



Date Submitted: \_\_\_\_\_

**INSTRUCTIONS FOR CONCURRENCY VESTED RIGHTS AND VESTING FROM THE  
CONSISTENCY REQUIREMENTS OF THE COMPREHENSIVE POLICY PLAN  
APPLICATION AND FEE SCHEDULE**

This application is being made pursuant to Sections 30-370 – 30-392, et. seq., and Sections 30-341 – 30-363, et. seq., of the Orange County Code of Ordinances (a copy of which can be obtained at www.municode.com). Complete, sign, notarize and return the attached Application for Concurrency and Consistency Vested Rights Certificate (and appropriate supporting documentation) to the Orange County Growth Management Department, Planning Division with a check, made payable to the Orange County Board of County Commissioners, in accordance with the fee listed below. In order to be processed, all applications must be complete and accompanied by the appropriate fee and supporting documentation.

**Simultaneous Concurrency and Consistency Determination for Non-Residential  
and Residential Other than One Single Family Home.....\$1,660.00**

**APPLICATION**

**1. Applicant and Owner Information<sup>1</sup>:**

**Applicant<sup>2</sup>:** \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: \_\_\_\_\_

**Owner:** \_\_\_\_\_

Address: \_\_\_\_\_

City : \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: \_\_\_\_\_

<sup>1</sup> 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.

<sup>2</sup> If Applicant is different from Owner, the Agent Authorization Form attached hereto must be completed.

**2. Property Information: (Please attach a locator map)**

Project Name (as approved by County): \_\_\_\_\_

Parcel Identification Number(s): \_\_\_\_\_

Parcel Size: \_\_\_\_\_

Existing Zoning: \_\_\_\_\_

Existing Future Land Use Designation: \_\_\_\_\_

*All application packages submitted must include documentation to support the basis for the application. Appropriate supporting documentation includes, but is not limited to, the items listed under each heading below.*

**3. Basis for Application:**

\_\_\_\_\_ Development of Regional Impact (DRI)

Name of DRI: \_\_\_\_\_

Date of DRI Approval: \_\_\_\_\_

• **Appropriate supporting documentation for a DRI includes:**

- 1) Copy of recorded Development Order(s) (or Binding Letter of Vested Rights) and documents required by the Development Order;
- 2) Copy of the minutes of the Board of County Commissioner's approval of the Development Order;
- 3) Copy of the complete legal description and Property Appraiser's map for the subject property; and
- 4) For DRIs 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.

\_\_\_\_\_ 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 includes:**

- 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 Permit: \_\_\_\_\_

Permit Number: \_\_\_\_\_

Permit Active or Expired?: \_\_\_\_\_

Describe building activity which has occurred on site: \_\_\_\_\_

\_\_\_\_\_

- **Appropriate supporting documentation for a Building Permit includes:**
  - 1) Copy of the Building Permit(s) associated with the project;
  - 2) Copy of evidence of building activity on the subject property;
  - 3) Copy of the complete legal description and Property Appraiser's map for the subject property.

\_\_\_\_\_ Subdivision (Residential or Non-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, if any: \_\_\_\_\_

Has the PSP or site development plan approval expired?: \_\_\_\_\_

Date of final PSP approval by the Board of County Commissioners: \_\_\_\_\_

\_\_\_\_\_

Describe building activity which has occurred on site: \_\_\_\_\_

\_\_\_\_\_

- **Appropriate supporting documentation for a Subdivision (Residential or Non-Residential) includes:**
  - 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;
  - 3) Copy of any development approval(s) (including any amendments) and/or Developers Agreement(s) associated with the project;
  - 4) Copies of any documents required by the development approvals or Developers Agreement(s);
  - 5) Copy of any Building Permit(s) associated with the project; and
  - 6) 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 and Projects Subject to the Site Development Ordinance includes:**

- 1) Copy of the Building Permit(s) associated with the project;
- 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.

\_\_\_\_\_ Common Law

Describe official action taken by County specifically with respect to development of 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 policy plan and implemented through the County concurrency management system: \_\_\_\_\_

• **Appropriate supporting documentation for "Common Law Vested Rights" includes:**

- 1) Copy of the development approval(s), Developers Agreement(s) or other official action taken by County in connection with the project;
- 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;
- 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: \_\_\_\_\_

OR Book and Page No. (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.

\_\_\_\_\_ Preliminary Subdivision Plan Amendments

Desired use of property: \_\_\_\_\_

The number of residential units and/or non-residential square feet which exist as of the date of this application: \_\_\_\_\_

The number of residential units and/or non-residential square feet which will exist at the build-out of this project: \_\_\_\_\_

\_\_\_\_\_ Planned Development (PD)\*

Name of PD: \_\_\_\_\_

Date of Land Use Plan (LUP) Approval: \_\_\_\_\_

- **Appropriate supporting documentation for a Planned Development includes:**

- 1) Copy of recorded Planned Development and documents required by the Development Order;
- 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; and
- 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.

\*Approval of Consistency Vested Rights under this provision is contingent upon the existence of LUP approval as of June 5, 1991.

\_\_\_\_\_ Lot Split

Date of Lot Split Approval: \_\_\_\_\_

• **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.

\_\_\_\_\_ Urban Infill\*

Is the subject site located in the Urban Service Area? \_\_\_\_\_

List the requisite facilities and services which are or will be available to the parcel/property at no additional cost to the County: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

• **Appropriate supporting documentation for Urban Infill includes:**

- 1) Copy of the complete legal description and Property Appraiser's map for the subject property.

\*Approval of Consistency Vested Rights under this provision is contingent upon being located within the Urban Service Area.

\_\_\_\_\_ 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? \_\_\_\_\_

• **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.

\* Approval of Consistency Vested Rights under this provision is contingent upon being located in a Rural Settlement.

\_\_\_\_\_ Additional Information

Please describe or attach any other relevant supporting information: \_\_\_\_\_

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**6. 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 County Planning Director, in writing, of the inaccuracy of any statement or representation which was incorrect when made or which becomes incorrect by virtue of changed circumstances.

\_\_\_\_\_  
Signature of property owner or applicant

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name of signatory

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 / \_\_\_\_\_, 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  
My commission expires: \_\_\_\_\_

**AGENT AUTHORIZATION FORM  
FOR VESTED RIGHTS APPLICATION**

I, \_\_\_\_\_, as the property owner of the property described below, hereby give my permission for \_\_\_\_\_, to act as my agent for the purpose of applying for concurrency vested rights and vested rights from the consistency requirements of the Orange County, Florida Comprehensive Policy Plan.

Legal Description:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Signature of Property Owner

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name of Property Owner

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 / \_\_\_\_\_, 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

My commission expires: \_\_\_\_\_

**ORANGE COUNTY SPECIFIC PROJECT EXPENDITURE REPORT**

**This form should be completed in full and filed with all application submittals.  
 This form shall remain cumulative \*\* File any amendment with the department processing your application.**

**Part I**

**Please complete the following:**

Name and Address of Principal or Principal's Authorized Agent: \_\_\_\_\_

\_\_\_\_\_  
 Name and Address of Lobbyist, consultants, contractors, if any: \_\_\_\_\_

\_\_\_\_\_

**Part II**

**Expenditures:**

An "expenditure" is defined to mean a payment, distribution, loan, advance, reimbursement, deposit, or anything of value made by a lobbyist or principal for the purpose of lobbying, as this term is defined in section 2-351, Orange County Code. The term "expenditure" does not include contributions or expenditures reported pursuant to chapter 106, FS, or 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, or 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). (s.112.3215, FS) Do not disclose professional fees paid by the principal to his/her lobbyist for the purpose of lobbying. (s.2-354, Orange County Code)

The following is a complete list of all lobbying expenditures incurred by the principal or his/her authorized agent, his/her lobbyist, and/or his/her contractors, if applicable, expended in connection with the above-referenced project or issue:

Date of Expenditure	Name of Payee	Description of Expenditure	Amount Expended
			\$
			\$
			\$
			\$
			\$
			\$
			\$

If continued on a separate sheet, please check here \_\_\_\_\_

**Total Expenditures this Report: \$ \_\_\_\_\_**

**Date of this Report: \_\_\_\_\_**

**Case # \_\_\_\_\_**

**(where applicable)**

**Part III**

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.

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature of  Principal or  Principal's Authorized Agent\*  
**(check appropriate box)**

STATE OF FLORIDA :  
COUNTY OF \_\_\_\_\_ :

I certify that on \_\_\_\_\_, before me, \_\_\_\_\_, an officer duly authorized by the State of Florida and in the county mentioned above, to take acknowledgements, personally appeared \_\_\_\_\_, to me known to be the person described in this instrument or to have produced \_\_\_\_\_, as evidence, and who has acknowledged before me that he or she executed the instrument and did / did not take an oath.

Witness my hand and official seal in the county and state stated above on the \_\_\_\_\_ day of \_\_\_\_\_, in the year \_\_\_\_\_.

(Notary Seal)

\_\_\_\_\_  
Signature of Notary Public  
Notary Public for the State of Florida  
My Commission Expires: \_\_\_\_\_

*\*If form is signed by the Principal's Authorized Agent, please attach the completed Agent Authorization form.*

**Case #** \_\_\_\_\_  
(where applicable)

**RELATIONSHIP DISCLOSURE FORM**  
**For use with development related items except**  
**applications in which the County is the principal or primary applicant**

This form shall be submitted to the department processing your application prior to the development-related item being considered for review and/or approval by Orange County.

In the event any information provided on this form should change, the applicant(s) should file an amended form on or before the date of project consideration before the appropriate board or body.

**IS THE APPLICANT OR ANY PERSON INVOLVED WITH YOUR PROJECT:**

- **A RELATIVE OR BUSINESS ASSOCIATE OF THE MAYOR OR MEMBER OF THE BCC?**
- **AN EMPLOYER OF THE MAYOR OR MEMBER OF THE BCC?**

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

**Please complete table below:**

	Applicant/Principal	Developer	Property Owner	Consultants/Attorney
Business Associate	YES/NO	YES/NO	YES/NO	YES/NO
Relative	YES/NO	YES/NO	YES/NO	YES/NO
Employer	YES/NO	YES/NO	YES/NO	YES/NO
Beneficial interest in the outcome	YES/NO	YES/NO	YES/NO	YES/NO

If you responded **yes** to any of the above questions, please state with whom and explain the relationship: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Case #** \_\_\_\_\_  
 (where applicable)

**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 Date: \_\_\_\_\_

Print Name and Title of Person completing this form: \_\_\_\_\_

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

Business Phone ( ) \_\_\_\_\_

Facsimile ( ) \_\_\_\_\_

STATE OF FLORIDA :  
COUNTY OF \_\_\_\_\_ :

I certify that on \_\_\_\_\_, before me, \_\_\_\_\_, an officer duly authorized by the State of Florida, and in the county mentioned above, to take acknowledgements, personally appeared \_\_\_\_\_, to me known to be the person described in this instrument or to have produced \_\_\_\_\_, as evidence, and who has acknowledged before me that he or she executed the instrument and did / did not take an oath.

Witness my hand and official seal in the county and state stated above on the \_\_\_\_ day of \_\_\_\_\_, in the year \_\_\_\_\_.

(Notary Seal)

\_\_\_\_\_  
Signature of Notary Public  
Notary Public for the State of Florida  
My Commission Expires: \_\_\_\_\_

**Case #** \_\_\_\_\_  
(where applicable)