



Application # PZ - 21 - 005 00001

COMPREHENSIVE PLAN AMENDMENT / DEVELOPMENT OF REGIONAL IMPACT

APPLICATION

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 & Zoning Board/ Local Planning Agency 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. **Type of Application:**

- ☒ Small-scale Comprehensive Plan - Map Amendment
☐ Expedited Comprehensive Plan - Map Amendment
☐ Expedited Comprehensive Plan - Text Amendment

2. Existing Future Land Use Category (if applicable): _____

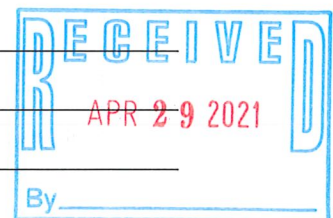
3. Proposed Future Land Use Category (if applicable): _____

4. Existing Zoning Category (if applicable): ESTATE USE (3 STORIES)

5. Proposed Zoning Category (separate application): RU-215

6. DRI Statutory Thresholds Being Exceeded (if applicable): _____

7. Proposed text amendment policies (if applicable): _____



8. **Applicant Information:**

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

Company (if applicable):

PRIVATE PROPERTY DEV. & CAREY PROPERTIES LLC

Name:

ALEC K GREENWOOD (EQUAL PARTNER)

Mailing Address:

P.O. Box 1077

City:

COCOA

State:

FLA

Zip Code:

32923

Phone #:

(321) 917-3770

Fax #:

(321) 632-0527

Mobile #:

(321) 917-3770

E-mail:

AGREENWOOD@CFLAR.COM

9. Property Owner Information:

* Check here if same as Applicant → ☐

* If more than one owner, attach additional sheet with names and addresses.

Company (if applicable): CAREY PROPERTIES LLC (EQUAL PARTNER)
Name: JIM MILLER (EQUAL PARTNER)
Mailing Address: 12466 HONDROU DRIVE
City: FULTON State: MD Zip Code: 20759
Phone #: (443) 812-4569 Fax #: _____
Mobile #: (443) 812-4569 E-mail: JIMMILLER1019@YAHOO.COM

10. Applicant's Representatives:

* If more than three other representatives, attach additional sheet with names and addresses.

Company (if applicable): _____
Name: HECK GREENWOOD (EQUAL PARTNER)
Mailing Address: P.O. Box 1077
City: COCOA State: FLA Zip Code: 32923
Phone #: (321) 917-3770 Fax #: (321) 632-0527
Mobile #: (321) 917-3770 E-mail: AGREENWOOD2@CFL.RR.COM

Company (if applicable): _____
Name: _____
Mailing Address: _____
City: _____ State: _____ Zip Code: _____
Phone #: _____ Fax #: _____
Mobile #: _____ E-mail: _____

Company (if applicable): _____
Name: _____
Mailing Address: _____
City: _____ State: _____ Zip Code: _____
Phone #: _____ Fax #: _____
Mobile #: _____ E-mail: _____

11. Property Information (if applicable):

Street Address and Location:

Parcel ID:

** If more than three Parcel IDs, attach additional sheet with Parcel IDs.*

24-36-21-34-*5□□□.□-□□□□.□□

_____-_____-_____-_____-_____-_____. _____. _____.

		-		-		-		-						.	-					.		
--	--	---	--	---	--	---	--	---	--	--	--	--	--	---	---	--	--	--	--	---	--	--

Tax Account Numbers:

* If more than three Tax Account #s, attach additional sheet with Tax Account #s.

2416870

--	--	--	--	--	--	--

Land Area:

23958.59/17 square feet or .55

square feet or

acres

Existing Use(s) on Property:

80 VACANT LAND

Proposed Use(s) on Property:

R4215 (OR) FOUR UNITS

12. Please submit the following items in order complete the application:

- a. ☒ **Notarized application.**
- b. ☒ **List of owners within 500 feet.** A “radius map package” from Brevard County containing a certified mailing list with mailing labels and a map of all property owners of record who reside within a 500-foot radius of the subject property is required for public notice. It is the applicant's responsibility to obtain these materials from the following for a nominal fee:
Brevard County Planning and Zoning
Brevard County Government Center, Building A
2725 Judge Fran Jamieson Way
Viera, FL 32940
Phone: (321) 633-2060
- c. ☐ **Petition.** Complete the Comprehensive Plan Amendment Petition form. A sample “Petition” form is available from the City.
- d. ☐ **Application fee.** The fee for Small-Scale Amendments is \$500.00. The fee for Expedited Amendments is \$1000.00 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.
- e. ☐ **Proof of ownership.** A copy of the most recent recorded warranty deed is required.
- f. ☒ **Letter of authorization.** If the applicant is not the property owner, a notarized letter of authorization or agent affidavit is required, unless the applicant is the Attorney of the owner. Each property owner must complete a separate authorization form or other suitable documentation to allow the agent to act upon his/her behalf. A sample “Letter of Authorization” form is available from the City.

- g. ☐ **Corporate documents.** If the applicant/owner is representing a company, articles of incorporation which show the applicant/owner 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>).
 - h. ☐ **Certified boundary survey.** Submit a boundary survey certified to the City of Cocoa showing all existing structures and all proposed structures.
 - i. ☐ **Legal description.** Submit a typed copy of the legal description. It may be submitted on a computer disk or by e-mail.
 - j. ☐ **A general description of the proposed amendment to the comprehensive development plan, explaining why the amendment is necessary or appropriate.**
 - k. ☐ **An analysis of the fiscal impact of the proposed amendment on the city's finances, if any.**
 - l. ☐ **An analysis of the impact of the amendment on all public facilities, if any.**
 - m. ☐ **An analysis of the impact of the amendment on the environment and natural and historical resources, if any.**
 - n. ☐ **An analysis of the degree of consistency of the proposed amendment with city's comprehensive plan.**
 - o. ☐ **An analysis of the impact upon the city's ability to provide adequate public facilities and maintain the existing level of service for public facilities as identified in the comprehensive plan, if the amendment is granted.**
 - p. ☐ **If the application involves a specific parcel of real property, a statement regarding compatibility of the amendment with surrounding neighborhoods and land uses.**
 - q. ☐ **A statement regarding the proposed amendment's impact upon any other provisions in the comprehensive plan, and whether an internal inconsistency between provisions might be created.**
 - r. ☐ **Consistent with Future Land Use Element Policies 1.1.2 G(6)(C) and H(5)(C), the following are required if the applicant is proposing to designate (or expand) new Commercial or Neighborhood Commercial areas:**
 - 1. Land Use Compatibility Study
 - 2. Transportation Study
 - 3. Market Study
 - s. ☐ **Additional information (optional).** Submit any information that may be helpful in understanding the request. This may include photos, sketches, elevations, or letters from adjoining property owners.
13. **Application filing deadline.** Applications are processed in as timely a manner as possible and will be scheduled for the next available Planning & Zoning Board and City Council meeting once the analysis and staff report has been completed.
14. **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!

15. **Dates and locations of public hearings.** All applications require one hearing in front of the Planning & Zoning Board/ Local Planning Agency and two hearings in front of the City of Cocoa Council. All regularly scheduled Planning & Zoning Board/ Local Planning Agency hearings and City of Cocoa Council meetings are held at 6:00 pm in the Cocoa City Council Chambers located at 65 Stone Street, Cocoa, Florida unless otherwise notified.
16. **Board types.** The Planning & Zoning Board/ Local Planning Agency 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.
17. **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.
18. **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.
19. **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.
20. **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.
21. **Planning & Zoning Board/ Local Planning Agency 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.
22. **City Council action.** *Small-scale amendments* require one City Council public hearing, after which the amendments are transmitted to the Department of Economic Opportunity (DEO) for their files. If approved by Council, the typical effective date is thirty-one (31) days after adoption by City Council. *Expedited amendments* require two separate City Council public hearings. After the first hearing, the amendment must be transmitted to DEO and other state agencies for detailed review. Comments from this review are due to the City within thirty (30) days. The City then has 180 days to address any comments and hold the second City Council hearing. If approved by Council, the typical effective date is thirty-one (31) days after adoption by City Council.

23. Signatures and Notarization.

STATE OF Florida COUNTY OF Brevard. I, Aleck Greenwood
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.

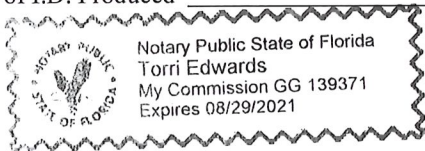
I hereby certify that I have read, completed and understand this application and applicable petition, and understand that if my application and all associated attachments are not complete and accurate in all respects, the application will not be scheduled for a public hearing. I further understand that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

[Signature]
(APPLICANT SIGNATURE)

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

Personally Known ☒ OR Produced Identification ☐

Type of I.D. Produced _____



[Signature]
(NOTARY PUBLIC SIGNATURE)

STATE OF FLORIDA, COUNTY OF BREVARD

Sworn and subscribed to before me this 29 day of April, 20 21

FOR OFFICE USE ONLY

Fee of \$ 500.- in cash ☐ or check ☒ (No. 8516) payable to the "City of Cocoa".

Receipt Number: _____

Date: 4-29-21

Signature from Planning & Zoning Division:

[Signature]

COMPREHENSIVE PLAN AMENDMENT PETITION



TO: City of Cocoa Council

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

In order to approve a comprehensive plan amendment, the Planning & Zoning Board/ Local Planning Agency and City Council must consider and study the criteria listed below (as described in Section 15-11(c) 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/ Local Planning Agency and City Council. Use extra sheets if necessary.

a. Whether the proposal favorably or unfavorably impacts the city's budget, or the economy of the region.

THE PROPOSAL WILL FAVORABLY IMPACT THE
CITY'S BUDGET OR THE ECONOMY OF THE
REGION.

b. Whether the proposal will diminish the service level of public facilities.

WILL NOT DIMINISH THE SERVICE LEVEL
OF PUBLIC FACILITIES

- c. Whether the proposal favorably or unfavorably impacts the environment, or the natural or historical resources of the city or the region.

THE PROPOSAL WILL FAVORABLY IMPACT THE ENVIRONMENT AND THE NATURAL OR HISTORICAL RESOURCES OF THE CITY OR REGION

- d. Whether the proposal is consistent with goals, policies, and objectives of the state comprehensive plan set forth in Chapter 187, Florida Statutes, and the East Central Florida Comprehensive Regional Policy Plan, adopted by Chapter 29F-19.001, Florida Administrative Code.

THE PROPOSAL IS CONSISTENT WITH GOALS, POLICIES, AND OBJECTIVES OF THE STATE COMPREHENSIVE PLAN SET FORTH IN CHAPTER 187, FLORIDA STATUTES, AND THE EAST CENTRAL FLORIDA COMPREHENSIVE REGIONAL POLICY PLAN, ADOPTED BY CHAPTER 29F-19.001, FLORIDA ADMINISTRATIVE CODE.

- e. Whether the proposal will favorably or unfavorably affect the city's ability to provide adequate public facilities, and whether the proposal will reduce the level of service for affected public facilities below the level of service set in the comprehensive plan.

THE PROPOSAL WILL FAVORABLY AFFECT THE CITY'S ABILITY TO PROVIDE ADEQUATE PUBLIC FACILITIES, AND WILL NOT REDUCE THE LEVEL OF SERVICE FOR PUBLIC FACILITIES BELOW THE LEVEL OF SERVICE SET IN THE COMPREHENSIVE PLAN.

f. Whether the proposal is incompatible with surrounding neighborhoods and land uses.

THE PROPOSAL IS COMPATIBLE WITH SURROUNDING NEIGHBORHOOD AND LAND USES.

RURIS ZONING EXISTS ACROSS STREET AND INCLUDES MULTIPLE 3 STORY APARTMENT BUILDINGS ALREADY PRESENT.

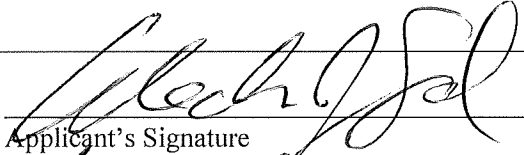


g. Whether the proposal will have a favorable or adverse effect on the ability of people to find adequate housing reasonably accessible to their places of employment.

THE PROPOSAL WILL HAVE A FAVORABLE EFFECT ON THE ABILITY OF PEOPLE TO FIND ADEQUATE NEW HOUSING REASONABLY ACCESSIBLE TO THEIR PLACES OF EMPLOYMENT.

h. If the amendment being requested is consistent with all the elements of the comprehensive plan.

THE AMENDMENT BEING REQUESTED IS CONSISTENT WITH ALL THE ELEMENTS OF THE COMPREHENSIVE PLAN

11:00

 Applicant's Signature	 Date
 Applicant's Printed Name	

If there are any questions contact the Planning and Zoning Division, City Hall, 65 Stone Street, Cocoa, FL 32922.