

## **City of Oviedo-Planning Division FAQ**

### **Q. What is a setback?**

**A.** A setback is the minimum required separation that must be maintained between a property line and a building or accessory structure on a lot. The [City's Land Development Code](#) (LDC) establishes standards for front, rear and side setbacks. Setbacks for principal buildings may differ from setbacks for accessory structures. Setbacks may also be separately established for a particular development or plat at the time a development agreement or plat is created. Contact the Planning and Zoning Division at 407-971-5775 if you are unsure.

### **Q. How do I determine how much open space my property needs?**

**A.** Usable open space is required to be set aside on all residential and non-residential developments. Open Space requirements are based on the use type, e.g. single- and two-family residential, multi-family residential, and non-residential. Standards are set in Article XVII of the City's [Land Development Code](#).

### **Q. Can the City tell me where my property lines are and how I can get a copy of my survey?**

**A.** Exact locations of property lines can only be determined with a survey or survey-based site plan of the property. A copy of the survey may be available in the documentation from a home sale or a recent redevelopment project on the property. The City does not maintain copies of surveys for individual properties. A surveyor can assist you with obtaining a survey of your property.

### **Q. What are Intensity and FAR?**

**A.** Intensity is the degree or extent to which land is used, usually referring to the amount of non-residential development that may be permitted on a property. It is measured by the floor area ratio (FAR) and may be based on the land use type, e.g. commercial, industrial, office. FAR, measured in square feet, is calculated by dividing total floor area (of all levels of a multi-story building) by the net buildable lot area. For example, a 5,000 square foot building on a 10,000 square foot lot has an F.A.R. of 0.50. Parking garages are excluded from the FAR calculation. The City's [Comprehensive Plan](#) sets the FAR requirements based on land use designations.

### **Q. What is Density?**

**A.** Density is the number of dwelling units per net buildable acre, excluding ancillary units. Net buildable acre is defined as the number of upland acres within the boundary of a development excluding acreage devoted to water of the state, wetlands, and lakes. Thus, the maximum number of dwelling units that a development can accommodate shall be calculated by multiplying the net buildable acreage by the residential density.

### **Q. What is Scale**

**A.** Scale refers to the bulk or mass of a use or uses on a property, as expressed by either residential density, non-residential intensity or some combination thereof, as well as how the buildings are designed and integrated onto the property.

**Q. What is a Planned Unit Development?**

A. A planned unit development is a zoning district that allows for specific guidelines for the design and layout of a development. It allows for flexibility from the development standards in City Code with the aim of achieving superior urban form.

**Q. What is the Future Land Use Map?**

A. Development within the City is regulated by the goals, objectives and policies within the City's adopted Comprehensive Plan and the future land use designations as established in the [Future Land Use Map \(FLUM\)](#). The FLUM indicates the intended use and development density and intensity allowed in the City by land use category, e.g. Low Density Residential, Medium Density Residential, Commercial, Office, Industrial, etc.

**Q. What is zoning and how is my property zoned?**

A. Zoning is the principal tool used in regulating the use of land in many communities. Zoning classifies land uses into specific categories referred to as zoning districts. Many uses are permitted by right, while other uses are permitted only as a special exception. Special exception uses require review and approval of a Special Exception Use Order, which must be reviewed and approved by the City Council. Zoning districts, the locations of which are reflected in a Zoning Map, establish regulations that control the intensity and scale of development by regulating elements such as minimum lot sizes, setback distances, maximum lot coverage, building height, landscape buffers, and size and number of off-street parking spaces. The specific zoning for a property can be determined by reviewing the City's [Zoning Map](#) or by contacting the Planning and Zoning Division at 407-971-5775. A property address or Tax Parcel Identification number will be necessary to determine zoning information.

**Q. What type of business can I have on my property?**

A. Permitted uses for a given property can be determined by consulting Articles IV and VI of the City's Land Development Code (LDC). Table 4.1 establishes permissible uses or special exception uses for lands located outside of the City's Mixed Use Downtown zoning districts, and the Tables 6.1, 6.4 and 6.39 establish the permissible and prohibited uses for the lands located within the Mixed Use Downtown zoning districts. If you are unsure of whether the business that you want to do is a permissible use, please contact the Planning and Zoning Division at 407-971-5775. All permitted and special exception uses are subject to the subject property meeting the other development requirements of the LDC including, but not limited to, parking, setbacks, open space, landscaping, safe and effective ingress/egress and safe internal circulation on the site.

**Q. I would like to build a shed, detached garage or other structure in my backyard. Does City code regulate this?**

A. Yes. Accessory structures, such as a shed, detached garage, patio, screened enclosures, are permissible in residential districts but must comply with the requirements of the City's Land Development Code. Contact the Planning and Zoning Division at 407-971-5775 if you need assistance.

**Q. How can I split my lot?**

A. It is recommended when undertaking a lot split, or non-statutory subdivision, to request a Pre-Application Meeting with the Development Services Department. An application for a split lot (non-statutory subdivision) can be downloaded from the [Planning-Application and Forms](#) webpage. In general, lot splits cannot create more than three (3) lots and such lots must meet minimum lot size, lot frontage/width, setback and density requirements for the intended use as well as provide for reasonable access from each lot to the public right-of-way. A property that is part of an existing plat (statutory subdivision) cannot undergo a lot split, rather it must be a replat of the lot. Please see the Submittal Checklist on the Split Lot (Non-Statutory Subdivision) application for detailed requirements.

**Q. Can I build a small house, accessory dwelling or granny flat on my property?**

A. Building a small house, accessory dwelling or granny flat must meet the Minimum Lot Use Regulations, Permissible Uses or Special Exemption and other code requirements of the City's Land Development Code.

**Q. Do I need a permit for a garage sale?**

A. Yes. Applications for a garage sale can be downloaded from the [Planning-Application and Forms](#) webpage. Please review the Submittal Checklist on the Garage Sale (Temporary Sign Permit/Residential) application for the permit requirements.

**Q. I want to host a special event, where do I start?**

A. A Special Event Permit application is located on the [Planning-Application and Forms](#) webpage. Please review the Special Event Permit application Submittal Checklist for the required documentation necessary to apply for a special event permit.

**Q. How can I annex property into the City?**

A. To annex a property into the City, an annexation application must be submitted. An Annexation Application can be found on the [Planning-Application and Forms](#) webpage.

**Q. What are impact fees and how do they affect my development or property?**

A. Impact fees are fees charged to owners/developers of new developments for the "impact" such developments will have on the City and its ability to provide municipal services and public infrastructure. Impact fees are assessed for transportation improvements, law enforcement, fire and rescue services, recreation and parks and administrative services. The City's impact fees can be found on the [Planning webpage](#).

**Q. How are impact fees calculated?**

A. Impact fees are based on the land use and are calculated by multiplying unit of measure (e.g., square feet, dwelling unit or student) by the current fee rate.

**Q. Can I get impact fee credits?**

A. Impact fee credits are based on many factors, and an estimate can be calculated by the Planning Division staff. There is no guarantee that impact fee credits exist for a property. For an estimate of your impact fees, please call the City's Planning Division at 407-971-5775.

**Q. Do I need a permit to put up a sign?**

A. Yes. Temporary Sign/Residential Permit applications are located on the [Planning-Application and Forms](#) webpage. Please review the Application Submittal Checklist for the required documentation necessary to apply for a temporary sign.

**Q. Where can I find the current application fees?**

A. The current application fees are located on the the Planning webpage and by selecting [Application Fees](#).

**Q. Can I cut down trees on my property?**

A. A Clearing, Grading and Tree Removal Permit is required for removal of trees 2.5 inches in circumference or larger. The application is located on the the [Development Review Applications and Forms webpage](#). The City Arborist in the Public Works Department will need to be contacted prior to the removal of any dead or diseased trees to verify that no permit is necessary for removal.