



ADMINISTRATIVE APPEAL APPLICATION

Development Services – Planning Division
150 N. Lakeshore Drive | Ocoee, FL 34761
Phone: 407.905.3157

Received Date – Office Use Only

(PLEASE TYPE OR PRINT ALL INFORMATION)

1. APPLICANT'S NAME: _____

APPLICANT'S MAILING ADDRESS: _____

TELEPHONE NUMBER: _____

2. OWNER OF RECORD: _____

OWNER'S MAILING ADDRESS: _____

(If more than one owner, please attach additional sheets.)

NOTE: A separate application fee is collected for each action sought and for non-contiguous parcels or for parcels held under separate ownership. For information on the Administrative Appeal petition procedure, see Land Development Code Article??, Section?? (also attached).

3. PROPERTY LOCATION:

A. ADDRESS OF PROPERTY: _____

B. DIRECTIONS TO PROPERTY: _____

C. LEGAL DESCRIPTION: ALL APPLICATIONS MUST PROVIDE THREE (3) EXECUTED, CERTIFIED AND SEALED BOUNDARY SURVEYS FOR THE SUBJECT PARCEL, WHICH SHALL INCLUDE A METES-AND-BOUNDS LEGAL DESCRIPTION. ATTACH SURVEY WITH FULL LEGAL DESCRIPTION AS EXHIBIT. SPECIFY BELOW: SECTION-TOWNSHIP-RANGE-SUBDIVISION-LOT-AND-BLOCK, AS APPLICABLE.

D. PROPERTY TAX ID. NO(S): _____

ADMINISTRATIVE APPEAL APPLICATION

4. BRIEFLY SPECIFY THE DEVELOPMENT HISTORY AND OWNERSHIP OF THE SUBJECT PARCEL(S) SINCE JANUARY 1, 1985, INCLUDING YEAR LOT WAS CREATED, PRESENT ZONING, YEAR ANNEXED, AND PREVIOUSLY SUBMITTED DEVELOPMENT APPLICATIONS, ETC.:

5. PROPOSED USE OF THE SUBJECT PARCEL IF THE PRESENT APPLICATION(S) IS/ARE GRANTED?

6. SPECIFY ZONING OR PARCELS IMMEDIATELY ADJACENT TO THE SUBJECT PARCEL:

- A. NORTH: _____
- B. SOUTH: _____
- C. EAST: _____
- D. WEST: _____

7. NUMBER OF EXISTING BUILDINGS AND EXISTING LAND USE OF THE SUBJECT PARCEL:

8. BRIEFLY ADDRESS THE FOLLOWING:

- A. THE NEED AND JUSTIFICATION FOR THE REQUESTED ACTION: _____

9. HOW WILL THE FOLLOWING ESSENTIAL SERVICES BE PROVIDED?

- A. POTABLE WATER: _____
- B. WASTEWATER TREATMENT: _____
- C. STORMWATER MANAGEMENT: _____
- D. RECREATION: _____

ADMINISTRATIVE APPEAL APPLICATION

- E. SCHOOLS AND PROJECTED NUMBER OF SCHOOL AGE CHILDREN: _____

- F. MAIN HIGHWAY ACCESS (A traffic study may be required): _____

- G. FIRE PROTECTION (NOTE: Fire flow data will be required before final platting): _____

10. SUBMIT A PRELIMINARY PLAN ILLUSTRATING THE FOLLOWING:

- A. PROJECT NAME.
- B. NAME, ADDRESS, AND TELEPHONE NUMBER OF THE APPLICANT, OWNER, ENGINEER, AND SURVEYOR.
- C. SUBMITTAL AND REVISION DATES.
- D. PROMINENT NORTH ARROW.
- E. SCALE AT NOT LESS THAN 1" = 100'
- F. A "SEALED" BOUNDARY SURVEY, INCLUDING A LEGAL DESCRIPTION, TOTAL ACREAGE, AND SHOWING LINEAR DIMENSIONS AND SURVEY HEADINGS.
- G. EXISTING AND PROPOSED ZONING OF SUBJECT PROPERTY AND ADJOINING PARCELS.
- H. LOCATION MAP WHICH CLEARLY SHOWS THE SUBJECT PARCEL WITH RESPECT TO EXISTING ROADS AND LANDMARKS.
- I. LOCATION, NAME, RIGHT-OF-WAY WIDTHS, AND PAVEMENT WIDTH OF EXISTING STREETS AND PROPOSED INGRESS AND EGRESS POINTS.
- J. EXISTING TOPOGRAPHY AT ONE (1) FOOT CONTOUR INTERVALS BASED ON THE ORANGE COUNTY DATUM, IDENTIFY AT LEAST TWO (2) BENCH MARKS.
- K. VEGETATION TYPES, WOODED AREAS, AND LIKELY CONSERVATION ZONES.
- L. LIMITS OF 100-YEAR FEDERAL FLOOD PLAIN AND NORMAL HIGH WATER ELEVATIONS OF ALL LAKES AND WETLANDS.
- M. IDENTIFY SOIL TYPES USING THE U.S. SOIL CONSERVATION SERVICE SYSTEM.

ADMINISTRATIVE APPEAL APPLICATION

- N. ANY OTHER INFORMATION DEEMED NECESSARY AND APPROPRIATE BY APPLICANT TO HELP DETERMINE COMPLIANCE WITH THE CITY OF OCOEE'S DEVELOPMENT CODES. LIST AND ILLUSTRATE ITEMS SO IDENTIFIED:

- 11. APPLICANT SHALL SUBMIT A LIST OF THE OWNERS' NAMES AND MAILING ADDRESSES FOR ALL PROPERTY LYING WITHIN THREE HUNDRED (300) FEET OF THE PERIMETER OF THE SUBJECT PROPERTY, PER THE LATEST ORANGE COUNTY PROPERTY APPRAISERS AD VALOREM TAX ROLL. FAILURE TO IDENTIFY ALL ADJACENT PROPERTY OWNERS MAY CAUSE THE SUBMITTED APPLICATION TO BE DENIED.

ADMINISTRATIVE APPEAL APPLICATION

OWNER'S AFFIDAVIT

STATE OF _____

COUNTY OF _____

Affiant, _____, who being first duly sworn on oath, deposes and says:

1. Affiant is the *(check one)* fee-simple owner of the property legally described in this application.
 (insert title) _____ of *(insert name of company)* _____ which entity is the fee-simple owner of the property legally described in this application.
2. A true and correct legal description for the property is attached to and made a part of this affidavit.
3. The attached ownership list contains the names and mailing addresses of all owners having an interest in the property described in this application.
4. The owner desires *(specify action sought for said property)*:

5. The owner has appointed *(specify agent)* _____ to act as the owner's authorized agent to represent the owner in connection with the proposed action and the property described in this application.
6. The owner agrees to be bound by the actions of the owner's authorized agent designated above.
7. Affiant affirms and certifies that Affiant, the owner's authorized agent and the owner will comply with all ordinances, regulations, and provisions of the City Code of the City of Ocoee, and that all applications, plans and documents submitted herewith are true and accurate to the best of the Affiant's, the owner's authorized agent's and the owner's knowledge and belief and further, that this affidavit and all applications, plans and documents submitted herewith shall become part of the official records of the City of Ocoee, and are not returnable.
8. That the accompanying adjacent property owners list is, to the best of their/her/his knowledge, a complete and accurate list of the owner's names and mailing addresses for all property lying within three hundred (300) feet of the perimeter of the subject parcel, as recorded on the latest official Orange County Tax Rolls.
9. That prior to the public hearing, if applicable, signs will be prominently posted on the subject parcel not less than twelve (12) days before the application will be considered by the Planning and Zoning Board or the Board of Adjustment, and will remain posted until final determination, after which time the notices are to be removed and destroyed.

ADMINISTRATIVE APPEAL APPLICATION

Affiant's Signature

Sworn to or affirmed and signed by means of physical presence or online notarization on _____, __ 20__.

NOTARY PUBLIC

[Print, type, or stamp commissioned name of notary or clerk to the left of signature]

Affiant is personally known; or produced the following identification: _____.

Affiant's Signature

Sworn to or affirmed and signed by means of physical presence or online notarization on _____, __ 20__.

NOTARY PUBLIC

[Print, type, or stamp commissioned name of notary or clerk to the left of signature]

Affiant is personally known; or produced the following identification: _____.

Affiant's Signature

Sworn to or affirmed and signed by means of physical presence or online notarization on _____, __ 20__.

NOTARY PUBLIC

[Print, type, or stamp commissioned name of notary or clerk to the left of signature]

Affiant is personally known; or produced the following identification: _____.

ADMINISTRATIVE APPEAL APPLICATION

OWNERSHIP LIST

PARCEL ONE:

OWNER'S NAME: _____

OWNERSHIP INTEREST: _____

MAILING ADDRESS: _____

LEGAL DESCRIPTION: _____

PARCEL TWO:

OWNER'S NAME: _____

OWNERSHIP INTEREST: _____

MAILING ADDRESS: _____

LEGAL DESCRIPTION: _____

ADMINISTRATIVE APPEAL APPLICATION

PARCEL THREE:

OWNER'S NAME: _____

OWNERSHIP INTEREST: _____

MAILING ADDRESS: _____

LEGAL DESCRIPTION: _____

*** NOTE: ATTACH ADDITIONAL SHEETS IF MORE THAN THREE PARCELS.**

LAND DEVELOPMENT CODE – EXCERPT FROM ARTICLE IV

§ 4-9. VARIANCES.

The Board of Adjustment may recommend and the City Commission may grant a variance from the terms of these regulations when such variance will not be contrary to the public interest and where, owing to special conditions, a literal enforcement of the provisions of these regulations would result in unnecessary hardship. Such variance shall not be granted if it has the effect of nullifying the intent and purpose of these regulations. Furthermore, such variance shall not be granted by the City unless and until:

A. Application.

A written application for a variance is submitted with the application fee demonstrating:

- (1) That special conditions and circumstances exist which are peculiar to the land, structures, or required subdivision improvements involved and which are not applicable to other lands, structures, or required subdivision improvements;
- (2) That a literal interpretation of the provisions of these regulations would deprive the applicant of rights commonly enjoyed by other properties with similar conditions;
- (3) That the special conditions and circumstances do not result from the actions of the applicant;
- (4) That the granting of the variance requested will not confer on the applicant any special privilege that is denied by these regulations to other lands, structures, or required subdivision improvements under similar conditions. No pre-existing conditions of neighboring lands which are contrary to these regulations shall be considered grounds for the issuance of a variance.

B. Findings.

The Board of Adjustment shall make findings that the requirements of this section have been met:

- (1) A public hearing on the proposed variance shall be held. The public hearing may be held prior to or simultaneously with the public hearing for approval of the Preliminary Plan. Both the Board of Adjustment and City Commission public hearings must be advertised in a newspaper at least seven (7) days before each hearing.

All property owners within 300 feet of the subject property must also be notified by mail at least seven (7) days prior to the hearing date. This notice may include information on both the Board of Adjustment and City Commission hearings if the item goes before both Commissions. If the hearing information for the City Commission meeting is not available at the time the notices must be sent for the Board of Adjustment meeting, a second notice to property owners must be mailed seven (7) days before the City Commission hearing detailing the meeting time, place,

ADMINISTRATIVE APPEAL APPLICATION
and other particulars.

- (2) The Board of Adjustment shall further make a finding that the reasons set forth in the application justify the granting of the variance which would make possible the reasonable use of the land, buildings, or other improvements.
- (3) The Board of Adjustment shall make further finding that the granting of the variance would be in harmony with the general purpose and intent of these regulations, will not be injurious to the surrounding territory, or otherwise be detrimental to the public welfare.

C. Board of Adjustment and City Commission Action.

In recommending any variance, the Board of Adjustment may prescribe appropriate conditions and safeguards in conformity with these regulations and the City Commission may approve such conditions. Violation of such conditions and safeguards when made a part of the terms under which the variance is granted, shall be deemed a violation of these regulations and Chapter 65-2015, Laws of Florida.