



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

**I. General Information:**

1. **IMPORTANT: 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 the application submitted is determined to be complete by the Zoning Division it will not be scheduled for a hearing and the submittal of an application prior to the hearing date does not guarantee that it will be on the hearing date it was submitted for on the schedule provided.**
  - Agent Authorization Form *(If the applicant is not the same as the property owner, all property owners must sign this page. If the property is under joint ownership including married couples both must complete a form.)* (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. *(All interested parties must complete these forms and sign pages 7 and 10)*
  - Submittal of a separate cover letter including the content outlined on Pages 11-12 and 15.
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 16. 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, wetland determination (WD) etc.). **Please note that wetland determinations and any required traffic/ parking analyses shall be reviewed and approved prior to scheduling for a BZA hearing.** These approvals often 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.
7. Variance requests for a setback from the Normal High Water Elevation (NHWE) or for a fence that is located within the clear view triangle will require a Indemnification/Hold Harmless Agreement be executed on a form provided by the County and payment of the fee. An insurance policy of \$1 million is also required for clear view triangle Variances.
8. Fees cannot be waived and are due prior to application processing. Make check payable to Orange County Board of County Commissioners or Pay Online via Fast Track once the Zoning Division contacts you with a case number.

Variations (multiple requests only require the one fee)	\$638.00
Special Exceptions (except as noted below), including any Variance requests	\$1,355.00
Special Exception for Off-Premise Directional Signs	\$638.00
Special Exception for Family Lot Provision	\$696.00
Special Exception for Communication Tower	\$1,560.00
Special Exception for Landfills/Transfer	\$3,016.00
Appeal of Zoning Manager’s Determination	\$638.00
Hold Harmless and Indemnification Agreement	\$148.00
Readvertisement Fee	\$93.00

**II. Applicant Certification:** I am the  applicant/authorized agent or  property owner and have read the above instructions.

I certify that I understand and agree with the above.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Contact Information**

Jenale Garnett  
 Email: [Jenale.Garnett@ocfl.net](mailto:Jenale.Garnett@ocfl.net)  
 Phone: 407-836-5955

Catherine Glase  
 Email: [Catherine.Glase@ocfl.net](mailto:Catherine.Glase@ocfl.net)  
 Phone: 407-836-9615



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

IMPORTANT NOTE TO ALL APPLICANTS: ANY FALSE INFORMATION MADE ON THIS APPLICATION IS 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.

Section A - Owner/Applicant Information

Applicant/Contact Person’s Name: (if corp., trust, or other entity, authorization to sign on behalf of the entity is required) Owner - If different than applicant’s information. (If more than one owner, all are required to sign or fill out agent authorization)

Applicant’s Name: \_\_\_\_\_ Owner’s Name: \_\_\_\_\_
Applicant’s Phone Number: \_\_\_\_\_ Owner’s Phone Number: \_\_\_\_\_
Applicant’s Email: \_\_\_\_\_ Owner’s Email: \_\_\_\_\_
Applicant’s Mailing Address: \_\_\_\_\_ Owner’s Mailing Address: \_\_\_\_\_
City/State/Zip: \_\_\_\_\_ City/State/Zip: \_\_\_\_\_

Send Additional Notices to (print or type)

Other than the 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.

Additional Notice Name: \_\_\_\_\_
Additional Notice Phone Number: \_\_\_\_\_ Additional Notice Email: \_\_\_\_\_
Additional Notice Mailing Address: \_\_\_\_\_ City/State/Zip: \_\_\_\_\_

Medical Information

Will you be submitting or disclosing any medical information regarding yourself or another individual in order to obtain approval of this application? [ ] Yes [ ] No

If you answered yes, please complete the information below.

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.

Print Name \_\_\_\_\_ Signature \_\_\_\_\_ Date \_\_\_\_\_

Section B - Property Information

Subject Property Mailing Address: \_\_\_\_\_ City/State/Zip: \_\_\_\_\_
Parcel ID#(s): \_\_\_\_\_ Tract Size or Dimensions: \_\_\_\_\_

Existing Structure(s)

1. List all existing structures and uses on site including square footage and height to the highest peak. All existing structures must be shown on the survey submitted or it will be required to be updated to show all existing structures and their setbacks from the property lines. A site visit will be conducted to verify the information shown on the survey is correct.

\_\_\_\_\_
\_\_\_\_\_

- 2. Is the structure that you are requesting for the Variance or Special Exception already existing? [ ] Yes [ ] No
3. Did a Code Enforcement Officer contact you regarding this matter? [ ] Yes [ ] No
If so, provide the name of the Code Enforcement Officer. \_\_\_\_\_
Attach a copy of the citation that you received. What was the citation number? \_\_\_\_\_
4. Is the property located within a Homeowners Association? [ ] Yes [ ] No / HOA Name \_\_\_\_\_



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

**Section C - About your request**

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

- Variance(s)
- Special Exception
- Appeal of Zoning Manager's Determination

**Request - A narrative statement on a separate paper, outlining how the request meets each of the six (6) Special Exception and/or Variance criteria will also be required. Complete each section as it applies to your request.**

For **Variations from setbacks**, indicate the proposed distance in feet from the affected property line (front, side, side street, rear, Normal High Water Elevation (NHWE) (i.e. 5 ft. in lieu of 15 ft.) of the structure(s) you are requesting the Variance(s) for.

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For **Variations from height**, indicate proposed height in feet (i.e. 40 ft. in lieu of 35 ft.) to the highest peak.

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For **Variations from size**, indicate proposed size in square footage (i.e. 5,000 sq. ft. in lieu of 1,000 sq. ft.) of the structure you are requesting the Variance(s) for. For signage, indicate the proposed copy area and/or square footage (i.e. 20 sq. ft. of copy area in lieu of 10 sq. ft. of copy area).

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For other **Variations from the Code**, not identified above, please outline the request below.

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For **Special Exceptions**, indicate the proposed use and all ancillary uses with their square footage and height.

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For an **Appeal of a Zoning’s Manager Determination**, indicate determination and the appeal including the relevant Sections of Code.

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**Proposed Structure(s)**

1. What is the size of the proposed structure(s) in feet (i. e. 10 x 20) and/or square footage (i. e. 1,500 sq. ft).

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2. What is the height in feet of the proposed structure? \_\_\_\_\_



**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 form must be completed by all owners and agents**

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):

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

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**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

**PART II**

**Expenditures:**

For this report, an “expenditure” means money or anything of value given by the principal and/or his/her lobbyist for the purpose of lobbying, as defined in section 2-351, Orange County Code. This may include public relations expenditures including, but not limited to, petitions, fliers, purchase of media time, cost of print and distribution of publications. However, the term “expenditure” **does not** include:

- Contributions or expenditures reported pursuant to chapter 106, Florida Statutes;
- Federal election law, campaign-related personal services provided without compensation by individuals volunteering their time;
- Any other contribution or expenditure made by or to a political party;
- Any other contribution or expenditure made by an organization that is exempt from taxation under 26 U.S.C. s. 527 or s. 501(c)(4), in accordance with s.112.3215, Florida Statutes; and/or
- Professional fees paid to registered lobbyists associated with the project or item.

The following is a complete list of all lobbying expenditures and activities (including those of lobbyists, contractors, consultants, etc.) incurred by the principal or his/her authorized agent and expended in connection with the above- referenced project or issue. **You need not include de minimus costs (under \$50) for producing or reproducing graphics, aerial photographs, photocopies, surveys, studies or other documents related to this project.**

Date of Expenditure	Name of Party Incurring Expenditure	Description of Activity	Amount Paid
<b>TOTAL EXPENDED THIS REPORT</b> <b>(must enter zero if none)</b>			

**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

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

This form must be completed by all owners, agents and partners

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

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



**PART II**

**Relationship Disclosure:**

**IS THE OWNER, CONTRACT PURCHASER, OR AUTHORIZED AGENT A RELATIVE OF THE MAYOR OR ANY MEMBER OF THE BCC?**

YES  NO

**IS THE MAYOR OR ANY MEMBER OF THE BCC AN EMPLOYEE OF THE OWNER, CONTRACT PURCHASER, OR AUTHORIZED AGENT?**

YES  NO

**IS ANY PERSON WITH A DIRECT BENEFICIAL INTEREST IN THE OUTCOME OF THIS MATTER A BUSINESS ASSOCIATE OF THE MAYOR OR ANY MEMBER OF THE BCC? (When responding to this question please consider all consultants, attorneys, contractors/subcontractors and any other persons who may have been retained by the Owner, Contract Purchaser, or Authorized Agent to assist with obtaining approval of this item.)**

YES  NO

If you responded “YES” to any of the above questions, please state with whom and explain the relationship:

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(Use additional sheets of paper if necessary)

**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

## 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. Please fill out the criteria on pages 13-14

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 17") with dimensions drawn to scale by a surveyor, licensed contractor, architect or engineer. Please indicate which side of the property needs the variance. 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.
- 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.

**2. Variance Requests for Signage (including billboards)**

- A. In addition to A 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. Two (2) copies of sign renderings drawn to scale for all existing and proposed signs.
- D. An 8 ½" x 11" or 11" x 17" 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.

**Zoning would prefer the application be submitted via email with electronic plans in PDF format.**

**VARIANCE CRITERIA**

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.

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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.

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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.

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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.

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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.

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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.

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# 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. Please fill out criteria on the following page:

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 17") 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
    - 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. Floor plan (8½" x 11" or 11" x 17")
  4. Architectural elevations for all proposed structures (to scale - 8½" x 11" or 11" x 17") 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.

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

**Zoning would prefer the application be submitted via email with electronic plans in PDF format.**

**SPECIAL EXCEPTION CRITERIA**

1. The use shall be consistent with the Comprehensive Policy Plan.

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2. The use shall be similar and compatible with the surrounding area and shall be consistent with the pattern of surrounding development.

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3. The use shall not act as a detrimental intrusion into a surrounding area.

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4. The use shall meet the performance standards of the district in which the use is permitted.

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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.

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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.

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**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. **\*\*PLEASE NOTE THAT THE DEADLINES ARE VARIANCES. SPECIAL EXCEPTION APPLICATIONS WILL BE ACCEPTED BETWEEN OCTOBER 29, 2024, AND DECEMBER 11, 2024. AFTER THAT THE TEMPORARY SUSPENSION FOR THE SUBMITTAL OF SPECIAL EXCEPTIONS, PER THE ZONING IN PROGRESS ORDINANCE WILL GO BACK INTO EFFECT UNTIL JUNE 2025 OR THE ADOPTION DATE OF ORANGE CODE & VISION 2050. THE SUBMITTAL OF VARIANCES WILL CONTINUE TO BE ACCEPTED AT THIS TIME; HOWEVER, THE ADOPTION OF ORANGE CODE MAY IMPACT ANY APPROVED VARIANCES. NOTE: IF A PRE-APP MEETING IS REQUESTED, IT IS REQUIRED TO BE AT LEAST TWO WEEKS BEFORE THE APPLICATION DEADLINE DATE.****

### Board of Zoning Adjustment Public Hearing Schedule

**\* Notates a date outside the normal schedule due to a holiday**

Pre-App Meeting Deadline	Application Deadline Wednesday at 3 PM	BZA Hearing Date BCC Chambers	Appeal Deadline Friday at 3PM*	BCC Hearing Date BZA Recommendations*
October 30, 2024	November 13, 2024	January 2, 2025	January 17, 2025	January 28, 2025
November 27, 2024	December 11, 2024	February 6, 2025	February 21, 2025	February 25, 2025
December 23, 2024*	January 8, 2025**	March 6, 2025	March 21, 2025	March 25, 2025
January 29, 2025	February 12, 2025**	April 3, 2025	April 18, 2025	April 22, 2025
February 26, 2025	March 12, 2025**	May 1, 2025	May 16, 2025	May 20, 2025
March 26, 2025	April 9, 2025**	June 5, 2025	June 20, 2025	June 17, 2025
April 23, 2025	May 7, 2025**	July 3, 2025	July 18, 2025	TBD
May 28, 2025	June 11, 2025**	August 7, 2025	August 22, 2025	TBD
June 25, 2025	July 9, 2025**	September 4, 2025	September 19, 2025	TBD
July 30, 2025	August 13, 2025**	October 2, 2025	October 17, 2025	TBD
August 27, 2025	September 10, 2025**	November 6, 2025	November 21, 2025	TBD
September 24, 2025	October 8, 2025**	December 4, 2025	December 19, 2025	TBD

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.

#### ▶▶ IMPORTANT APPLICANT INFORMATION ◀◀

The **Applicant/ Authorized Agent** is required to place one or more **posters** on the property. Development Services will notify the **Applicant/ 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. **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](#).

If the Zoning Division requests additional information and does not receive a response to the request for information within 30 days, or you do not request and receive approval to extend/waive the response time, then the application shall be closed and a new application and fee will be required to reapply.

Any application older than six months will be administratively withdrawn and a new application and fee will be required to reapply. Refunds will only be issued for applications that were submitted in error or that are less than six (6) months old and where no substantial review time or work has been completed on the application by the Zoning Division.

*Pursuant to Florida’s public records laws, this application is subject to public disclosure upon request. If information contained within this application should be treated as confidential and/or exempt from public records, it is applicant’s responsibility to notify Orange County staff at the time the application is submitted. Applicant must be prepared to provide documentation supporting their request for confidentiality.*

You may contact the Zoning Division for assistance with your application at 407-836-3111 or at [BZA@ocfl.net](mailto:BZA@ocfl.net).