



# SUBDIVISION WITH MODIFICATIONS

---

Below are the applicable City code sections\* pertaining to a request for a Subdivision with Modifications. Note in particular the sections in **bold**, which outline the applicability of this section, the review process, criteria for approval, and conditions you may expect staff to place on your request.

## **Sec. 65.450. - General Requirements.**

In connection with any Major or Minor plat application, an applicant may request modifications to any development standards relating to subdivision and street requirements set forth below:

- (A) Installation and Maintenance of Improvements (Chapter 65, Part 5);
- (B) Subdivision Applications and Procedures (Chapter 65, Part 3);
- (C) Subdivision and building site design (Chapter 60, Part 1);
- (D) Roadway Design and Access Management (Chapter 61);
- (E) **Zoning district regulations (Chapter 58, Figure 1) with regard to depth, area and width of the lot.**

## **Sec. 65.451. - Procedural Requirements.**

- (A) *Submittal of Request for Modifications.* ... The applicant shall state the modifications being requested and shall address why the request meets the review standards set forth in this Part.
- (B) *Review of the Request.* The request for modifications shall be reviewed by the City staff, as part of the review of the Preliminary Subdivision to which it relates. **City staff shall make a recommendation to MPB for approval or denial of the modification(s) requested. MPB shall consider the request for modification and staff's recommendation at a public hearing. The MPB shall recommend to City Council approval or denial of the request for modification(s). Upon decision by City Council, applicant shall have one-year from that date to submit a Final plat in accordance with Section 3F.**

## **Sec. 65.452. - Criteria for Modification of Standards.**

The City Council shall approve any modification request under this Part if it meets all of the following general standards:

- (A) *Purpose and Intent of GMP.* The modification would be consistent with the stated purpose and intent of this Code and with the City's adopted GMP;
- (B) *Public Interest.* The modification would not have a significantly adverse impact on the public interest; and
- (C) *Public Facilities.* The modification would not overburden or otherwise adversely impact public facilities.
- (D) ***Hardship.* Strict application of the development standard would create a legal hardship due to the unusual size, shape, topography, natural conditions, or location of the subject property (provided that such conditions were not existing at the time of the property owner's purchase of the property or created by the property owner or their agent); due to best engineering, design, or construction practices; or due to required preservation of existing environmental or cultural features.**

## **Sec. 65.454. - Conditions.**

Consistent with applicable law, reasonable **conditions for the dedication or reservation of land, the installation of improvements, or the provision of funds in lieu thereof**, may be imposed in connection with the approval of any modification requested under this Part.

\* Available at [municode.com](http://municode.com) and via the City website at [cityoforlando.net](http://cityoforlando.net)