not be scheduled for a public hearing. I further understand that this application must be complete and accurate prior to the advertising of a public hearing.



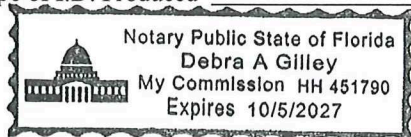
(APPLICANT SIGNATURE)

Thomas R. Sullivan

(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally Known ☒ OR Produced Identification ☐

Type of I.D. Produced _____





(NOTARY PUBLIC SIGNATURE)

STATE OF FLORIDA, COUNTY OF BREVARD

Sworn and subscribed to before me this 2nd day of June, 20 24

FOR OFFICE USE ONLY

Fee of \$ _____ in cash ☐ or check ☐ (No. _____) payable to the "City of Cocoa".

Receipt Number: _____

Date: _____

Signature from Planning & Zoning Division:

Zoning Text Amendment as described in the attached application.

[illegible]

Rev. 4-30-09



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Detail by Entity Name

Florida Limited Liability Company

4840 IRLO, LLC

Filing Information

Document Number L19000095835

FEI/EIN Number 84-2861329

Date Filed 04/11/2019

State FL

Status ACTIVE

Principal Address

3169 CANOE CREEK RD.

ST. CLOUD, FL 34772

Mailing Address

3169 CANOE CREEK RD.

ST. CLOUD, FL 34772

Registered Agent Name & Address

HALLOCK, DAVID D

ONE LAKE MORTON DR.

LAKELAND, FL 33801

Authorized Person(s) Detail

Name & Address

Title MGR

LOCKE, SCOTT

3169 CANOE CREEK RD.

ST. CLOUD, FL 34772

Annual Reports

Report Year	Filed Date
2022	02/28/2022
2023	03/01/2023
2024	03/07/2024

Document Images

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Florida Department of State, Division of Corporations