



APPLICATION – BOARD OF ZONING ADJUSTMENT (BZA)
VARIANCE, SPECIAL EXCEPTION, AND APPEAL OF ZONING MANAGER’S DETERMINATION

I. General Information:

- 1. No application will be accepted unless the following pages are completed by the applicant or authorized agent. Incomplete applications will not be processed and will be returned to the applicant. Receipt of this application does not constitute a complete application until it is determined to be complete by the Zoning Division.
- Section III (Bottom of Page 1)
- Sections A & B (Page 2)
- Sections C & D (Pages 2 &3)
- Agent Authorization Form (if the applicant is not the same as the property owner) (Page 4)
- Orange County Specific Project Expenditure Report (Pages 5 - 7) and the Relationship Disclosure Form (Pages 8 -10), pages 7 and 10 must be notarized. If you have any questions regarding these pages, contact Sawsan Mohiuddin of the Orange County Legal Department at 407-836-7320.
- Submittal of a separate cover letter including the content outlined on Pages 11-13.
- CD, thumb drive, or e-mail with copies of all documents in electronic format.
2. The application deadline dates are strictly enforced. Do not wait until the filing deadline date to submit the application because if information is missing, the deadline date will not be met, deadline dates are listed on page 14. The applicant/authorized agent must be present at the public hearing. If the applicant is not present at the hearing, the BZA may continue the hearing or deny the request. The applicant is responsible for providing their own translators at the public hearing.
3. The applicant or the authorized agent is required to place one or more posters on the subject property. Orange County Government will prepare the poster and the posting instructions will be provided to the applicant or the authorized agent, using the contact information indicated in Section A on page 2 of this application.
4. This application is for zoning approval only. Additional approvals may be required (i.e., building permits, building/fire inspections, business tax receipts, septic tank/well approval, certificate of occupancy, conservation area determination, etc.). These additional approvals oftentimes result in additional costs to the applicant.
5. Approvals granted by the BZA are not final unless no appeals are filed within 15 calendar days of the BZA’s recommendation and until the Board of County Commissioner (BCC) confirms the recommendation of the BZA.
6. The applicant understands and acknowledges that submittal of this application shall grant to Orange County the reasonable right to enter upon the subject property as necessary in connection with the request. If the property is gated the applicant must provide access to county staff.

II. Fees: Fees cannot be waived. Make check payable to Orange County Zoning Division

Table with 2 columns: Description and Amount. Rows include Variances (\$638.00), Special Exceptions (except as noted below) (\$1,355.00), Special Exceptions for mobile home during construction of single family home, security/night watchman trailer, off-premise directional sign, sales trailer, guest house: (\$638.00), Special Exception for Accessory Dwelling Unit: (\$652.00), Special Exception for Family Lot Provision: (\$696.00), Special Exception for Communication Tower: (\$1,560.00), Special Exception for Landfills/Transfer stations: (\$3,016.00), Appeal of Zoning Manager’s Determination: (\$638.00)

III. Applicant Certification: I am the applicant /property owner (please circle one) and have read the above instructions. I certify that I understand and agree with the above.

Signature (required): _____

Date: _____



Application – Board of Zoning Adjustment
Variance, Special Exception, and Appeal of Zoning Manager’s Determination

Section A - To be completed by applicant/property owner (print or type):

Applicant’s Name: _____
Mailing Address: _____ City: _____ State: _____ Zip: _____
Phone Number(s): _____
Email Address: _____

If different than applicant’s information:

Contact Person’s Name _____
Mailing Address: _____ City: _____ State: _____ Zip: _____
Phone Number(s): _____
Email Address: _____

Section B - To be completed by applicant/property owner (print or type):

Request is hereby made for (check appropriate box(es))

- Variance
Special Exception
Appeal of Zoning Manager’s Determination

Property Address: _____ City: _____ State: _____ Zip: _____
Parcel ID # _____ Tract Size or Dimensions: _____

Section C - General questions about your request (print or type):

1. What are you proposing? For variances, indicate the proposed distance (in feet) from the affected property line or the proposed height and/or size (in feet and square footage) of the structure you are requesting the variance(s) for. If you know what the zoning code requires, please state that as well: _____

2. List all existing structures and uses on site: _____

3. What is the size of the proposed structure(s) in feet and/or square footage: _____



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- 4. Distance (in feet) of the proposed structure from the affected property line(s)?
5. What is the height in feet of the proposed structure?
6. Is the proposed structure one-story? Yes No
If more than one-story, how many stories?
7. Do you have letters of no objection from your neighbors? Yes No
8. Do you reside in an area that has a Homeowners Association? Yes No
If so, did you attach a letter of no objection from the Homeowner’s Association? Yes No
9. Is the structure that you are requesting for the Variance or Special Exception already existing? Yes No
10. Did a Code Enforcement Officer contact you regarding this matter? Yes No
If so, provide the name of the Code Enforcement Officer:
Did you attach a copy of the citation that you received Yes No
11. Will you be submitting or disclosing any medical information regarding yourself or another individual in order to obtain approval of this application? Yes No

I acknowledge that any medical information disclosed in support of this application will become part of the public record. By disclosing the medical information of another person, I certify that they have given me permission to enter their medical information into the public record.

Signature Print Name Date

Section D – Send Additional Notices to (print or type):

Other than applicant information listed above, provide the contact information for the person(s) who you would like to receive a public hearing notice regarding this request.

Name:
Address: City: State: Zip:
Email:

IMPORTANT NOTE TO ALL APPLICANTS: Providing letters of support from your neighbors and Homeowners Association may increase your chances of approval. Please submit said letters with this application. Any false information made on this application are grounds for revocation of any approval granted by the BZA. Approval by the Board of Zoning Adjustment in no way constitutes a waiver from any other applicable local, state, or federal regulations.

CONTACTS REGARDING THIS APPLICATION:

Nick.Balevich@ocfl.net David.Nearing@ocfl.net Sean.Bailey@ocfl.net



Application – Board of Zoning Adjustment
Variance, Special Exception, and Appeal of Zoning Manager’s Determination

AGENT AUTHORIZATION FORM

FOR PROJECTS LOCATED IN ORANGE COUNTY, FLORIDA

I/we, (print property owner(s) name), _____ as the owner(s) of the real property described as follows, _____, do hereby authorize to act as my/our agent (print agent’s name), _____ to execute any petitions or other documents necessary to affect the application approval requested and more specifically described as follows, Variance, Special Exception, Appeal of Zoning Manager’s Determination, and to appear on my/our behalf before any administrative or legislative body in the County considering this application and to act in all respects as our agent in matters pertaining to the application.

Date Signature of Property Owner Print Name

Date Signature of Property Owner Print Name

Date Signature of Property Owner Print Name

Parcel Identification number(s) and address(es) are required below:

State of _____
County of _____

I certify that the forgoing instrument was acknowledged before me this _____ day of _____, 20____
by _____.

Personally Known _____ or Produced Identification _____

Type of Identification Produced: _____

Notary Public Signature

Notary Stamp:

Notary Public Print Name

My Commission Expires

ORANGE COUNTY SPECIFIC PROJECT EXPENDITURE REPORT

This Lobbying Expenditure Form shall be completed in full and filed with all application submittals. This form shall remain cumulative and shall be filed with the department processing your application. Forms signed by a principal's authorized agent shall include an executed Agent Authorization Form.

PART I

Please complete all of the following:

Name and Address of Principal (legal name of entity or owner per Orange County tax rolls):

Name and Address of Principal's Authorized Agent, if applicable:

List the name and address of all lobbyists, consultants, contractors, subcontractors, individuals or business entities who will assist with obtaining approval for this project. (Additional forms may be used as necessary.)

1. Name and address of individual or business entity: _____
Are they a registered Lobbyist Yes____ or No _____

2. Name and address of individual or business entity: _____
Are they a registered Lobbyist Yes____ or No _____

3. Name and address of individual or business entity: _____
Are they a registered Lobbyist Yes____ or No _____

4. Name and address of individual or business entity: _____
Are they a registered Lobbyist Yes____ or No _____

5. Name and address of individual or business entity: _____
Are they a registered Lobbyist Yes____ or No _____

6. Name and address of individual or business entity: _____
Are they a registered Lobbyist Yes____ or No _____

7. Name and address of individual or business entity: _____
Are they a registered Lobbyist Yes____ or No _____

8. Name and address of individual or business entity: _____
Are they a registered Lobbyist Yes____ or No _____

NOTE: If you have any questions about this page, please contact Sawsan Mohiuddin of the Orange County Legal Department at 407-836-7320.

PART III
Expenditures:

ORIGINAL SIGNATURE AND NOTARIZATION REQUIRED

I hereby certify that information provided in this specific project expenditure report is true and correct based on my knowledge and belief. I acknowledge and agree to comply with the requirement of section 2-354, of the Orange County Code, to amend this specific project expenditure report for any additional expenditure(s) incurred relating to this project prior to the scheduled Board of County Commissioners meeting. I further acknowledge and agree that failure to comply with these requirements to file the specific expenditure report and all associated amendments may result in the delay of approval by the Board of County Commissioners for my project or item, any associated costs for which I shall be held responsible. In accordance with s. 837.06, Florida Statutes, I understand and acknowledge that whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his or her official duty shall be guilty of a misdemeanor in the second degree, punishable as provided in s. 775.082 or s. 775.083, Florida Statutes.

Date

Signature of Owner, Contract Purchaser or Authorized Agent
(Check appropriate box)

Print Name and Title

I certify that the forgoing instrument was acknowledged before me this _____ day of _____,
20____ by _____.

Personally Known _____ or Produced Identification _____

Type of Identification Produced: _____

Notary Public Signature

Notary Stamp:

Notary Public Print Name

My Commission Expires

NOTE: If you have any questions about this PAGE, please contact Sawsan Mohiuddin of the Orange County Legal Department at 407-836-7320.

RELATIONSHIP DISCLOSURE FORM
FOR USE WITH DEVELOPMENT RELATED ITEMS, EXCEPT THOSE WHERE
THE COUNTY IS THE PRINCIPAL OR PRIMARY APPLICANT

This Relationship Disclosure Form must be submitted to the Orange County department or division processing your application at the time of filing. In the event any information provided on this form should change, the Owner, Contract Purchaser, or Authorized Agent(s) must file an amended form on or before the date the item is considered by the appropriate board or body.

PART I

INFORMATION ON OWNER OF RECORD PER ORANGE COUNTY TAX ROLLS:

Name _____
Business Address _____ City: _____ State: _____ Zip: _____
Phone Number(s): _____ Facsimile: _____
Email Address: _____

INFORMATION ON CONTRACT PURCHASER, IF APPLICABLE:

Name _____
Business Address _____ City: _____ State: _____ Zip: _____
Phone Number(s): _____ Facsimile: _____
Email Address: _____

INFORMATION ON OWNER OF RECORD PER ORANGE COUNTY TAX ROLLS:

Name _____
Business Address _____ City: _____ State: _____ Zip: _____
Phone Number(s): _____ Facsimile: _____
Email Address: _____

INFORMATION ON AUTHORIZED AGENT, IF APPLICABLE:
(Agent Authorization Form also required to be attached)

Name _____
Business Address _____ City: _____ State: _____ Zip: _____
Phone Number(s): _____ Facsimile: _____
Email Address: _____

NOTE: If you have any questions about this PAGE, please contact Sawsan Mohiuddin of the Orange County Legal Department at 407-836-7320.

PART III

Relationship Disclosure:

ORIGINAL SIGNATURE AND NOTARIZATION REQUIRED

I hereby certify that information provided in this Relationship Disclosure Form is true and correct based on my knowledge and belief. If any of this information changes, I further acknowledge and agree to amend this relationship disclosure form prior to any meeting at which the above-referenced project is scheduled to be heard. In accordance with s. 837.06, Florida Statutes, I understand and acknowledge that whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his or her official duty shall be guilty of a misdemeanor in the second degree, punishable as provided in s. 775.082 or s. 775.083, Florida Statutes.

Date

Signature of Owner, Contract Purchaser or Authorized Agent
(Check appropriate box)

Print Name and Title

I certify that the forgoing instrument was acknowledged before me this _____ day of _____, 20____
by _____.

Personally Known _____ or Produced Identification _____

Type of Identification Produced: _____

Notary Public Signature

Notary Stamp:

Notary Public Print Name

My Commission Expires

NOTE: If you have any questions about this PAGE, please contact Sawsan Mohiuddin of the Orange County Legal Department at 407-836-7320.

REQUIRED DOCUMENTATION FOR ALL VARIANCE REQUESTS

1. All Variance Requests Must Provide the Following:

- A. A detailed cover letter must be submitted with each application. The letter shall include what the request is for (fence, porch, pool, shed, garage, carport, type of addition, sign, accessory structure etc.), the reason for the request, the type of construction proposed (wood, concrete, mesh screening, vinyl, metal, aluminum, etc.), how many square feet is proposed, the proposed dimensions, how far away the construction will be from the all property lines, proposed height, and numerical values, such as, what is allowed (in feet) versus what the Code requires in feet. The letter is also required to provide justification for how the proposal meets the six standards for variance approval as outlined below:

Variance Criteria: Section 30-43 (3) of the Orange County Code stipulates specific standards for the approval of variances. No application for a zoning variance will be approved unless the Board of Zoning Adjustment finds that the following standards are met:

1. **Special Conditions and Circumstances** - Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures or buildings in the same zoning district. Zoning violations or nonconformities on neighboring properties shall not constitute grounds for approval of a proposed zoning variance.
 2. **Not Self-Created** - The special conditions and circumstances do not result from the actions of the applicant. A self-created or self-imposed hardship shall not justify a zoning variance; i.e., when the applicant himself by his own conduct creates the hardship which he alleges to exist, he is not entitled to relief.
 3. **No Special Privilege Conferred** - Approval of the zoning variance requested will not confer on the applicant any special privilege that is denied by this Chapter to other lands, building, or structures in the same zoning district.
 4. **Deprivation of Rights** - Literal interpretation of the provisions contained in this Chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this Chapter and would work unnecessary and undue hardship on the applicant. Financial loss or business competition or purchase of property with intent to develop in violation of the restrictions of this Chapter shall not constitute grounds for approval or objection.
 5. **Minimum Possible Variance** - The zoning variance approved is the minimum variance that will make possible the reasonable use of the land, building, or structure.
 6. **Purpose and Intent** - Approval of the zoning variance will be in harmony with the purpose and intent of the Zoning Regulations and such zoning variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare.
- B. Detailed site plan/survey (8 ½" x 11" or 11" x 14") with dimensions drawn to scale by a surveyor, licensed contractor, architect or engineer. Distances in feet from all property lines shall be shown and legible on the site plan/survey. If the variance request is for an existing structure, an updated survey drawn by a certified land surveyor showing the existing structure(s), dimensions and distances from property lines must be submitted. The site plan must also show all easements and location of any septic tank/drain field.
- C. If on a lakefront, waterfront, or on a natural canal, the site plan/survey shall be drawn by a certified surveyor and it must show the approved Normal High Water Elevation Line, the 100 year flood elevation line, and the proposed finished floor elevation of the improvement. These lines must be certified by a surveyor.
- D. Architectural elevations drawn to scale for all proposed structures.
- E. CD, thumb drive, or email with copies of all documents in electronic format.

2. Variance Requests for Signage (including billboards)

- A. In addition to 1. above, the detailed cover letter shall include the type of sign that the request(s) is for (i.e. wall sign, ground sign, pole sign, etc.), the reason for the request, how much square feet of copy area is proposed, sign dimension, proposed height, and the distance of the proposed sign(s) from all property lines.
- B. Detailed site plan (any size) drawn to scale by a surveyor, licensed contractor, architect or engineer showing all existing and proposed sign locations and setbacks. If the sign already exists, you must submit an updated survey drawn by a certified land surveyor showing the sign, including dimensions and distances from property lines.
- C. Sign renderings drawn to scale for all existing and proposed signs.
- D. An 8 ½" x 11" or 11" x 14" reduction of above plans.

3. Appeal of the Zoning Manager's Determination

- A. A copy of the Zoning Manager's Determination letter must be attached.
- B. A letter that rebuts the Zoning Manager's determination.
- C. Detailed site plan (any size) drawn to scale by a surveyor, licensed contractor, architect or engineer, if the approval involves physical development.
- D. Dimensions shall be shown on all sides of the property.

REQUIRED DOCUMENTATION FOR ALL SPECIAL EXCEPTION REQUESTS

All Special Exception Requests Must Provide the Following:

1. Provide a detailed cover letter including, but not limited to, the purpose of the request(s), such as, size, height, number of buildings, number of clients, instructors, animals, children, members, employees, students, days and hours of operation, provided services, and any proposed outdoor events/activities. The letter should also clarify what currently exists and what is proposed on the property. The letter is also required to provide justification for how the proposal meets the six standards for special exception approval as outlined below:

Special Exception Criteria: Section 38-78, Orange County Code stipulates specific criteria to be met for all Special Exception requests. No application for a Special Exception can be approved unless the BZA finds that the following criteria are met:

1. The use shall be consistent with the Comprehensive Policy Plan.
 2. The use shall be similar and compatible with the surrounding area and shall be consistent with the pattern of surrounding development.
 3. The use shall not act as a detrimental intrusion into a surrounding area.
 4. The use shall meet the performance standards of the district in which the use is permitted.
 5. The use shall be similar in noise, vibration, dust, odor, glare, heat producing and other characteristics that are associated with the majority of uses currently permitted in the zoning district.
 6. Landscape buffer yards shall be in accordance with section 24-5 of the Orange County Code. Buffer yard types shall track the district in which the use is permitted.
2. Detailed site plan/survey (8 ½" x 11" or 11" x 14") with dimensions drawn to scale by a surveyor, licensed contractor, architect or engineer showing the following information:
 - Boundary of the subject property and adjacent streets including property dimensions
 - Existing uses and structures, including amount of existing square footage and building height in feet
 - Proposed uses and structures, including amount of proposed square footage and locations
 - Building setbacks from all property lines
 - All easements and location of any septic tank/drain field
 - Parking calculations, existing and proposed parking spaces and driving aisles
 - Indicate if existing and proposed parking facilities are paved or unpaved
 - If new exterior lighting is proposed, location, type and specifications
 - Proposed hours and days of operation, proposed outdoor activities and special events
 - Existing and proposed entrances
 - Existing and proposed landscaping, fencing, and trees
 - Indicate the number of proposed and existing seats, patrons, congregation, children, clients, students, employees, teachers, instructors, customers and members. This is particularly important for all religious, day care, school, training, educational, recreational, social service uses and businesses or facilities involving animals.
 3. Existing or proposed floor plan (8½" x 11" or 11" x 14")
 4. Architectural elevations for all proposed structures (to scale - 8½" x 11" or 11" x 14") including height
 5. For all religious institutions/non-profit organizations, Articles of Incorporation must be submitted.
 6. Special Exception applications for a solid waste management facility (i.e., landfills, recycling facilities, composting operations, incinerators, transfer stations, etc.) must provide all information necessary to comply with Chapter 32, Article V, Orange County Code.
 7. CD, thumb drive, or email with copies of all documents in electronic format.

The Zoning Division will contact you if a Community Meeting is required.

IMPORTANT: DUE TO LEGAL DEADLINES THERE ARE NO EXCEPTIONS TO THESE DEADLINE DATES. IT IS HIGHLY ADVISABLE NOT TO WAIT UNTIL THE FILING DEADLINE DATE LISTED BELOW TO SUBMIT YOUR APPLICATION AS REVISIONS TO YOUR APPLICATION MAY BE REQUIRED. IF REVISIONS ARE REQUIRED, YOUR APPLICATION WILL BE POSTPONED TO THE FOLLOWING MONTH.

2018 Board of Zoning Adjustment Public Hearing Schedule

<u>Filing Deadline Date</u>	<u>Public Hearing Date</u>
November 15, 2017	January 4, 2018
December 13, 2017	February 1, 2018
January 17, 2018	March 1, 2018
February 14, 2018	April 5, 2018
March 14, 2018	May 3, 2018
April 18, 2018	June 7, 2018
May 16, 2018	July 5, 2018
June 13, 2018	August 2, 2018
July 18, 2018	September 6, 2018
August 15, 2018	October 4, 2018
September 12, 2018	November 1, 2018
October 17, 2018	December 6, 2018

►► IMPORTANT APPLICANT INFORMATION ◀◀

The **Applicant or Authorized Agent** is required to place one or more **posters** on the property. Development Services will notify the **Applicant or Authorized Agent** when the poster(s) are ready to be picked up. Failure to post the property according to the instructions may result in a postponement of your hearing. **All posters shall be picked up two weeks prior to the public hearing date.**

The **Applicant or Authorized Agent** must be present at the BZA public hearing. If the Applicant/Authorized Agent is not present, the BZA may continue or deny the request. The BZA may impose conditions or restrictions at the public hearing.

Appeals of the Board of Zoning Adjustment decision may be made to the Board of County Commissioners within **fifteen (15) calendar days** from the date of the BZA decision. Appeals must be filed with the Zoning Division, the appeal forms can be obtained at the Zoning Division or online at [BZA Appeal Form](#).

You may contact the Zoning Division for assistance with your application at 407-836-3111 or at BZAnotices@ocfl.net.