

THIS SPACE FOR
CITY USE ONLY

PROJECT NO. _____
FEE _____
DEPOSIT AMOUNT _____
DATE PAID _____
RECEIPT NO. _____

CITY OF OCOEE
APPLICATION FOR SPECIAL EXCEPTION *

* A **special exception** is a use that would not be appropriate without restrictions throughout the zoning division or district. However, if controlled as to number, area, location or relation to the neighborhood, would promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity or general welfare, such uses would be appropriate. *As defined in the Land Development Code, Article II, Section 2-4(C).*

(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)

NOTES: This application is only for those special exceptions which are consistent with the City of Ocoee's Comprehensive Plan. All others must submit Comprehensive Plan Amendment applications. A separate application fee is collected for each action sought and for non-contiguous parcels or for parcels held under separate ownership.

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): _____

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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. SPECIAL EXCEPTION APPLICATIONS ARE REFERRED TO THE BOARD OF ADJUSTMENT FOR A PUBLIC HEARING, STUDY, AND RECOMMENDATION, AND ARE THEN FORWARDED TO THE CITY COMMISSION FOR FINAL ACTION.

9. BRIEFLY ADDRESS THE FOLLOWING:

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

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10. HOW WILL THE FOLLOWING ESSENTIAL SERVICES BE PROVIDED?

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

11. SUBMIT A PRELIMINARY SITE 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.

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- 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.
- 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:

- 12. 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.

**CITY OF OCOEE, FLORIDA
OWNER'S AFFIDAVIT**

STATE OF _____

COUNTY OF _____

Before me, the undersigned personally appeared _____, who being first duly sworn on oath, depose(s) and say(s):

1. That they/she/he are/is the fee-simple owner(s) of the property legally described in this application and that the attached ownership list is made a part of the affidavit and contains the legal description(s) for the real property, and the names and mailing addresses of all owners having an interest in said land.

2. That they/she/he desire(s) _____

(specify action sought) for said property.

3. That they/she/he/ have/has appointed _____
(specify himself or agent) to act as agent in their/her/his behalf to accomplish the above.

4. That they/she/he affirm(s), certifi(y)(ies) and will comply with all ordinances, regulations and provisions of the City Code of the City of Ocoee, and that all statements and diagrams submitted herewith are true and accurate to the best of their/his/her knowledge and belief and further, that this application and attachments shall become part of the official records of the City of Ocoee, and are not returnable.

5. 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.

6. 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.

Owner's Signature

Sworn to and subscribed before me this _____ day of _____, 20____, by _____, who is personally know to me or who produced _____ as identification, and who took an oath.

Notary Public

My commission expires: _____

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Owner's Signature

Sworn to and subscribed before me this _____ day of _____, 20____, by _____, who is personally know to me or who produced _____ as identification, and who took an oath.

Notary Public

My commission expires: _____

Owner's Signature

Sworn to and subscribed before me this _____ day of _____, 20____, by _____, who is personally know to me or who produced _____ as identification, and who took an oath.

Notary Public

My commission expires: _____

OWNERSHIP LIST

PARCEL ONE:

OWNER'S NAME: _____

OWNERSHIP INTEREST: _____

MAILING ADDRESS: _____

LEGAL DESCRIPTION: _____

PARCEL TWO:

OWNER'S NAME: _____

OWNERSHIP INTEREST: _____

MAILING ADDRESS: _____

LEGAL DESCRIPTION: _____

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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

§ 4-8. SPECIAL EXCEPTIONS.

A request for a special exception pursuant to the specific provisions of this Code may be initiated at any time by the City Commission, by the Planning and Zoning Commission, or by the land owner including his duly authorized agent, of the land for which the special exception is requested. Where there are multiple property owners, owners of fifty-one (51) percent of the parcels or fifty-one (51) percent of the interest in the total parcel must be represented as formal applicants.

An application shall be made on standard forms provided therefore, and shall be submitted with the appropriate fee to the Planning Department. The application shall be signed by the applicant or his agent, such signature being verified under oath. Section 5-19 of the Ocoee Land Development Code contains additional Special Exception provisions applicable to telecommunications service facilities.

A. Review of Application.

- (1) After the application is determined to be complete, it shall be forwarded to the Development Review Committee for review. The Director of Planning (or the Development Review Committee) shall make a report containing a recommended determination of facts which are relevant to consideration of the proposal and a recommended determination of the consistency of the proposal with the adopted Comprehensive Plan.
- (2) The proposal shall be considered by the Planning and Zoning Commission at a public hearing after due public notice, along with the report of the Director of Planning. Following completion of the public hearing, the Planning and Zoning Commission or Development Review Committee shall make a report of its findings and recommendations to the City Commission. Both the Planning and Zoning Commission 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 Planning and Zoning Commission 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 Planning and Zoning Commission meeting, a second notice to property owners must be mailed seven (7) days before the City Commission hearing detailing the meeting time, place, and other particulars.

- (3) The proposal shall be considered by the City Commission at a public hearing after due public notice, along with the report of the Director of Planning and the report of the Planning and Zoning Commission. Following completion of the public hearing, the City Commission shall approve, disapprove, amend and approve the proposal, or approve the proposal with conditions. Any action taken shall be accompanied by the findings of the City Commission upon which the action was based.
- (4) In approving a proposal, the City Commission may attach appropriate conditions to ensure compliance with the provisions of this Code. Such conditions may limit the uses, size of uses or structure, or characteristics of the operation of a use, or may require buffers, landscaping, or other improvements not normally required.

Conditions may also require the periodic review of the use and may provide for the expiration of the special exception on a date certain.

B. Standards for Action by the City Commission.

Approval of a special exception application shall be granted by the City Commission only upon finding that:

- (1) The proposed uses and structures would not violate the land uses, densities, or other directives of the adopted Comprehensive Plan or of this Code.
- (2) The proposed uses and structures would be compatible with the uses, structures and activities on adjacent and nearby lands.
- (3) The proposed uses and structures would not violate the health, safety, welfare, and/or convenience of those residing, working or owning land in the vicinity of the proposed use or structure, specifically with respect to:
 - (a) The use or structure would not exceed the applicable density or bulk regulations except as specifically authorized, nor shall the use or structure result in overcrowding of land or buildings;
 - (b) The use or structure would not impair pedestrian or vehicular movement in adjoining streets so as to violate adopted level of service standards;
 - (c) The use or structure would not create a fire hazard;
 - (d) The use or structure would not result in noise, odor, glare, vibration, or other similar characteristic which is detectable at the property line and which exceeds the level which will result from permitted uses;
 - (e) The use or structure would not prevent an adjoining landowner from the legal use of his property pursuant to this Code;
 - (f) The use or structure would not violate a requirement of limitation of any applicable state or federal law or regulation, and;
 - (g) The use or structure would not result in the inadequacy or inability of any public facility or service to meet adopted standards.