



PLANNED UNIT DEVELOPMENT
- PRELIMINARY 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 or a tentative development plan 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. Preliminary PUD Project Name: _____

2. 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: _____

3. 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: _____

4. Surveyor:

Company (if applicable): _____

Name: _____

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Phone #: _____ Fax #: _____

Mobile #: _____ E-mail: _____

5. Engineer:

Company (if applicable): _____

Name: _____

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Phone #: _____ Fax #: _____

Mobile #: _____ E-mail: _____

6. 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: _____

Existing Future Land Use Category: _____

7. 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 request these materials with the Brevard County GIS Department that are available free of charge. Inquiries need to be emailed to servicedesk@brevardfl.gov and forwarded to the **City of Cocoa Planning and Zoning Department** when available.
- c. **Petition.** Complete the Preliminary Planned Unit Development petition form. A sample "Petition" form is available from the City.
- d. **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.
- 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. **Legal description.** Submit a typed copy of the legal description.
- i. **Certified topographic data map.** Submit a topographic data map drawn to a scale of two hundred (200) feet to one inch or larger by a registered surveyor and/or engineer showing, at a minimum, the following: The location of existing property lines both for private property and public property, streets, buildings, watercourses, transmission lines, sewers, bridges, culverts and drain pipes, water mains, any public utility easements, wooded areas, streams, lakes, marshes, and any physical conditions affecting the site.
- j. **Preliminary development plan.** Submit 2 paper copies (folded to about 8-1/2 x 11") and 1 electronic copy of a plan drawn to scale along with the required exhibits. The preliminary development plan shall not be smaller than 11" x 17", and shall, at a minimum, include the items below (combine elements on several sheets where applicable):
 - 1. Vicinity map indicating the relationship between the planned unit development and its surrounding area including adjacent streets and thoroughfares.
 - 2. Proposed name or title of project, the name of the engineer, architect, and developer.
 - 3. North arrow, scale (1" = 200' or larger) date and legal description of the proposed site.
 - 4. Boundaries of tract shown with bearings, distances and closures and bulkhead lines. All existing easements, section lines, and all existing streets and physical features in and adjoining the project, and the existing zoning.
 - 5. Names and locations of adjoining developments and subdivisions.
 - 6. Proposed parks, school sites, or other public or private open space.
 - 7. Vehicular and pedestrian circulation systems including off-street [parking] and loading areas, driveways and access points.
 - 8. Site data including tabulation of the total number of gross acres in the project, the acreage to be devoted to each of the several types of primary residential and secondary nonresidential uses, and the total number of dwelling units. All potential uses must be clearly listed on the preliminary development plan.

9. Proposed common space by type, including the proposed improvements and any complementary structures and the tabulation of the per cent of the total area devoted to common space by type. Areas qualifying for common space shall be specifically designated on the site plan.
 10. Delineation of specific areas designated as a proposed stage. Commercial and residential areas being clearly delineated as separate areas.
 11. General statement indicating proposed means of drainage for the site to insure conformity with natural drainage within the vicinity area or with the drainage plan established within the vicinity area.
 12. General location within site of each primary residential and nonresidential use, and the proposed amount of land to be devoted to individual ownership.
 13. Schematic drawings of the elevation and architectural construction of the proposed structures.
 14. The proposed method of dedication and administration of proposed common open space.
 15. Title Opinion: A title opinion from an attorney or a property information report that is prepared within the preceding 90 days showing the status of the title to the site encompassed by the preliminary development plan and all liens, encumbrances and defects, if any.
 16. Traffic Report: A traffic study and analysis, prepared by a duly qualified expert, regarding both the estimated impact of the proposed preliminary development plan on the neighborhood and surrounding properties and the established level of service on affected roads.
- k. **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.
- l. **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.

8. **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!

9. **Dates and locations of public hearings.** Preliminary Planned Unit Development applications require one hearing in front of the Planning & Zoning Board and one hearing 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.
10. **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.
11. **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.
12. **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.
13. **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.
14. **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.
15. **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 Preliminary 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.

16. 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 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)

(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:
