



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

PETITION FOR VARIANCE

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VARIANCE APPROVAL PROCEDURE

General Summary

The following is a guide designed to assist those persons who wish to obtain permission for a zoning variance within the corporate limits of Maitland. As such, it does not assure any approvals.

1. Specific guidelines are found in Chapter 7.5, Land Development Procedures, Article XII of the City Code. Information regarding the regulations applied to each zoning district is found in the Zoning Code. (A copy of the Zoning Code is available for purchase at City Hall or may be obtained on the internet at www.itsmymaitland.com.)
2. Submit signed petition (in triplicate), twenty-two (22) copies of the site plan and relevant material by noon, at least forty (40) days prior to the fourth Thursday of any month. (Petitions are available at City Hall.)
3. Fees for a variance request are as follows:
 - \$100 + postage cost per mailing item and \$300 advertisement cost for Board Reviews for all residential zoning districts. If additional fees exceeding \$300 are incurred, the applicant will be billed under separate cover.
 - \$300 + postage cost per mailing item and \$300 advertisement cost for Board Reviews for all non-residential zoning districts. If additional fees exceeding \$300 are incurred, the applicant will be billed under separate cover.

Fee payment is required at the time the application is made. No application will be reviewed for sufficiency unless accompanied by a fee payment. Fees are not refundable, other than for unused postage costs.

4. 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 all information is not submitted as required, the application will not be considered complete and will not be accepted. The applicant will forfeit the application fee and application processing will be terminated.
5. The Development Review Committee will meet on the second Thursday of the month to make a recommendation to the Board of Zoning Adjustment.
6. A Public Hearing will be held on the fourth Thursday of the month before the Board of Zoning Adjustment. Attend in person, by representative agent or by attorney. The Board will grant, amend or deny the request.
7. All granted variances are valid for two (2) years or 730 days from the date the variance was granted, during which time the building permits must be obtained. If the time limitation is exceeded, a new petition must be filed.

***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 the 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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PETITION FOR VARIANCE

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 _____

(Provide for each owner of real property that is subject to petition; please attach list and signatures.)

3. AGENT'S NAME _____

Address _____

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

E-mail Address _____

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

4. BRIEFLY STATE PETITION REQUEST:

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 Variance procedure.

(Attach signatures as required.)

Applicant's Signature

Date

NOTE: Any desire to amend or withdraw application must be submitted in writing to the Community Development Department. 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.

PART II. REQUIRED APPLICATION INFORMATION1. **FEES.** (Payment required upon application submission)

Residential: \$100.00 plus postage per mailing item.

Nonresidential: \$300.00 plus postage per mailing item.

\$300 for advertisement costs for Board reviews. If additional fees exceeding \$300 are incurred, the applicant will be billed under separate cover.

2. **LIST OF PROPERTY OWNERS.** A list of the names and mailing addresses of all property owners of real property within five hundred (500) feet of the outer perimeter of the subject property, taken from most recent tax rolls in Orange or Seminole Counties, shall be provided. 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.** If the applicant or agent is other than the property owner, the applicant or agent shall provide a notarized letter of authorization from the property owner.

PART III. REQUIRED SUPPLEMENTAL INFORMATION. Submit two sets of all plans and supplemental materials until application has been deemed sufficient. When sufficient, all supplemental information shall be submitted in sets of twenty-two (22) copies. All plans submitted must be in sets of **12 full-size and 10 half-sheet** sets.

1. **VICINITY MAP** showing location of site in relation to surrounding streets.2. **SITE PLAN** to include:

- The legal description of the property;
- Street address (if applicable);
- An arrow indicating north and scale;
- Required yard and set back information;
- Existing and proposed building(s) located on site and indicating structural height and square footage; (indicating floor area); and
- Plan dimensions adequately shown.

3. **WRITTEN INFORMATIONAL STATEMENTS.** Before the Board may grant a Petition for Variance, the Board must conclude that all of the following requirements have been met for the application. Provide a response for each of the informational statements.

- a. Information that 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 district.
- b. Information that literal interpretation of the provisions of the Zoning Code would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of the Zoning Code.
- c. Information that the special conditions and circumstances do not result from the actions of the applicant.
- d. Information that granting the variance requested will not confer on the applicant any special privilege that is denied by the Zoning Code to other lands, structures or buildings in the same district. No nonconforming use of neighboring lands, structures or buildings in the same district, and no permitted use of lands, structures or buildings in other districts shall be considered grounds for the issuance of a variance.

VARIANCE APPLICATION PROCESS

Special District applications must be submitted 40 days prior to Board of Zoning Adjustment Public Hearing date.

