



ZONING VARIANCE APPLICATION

BOARD OF ZONING ADJUSTMENT

SAMPLE

Project Information

Project Name _____

Project Address _____

Owner/Applicant Information

Name of Owner _____

Name of Applicant (if different) _____

Street Address _____

Street Address _____

City State Zip _____

City State Zip _____

E-Mail Address _____

E-Mail Address _____

Phone Number _____

Phone Number _____

Applicant Status

____ Owner ____ Tenant ____ Agent ____ Other

Development Information

Current use of subject property (circle one):

Residential: single-family duplex multi-family

Office: general medical or dental

Commercial/Industrial: specify _____

Other: _____

Vacant _____

Code Enforcement

Is this application the result of Code Enforcement Action? Yes No

FOR OFFICE USE ONLY

Pre-Application Conference _____

FOR OFFICE USE ONLY

Date _____

Project Description: _____

Zoning _____

District _____

Date _____

Accepted By _____
(Person taking in Application)

BZA Case # _____

TYPE OF VARIANCE REQUEST

	IN-LINE ADDITION	REQUIRED	PROPOSED
PRINCIPAL STRUCTURE	<input type="checkbox"/> Front Yard Setback	_____ Feet	_____ Feet
	<input type="checkbox"/> Rear Yard Setback	_____ Feet	_____ Feet
	<input type="checkbox"/> Side Yard Setback	_____ Feet	_____ Feet
	<input type="checkbox"/> Street Side Yard Setback	_____ Feet	_____ Feet
	<input type="checkbox"/> Height	_____ Feet	_____ Feet
ACCESSORY STRUCTURE	<input type="checkbox"/> Front Yard Setback	_____ Feet	_____ Feet
	<input type="checkbox"/> Rear Yard Setback	_____ Feet	_____ Feet
	<input type="checkbox"/> Side Yard Setback	_____ Feet	_____ Feet
	<input type="checkbox"/> Street Side Yard Setback	_____ Feet	_____ Feet
	<input type="checkbox"/> Rear Windows on 2nd Story	_____	_____
VEHICULAR USE AREAS	<input type="checkbox"/> Number of Parking Spaces	_____	_____
	<input type="checkbox"/> Location of Parking Spaces	_____	_____
	<input type="checkbox"/> Dimension of Parking Spaces	_____ Feet	_____ Feet
	<input type="checkbox"/> Driving Aisle Width	_____ Feet	_____ Feet
	<input type="checkbox"/> Width of Landscape Area	_____ Feet	_____ Feet
	<input type="checkbox"/> Number of Tree Points	_____	_____
	<input type="checkbox"/> Number of Shrubs	_____	_____
BUFFER YARDS	<input type="checkbox"/> Width of Landscape Area	_____ Feet	_____ Feet
	<input type="checkbox"/> Number of Tree Points	_____	_____
	<input type="checkbox"/> Number of Shrubs	_____	_____
	<input type="checkbox"/> Solid Fence, Wall or Hedge	_____	_____
SIGNS	<input type="checkbox"/> Sign Height	_____ Feet	_____ Feet
	<input type="checkbox"/> Sign Area	_____ Feet	_____ Feet
	<input type="checkbox"/> Sign Setback	_____ Feet	_____ Feet
FENCE/WALL HEIGHT	<input type="checkbox"/> Front Yard	_____ Feet	_____ Feet
	<input type="checkbox"/> Street Side Yard	_____ Feet	_____ Feet
	<input type="checkbox"/> Rear Yard	_____ Feet	_____ Feet
	<input type="checkbox"/> Side Yard	_____ Feet	_____ Feet
AIR CONDITIONING UNIT	Rear Yard Setback	_____ Feet	_____ Feet
	Side Yard Setback	_____ Feet	_____ Feet
	Street Side Yard Setback	Prohibited	_____ Feet
	Front Yard Setback	Prohibited	_____ Feet
REVERT TO ORIGINAL PLAT	Required Lot Width	_____ Required	_____ Proposed
	Lot Square Footage	_____ Required	_____ Proposed
OTHER	Other _____	_____	_____

SAMPLE

VARIANCE JUSTIFICATION

Section 65.383 of the Land Development Code (LDC) states that no application for a Zoning Variance shall be approved unless the Board of Zoning Adjustment (BZA) finds that **all** of the following standards are met. The applicant is responsible for proving to the BZA's satisfaction that the variance request meets these standards.

Next to the description of each standard for variance approval is a question printed in **bold type**. Please answer each question on a separate sheet of paper that is typed.

SPECIAL CONDITIONS AND/OR CIRCUMSTANCES

The applicant must prove that special conditions and/or 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 non-conformities on neighboring properties shall not constitute grounds for approval of any proposed zoning variance. **WHAT ARE THE SPECIAL CONDITIONS AND CIRCUMSTANCES UNIQUE TO YOUR PROPERTY?**

NOT SELF CREATED

The applicant must prove that the special conditions and circumstances do not result from the actions of the applicant. A self created hardship shall not justify a variance; i.e. when the applicant himself by his own conduct creates the hardship he alleges to exist, he is not entitled to relief. **HOW WERE THE SPECIAL CONDITIONS NOTED ABOVE CREATED?**

MINIMUM POSSIBLE VARIANCE

The applicant must prove that the zoning Variance is the minimum variance that will make possible the reasonable use of the land, building or structure. **CAN YOU ACCOMPLISH YOUR OBJECTIVE IN ANOTHER WAY? LIST ALTERNATIVES YOU HAVE CONSIDERED AND EVIDENCE AS TO WHY THEY ARE NOT FEASIBLE.**

SAMPLE

**NO SPECIAL
PRIVILEGE
CONFERRED**

The applicant must prove that approval of the zoning variance requested will not confer on the applicant any special privilege that is denied by this Chapter to other lands, buildings, or structures in the same zoning district. **WOULD APPROVAL OF THIS VARIANCE ALLOW YOU TO DO SOMETHING THAT OTHER PROPERTY OWNERS IN THE SAME SITUATION WOULD NOT BE ALLOWED TO DO?**

SAMPLE

**DEPRIVATION OF
RIGHTS**

The applicant must prove that 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 the Chapter shall not constitute grounds for approval.

WOULD DENIAL OF THIS VARIANCE DEPRIVE YOU OF RIGHTS COMMONLY ENJOYED BY OTHER PROPERTY OWNERS IN SIMILAR SITUATIONS?

PURPOSE AND INTENT

The applicant must prove that approval of the zoning variance will be in harmony with the purpose and intent of this Chapter and such zoning variance will not be injurious to the neighborhood and otherwise detrimental to public welfare.

WHAT EFFECTS WILL APPROVAL OF THE VARIANCE HAVE ON ADJACENT PROPERTIES OR THE SURROUNDING NEIGHBORHOOD? (FOR EXAMPLE: ADEQUATE LIGHT, AIR, ACCESS, USE OF ADJACENT PROPERTY, DENSITY, COMPATIBILITY WITH SURROUNDING LAND USES, TRAFFIC CONTROL, PEDESTRIAN SAFETY, ETC)

SAMPLE

**GENERAL
SUBMITTAL
REQUIREMENTS**

Applications shall not be deemed complete unless items required in the first column below are submitted with the application, unless specifically waived by a City Planner at a pre-application conference. The **applicant** shall verify that the required submittals have been provided by placing a checkmark on the appropriate line of that last column below. If an item has not been submitted as required, the applicant shall attach a written statement explaining why the item was omitted. If the Land Development Division determines that the justification is not acceptable, the application shall be deemed incomplete and may be delayed until the next posted deadline. **Additional information may be required by the City at the pre-application conference and/or after the initial review of the request. Additional information may include documents initially waived at the pre-application meeting if they are determined necessary during the review of the request.**

SAMPLE

APPLICATION FEE

The application fee is a "user fee" intended to partially offset the administrative and direct costs (e.g. advertising, materials, and supplies) of processing an individual application. This fee is established by City Council. The application fee does not in any way ensure the applicant of a favorable decision. All applications will be reviewed on the merits of the request alone, regardless of the application fee. The application fee is non-refundable unless the application is withdrawn within five (5) business days of submittal. A request for withdrawal must be received in writing by the Recording Secretary by 5:00 p.m. on the withdrawal deadline.

Reschedule Board Hearing: \$250 (after applicant-initiated deferral within 10 days of the Board hearing)

	REQUIRED	WAIVER APPROVED	SUBMITTED
*Owner-occupied single family residence			<input type="checkbox"/>
\$250			
\$10 - Each additional			
*All other applications			
\$500			
\$100 - Each additional			

APPLICATION FORM

Original + 4 Copies — Complete, sign and submit this application form.

**OWNERSHIP
AFFIDAVIT**

Original — Required for all applications, regardless of applicant's relationship to property owner. Fill in all blanks and ensure each signature is notarized.

YES

**PLAT OF SURVEY
AND
LEGAL DESCRIPTION**

4 Copies — Submit an accurate, as built survey showing all improvements on the site. The survey must be reproducible. If a photocopy is submitted, the original seal must be visible and the survey must still be to scale.

YES

**DEVELOPMENT
PLAN**

4 Copies — Submit a development plan, dimensioned and drawn to scale showing the proposed improvements and the location and size of the variance requested. The survey may be used as a base. For projects other than one or two family residential units, development plans complying with the requirements for a conditional use development plan shall be submitted.

YES

YES

**BUILDING
ELEVATIONS**

4 Copies — Submit architectural elevations for all sides of the proposed building or addition. The elevations must be dimensioned and drawn to scale.

SAMPLE

SUBMITTAL REQUIREMENTS FOR SPECIFIC VARIANCES

The following additional information is required for specific types of variances:

SIGN VARIANCE

Four (4) Copies — Dimensioned, to-scale drawings of proposed sign(s) and a plan showing the location of existing and proposed signs shall also be provided. For shopping centers, include location and size of signs on all shops within the center.

LANDSCAPING VARIANCE

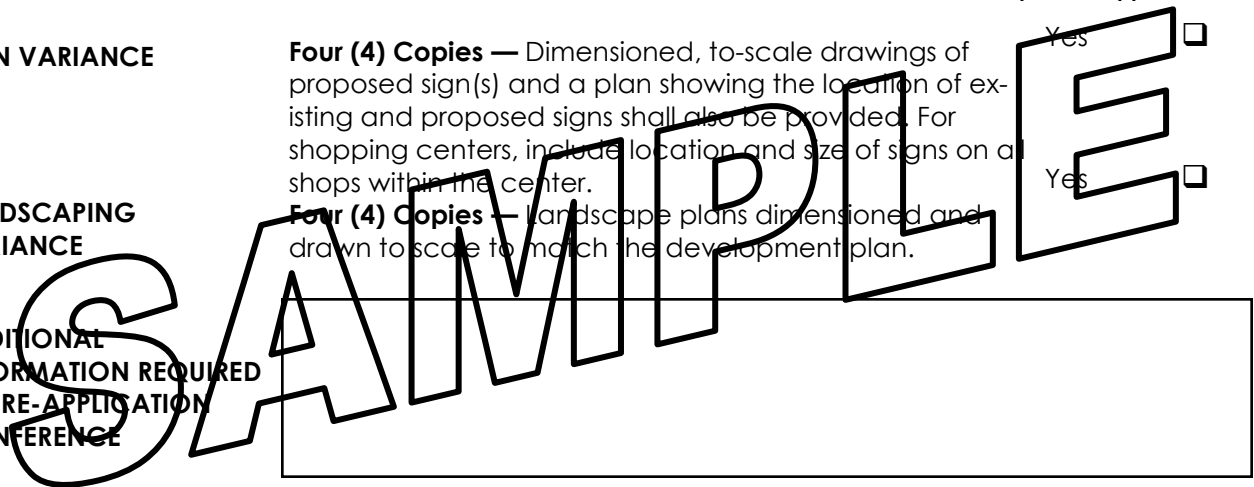
Four (4) Copies — Landscape plans dimensioned and drawn to scale to match the development plan.

ADDITIONAL INFORMATION REQUIRED AT PRE-APPLICATION CONFERENCE

Required Waiver Approved Submitted

Yes

Yes



SUBMITTAL GUIDELINES

EVERY APPLICATION MUST COMPLY WITH THE FOLLOWING REQUIREMENTS. PLEASE CHECK THE BOX WHEN COMPLETED. IF THESE REQUIREMENTS ARE NOT MET, THE APPLICATION WILL BE DEEMED INCOMPLETE AND WILL NOT BE ACCEPTED.

I have submitted one 11 x 17 in. reduction for every full-sized original.

I have folded all copies larger than 8 1/2 by 14 inches.

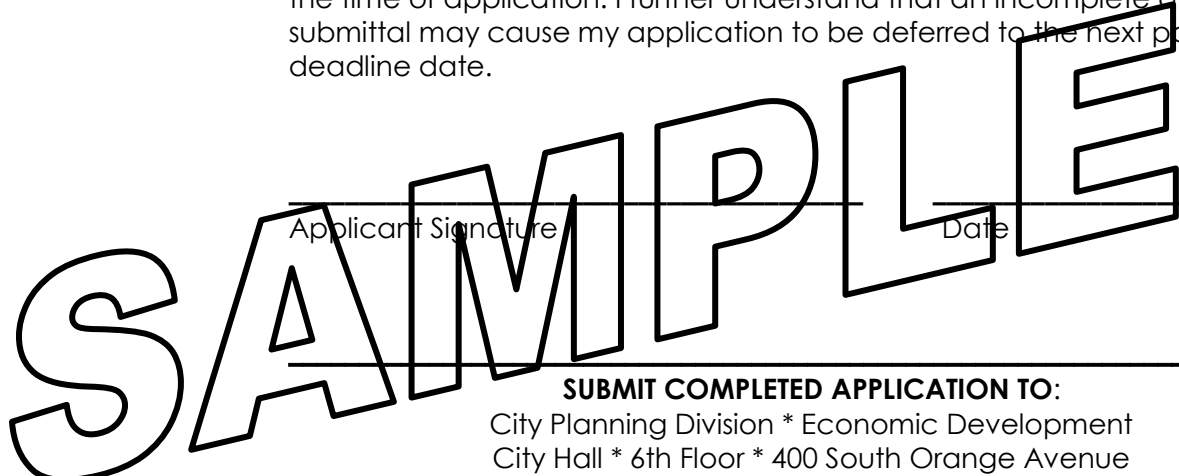
I have collated all materials into 5 separate packages.

CERTIFICATION

By my signature below, I acknowledge that I understand and have compiled with all of the submittal requirements and procedures and that this application is a complete application submittal. I certify that the information contained in this application is true and correct to the best of my knowledge at the time of application. I further understand that an incomplete application submittal may cause my application to be deferred to the next posted deadline date.

Applicant Signature

Date



SUBMIT COMPLETED APPLICATION TO:

City Planning Division * Economic Development
 City Hall * 6th Floor * 400 South Orange Avenue
 Orlando, FL 32802-4990
 Telephone (407) 246-3412 * Fax (407) 246-2895