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### APPLICATION FOR SPECIAL EXCEPTION

THIS APPLICATION IS FOR SPECIAL EXCEPTION USE APPROVAL ONLY. SITE DEVELOPMENT WILL REQUIRE APPROVAL OF THE APPROPRIATE LEVEL OF SITE PLAN REVIEW.

1. Property Owner (Print) \_\_\_\_\_  
Contact Person (If Property Owners is an Entity): \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ Email: \_\_\_\_\_
2. Authorized Agent (Print) \_\_\_\_\_  
Contact Person (If Property Owners is an Entity): \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ Email: \_\_\_\_\_
3. Legal Description & Parcel ID #of the specific property covered by this application: (If lengthy, please attach extra sheets): PID #: \_\_\_\_\_  
Legal Description: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
4. Size of area covered by the application: \_\_\_\_\_ acres (Title/Deed & Survey Legal Description should agree.)
5. Existing use of the property (e.g. vacant, commercial, industrial, etc.): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
6. Description of Proposed Development (Can be provided in a narrative as an attachment to this application.): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
7. The following documentation is required to be submitted with this application, as applicable:
  - a. \_\_\_\_\_ Two (2) originals of the completed application with support documents, thirteen (13) 11" by 17" copies of the site plan, an electronic copy in .pdf form of all plans and documents and the application fee of \$500.00. Checks are to be made to the order of the Gadsden County Board of County Commissioners.
  - b. \_\_\_\_\_ Two 24" by 36" (2) originals of the site plan addressing the requirements of Subsection 7301.A of the Gadsden County Land Development Code;
  - c. \_\_\_\_\_ All required information identified in Subsection 7300, Special Exception Uses of the Gadsden County Land Development Code (address in a narrative and on site plan);

- d. \_\_\_\_\_ Address the Criteria for Approval (Sub.7301.B of the Gadsden County Land Development Code);
- e. \_\_\_\_\_ Authorization to Represent, if applicable;
- f. \_\_\_\_\_ Current signed and sealed survey with legal description (See Sub. 7103.D);
- g. \_\_\_\_\_ Title certificate with legal description or equivalent (deed) bearing a legal description of the subject property (See Sub. 7103.C);
- h. \_\_\_\_\_ Indication of FEMA Flood Zones and/or wetlands on the plans, if applicable;
- i. \_\_\_\_\_ Two (2) copies of a certified tree survey and an Environmental Impact Assessment, if applicable.

I hereby certify that the information contained in this application is correct and accurate and that I am either the sole property owner of the subject property, or am the authorized representative of the property owner(s) in all regards pertaining to this application pursuant to proof and/or attached authorization.

\_\_\_\_\_ I AM THE OWNER.

\_\_\_\_\_ I AM THE LEGAL REPRESENTATIVE OF THE OWNER (Attach Authorization to Represent) of the property described which is the subject matter of this application.

\_\_\_\_\_  
Signature of Owner or Authorized Representative

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_ 20, by \_\_\_\_\_ who is personally known to me, or has produced \_\_\_\_\_ as identification and who did (did not) take an oath.

\_\_\_\_\_  
Notary Signature

**SEAL:**

\_\_\_\_\_  
Notary Printed Name

Commission Number: \_\_\_\_\_



# Gadsden County Land Development Code

## SECTION 7300. SPECIAL EXCEPTION USES.

**Subsection 7301. Standards for Special Exception Uses.** The approval of a special exception use does not create precedence as each use is considered on a case-by-case basis. Due to the nature of special exception uses, criteria shall be applied to ensure compatibility of the proposed use with adjacent and nearby uses and developments. The burden is on the applicant to prove by substantial evidence that the granting of the special exception is in the public interest.

- A. Required Information. At minimum, the following information must be provided in writing and on a site plan, as applicable, as part of the application in order for consideration of the request:
1. Describe the proposed special exception use;
  2. The physical factors by which the environmental impacts of the project on the site and adjacent sites can be assessed;
  3. The scale and character of the proposed special exception use in relationship to adjacent and nearby uses and structures;
  4. Setbacks required and proposed to insure compatibility;
  5. Transportation impacts, access and location;
  6. The location of available utilities;
  7. The location, dimensions, and lighting of signage;
  8. The location of off-street parking and loading areas where required and screening detail, if applicable;
  9. The exterior lighting detail with reference to glare, traffic safety and compatibility with surrounding properties;
  10. The location of refuse and service areas, with particular reference to location and screening in relation to adjacent uses;
  11. Buffering and screening detail at 1.5 times the buffer requirements including type, dimensions and materials;
  12. Days and hours of operation;
  13. Number, frequency, and duration of special events annually;
  14. Measures to insure compatibility including but not limited to those listed in Subsection 5002.B, Compatibility of the Land Development Code.
- B. Criteria for approval. The following criteria shall be used in the determination of the issuance of the special exception use:
1. Compatibility of the proposed special exception use with adjacent and nearby uses in terms of use, scale, character, height, setbacks, and open space;
  2. General compatibility with adjacent and nearby properties;
  3. The noise, glare or odor effects of the use on surrounding areas;
  4. The impacts of refuse and service areas, with particular reference to location and screening in relation to adjacent uses;
  5. The impacts of off-street parking and loading areas on adjacent uses;
  6. The impacts of signs and proposed exterior lighting if any with reference to glare, traffic safety and compatibility with adjacent and nearby properties;
  7. The impacts of transportation access and location with respect to abutting transportation facilities particularly in reference to automotive, bicycle, pedestrian, public service and fire safety, convenience, traffic flow and control;
  8. Utilities, with reference to location and availability;
  9. The adequacy of buffers with reference to type, dimensions and character;

10. The impacts of hours of operation and the frequency and duration of special events;
  11. The adequacy of setbacks and buffers in screening and insuring compatibility with adjacent properties;
  12. Compliance with supplemental requirements set forth in the Land Development Code for the particular use involved.
- C. Conditions and Safeguards. In granting a special exception, the Board of County Commissioners may prescribe specific conditions to address the criteria listed in Part B above as a condition of the approval of a special exception use.
- D. Expiration, Extension and Revocation. A development order shall be issued for the special exception use within twelve (12) months from the date of grant, unless an extension is granted by filing an appeal to the Planning Official. The extension request must demonstrate that the use is being actively pursued by evidence of an application for building permit, preliminary site or development plan, preliminary plat, state permit or other evidence satisfactory to the Board. The extension shall not exceed six (6) months from the expiration of the special exception approval. No more than one (1) extension may be granted  
Noncompliance with the terms of the special exception shall be deemed a violation of the special exception approval and shall be resolved within 90 consecutive days or the special exception use shall be revoked.
- E. Discontinuance. Unless an extension is approved by the Board of County Commissioners within two (2) years of the discontinuance of the use for which the special exception was granted, the special exception use shall expire. An application for extension shall be filed with the Planning Division and be supported with evidence demonstrating that the use was being actively pursued, such as but not limited to the continuation of electrical services, an active real estate contract, a contract to buy or sell the use, building permits, etc. No more than one (1) extension may be granted.
- F. Quasi-Judicial. A special exception use shall be considered at a quasi-judicial hearing and shall adhere to the requirements of Subsection 1304.  
(Ord. # 2015-012, 10-15-2015)

**Signature Block (Place on Cover Sheet)**

**GADSDEN COUNTY  
SPECIAL EXCEPTION USE APPROVAL**

**PROJECT NAME:** \_\_\_\_\_ **File #:** \_\_\_\_\_

**TAX PARCEL ID:** \_\_\_\_\_

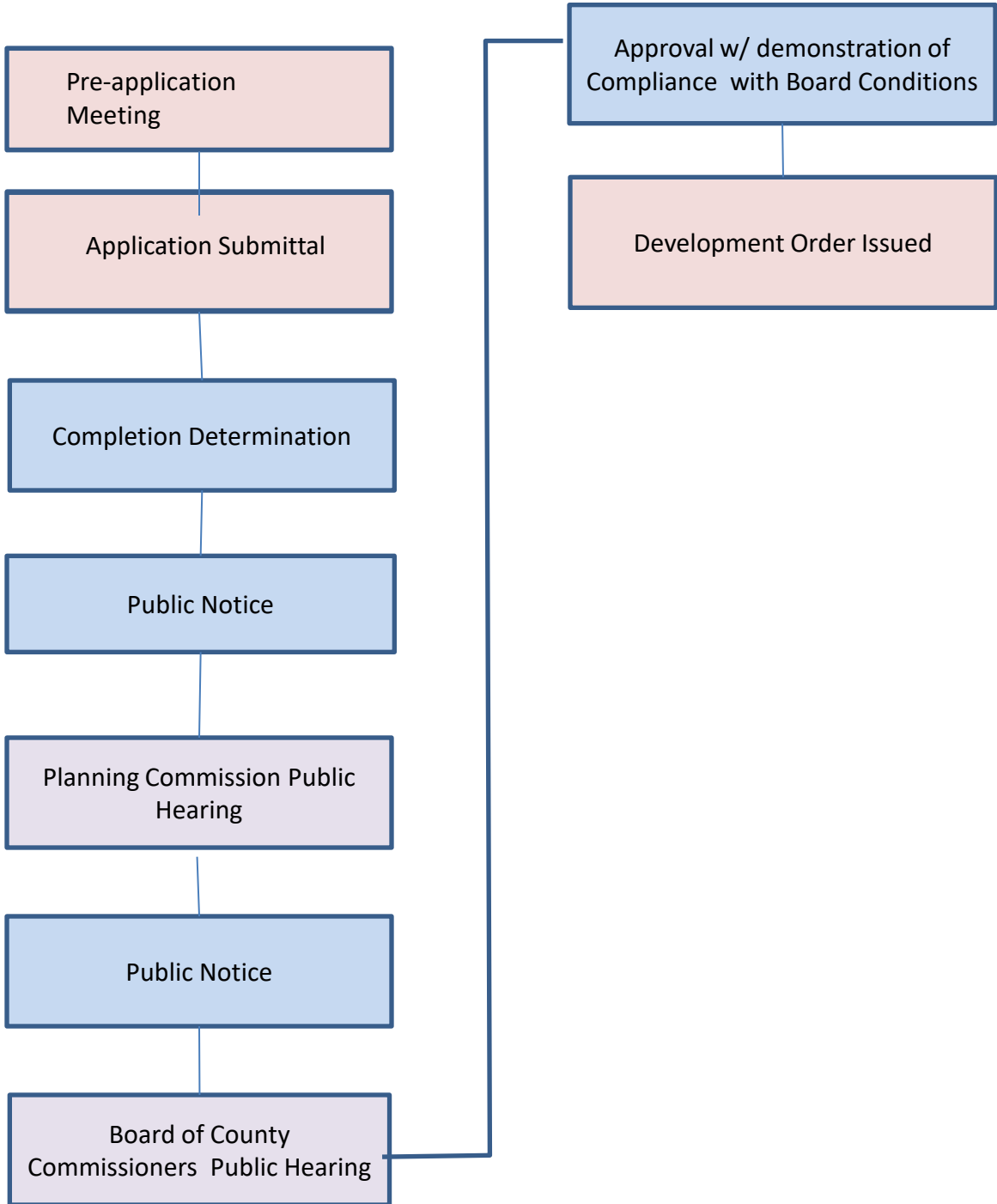
**BOARD OF COUNTY COMMISSIONER APPROVAL DATE:** \_\_\_\_\_

\_\_\_\_\_  
**PLANNING OFFICAL OR DESIGNEE**

\_\_\_\_\_  
**Date**

# Special Exception

(Site Plan approval required for new construction. May be processed concurrently)



Summary only. Assumes 100% approval. Resubmittals will add steps.