



City of Maitland
1776 Independence Lane
Maitland, Florida 32751
407-539-6212

PETITION FOR APPEAL OF DECISION OF ADMINISTRATIVE OFFICIAL

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ADMINISTRATIVE APPEAL PROCEDURE

General Summary

The following is a guide designed to assist those persons who wish to appeal any orders, requirements, decisions, or determinations made by the Zoning Administrator in the enforcement of the Maitland Zoning Code. As such it does not assure any approvals.

1. Administrative Appeal applications must be submitted thirty (30) days after the written rendering of the order, requirement, decision or determination subject to appeal.
2. Specific information concerning administrative appeals in the City of Maitland may be found in Article III of Chapter 7.5 Land Development Procedures of the City Code. The applicant may purchase a copy at City Hall. (A copy of the Zoning Code is available for purchase at City Hall or may be obtained on the internet at www.itsmymaitland.com.)
3. A completed application must be filed with the Community Development Department, along with any applicable materials. Copies of the application may be obtained at City Hall.
4. An appeal stays all proceedings in furtherance of the action appealed, unless the administrative official certifies to the Board of Zoning Adjustment, after the appeal is filed, a stay would, in the Administrator's opinion, cause imminent peril to life and property.
5. Fees for an appeal of an administrative decision are as follows:
 - \$250 for a commercial property
 - \$ 50 for a residential property
 - \$150 for advertising + postage cost per mailing item

No application will be reviewed for sufficiency unless accompanied by a fee payment. Also, if the application concerns a specific piece of property, include the list of property owners and mailing lists for the properties within five hundred (500) feet of the outer perimeter of the subject property (include postage cost per mailing item in addition to the fee). Advertising costs will be billed to the applicant when such costs exceed the \$150 paid. Likewise, any costs, less the \$150, will be refunded to the applicant. Fees are not refundable, other than for unused postage costs.

6. The Community Development Department will review the application within five (5) days of submittal. If any changes or additional information is required, the applicant will have five (5) days to provide the requested materials. If the application is not completed, it will be rejected and not be processed, **and the applicant will forfeit the application fee.**

7. The administrative official will schedule the petition for hearing by the Board of Zoning Adjustment at the earliest available regular meeting time of the Board or within sixty (60) days of receipt of a complete application. The applicant will be notified of the date and time of the hearing. Any party may appear in person, or by agent, or by attorney.
8. Any information that might support the appeal should be presented by the applicant at the scheduled hearing. The burden of presenting the case lies with the applicant.
9. The Board of Zoning Adjustments shall make its decision at the hearing. The applicant may appeal any decision of the Board to the Circuit Court in Orange County. The deadline for such appeals is thirty (30) days from the date of the hearing.

Please Note: Once a hearing is scheduled and advertised, the deadline for cancellation is no later than five (5) working days prior to the hearing. There is a \$50 fee in addition to postage cost for each mailing item, as well as payment for the hearing cancellation notice in the newspaper, and for re-advertising the hearing at a later date.

Petition Number _____
(office use only)



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PART I. APPLICANT INFORMATION (Part I to be submitted in triplicate.)

Please check box for those who should receive all correspondence relating to this petition.

1. APPLICANT'S NAME _____

Address _____

Telephone No. (_____) _____ Fax No. (_____) _____

E-mail Address _____

(If more than one applicant, please attach list and signatures.)

2. CURRENT PROPERTY OWNER'S NAME(S) _____

Address _____

Telephone No. (_____) _____ Fax No. (_____) _____

E-mail Address _____

(If more than one property owner, please attach list.)

3. AGENT'S NAME _____

Address _____

Telephone No. (_____) _____ Fax No. (_____) _____

E-mail Address _____

(If more than one agent, please attach list.)

4. REQUEST STATEMENT

I (we) _____ of _____ hereby petition
the City of Maitland to review Section _____ of the Code of Ordinances, City
of Maitland, Florida, in order to:

____ A. Reverse the decision of the Administrative Official.

____ B. Render an interpretation other than that presented by the Administrative
Official.

5. APPLICATION CERTIFICATION:

I certify that, to the best of my knowledge, the submitted information and statements are true and correct.

I have received and read the Public Summary Information, which outlines the procedure for appealing an
Administrative Decision.

Applicant's Signature

Date

NOTE: If ownership of any part of or all of the real property subject to the petition shall change during the pendency of the petition, the petitioning owner who has conveyed said parcel of real property shall be required to immediately advise the Community Development Department in writing. Any desire to amend or withdraw the application must be submitted in writing to the Community Development Department.

PART II. REQUIRED APPLICATION INFORMATION

1. **FEES.** (Payment required upon application submission)

\$50.00 for a single-family residential property, plus postage.

\$250.00 for all others.

\$150 for advertisement costs for Board reviews. If additional fees exceeding \$150 are incurred, the applicant will be billed under separate cover.

2. **LIST OF PROPERTY OWNERS.** If specific property is involved, a list of the names and mailing addresses of all property owners of real property within five hundred (500) feet of outer perimeter of subject property, taken from most recent tax rolls in Orange or Seminole Counties, shall be included. The five hundred feet distance shall be measured by a straight line from the point of the boundary of the subject property nearest to the point of the boundary of any property within five hundred (500) feet thereof.

3. **AUTHORIZATIONS.** The name, address and telephone number of any agent who is authorized to represent the owner(s) of parcels of real property in any City review proceeding shall be provided. If the agent is other than the property owner(s), the applicant shall provide a notarized letter of authorization from the property owner(s).

PART III. SUPPLEMENTAL INFORMATION

(All supplemental information shall be submitted in sets of twelve [12] copies.)

1. **WRITTEN STATEMENTS**

- a. Literal citation of questioned Code section(s).
- b. Applicant's requested interpretation.
- c. Copy of administrative official's determination of Code section.

2. **LEGAL DESCRIPTION** and street address, if available, for each parcel of real property subject to the petition.

APPEAL OF DECISION OF ADMINISTRATIVE OFFICIAL APPLICATION PROCESS

Administrative Appeal applications must be submitted 30 days after the rendering in writing of the order, requirement, decision or determination subject to appeal.

