



Planned Unit Development
- Final 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 and City Council hearings. A pre-application meeting with Staff is **required**.

For Office Use Only - Date Received

Stamp Only When Application is Fully Complete

Please TYPE or PRINT this application neatly.

1. **Final PUD Project Name:** _____

2. **Preliminary PUD Approval Date:** _____

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

Company (if applicable): _____

Name: _____

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Phone #: _____ Fax #: _____

Mobile #: _____ E-mail: _____

4. **Property Owner Information:** ** Check here if same as Applicant →*

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

Company (if applicable): _____

Name: _____

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Phone #: _____ Fax #: _____

Mobile #: _____ E-mail: _____

5. Surveyor:

Company (if applicable): _____

Name: _____

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Phone #: _____ Fax #: _____

Mobile #: _____ E-mail: _____

6. Engineer:

Company (if applicable): _____

Name: _____

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Phone #: _____ Fax #: _____

Mobile #: _____ E-mail: _____

7. Property Information:

Street Address and Location: _____

Parcel ID: ** If more than two Parcel IDs, attach additional sheet with Parcel IDs.*

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Tax Account Numbers: ** If more than two Tax Account #s, attach additional sheet with Tax Account #s.*

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Land Area: _____ square feet or _____ acres

Existing Use(s) on Property: _____

Proposed Use(s) on Property: _____

Existing Zoning Category (must be PUD): _____

Existing Future Land Use Category: _____

8. 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, Attn: Graphics.
Brevard County Government Center, Building A
2725 Judge Fran Jamieson Way
Viera, FL 32940
Phone: (321) 633-2060 Fax: (321) 633-2152
- c. **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.
- d. **Proof of ownership.** A copy of the most recent recorded warranty deed is required.
- e. **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.
- f. **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>).
- g. **Legal description.** Submit a typed copy of the legal description. It may be submitted on a computer disk or by e-mail.
- h. **Engineering plans.** Submit 10 copies (folded to about 8-1/2 x 11”) of the engineering plans drawn to scale. The engineering plans shall, at a minimum, include the items below (combine elements on several sheets where applicable):
 1. Existing ground surfaces and proposed elevations in the planned unit development.
 2. If deemed necessary by the city, subsurface conditions on the tract, including the location and results of tests made to ascertain the conditions of subsurface soil, rock, and groundwater, and the existing depth of groundwater.
 3. Typical cross-sections of proposed grading, streets and sidewalks, canals and waterways.
 4. Proposed type of pavement in accordance with city specifications.
 5. Layout of water distribution, sanitary sewers and storm drainage systems, with grades and sizes indicated.
 6. Final engineering drawing of water, sanitary sewer and storm drainage systems and sidewalks, streets, bulkheads, street name signs, and adequate lighting. Said engineering plans shall be in conformity with the requirements and specifications of the City of Cocoa subdivision regulations.
- i. **Final development plan.** Submit 2 paper copies (folded to about 8-1/2 x 11”) and 1 electronic copy of the final development plan drawn to scale along with the required exhibits. The final development plan shall, at a minimum, include the items in **h.** above and the items specified below (combine elements on several sheets where applicable):
 1. Dedication of owner and completion of certificate of surveyor.
 2. The location, dimensions and character of construction of all proposed streets, driveways, points of ingress and egress, loading areas, number of parking spaces and areas, residential areas and structures, nonresidential areas and structures, recreational areas and structures, and common space areas by type. All primary and secondary uses must be clearly listed on the final development plan.
 3. Proposed lot lines (if any), lot and block numbers and dimensions of all primary and secondary uses proposed.
 4. The proposed architectural and landscape design of all structures and common space that clearly reflects the compatibility of the variety of primary and secondary uses proposed.
 5. Location and width of canals and waterways.

6. Reservations, easements, alleys and any areas to be dedicated to public uses or sites for other than residential use with notes stating their purpose and any limitations.
 7. Sufficient data to determine readily and reproduce on the site the location, bearing and length of every street line, lot line, boundary line and block line, whether curved or straight.
 8. The radius, central angle, point of tangent, tangent distance and arcs and chords of all curved property lines.
 9. A legal description of the planned unit development boundaries with bearings, distances and tie point.
 10. Accurate location and description of all monuments and markers.
 11. All dimensions should be to the nearest one two-hundredth (1/200) of a foot, and angles to the nearest second.
 12. The final development shall meet the platting requirements of Florida Statutes, Chapter 177. In case of a large plan that may require two (2) or more, sheets are to be indicated on the first sheet below the title.
- j. **Development schedule.** The development schedule shall, at a minimum, include the items specified below:
1. The order of construction of the proposed stages delineated in the development plan.
 2. The proposed date for the beginning of construction of said stages.
 3. The proposed date for the completion of construction of said stages.
 4. The proposed schedule for the construction and improvement of common open space within said stages, including any complementary buildings.
- k. **Deed restrictions.** Deed restriction proposals to preserve the character of the common open space as set forth in subsection "c". Said deed restrictions shall include a prohibition against partition by any residential property owner.
- l. **Association or nonprofit corporation.** If the developer elects this method of administering common open space, the proposed bylaws of the association or the certificate of incorporation and the corporate bylaws of the nonprofit corporation shall be submitted for approval by the city.
- m. **Instruments.** Instruments dedicating all rights-of-way, easements and other public lands shown on the final development plan from all persons having any interest in said land.
- n. **Bill of sale.** A bill of sale, conveying to the city water and sewer utility lines, mains, lift stations, and other personal property required to be installed by this chapter [ordinance] and accepted by the city.
- o. **Instruments.** Indicating that all necessary off-site easements of dedications have been acquired. In lieu of originals, "certified true copies" will be accepted if the recording information from the public records of Brevard County, Florida, is included thereon.
- p. **Title opinion.** A title opinion from an attorney or a property information report obtained within the preceding 30 days showing the status of the title to the site encompassed by the final development plan and all liens, encumbrances and defects, if any.
- q. **Tax receipts.** Paid receipts indicating ad valorem taxes have been paid in full up to and including the current period.
- r. **Tree Removal/Land Clearing Application.** A tree removal application in conformance with the requirements of Article XIII, Section 22.
- s. **Floodplain Development Permit Application.** If applicable, a floodplain development permit application in conformance with the requirements of the City Code and the City's Comprehensive Plan.
- t. **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.
- u. **Resubmittals.** Resubmittals should be accompanied by a list of changes and a certified statement by the preparer that no other changes have been made to the drawings. Otherwise, delays may be experienced due to extra staff review time. Each resubmittal shall follow the same requirements.

9. **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!

10. **Dates and locations of public hearings.** Final Planned Unit Development applications require one hearing in front of the Planning & Zoning Board and two hearings in front of the City of Cocoa Council. All regularly scheduled Planning & Zoning Board hearings are held on the first Wednesday of each month at 6:00 pm in the Cocoa City Council Chambers located at 65 Stone Street, Cocoa, Florida unless otherwise notified. All regularly scheduled City of Cocoa Council meetings are held on the second and fourth Tuesday of each month at 6:00 pm in the Cocoa City Council Chambers located at 65 Stone Street, Cocoa, Florida unless otherwise notified.
11. **Board types.** With respect to this type of application, 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.
12. **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.
13. **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.
14. **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.
15. **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.
16. **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.

In order to approve a Planned Unit Development, the Planning & Zoning Board and City Council must consider and study the criteria listed below (as described in Appendix A, Article XI, Section 17 (I)(2)e. of the City of Cocoa Code) and include the findings of fact that serve as a basis for its recommendation. 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. Use extra sheets if necessary.

- 1. Degree of departure of proposed planned unit development from surrounding areas in terms of character and density.**

- 2. Compatibility within the planned unit development and relationship with surrounding neighborhoods.**

3. Prevention of erosion and degrading of surrounding area.

4. Provision for future public education and recreation facilities, transportation, water supply, sewage disposal, surface drainage, flood control and soil conservation as shown in the preliminary development plan.

5. The nature, intent and compatibility of common open space, including the proposed method for the maintenance and conservation of said common open space.

6. The feasibility and compatibility of the specified stages contained in the preliminary development plan to exist as an independent development.

7. The availability and adequacy of primary streets and thoroughfares to support traffic to be generated within the proposed planned unit development.

8. The availability and adequacy of water and sewer service to support the proposed planned unit development.

9. The benefits within the proposed development and to the general public to justify the requested departure from standard land use requirements inherent to a planned unit development classification.

10. The conformity and compatibility of the planned unit development with any adopted development plan of the City of Cocoa.

11. The conformity and compatibility of the proposed common open space, primary residential and secondary nonresidential uses within the proposed planned unit development.

17. Signatures and Notarization.

STATE OF _____ COUNTY OF _____. I, _____
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 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)

(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 _____ day of _____, 20 _____

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:
