ORANGE COUNTY ZONING DIVISION
201 South Rosalind Avenue, 1st Floor, Orlando, Florida 32801
Phone: (407) 836-3111 Email: Zoning@ocfl.net
www.orangecountyfl.net

Nonconforming Use Determination

Nonconforming use status shall be determined by the Zoning Manager or his/her designee. Upon completion of the review process, the Zoning Manager shall forward to the applicant a determination in writing. The Zoning Manager may request additional information, approve the request, approve the request with conditions or deny the request; determinations may take up to twenty-one (21) days to process.

Submittal Requirements:

The applicant must prove that the use legally predates the current provisions of Orange County's Zoning Code and that it has been in continuous use since its establishment. The request should be made in writing, dated, and notarized prior to submittal to the Zoning Division. The request shall include the following information:

1. Name and address of applicant (printed or typed) and applicant's signature;
2. The property legal description;
3. The present zoning;
4. Statement requesting county acknowledgment of nonconformity;
5. Nonconformity description;
6. Identification of continuous length of use; and
7. Statement that the applicant(s) has and justification of personal knowledge of the above information.
8. Application Fee (Fee Directory)

The applicant is encouraged to provide supporting evidence with the application; for example:

1. Site plan, drawn to scale, indicating property boundaries and all existing structures and uses located on-site with their locations and dimensions;
2. Floor plans, fully dimensioned;
3. Photographs;
4. Historical information about the property from the county property appraiser's office (i.e., Howze card diagram);
5. Historical documentation from public/private utility companies regarding electrical and/or water service (i.e., when original electrical meter(s) was set; length of service);
6. Occupational license information (if the request is for a business);
7. Copies of legal documents (i.e., leases, rental documents, deeds, private property appraisals, contract agreements, etc.); or
8. Any other pertinent information relative to the request.

Appeal Procedures: All determinations are subject to appeal. All appeals must be made within fifteen (15) calendar days subsequent to the date of determination. If no appeal is filed with the Zoning Division on or prior to the fifteenth day, the determination is final. The appeal fee is nonrefundable (Fee Directory).

Alternative Requests: Rezoning or variance applications may be appropriate alternatives, both of which are subject to filing fees. A rezoning request cannot be processed if it is determined to be inconsistent with the Orange County Comprehensive Policy Plan. "Use Variances" will not be processed.

Nonconforming Use Regulations: All approved nonconforming uses are subject to meeting the provisions of Article III, Chapter 38, Orange County Code.