



TOWN OF OCEAN RIDGE

6450 North Ocean Boulevard, Ocean Ridge, Florida 33435
(561) 732-2635 Main ♦ (561) 737-8359 Fax
oceanridgeflorida.com ♦ info@oceanridgeflorida.com

APPEAL DECISION OF PLANNING & ZONING COMM. APPLICATION

(Town Code Section 63-56)

The undersigned applicant(s) hereby petitions the Town of Ocean Ridge Town Commission to call a public hearing(s) after due public notice, the cost of which is hereby assumed by the undersigned for the purpose of considering an appeal of the decision of the Planning & Zoning Commission as described herein.

APPLICANT(S) NAME: _____

PROPERTY ADDRESS: _____

INSTRUCTIONS FOR COMPLETION OF APPLICATION

1. An application for appeal shall be filed with the Town Clerk within 30 calendar days after the action complained of by an aggrieved party as per Town Code Section 63-91.
2. No appeal application shall be accepted by the Town Clerk for filing unless it is presented on the official forms provided by the town, and is filed with **an original plus nine (9) copies, including all attached sheets, for a total submission of ten (10) packets.**
3. Before any application is deemed "filed", it must be complete (with all required information as stated below), and the **fee of \$900** must be received by the Town Clerk.
4. Mailing labels, GIS property list, and map **obtained from the Palm Beach County Property Appraiser's Office** for all properties within 300' of the subject property must be submitted with the application.
5. Attach Copy of latest recorded deed and mark as **Exhibit A.**
6. Attach Copy of Planning & Zoning Commission's written decision and mark as **Exhibit B.**
7. Attach detailed description of the basis for the challenge to the Planning & Zoning Commission's decision and mark as **Exhibit C.**
8. **Exhibit D:** a statement of the applicant's equitable or title interest in the property, accompanied by one of the following:
 - a. If joint and several ownership, a written consent by all owners of a record, or
 - b. if a contract purchaser, a copy of the Contract for Sale and Purchase, plus the written consent of the owners, or
 - c. If an authorized agent, a copy of the Agency Agreement, or Power of Attorney giving the consent of the owners, or
 - d. If a lessee, a copy of the lease agreement and written consent of the owners, or
 - e. If a corporation or other business entity, the name of the officer or person responsible for the application and written proof that said person has the authority to represent the corporation or other business entity, or
 - f. If more than one owner, the title owners of a least seventy-five (75) percent of the property described in the application must provide written consent.



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NATURE OF THE REQUEST FOR APPEAL

Section _____ of the Town of Ocean Ridge Code requires _____

The applicant requests an appeal of the Planning & Zoning Commission’s decision for the following reasons (summarize here, and attach detailed description of the basis for the challenge as Exhibit C):

The Applicant shall provide complete facts and circumstances which the Applicant believes constitute a violation of the Town's Land Development Code (LDC), and a clear description of the LDC section(s) which are alleged to have been violated.

The information provided shall be used by the Town Commission in determining probable cause to believe the Planning & Zoning Commission's decision in the matter described. The Town Commission shall make an initial determination regarding probable cause. If a finding of "no probable cause" is determined, the hearing shall thereafter be adjourned, and the aggrieved party shall have a further right to file a Petition for Writ of Certiarori with the Circuit Court, in and for Palm Beach County, Florida.

If "probable cause" is found by the Town Commission, the appellant shall immediately bring his/her case forward. While deemed an "appeal", the hearing before the Town Commission shall be a quasi-judicial, evidentiary hearing, with the right to present and confront all evidence and witnesses. The Commission shall observe fundamental due process requirements, including notice and the right to be heard. However, the Florida Rules of Evidence and Rules of Civil or Appellate Procedure shall not be so strictly enforced as to prohibit relevant hearsay or other relevant information coming before the Commission. The appellant and the Planning & Zoning Commission shall each have one half (1/2) hour within which to present their respective cases, unless otherwise determined by the Town Commission. The Town Commission shall thereafter be free to question either party and shall decide the matter after making "findings of fact" and "determination of law". Any decision of the Town Commission shall be appealed, if at all, within thirty (30) days of being rendered, in writing, as provided by law and Rules of Appellate Procedure.



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APPLICANT'S CERTIFICATION

STATE OF FLORIDA
COUNTY OF PALM BEACH

The undersigned Applicant(s) swears or affirms, under penalty of perjury, that he/she (they) understand and will comply with the provisions of the Town of Ocean Ridge Land Development Code. The undersigned further certifies the foregoing statements made herein, together with all exhibits attached hereto, or later presented at a hearing in this cause, are true to the best of his/her (their) knowledge and belief.

Applicant Signature

Witness Signature

Printed Name of Applicant:

Printed Name of Witness:

APPLICANT IS:

Name(s) of Owner(s) if Other Than Applicant

- Owner
- Other _____
(Explain)

Phone: _____

SWORN TO AND SUBSCRIBED BEFORE ME THIS ____ DAY OF _____, 20__.

Notary Public, State of Florida

Notary Stamp:

FOR OFFICIAL TOWN USE ONLY

Date of Official Acceptance: _____

Official File Number: _____

Filing Fee Paid: \$ _____

Public Hearing Date: _____

Town Clerk Signature: _____