



**CHECKLIST FOR SIMULTANEOUS TRANSPORTATION CONCURRENCY
VESTED RIGHTS AND CONSISTENCY APPLICATION OF THE
COMPREHENSIVE PLAN**

APPLICANT

COUNTY

- Provide one (1) hard copy and one (1) electronic copy (submitted in an unsecured PDF format on a CD) of the application package and all the required documents.** _____
- You acknowledge that incomplete applications will not be processed until **ALL** required documents are submitted _____
- If the applicant is not the owner, an Agent Authorization Form is required
 - Have all owners signed? _____
 - Is the person presenting the application the authorized agent? _____
 - Is the Agent Authorization form properly notarized? (see below) _____
- Sections 1 thru 5 of the application are completely filled out, including name of contact person and parcel identification number(s) _____
- Documentation to support the basis for the application is attached (Each section specifies the appropriate supporting documentation for each topic) _____
- Phasing Schedule is attached (when applicable) _____
- Specific Project Expenditure Report and Relationship Disclosure Form are completed, notarized, and attached _____
- Application is properly signed and notarized; proper notarization Includes each of the following:
 - Venue is properly identified (State and County) _____
 - Signer's name must be identified (not *just their signature*) _____
 - Date of signature and date of notarization must be the same _____
 - Manner in which signer was identified (*either personally known or presented identification*) – If identification was presented, type of identification and any numbers on such identification must be listed _____
 - Notary must sign and stamp the document. The stamp must be valid as of the date of the notarization and the signature must match the name exactly as it appears on the stamp _____



SIMULTANEOUS TRANSPORTATION CONCURRENCY VESTED RIGHTS AND CONSISTENCY REQUIREMENTS OF THE COMPREHENSIVE PLAN APPLICATION

This application is being made to request vesting from transportation concurrency and consistency with the Comprehensive Plan pursuant to Chapter 30, Article XI, of the Orange County Code of Ordinances. Complete, sign, notarize, and return the attached Application for Simultaneous Transportation Concurrency Vested Rights and Consistency (and appropriate supporting documentation) to the Orange County Community, Environmental & Development Services Department, Fiscal & Operational Division. In order to be processed, all applications must be complete and accompanied by the appropriate fee and supporting documentation. Incomplete applications will be returned to the applicant via regular mail.

Simultaneous Transportation Concurrency Vested Rights and Consistency Requirements of the Comprehensive Plan Determination\$1,710.00

(Payable to: Orange County Board of County Commissioners)

SECTION 1: APPLICANT AND OWNER INFORMATION:

Applicant : _____¹

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Email: _____

Owner : _____²

Address: _____

City: _____ State: _____ Zip: _____

¹ All correspondence will be mailed to the address provided. Applicant is responsible for providing correct contact information; County is not liable for non-receipt of correspondence resulting from incorrect or incomplete contact information. ² If Applicant is different from Owner, the Agent Authorization Form attached hereto must be completed.

Phone: _____ Email: _____

SECTION 2: PROPERTY INFORMATION

Project Name: _____

Parcel Identification Number(s): _____

Parcel Size (acres): _____

Existing Zoning: _____

Existing Future Land Use Designation: _____



TCVRC Application Number (Assigned by the County): _____

Date Submitted: _____

SECTION 3: PROPOSED DEVELOPMENT/CONSTRUCTION

COMMERCIAL DEVELOPMENTS:

<u>Commercial Land Use</u>	<u>Commercial Sq. Ft.</u>
1.	1.
2.	2.
3.	3.
4.	4.

RESIDENTIAL DEVELOPMENTS:

Single-Family: _____ Units Mobile Homes: _____ Units

Apartments: _____ Units Condominiums: _____ Units

Townhomes: _____ Units Other: _____

ADDITIONAL INFORMATION:

ALL APPLICATION PACKAGES SUBMITTED MUST INCLUDE DOCUMENTATION TO SUPPORT THE BASIS FOR THE APPLICATION AS WELL AS A PHASING SCHEDULE. APPROPRIATE SUPPORTING DOCUMENTATION INCLUDES, BUT IS NOT LIMITED TO, THE ITEMS LISTED UNDER EACH HEADING BELOW.



SECTION 4: BASIS FOR APPLICATION

____ **DEVELOPMENT OF REGIONAL IMPACT (DRI)**

Name of DRI: _____

Date of DRI Development Order Approval (Must be prior to July 1, 1991): _____

Date of any and all amendments to the Development Order: _____

Were there any Substantial Changes or NOPCs that increased the number of residential units?

* If yes, provide the dates: _____

Appropriate Supporting Documentation for a DRI Basis

- 1) Copy of recorded Development Order(s) (or Binding Letter(s) of Vested Rights) and ALL amendments thereto, and documents/agreements required by the Development Order;
- 2) Copy of the minutes of the Board of County Commissioner’s approval of the Development Order and ALL amendments thereto;
- 3) Copy of the complete legal description and Property Appraiser’s map for the subject property and;
- 4) Copies of any Notices of Proposed Changes and/or Substantial Deviations;
- 5) Documentation of phasing schedule and current phase of development;

____ **BINDING LETTER OF VESTED RIGHTS (BLVR)**

Name of Project as listed in BLVR: _____

Date of BLVR: _____

Appropriate Supporting Documentation for a Binding Letter of Vested Rights Basis

- 1) Copy of the Binding Letter of Vested Rights;
- 2) Copy of any Building Permit(s) associated with the project;
- 3) Copy of the complete legal description and Property Appraiser’s map for the subject property;

____ **BUILDING PERMIT**

Date of Building Permit Issuance: _____

Building Permit Number: _____

Building Permit Status: Active Complete Expired

Describe On Site Building Activity: _____

Appropriate Supporting Documentation for Building Permit Basis

- 1) Copy of any Building Permit(s) associated with the project;
- 2) Copy of the complete legal description and Property Appraiser’s map for the subject property;



SUBDIVISION (Residential or Mixed-Use Residential)

Name of Subdivision or project (as approved by County): _____

Date on which a plat, if any, was recorded for any part of the project: _____

Date on which a replat, if any, was recorded and reason for replatting: _____

Date of Preliminary Subdivision Plan (PSP) approval by the Board of County Commissioners
(must be prior to July 1, 1991): _____

Has the PSP approval expired? _____

Date of Construction Plan approval and/or date of DRC-approved extension(s) of the PSP
expiration date (**provide copies of DRC meeting minutes**): _____

DESCRIBE building activity, which has occurred on site: _____

Are there, or have there been, any amendments to the Residential Development, which increase
the number of dwelling units or change the type of dwelling units (e.g., converts single-family to
multi-family, etc.). Yes No

**If yes, please provide supporting documentation describing the amendment(s), increase in the
number of dwelling units (if applicable), and/or the change in type of dwelling units.*

Appropriate Supporting Documentation for Subdivision Basis

- 1) Copy of the recorded plat (and any re-plats, including reason for re-platting);
- 2) Copy of the minutes of the Board of County Commissioners' approval of the Preliminary Subdivision Plan, including any amendments thereto;
- 3) Copy of minutes of DRC approval of any PSP extensions;
- 4) Copy of any development approval(s) (including any amendments) and/or Developers Agreement(s) associated with the project;
- 5) Copies of any documents required by the development approvals or Developers Agreement(s);
- 6) Copy of any Building Permit(s) associated with the project, or if no Building Permits, proof of continued validity of PSP (i.e. extensions or construction plan approval, copy of DRC minutes); and
- 7) Copy of the complete legal description and Property Appraiser's map for the subject property



COMMERCIAL PROJECT

Name of project (as approved by County): _____

Date on which site development plan was approved: _____

Has the site development plan approval expired? _____

DESCRIBE building activity, which has occurred on site, and the approximate date(s) on which such activity has occurred: _____

Appropriate Supporting Documentation for Commercial Projects & Projects Subject to the Site Development Ordinance Basis

- 1) Copy of the Building Permit(s) associated with the project; if no Building Permits, then proof of the continued validity of the Site Plan;
- 2) Copy of the minutes of the Board of County Commissioners' approval of the project;
- 3) Copy of any development approval(s) and/or Developers Agreement(s) associated with the project;
- 4) Copies of any documents required by the development approval(s) or Developers Agreement(s);
- 5) Copy of the complete legal description and Property Appraiser's map for the subject property

PARCELS OF RECORD IN RURAL SETTLEMENTS

Is the subject site located in a Rural Settlement? _____

If yes, which one? _____

As of May 21, 1991, did you own any other property which is contiguous to the subject property?

Please Note: Approval of Consistency Vested Rights under this provision is contingent upon being located in a Rural Settlement.

Appropriate supporting documentation for Parcels of Record in Rural Settlements includes

- 1) Copy of the complete legal description and Property Appraiser's map for the subject property
- 2) Proof that parcel(s) was in Rural Settlement as of May 21, 1991



COMMON LAW

DESCRIBE official action taken by County *specifically with respect to development* of the property, which led the property owner to undertake obligations or expenses in good faith reliance on such official action: _____

DESCRIBE and document obligations (other than land purchase costs and payment of taxes) incurred by the owner, including, but not limited to, legal and professional expenses *related directly to the development* of the property: _____

DESCRIBE why it would be unfair for the County to deny the property owner the opportunity to complete the project based on the project’s effects on the levels of service as adopted by the comprehensive plan and implemented through the County concurrency management system: _____

Appropriate supporting documentation for “Common Law Vested Rights” Basis

- 1) Copy of the development approval(s), Binding Letter(s) of Vested Rights including any amendments thereto, Developers Agreement(s) or other official action taken by County in connection with the project that were relied upon by the applicant;
- 2) Copy of all documents required by a development approval(s), Developers Agreement(s) or other official action taken by County in connection with the project;
- 3) Evidence of extensive obligations, expenses (other than land purchase costs and payment of taxes) including, but not limited to, legal and professional expenses, or other change in position, related directly to the development that have been incurred by the property owner in association with the project in good faith reliance on the actions taken by the County ****Evidence can also be provided through a notarized Affidavit of Expenses – forms are available upon request****;
- 4) Copy of any additional documentation supporting the owner’s claim for vested rights; and
- 5) Copy of the complete legal description and Property Appraiser’s map for the subject property

DEVELOPERS AGREEMENT

Title of Agreement: _____

Date Agreement was approved by County: _____

Parties to the Agreement: _____

Official Records Book and Page Numbers (if applicable): _____



Appropriate supporting documentation for a Developers Agreement includes

- 1) Copy of Developers Agreement pursuant to which owner is claiming vested rights;
- 2) Copy of any documentation required by the Agreement;
- 3) Proof of performance of any obligations of the owner under the Agreement;
- 4) Copy of the complete legal description and Property Appraiser’s map for the subject property;
- 5) Copy of any additional documentation supporting the owner’s claim for vested rights; and
- 6) For projects with Developers Agreement(s) that provide(s) for vesting a specific number of trips, applications shall include evidence detailing the number of trips that have been used on lots that have already been developed or have all concurrency approvals necessary to develop

____ **PLANNED DEVELOPMENT (PD)**

Name of PD: _____

Date of Land Use Plan (LUP) Approval: _____

Please Note: Approval of Consistency Vested Rights under this provision is contingent upon the existence of an approved LUP and a Development Plan approval prior to July 1, 1992.

Appropriate supporting documentation for a Planned Development includes

- 1) Copy of recorded Planned Development ;
- 2) Copy of the minutes of the Board of County Commissioner’s approval of the Planned Development;
- 3) Copy of the complete legal description and Property Appraiser’s map for the subject property;
- 4) For Planned Developments with Development Orders that include a specific allocation of trips, applications shall include evidence detailing the number of trips that have been used on lots that have been already developed or have all concurrency approvals necessary to develop
- 5) Copy of Development Plan which was approved prior to July 1, 1992

____ **LOT SPLIT**

Date of Lot Split Approval: _____

***Building Permit must have been issued for lot prior to July 1, 1996**

Appropriate supporting documentation for a Lot Split includes

- 1) Copy of recorded Lot Split and documents required;
- 2) Copy of the minutes of the Board of County Commissioner’s approval of the Lot Split;
- 3) Copy of the complete legal description and Property Appraiser’s map for the subject property
- 4) Copy of Building Permit issued for lot prior to July 1, 1996



TCVRC Application Number (Assigned by the County): _____

Date Submitted: _____

SECTION 5: APPLICANT SIGNATURE:

I, the undersigned, have read this application and hereby attest that the above-referenced information is true and correct to the best of my knowledge and, during the pendency of this application, I understand my continuing obligation to notify the Orange County, in writing, of the inaccuracy of any statement or representation which was incorrect when made or which becomes incorrect by virtue of changed circumstances or new information.

Signature of Property Owner or Authorized Agent

Date

Print Name and Title of Person Completing This Form

STATE OF: _____

COUNTY OF: _____

The foregoing instrument was acknowledged before me this ____ day of _____, 20____ by _____, as an individual/officer/agent, on behalf of himself /herself or on behalf of _____, a _____ corporation/ partnership/ limited liability company. He/she is personally known to me or has produced _____ as identification and did/did not take an oath.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____, 20____.

(Notary Seal)

Notary Public
My Commission Expires: _____



TCVRC Application Number (Assigned by the County): _____

Date Submitted: _____

AGENT AUTHORIZATION FORM FOR SIMULTANEOUS TRANSPORTATION CONCURRENCY VESTED RIGHTS AND CONSISTENCY OF THE COMPREHENSIVE PLAN APPLICATION

I, _____, as the property owner of the property described below, hereby give my permission for _____, to act as my agent¹ for the purpose of applying for Simultaneous Transportation Concurrence Vested Rights and Consistency of the Comprehensive Plan requirements of the Orange County, Florida Code of Ordinances.

Legal Description: _____

Signature of Property Owner

Date

Print Name and Title of Property Owner

STATE OF: _____

COUNTY OF: _____

¹IN THE EVENT THAT THE ABOVE AUTHORIZED AGENT IS NO LONGER ACTING ON THE OWNER'S BEHALF SAID PROPERTY OWNER MUST NOTIFY THE CONCURRENCY MANAGEMENT OFFICE VIA WRITTEN REQUEST.

The foregoing instrument was acknowledged before me this ____ day of _____, 20____ by _____, as an individual/officer/agent, on behalf of himself /herself or on behalf of _____, a _____ corporation/ partnership/ limited liability company. He/she is personally known to me or has produced _____ as identification and did/did not take an oath.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____, 20____.

(Notary Seal)

Notary Public
My Commission Expires: _____



RELATIONSHIP DISCLOSURE FORM FOR USE WITH DEVELOPMENT RELATED ITEMS, EXCEPT THOSE WHERE THE COUNTY IS THE PRINCIPAL OR PRIMARY APPLICANT

This relationship disclosure form must be submitted to the Orange County department or division processing your application at the time of filing. In the event any information provided on this form should change, the Owner, Contract Purchaser, or Authorized Agent(s) must file an amended form on or before the date the item is considered by the appropriate board or body.

PART I

INFORMATION ON OWNER OF RECORD PER ORANGE COUNTY TAX ROLLS

Name: _____

Business Address (Street/P.O. Box, City and Zip Code): _____

Business Phone () _____

Facsimile () _____

INFORMATION ON CONTRACT PURCHASER, IF APPLICABLE

Name: _____

Business Address (Street/P.O. Box, City and Zip Code): _____

Business Phone () _____

Facsimile () _____

INFORMATION ON AUTHORIZED AGENT, IF APPLICABLE

(Agent Authorization Form must be attached)

Name: _____

Business Address (Street/P.O. Box, City and Zip Code): _____

Business Phone () _____

Facsimile () _____



PART II

IS THE OWNER, CONTRACT PURCHASER, OR AUTHORIZED AGENT A RELATIVE OF THE MAYOR OR ANY MEMBER OF THE BCC?

YES NO

IS THE MAYOR OR ANY MEMBER OF THE BCC AN EMPLOYEE OF THE OWNER, CONTRACT PURCHASER, OR AUTHORIZED AGENT?

YES NO

IS ANY PERSON WITH A DIRECT BENEFICIAL INTEREST IN THE OUTCOME OF THIS MATTER A BUSINESS ASSOCIATE OF THE MAYOR OR ANY MEMBER OF THE BCC?

(When responding to this question please consider all consultants, attorneys, contractors/subcontractors and any other persons who may have been retained by the Owner, Contract Purchaser, or Authorized Agent to assist with obtaining approval of this item).

YES NO

If you responded “YES” to any of the above questions, please state with whom and explain the relationship:

(Use additional sheets of paper if necessary)



PART III ORIGINAL SIGNATURE AND NOTARIZATION REQUIRED

I hereby certify that information provided in this relationship disclosure form is true and correct based on my knowledge and belief. If any of this information changes, I further acknowledge and agree to amend this relationship disclosure form prior to any meeting at which the above-referenced project is scheduled to be heard. In accordance with s. 837.06, Florida Statutes, I understand and acknowledge that whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his or her official duty shall be guilty of a misdemeanor in the second degree, punishable as provided in s. 775.082 or s. 775.083, Florida Statutes.

Signature of Property Owner Contract Purchaser Date
or Authorized Agent (*Check One*)

Print Name and Title of Person completing this form: _____

Business Address (Street/P.O. Box, City and Zip Code): _____

Business Phone: _____

Facsimile: _____

STATE OF: _____

COUNTY OF: _____

The foregoing instrument was acknowledged before me this _____ day of _____, 20____ by _____, as an individual / officer / agent, on behalf of himself / herself or on behalf of _____, a _____ corporation/partnership /limited liability company. He/she is personally known to me or has produced _____ as identification and did/did not take an oath.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____, 20____.

Notary Public

(Notary Seal)

My Commission Expires: _____

Staff signature and date of receipt of form
Staff reviews as to form and does not attest to the accuracy or veracity of the information provided herein.



ORANGE COUNTY SPECIFIC PROJECT EXPENDITURE REPORT

This lobbying expenditure form shall be completed in full and filed with all application submittals. This form shall remain cumulative and shall be filed with the department processing your application. Forms signed by a principal’s authorized agent shall include an executed Agent Authorization Form.

This is the Initial Form: _____

This is a Subsequent Form: _____

PART I *(Please complete all of the following)*

Name and Address of Principle (legal name of entity or owner per Orange County tax rolls):

Name and Address of Principal’s Authorized Agent, if applicable:

List the name and address of all lobbyists, consultants, contractors, subcontractors, individuals or business entities who will assist with obtaining approval for this project. (Additional forms may be used as necessary).

1. Name and address of individual or business entity: _____

Are they registered Lobbyist? Yes No

2. Name and address of individual or business entity: _____

Are they registered Lobbyist? Yes No

3. Name and address of individual or business entity: _____

Are they registered Lobbyist? Yes No

4. Name and address of individual or business entity: _____

Are they registered Lobbyist? Yes No

5. Name and address of individual or business entity: _____

Are they registered Lobbyist? Yes No

6. Name and address of individual or business entity: _____

Are they registered Lobbyist? Yes No

7. Name and address of individual or business entity: _____

Are they registered Lobbyist? Yes No

8. Name and address of individual or business entity: _____

Are they registered Lobbyist? Yes No

**PART II****EXPENDITURES**

For this report, "expenditure" means money or anything of value given by the principal and/or his/her lobbyist for the purpose of lobbying, as defined in section 2-351, Orange County Code. This may include public relations expenditures including, but not limited to, petitions, fliers, purchase of media time, cost of print and distribution of publications. However, the term "expenditure" **does not** include:

- ❖ Contributions or expenditures reported pursuant to chapter 106, Florida Statutes;
- ❖ Federal election law, campaign-related personal services provided without compensation by individuals volunteering their time;
- ❖ Any other contribution or expenditure made by or to a political party;
- ❖ Any other contribution or expenditure made by an organization that is exempt from taxation under 26 U.S.C. s.527 or s. 501(c)(4), in accordance with s.112.3215, Florida Statutes; and/or
- ❖ Professional fees paid to registered lobbyists associated with the project or item.

The following is a complete list of all lobbying expenditures and activities (including those of lobbyists, contractors, consultants, etc.) incurred by the principal or his/her authorized agent and expended in connection with the above- referenced project or issue. **You need not include de minimus costs (under \$50) for producing or reproducing graphics, aerial photographs, photocopies, surveys, studies or other documents related to this project.**

Date of Expenditures	Name of Party Incurring Expenditure	Description of Activity	Amount Paid
TOTAL EXPENDED THIS REPORT			\$



Part III ORIGINAL SIGNATURE AND NOTARIZATION REQUIRED

I hereby certify that information provided in this specific project expenditure report is true and correct based on my knowledge and belief. I further acknowledge and agree to comply with the requirement of section 2-354 of the Orange County code to amend this specific project expenditure report for any additional expenditure incurred related to this project prior to the scheduled Board of County Commissioner meeting. In accordance with s. 837.06, Florida Statutes, I understand and acknowledge that whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his or her official duty shall be guilty of a misdemeanor in the second degree, punishable as provided in s. 775.082 or s. 775.083, Florida Statutes.

Signature of Property Owner Δ Contract Purchaser Δ Date
or Authorized Agent

Print Name and Title of Person completing this form: _____

Business Address (Street/P.O. Box, City and Zip Code): _____

Business Phone: _____

Facsimile: _____

STATE OF: _____

COUNTY OF: _____

The foregoing instrument was acknowledged before me this _____ day of _____, 20____ by _____, as an individual / officer / agent, on behalf of himself / herself or on behalf of _____, a _____ corporation/partnership /limited liability company. He/she is personally known to me or has produced _____ as identification and did/did not take an oath.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____, 20____.

Notary Public

(Notary Seal)

My Commission Expires: _____

Staff signature and date of receipt of form
Staff reviews as to form and does not attest to the accuracy or veracity of the information provided herein.