



Application Number (Issued by Orange County): _____
Date Submitted: _____

INSTRUCTIONS FOR SCHOOL CONCURRENCY
VESTED RIGHTS CERTIFICATE
APPLICATION AND FEE SCHEDULE

This application is being made pursuant to Section 163.3180(13), Florida Statutes. Complete, sign, notarize and return the attached Application for School Concurrency Vested Rights Certificate (and appropriate supporting documentation) to the Orange County Growth Management Department, Concurrency Management Office. 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.

School Concurrency Determination for Residential Development.....\$1,703.00

APPLICATION

1. Applicant and Owner Information¹:

Applicant: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Phone: _____ Fax: _____ Email: _____

Owner²: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Phone: _____ Fax: _____ Email: _____

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

Project Name: _____

Parcel Identification Number(s): _____

Parcel Size: _____ acres

Number of Residential Units: _____

Unit Type: Single Family: _____ Mobile Homes: _____ Townhomes: _____

Apartments: _____ Condominiums: _____ Other: _____

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.

Existing Zoning: _____

Existing Future Land Use Designation: _____

Do you have a previously executed Capacity Enhancement Agreement? Yes No

If yes, please provide a copy and the date the Agreement was executed: _____

Has the Orange County School Board or Orange County requested a school site within the subject property? Yes No (If yes, please provide a copy of the request)

If no, is the Owner/Applicant proposing a school site? Yes No

If yes, what is the estimated date of availability and who is the provider for on and off-site infrastructure? _____

Does the proposed school site satisfy the site selection criteria set forth in Article XVIII, Chapter 38 of the Orange County Code? Yes No

If yes, please provide supporting documentation illustrating that the site selection criteria has been met.

All application packages submitted must include documentation to support the basis for the application as well as a phasing schedule, vicinity map showing existing and proposed zoning classifications and future land use categories for the subject property, and areas adjacent thereto. 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 Application: (Must be prior to May 1, 2005): _____

Date of DRI Development Order: (Must be prior to July 1, 2005): _____

• Appropriate supporting documentation for a DRI includes:

- 1) Copy of recorded Development Order(s) (or Binding Letter(s) of Vested Rights) and any 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;
- 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 school capacity, applications shall include evidence detailing the amount of school capacity that has been used on lots that have been already developed or have all concurrency approvals necessary to develop.

- 5) Copies of any Notices of Proposed Changes and/or Substantial Deviations
- 6) Documentation of phasing schedule and current phase of development

____ **BUILDING PERMIT**

Date of Permit Submittal: (Must be prior to September 17, 2008) _____

Permit Number: _____

Permit Active or Expired? _____

Describe building activity, if any, 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**

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 (must be prior to September 17, 2008):

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: _____

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 a Subdivision (Residential or Mixed-Use 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 (MULTI-FAMILY RESIDENTIAL, ETC.)**

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: _____

Is the project an age-restricted community that qualifies as one of the three types of communities designed for older persons as "housing for older persons" in the Housing for Older Persons Act, 42 U.S.C. § 3607(b). This exemption shall be applied in conformity with the principles set forth in Volusia County v. Aberdeen at Ormond Beach, L.P., 760 So. 2d, 126 (Fla. 2000).

Yes No

If yes, please provide supporting documentation validating such qualification(s).

• 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 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 policy plan and implemented through the County concurrency management system: _____

Describe the portion, if any, of the Residential Development that, prior to September 17, 2008, was the subject of a binding and enforceable development agreement or Capacity Enhancement Agreement: _____

Is this project, or portions thereof, exempt pursuant to another exemption provision?

Yes No

If yes, please provide supporting documentation noting the other exemption and justification for the basis of exemption.

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

- 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;
- 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 applicable Capacity Enhancement Agreement;
- 5) Copy of any additional documentation supporting the owner's claim for vested rights;
- 6) Copy of the complete legal description and Property Appraiser's map for the subject property; and
- 7) Any letter(s) issued by Orange County vesting the Residential Development for purposes of school concurrency.

5. ADDITIONAL INFORMATION

Please describe or attach any other relevant supporting information: _____

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 Concurrency Management Official, 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: _____

Print Name of signatory: _____

Date: _____

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
My commission expires: _____

Mailing Address: Concurrency Management Office
Growth Management Department
PO BOX 1393
Orlando, FL 32802-1393



AGENT AUTHORIZATION FORM
FOR SCHOOL CONCURRENCY 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 vested rights from the school concurrency requirements of the Orange County, Florida Code of Ordinances.

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 /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
My commission expires: _____