

§ 5.6. City Commission Request for Review of a Board Decision (CRR).

- A. If an application for a development permit is approved or denied by a Board appointed by the City Commission, the City Commission may initiate a CRR to set a hearing to review the application if it is found that the project is in an area which, due to characteristics of the project and the surrounding area, requires additional review in order to ensure that development standards and criteria have been met and to ensure that the area surrounding the development is protected from the impacts of the development. The process for a CRR is initiated in one of the following ways: (1) if three or more City Commissioners request a review during City Commission comments at a City Commission meeting, which is within 17 days of the Board's action, then a de novo hearing shall be set in accordance with subsection 5.6B. below; or (2) if three or more City Commissioners file a request for review in writing with the City Clerk within 17 days of the Board's action, then a de novo hearing shall be set in accordance with subsection 5.6B. below.
- B. A de novo hearing for a CRR shall be set no later than the next four City Commission meetings from either the City Commission meeting date where three Commissioners requested such review or no later than the next four City Commission meetings from the date that the City Clerk receives the third Commissioners request as set forth in subsection 5.6A above. Notice of the hearing shall be given to the applicant and to the public by posting a sign at the subject property at least fifteen (15) days before the hearing in accordance with the requirements of the original request. Review by the City Commission shall be by a de novo hearing supplemented by the record below and the same standards and criteria applicable to the development permit shall be applied. At the conclusion of the hearing, the City Commission shall take action by either approving, approving with conditions or denying the application.
- C. The time frames for setting a hearing provided herein may be extended by written request of the applicant.
- D. Appeal from a final decision of the City Commission shall be to circuit court by filing a petition for writ of certiorari.

(Ord. O-2001-15, passed 5-16-2001; Am. Ord. O-2003-38, passed 11-5-2003; Am. Ord. O-2011-14, passed 5-4-11; Am. Ord. O-2016-23, passed 11- 2-16; Am. Ord. O-2020-12, passed 7-1-20)