



City of Maitland  
1776 Independence Lane  
Maitland, Florida 32751  
407-539-6212

# PETITION FOR AMENDMENT TO THE COMPREHENSIVE DEVELOPMENT PLAN

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## COMPREHENSIVE DEVELOPMENT PLAN AMENDMENT PROCEDURE

### General Summary

#### 1. CDP Amendments Other than Capital Improvements Program

The following is a guide designed to assist those persons who wish to amend any part of the City of Maitland's Comprehensive Development Plan not pertaining to the Capital Improvements Element or the Five-Year Capital Improvements Program of the Comprehensive Plan. As such, it does not assure any approvals. Specific amendment requirements and procedures are outlined in Chapter 7.5 (Land Development Procedures) of the City Code. Applicants should become familiar with the City's Comprehensive Development Plan. (Copies of the Comprehensive Development Plan are available for purchase at City Hall.)

**Note:** Amendments to the CDP that pertain to the Capital Improvements Element or the Five-Year Capital Improvement Program are addressed in their own procedures. (See Capital Improvements Element Amendment Procedures in Section 2.a.)

- a. A complete written petition and all required supplementary information must be submitted to the Community Development Department no later than the last business day in December to be considered for the following year.
- b. A \$5,000 review deposit, payable to the City of Maitland, must accompany this application, as specified in Article XVI, Chapter 7.5<sup>1</sup> (Section 7.5-143) of the City Code. *[The review deposit shall be utilized by the City to reimburse the City for the actual expenses incurred by the City as a result of the review of the development application. A waiver of this requirement may be acceptable under certain conditions, as specified in Section 7.5-143 (c)].*

The application fee is \$500.

If waiver of the review deposit is approved, a minimum payment of the application fee plus \$150 for advertisement costs for Board reviews and postage cost per mailing item must be submitted with the application. If additional fees exceeding \$150 are incurred, you will be billed under separate cover.

Application fees must be submitted at the time of application. Submittals without applicable fees will not be reviewed. The application fee is not refundable. Likewise, the applicant will pay for all advertisements of hearings concerning the application.

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<sup>1</sup> A copy of Ordinance No. 1160 creating Part II, Chapter 7.5, Article XVI, Section 7-5.2 – Pass-Through Fees is located via the internet at [www.itsmymaitland.com](http://www.itsmymaitland.com) (On-line Forms – Petition Application Forms).

- c. Within five (5) days of submission, the Community Development Department will review the petition for sufficiency and completeness and will accept it or request corrections. If corrections are requested, the applicant has five (5) days to make all requested changes. If all information is not submitted as required, the application will not be considered complete and will not be accepted. The applicant will forfeit the application fee, and the application will not be processed. The balance of the review deposit shall be returned to the applicant as provided for in Article XVI, Chapter 7.5 (Section 7.5-144 Project Account) of the City Code.
- d. The Development Review Committee shall review the application by no later than February 15, following the application submission deadline. The applicant will be notified concerning the time and location of the meeting and may attend in person or by representative.
- e. **Note:** Applications may not be corrected or amended after the submission deadline, unless requested by the Planning and Zoning Commission<sup>2</sup> or City Council. **Applications must be complete on or before the December submission deadline.**
- f. An informational workshop will be scheduled with the Planning and Zoning Commission on the third Thursday in March. The applicant will be notified and should attend.
- g. A Planning and Zoning Commission public hearing on the application will be held on the first Thursday in April (or soon thereafter). Please attend in person or by representative.
- h. City Council shall hold a public hearing on the fourth Monday in April (or as soon thereafter as may be reasonably possible and convenient for the City Council). The City Council may approve an application for transmittal to the State Land Planning Agency or deny an application. If an application is denied, the applicant shall be advised in writing within twenty (20) calendar days of the decision to deny the application. In such a case, no further action needs to be taken by the City.
- i. If the application is transmitted to the State, the City Council will hold a second public hearing, upon receipt of the State's comments, to adopt, amend or deny the request. If the application is denied by the City Council, the applicant will be advised in writing within twenty (20) calendar days of the decision to deny the application.

## 2. **Amendments to the Capital Improvements Element or the Five-Year Capital Improvements Program**

The following is a guide designed to assist those persons who wish to amend sections of the City of Maitland's Comprehensive Development Plan that pertain to the Capital Improvements Element or the Five-Year Capital Improvements Program. As such, it does not assure any approvals. Specific amendment requirements and procedures are outlined in Chapter 7.5 (Land Development Procedures) of the City Code.

- a. For amendments to the Capital Improvements Element or Five-Year Capital Improvements Program of the Comprehensive Plan, submit a complete written petition and all required supplementary information to the Community Development Department before the close of business on the first Thursday of March during the year in which the application will be considered for adoption.
- b. Submit appropriate fees as stated in 1.b. above.
- c. Within five (5) days of submission, the Community Development Department will review the petition for sufficiency and completeness and will accept it or request corrections. If corrections are requested, the applicant has five (5) days to make all requested changes. If all information is not submitted as required, the application will not be considered complete and will not be accepted. The applicant will forfeit the application fee, and the application will not be processed. The balance of the review deposit shall be returned to the applicant as provided for in Article XVI, Chapter 7.5 (Section 7.5-144 Project Account) of the City Code.

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<sup>2</sup> The Planning and Zoning Commission of the City of Maitland, Florida, also sits as the Local Planning Agency and the Land Development Regulation Commission.

**Note:** Applications may not be corrected or amended after the submission deadline, unless requested by the Planning and Zoning Commission or City Council. Applications must be complete on or before the first Thursday in March.

- d. A review of the petition will be scheduled with the City's Development Review Committee for the second Thursday in March. The applicant will be notified concerning the time and location of the meeting and may attend in person or by representative.
- e. All applications and Development Review Committee draft reports shall be reviewed by the Planning and Zoning Commission at a meeting to be held on the third Thursday in March. The applicant or a representative is encouraged to attend.
- f. A Planning and Zoning Commission public hearing on the application will be held on the first Thursday in April (or soon thereafter). Please attend in person or by representative.
- g. The Development Review Committee shall make a recommendation to the Planning and Zoning Commission by no later than the second Thursday in April. On the third Thursday in April, or as soon thereafter as possible, the Planning and Zoning Commission shall make a recommendation to the City Council.
- h. City Council shall hold a public hearing on the fourth Monday in April (or as soon thereafter as may be reasonably possible). The City Council may approve an application for transmittal to the State Land Planning Agency or deny an application. If an application is denied, the applicant shall be advised in writing within twenty (20) calendar days of the decision to deny the application. In such a case, no further action needs to be taken by the City.
- i. If the application is transmitted to the State, the City Council will hold a second public hearing upon receipt of the State's comments, to adopt, amend or deny the request. Upon final action by the City Council, the applicant will be advised in writing within twenty (20) calendar days of the final decision.

**Please Note: Once a hearing is scheduled and advertised, the deadline for cancellation is no later than five (5) working days prior to the hearing. There is a \$50 fee in addition to postage cost for each mailing item, as well as payment for the hearing cancellation notice in the newspaper and for re-advertising the hearing at a later date.**

Petition Number \_\_\_\_\_  
(office use only)



City of Maitland  
1776 Independence Lane  
Maitland, Florida 32751

## PETITION FOR COMPREHENSIVE DEVELOPMENT PLAN AMENDMENT

### PART I. APPLICANT INFORMATION (Part I to be submitted in triplicate)

*Please check box for those who should receive all correspondence relating to this petition.*

1. APPLICANT'S NAME \_\_\_\_\_

Address \_\_\_\_\_

Telephone No. (\_\_\_\_\_) \_\_\_\_\_ Fax No. \_\_\_\_\_

E-mail Address \_\_\_\_\_

*(If more than one applicant, please attach list and signatures.)*

2. CURRENT PROPERTY OWNER'S NAME(S) \_\_\_\_\_

Address \_\_\_\_\_

Telephone No. (\_\_\_\_\_) \_\_\_\_\_ Fax No. \_\_\_\_\_

E-mail Address \_\_\_\_\_

*(Provide for each owner of real property that is subject to petition; please attach list and signatures.)*

3. AGENT'S NAME \_\_\_\_\_

Address \_\_\_\_\_

Telephone No. (\_\_\_\_\_) \_\_\_\_\_ Fax No. \_\_\_\_\_

E-mail Address \_\_\_\_\_

*(If more than one agent, please attach list.)*

4. Gross Acreage \_\_\_\_\_ Net Acreage \_\_\_\_\_ Parcel I.D. \_\_\_\_\_

Existing and Proposed Land Use \_\_\_\_\_

5. STATEMENT OF REQUEST:

(I) (We) \_\_\_\_\_ of \_\_\_\_\_

hereby petition the City of Maitland, Florida to amend the Land Use Plan Element of its Comprehensive Development Plan as follows:

A. Move a District Boundary Line \_\_\_\_\_

B. Change a Policy \_\_\_\_\_

C. Change Land Use within a District Boundary \_\_\_\_\_

D. Other \_\_\_\_\_

**NOTE:** Any desire to amend or withdraw application must be submitted in writing to the Community Development Department. The Community Development Department shall be advised immediately in writing if ownership of any part of, or all of, the real property subject to the petition changes during the pendency of the petition. All owners of real property subject to the petition shall be required to execute the petition under oath taken or administered before a notary public and each such owner shall attest to the truth of the statements on the petition or that, to the best of said owner's knowledge and belief, the statements on the petition are true and correct. Petitions executed under corporate property owner shall be executed under corporate seal and by an authorized vice-president or superior corporate office. Petitions executed by a partnership shall be executed by an authorized general partner.

**PART II. CERTIFICATION OF APPLICATION** (Part II to be submitted in triplicate.)

- I certify that, to the best of my knowledge, the submitted information and statements are true and correct.
- I have received and read the Public Summary Information, which outlines the Comprehensive Development Plan Amendment procedure.

(All property owners must sign the certification on this petition and have signatures notarized. Attach additional sheets of certification if necessary.)

Witness	Owner	Date
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Witness	Owner	Date
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Witness	Owner	Date
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STATE OF FLORIDA  
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me by \_\_\_\_\_

who is (are) personally known to me or who has (have) produced \_\_\_\_\_

\_\_\_\_\_

as identification.

WITNESS my hand and official seal, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public  
State of Florida at Large

**PART III. REQUIRED CDP AMENDMENT INFORMATION****1. FEES.** (Payment required upon application submission)

- A \$5,000 review deposit, payable to the City of Maitland, as specified in Article XVI, Chapter 7.5 (Section 7.5-143) of the City Code. *(The review deposit shall be utilized by the City to reimburse the City for the actual expenses incurred by the City as a result of the review of the development application. A waiver of this requirement may be acceptable under certain conditions as specified in Article XVI, Chapter 7.5 [Section 7.5-143 (c)] of the City Code.*
- The application fee is \$500.
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**2. LIST OF PROPERTY OWNERS.** If specific property is involved, a list of the names and mailing addresses of all property owners of real property within five hundred (500) feet of outer perimeter of subject property(ies), taken from most recent tax rolls in Orange or Seminole Counties, shall be submitted. The five hundred feet distance shall be measured by a straight line from the point of the boundary of the subject property nearest to the point of the boundary of any property within five hundred (500) feet thereof.**3. AUTHORIZATIONS.** Provide the name, address and telephone number of any agent who is authorized to represent the owner(s) of parcels of real property in any City review proceeding. If the agent is other than the property owner(s), the applicant shall provide a notarized letter of authorization from the property owner(s).

**PART IV. SUPPLEMENTAL INFORMATION.** Submit two sets of all plans and supplemental materials until application has been deemed sufficient. When sufficient, all supplemental information shall be submitted in sets of twenty-two (22) copies. All plans submitted must be in sets of **12 full-size** and **10 half-sheet** sets.

**1. VICINITY MAP** (if the proposed amendment involves a specific property) showing:

- a. The location of the subject property(ies);
- b. Relationship to surrounding streets;
- c. Existing zoning and land use on the site and surrounding areas (within 500 feet); and
- d. An arrow indicating north and scale.

**2. SURVEY/LEGAL DESCRIPTION.** A boundary survey and legal description for each parcel of property, subject to the petition, but owned by separate and distinct persons, corporations, partnerships, or other legal entities and prepared by a surveyor registered by the state of Florida under a surveyor's seal and certified to the City.**3. COPY OF TITLE POLICY.** A copy of the owner's title policy or a title opinion by a member of the Florida Bar for proof of ownership of subject property(ies), if the application relates to a specific parcel(s) of real property.**4. ANALYSIS.**

- a. An analysis of the degree of consistency of the proposed amendment with the City's Comprehensive Development Plan and whether an internal inconsistency between provisions might be created.
- b. An analysis of the fiscal impact of the proposed amendment on the City's finances.

**PART IV. SUPPLEMENTAL INFORMATION (Continued)**

- c. An analysis of the impact of the amendment on all levels of service, including data to illustrate that all adopted levels of service affecting the property are met or, if any service levels are not met, including maps of existing and proposed major sewer and water lines and storm water outfalls and the proposed extensions of these systems necessitated by the amendment. Data shall include, but not be limited to: traffic, storm water drainage, water, sewer, and parks and shall be in a format acceptable to the Community Development Director.
  - d. An analysis of the impact of the proposed amendment on the real property on the significant environmental, historical or natural resource areas within the City.
  - e. An analysis of the City's ability to provide adequate public services with regard to the amendment (e.g., police, fire, garbage, etc.).
  - f. If the application involves a specific parcel of real property, an analysis regarding compatibility and the impacts of the proposed amendment on surrounding neighborhoods and land uses.
5. **STATEMENT OF APPROPRIATENESS.** A general description of the proposed amendment to the Comprehensive Development Plan, explaining why the amendment is necessary or appropriate.
  6. **PHASING PLAN.** Estimated timetable and method of financing for each public facility improvement necessitated by the proposed CDP amendment.

# AMENDMENT TO THE COMPREHENSIVE DEVELOPMENT APPLICATION PROCESS

