

3. Failure of City Commission to act.

If a recommendation of the Planning, Zoning and Appeals Board is not legislatively decided within twelve (12) months from first reading by the City Commission, the application upon which the report and recommendation are based shall be deemed to have been denied. However, for amendment to the Comprehensive Plan and its corresponding Miami 21 Atlas amendment, the time period will be extended an additional twelve (12) months. In both instances, the provisions of sections 62-54 and 62-55 of the City Code will not apply unless otherwise required by the City Commission. No day of the month of August shall be counted in the administration of this section.

4. Limitation on further consideration after denial.

Whenever the City Commission has denied an application for the rezoning of property, the Planning, Zoning and Appeals Board shall not thereafter:

- (a) Consider any further application for the same rezoning of any part or all of the same property for a period of eighteen months from the date of such action;
- (b) Consider an application for any other kind of rezoning on any part or all of the same property for a period of twelve months from the date of such action; or
- (c) Consider an application for rezoning that involves the same owner's property within two hundred (200) feet of property granted a change within a period of twelve (12) months.

5. Limitation on further consideration after rezoning.

Whenever the City Commission has rezoned property, the Planning, Zoning and Appeals Board shall not thereafter consider any petition for rezoning of all or any part of the same property for a period of eighteen (18) months from the date of such action.

6. Limitation on further consideration after voluntary withdrawal of application.

Whenever an applicant has voluntarily withdrawn an application for rezoning of property during either first or second reading before the City Commission, the Planning, Zoning and Appeals Board shall not thereafter consider an application for the same property for eighteen (18) months from the date of such action, nor consider an application for any kind of rezoning of any part or all of the same property for twelve (12) months from the date of such action.

7. Waiver of time limits.

The time limits set forth in this subsection g. may be waived by a vote of at least three (3) members of the City Commission when such action is deemed necessary to prevent injustice or to facilitate development of the city in the context of the adopted Comprehensive Plan, or any portion thereof.

### 7.1.2.9 Sign Permits

- a. Application. Except for classes of signs exempted from permit requirements as specified in Article 10, all signs shall require permits. Applications for such permits shall be made, on forms provided

by the city, and in addition shall provide at a minimum the following information:

1. A drawing to scale showing the design of the Sign, including the dimensions, Sign size, method of attachment, source of illumination, and showing the relationship to any Building or Structure to which it is, or is proposed to be, installed or placed, or to which it relates;
  2. A fully dimensional Lot plan, drawn to scale, indicating the location of the Sign relative to Property Line, right-of-way, streets, sidewalks, and other Buildings or Structures on the premises;
  3. Number, size and location of all existing signs upon the same Building, Lot or premises, if applicable; and
  4. Any other information required, if any, by the Florida Building Code.
- b. Permit identification required to be on Sign. Any Sign requiring a permit or permits shall be clearly marked with the permit number or numbers and the name of the person or firm responsible for placement of the Sign on the premises.
- c. Approval of sign permit. A sign permit may be approved by the Zoning Administrator if the requirements and criteria set forth in this Code have been met; all other necessary approvals, if any, have been obtained; and all required fees have been paid.
- d. Transferability of sign permit. Permits, permit numbers or permit applications and attachments shall not be transferable to other sites. They are valid only for a specific Sign Structure at the specifically designated location subject to change of copy limitations in Article 10. If at any time a Sign Structure is altered, removed or relocated in a manner different from the terms of the sign permit, the sign permit will become void, unless otherwise provided in this code.

### **7.1.3 Application and Review Process**

Generally, the application and review process for By Right permits, Warrants and Waivers, Exceptions, Variances and rezonings are as illustrated in Article 7, Diagram 14.

#### **7.1.3.1 Informal Consultation**

Prior to submitting any application for a permit under this Code, the prospective applicant may informally consult with the Zoning Administrator and the Planning Director to obtain information and guidance concerning the proposed application, the general application requirements and the plan review process. The prospective applicant for plan review under section 7.1.3.2 may request informal consultation regarding the proposed plan prior to the required pre-application process. No statement made or information exchanged during the informal consultation shall be binding on the city or the applicant.

#### **7.1.3.2 Generally**

- a. The Zoning Office shall direct an applicant for a permit under this Code to the appropriate office for the review of the permit application by issuing a Zoning Referral. Preapplication package forms for specific permits shall be provided by the city administration to assist the applicant in the review and approval process. For all applications, the following information shall be required
1. Names and addresses of the record owners, the applicant, and the person preparing the application, and the signatures of each. Statement of ownership or control of the property,