
Exemption from Certain City Standard Specifications

City of Vero Beach Planning and Development Department
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Application # _____

Applicant: _____ Telephone _____
Fax _____
Email _____

Address: _____

Owner: _____ Telephone _____
Fax _____
Email _____

Address: _____

Subdivision Name: _____

- Submitted with Preliminary Plat
- Submitted Post Preliminary Plat

Provide a brief description of exemption request: _____

Attach additional information supporting this exemption request based on the criteria in Section 70.22(e).

Attach construction specifications for improvements to be exempted.

Any false statement, concealment, or misrepresentation made in this application or the submitted plans, intentional or unintentional, shall be grounds for revocation of approval.

Applicant Signature _____ Date _____

Owner Signature _____ Date _____

Print Name _____

Print Name _____

Fee: _____

Sec. 70.22. Exemptions from certain city standard specifications.

(a) *Applicability.* Where subdivision improvements are not to be dedicated to the city, the city council may authorize an exemption from city standard specifications for the following:

- (1) *Streets, including street pavement widths and curbs and gutters,*
- (2) *Drainage facilities.*
- (3) *Sidewalks and bikeways.*
- (4) *Street lighting.*
- (5) *Street signs.*

(b) *Exception Request Application.* Except as provided for in subsection (f) below, the applicant shall submit a complete exception request application along with the preliminary plat application pursuant to section 70.13. The application shall be in a form prescribed by the planning director accompanied by a nonrefundable application fee in amount established from time to time by resolution of the city council. The application shall include supporting documentation justifying the need for the exception and demonstrating compliance with the approval criteria of (e) below.

(c) *Completeness and staff review.* The application shall be reviewed for completeness concurrently with the preliminary plat in accordance with the provisions of section 70.13. Once the application has been determined complete, the planning director shall coordinate review of the application with the city engineer and other applicable city officials and prepare a written report with recommendations, pursuant to the approval criteria of (e) below. A copy of the report shall be provided to the applicant.

(d) Action on exemption request. The process for consideration of the exemption request shall be in accordance with the procedures for the preliminary plat approval in section 70.13 and may be considered by the planning and zoning board and city council concurrent with the consideration of the preliminary plat approval. The exception shall be approved, denied, or approved with conditions by the city council based on the planning and zoning board and staff's recommendations and approval criteria of (e) below. Conditions may include any the city council deems necessary to protect the city's interests, such as, but not limited to, requiring provisions in the subdivision's covenants, conditions, and restrictions that indemnify and hold the city harmless from any and all kind of liability that may arise out of the use of the facility.

(e) Approval Criteria. The exception shall be granted, if the city council finds and determines all of the following:

- (1) The exception is not contrary to the spirit and intent of the pertinent provisions of part III, land development regulations of this Code;
- (2) The applicant has taken all practicable measures to minimize any adverse impacts on public health, safety, and public welfare; and
- (3) The public interest underlying the particular standard and specification outweighs the circumstances of the proposed exception.

(f) Post preliminary plat approval. Notwithstanding subsection (b) above, the applicant may submit an exemption request application subsequent to preliminary plat approval. Said application shall be reviewed and approved in accordance with the procedures and standards of this section. Any such exemption shall only be approved