

**VESTED RIGHTS
AND
VESTED RIGHTS EXTENSION**

APPLICATION INFORMATION PACKET

Applications cannot be accepted without an appointment.

**Call (813) 277-1630
to schedule an appointment to file an application.**

**Incomplete applications cannot be accepted.
Please read the instructions and use the attached checklist.**



**Hillsborough County
Florida**

THE HILLSBOROUGH COUNTY BOARD OF COUNTY COMMISSIONERS ADOPTED LOBBYING ORDINANCE NO. 93-8, AS AMENDED. PRIOR TO MEETING PRIVATELY WITH A BOARD MEMBER, COUNTY ATTORNEY, CHIEF ASSISTANT COUNTY ATTORNEY, COUNTY ADMINISTRATOR, ANY ASSISTANT COUNTY ADMINISTRATOR, OR ANY DEPARTMENT HEAD, YOU MAY BE REQUIRED TO REGISTER AS A LOBBYIST.

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**HILLSBOROUGH COUNTY PLANNING & GROWTH MANAGEMENT
APPLICATION FORM**

Shaded Area For Official Use Only

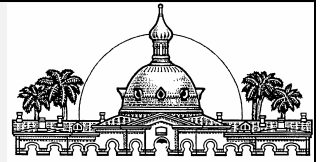
APPLICATION PREFIX AND NUMBER: _____ - _____ - _____

HEARING(S) AND TYPE: DATE: _____ TYPE: _____
(If Applicable)

DATE: _____ TYPE: _____

RECEIPT NUMBER: _____

APPLICATION TYPE AS REFERENCED IN LDC: _____



Hillsborough County
Florida

INTAKE DATE: _____ INTAKE TECHNICIAN SIGNATURE: _____

APPLICANT'S REPRESENTATIVE

Name: _____

Address: _____

City / State / Zip _____ Daytime Phone: (____) _____

E-mail address: _____ Fax Number: (____) _____

APPLICANT

Name: _____

Address: _____

City / State / Zip _____ Daytime Phone: (____) _____

PROPERTY OWNER

Name: _____

Address: _____

City / State / Zip _____ Daytime Phone: (____) _____

PROPERTY ADDRESS OR GENERAL LOCATION: _____

NATURE OF REQUEST: _____

RELATED APPLICATIONS: _____

PROPOSED UTILITIES: PUBLIC WATER ___ PRIVATE WELL ___ PUBLIC WASTEWATER ___ SEPTIC TANK ___

(Additional Information Required On "Property Information Sheet")

I HEREBY SWEAR OR AFFIRM THAT ALL THE INFORMATION PROVIDED IN THE SUBMITTED APPLICATION PACKET IS TRUE AND ACCURATE, TO THE BEST OF MY KNOWLEDGE, AND AUTHORIZE THE REPRESENTATIVE LISTED ABOVE TO ACT ON MY BEHALF ON THIS APPLICATION.

Signature of the Applicant

Type or Print Name

I HEREBY AUTHORIZE THE PROCESSING OF THIS APPLICATION AND RECOGNIZE THAT THE FINAL ACTION TAKEN ON THIS PETITION SHALL BE BINDING TO THE PROPERTY AS WELL AS TO THE CURRENT AND ANY FUTURE OWNERS.

Signature of the Owner(s) – (All Parties on the Deed must Sign)

Type or Print Name

AFFIDAVIT TO AUTHORIZE AGENT

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

(NAME OF ALL PROPERTY OWNERS), being first duly sworn, depose(s) and say(s):

1. That (I am/we are) the owner(s) and record title holder(s) of the following described property, to wit:

ADDRESS OR GENERAL LOCATIONS: _____ Folio No: _____

2. That this property constitutes the property for which a request for a: _____ (NATURE OF REQUEST)
is being applied to the Board of County Commissioners, Hillsborough County.

3. That the undersigned (has/have) appointed _____ as
(his/their) agent(s) to execute any permits or other documents necessary to affect such permit.

4. That this affidavit has been executed to induce Hillsborough County, Florida, to consider and act on the above-described property;

5. That (I/we), the undersigned authority, hereby certify that the foregoing is true and correct.

SIGNED (PROPERTY OWNER)

SIGNED (PROPERTY OWNER)

| |
|---|
| <p>STATE OF FLORIDA COUNTY OF HILLSBOROUGH The foregoing instrument was acknowledged before me this (DATE) _____ by _____ who: (Property Owner) <input type="checkbox"/> Personally known to me <input type="checkbox"/> Florida driver's license <input type="checkbox"/> Other type of identification: _____ and who: <input type="checkbox"/> did <input type="checkbox"/> did not take an oath.</p> <p>_____ (Signature of Notary taking acknowledgment)</p> <p>_____ Type or Print Name of Notary Public</p> <p>_____ Commission Number Expiration Date</p> |
|---|

| |
|---|
| <p>STATE OF FLORIDA COUNTY OF HILLSBOROUGH The foregoing instrument was acknowledged before me this (DATE) _____ by _____ who: (Property Owner) <input type="checkbox"/> Personally known to me <input type="checkbox"/> Florida driver's license <input type="checkbox"/> Other type of identification: _____ and who: <input type="checkbox"/> did <input type="checkbox"/> did not take an oath.</p> <p>_____ (Signature of Notary taking acknowledgment)</p> <p>_____ Type or Print Name of Notary Public</p> <p>_____ Commission Number Expiration Date</p> |
|---|

**PROCEDURES FOR ISSUANCE OF DEVELOPMENT ORDERS
(LAND USE HEARING OFFICER PROCESS)**

This section includes general application submittal and review information, and specific submittal requirements for applications that require review in accordance with Section 10.02.00 of the Land Development Code (LDC) for issuance of a development order through the Land Use Hearing Officer (LUHO) process.

SUBMITTAL AND REVIEW PROCEDURES

This section includes general information for application submittals and reviews.

A. Preapplication Conference

A preapplication conference with county staff is encouraged prior to application.

B. Application and Fees

A request for a development order shall be initiated in accordance with this manual by payment of appropriate fees as referenced in Section 2.0 and by filing an application as referenced in Section 3.0 with attached specifically required supplemental information.

C. Completeness Review

All applications shall be reviewed for completeness in accordance with submittal requirements herein. If applications are determined to be incomplete, review of the application may be delayed or terminated in accordance with Section 10.02.02.B. of the LDC.

D. Setting the Matter for Public Hearing Before the Land Use Hearing Officer

The Administrator shall set the matter for hearing before a LUHO in accordance with Section 10.02.02.C of the LDC.

E. Public Notice Requirements

Public notice shall be provided in accordance with Section 10.02.02.D of the LDC and Section 12.0 of the manual.

F. Motions for Disqualification

Motions for disqualification of a LUHO hearing shall be filed in accordance with Section 10.02.02.G of the LDC.

G. Application Review

The application shall be reviewed in accordance with prescribed general and specific review criteria herein and the LDC and in compliance with the Comprehensive Plan.

H. Staff Reports

When an application has been set for hearing before the LUHO, the Administrator **shall** coordinate and assemble the reviews of other departments and governmental agencies having an interest in the application and shall prepare a report summarizing the factors involved and the department findings, recommendations, and conditions. The report shall be filed as required in Section 10.02.02.F of the **LDC**.

I. Hearing Before the Land Use Hearing Officer

The nature of the hearings before the LUHO, including the order of presentation of the hearing, evidence which **may** be presented at the hearing and the matters that constitute the record of the hearing is set forth in Section 10.02.03 of the LDC.

The participants before the LUHO **shall** be the applicant, county staff, county agencies, proponents, and opponents, inclusive of the public and witnesses with relevant testimony. The proponent shall be defined as a participant in favor of the application, exclusive of the applicant; whereas, the opponent shall be defined as a participant against the application. Both definitions are inclusive of the public and any other parties of record.

J. Findings and Decision of the Land Use Hearing Officer

The items that can be considered by the LUHO for making a decision are referenced in Section 10.02.03.E of the LDC. The decision of the LUHO shall be as described in Section 10.02.03.F of the LDC.

K. Reconsideration of a Matter

On motion and upon such terms as are just, the LUHO **may** grant a rehearing of an application as prescribed in Section 10.02.03.H of the LDC.

L. Appeals

Appeals to the decision of the LUHO **shall** be filed in accordance with Section 10.0 of the manual.

VESTED RIGHTS UNDER THE COMPREHENSIVE PLAN

A. General Description

Due to changes in land use regulations, certain land development rights of property owners **may** be vested with respect to the Future of Hillsborough Comprehensive Plan, the land development regulations adopted to implement the plan, and the requirements for the determination of capacity of public facilities and availability of public facilities (concurrency). These regulations set forth a procedure for the determination of vested rights. Any person claiming vested rights to develop property **shall** make application for a Vested Rights Order pursuant to these regulations.

B. Cross Reference to Land Development Code

Section 11.02.00

C. Submittal Requirements:

1. Application - referenced information as indicated in Section 3.0 of the Development Review Procedures Manual.
2. Legal Description - of the property for which vesting is requested. This **may** be all or a portion of the property contained in the deed.
3. Plot Plan or Survey - of property for which vesting is requested. Existing and proposed structures should be shown and labeled.
4. Deed - submit copy.
5. Detailed Statement - a statement describing in detail the reason for the vested rights application. Said statement shall provide a synopsis of the support data submitted with the application. The applicant shall indicate how or to what extent compliance with the regulations of the Comprehensive Plan, land development regulations, and plan amendments could preclude the development's investment-backed expectations. The applicant should indicate specific uses, densities, and intensities that could be negatively impacted by the implementation of the Comprehensive Plan, land development regulations and Comprehensive Plan amendments. The data used for support of the vested rights submittal should include items such as financial statements, property survey, government approvals, etc.
6. General Location Map - showing the location of the site.
7. Current Aerial Photographs - submit one (1) aerial photograph with site outlined.
8. Vested Rights Information Form- submit copy of completed form provided herein.

VESTED RIGHTS EXTENSION REQUEST

A. General Description

Prior to the expiration of the time period set forth in the Vested Rights Order, the applicant or his successor in interest **may** request an extension of said order.

B. Cross Reference to Land Development Code

Section 11.02.04

C. Submittal Requirements

- A. Application - referenced information as indicated in Section 3.0 of the Development Review Procedures Manual.
- B. Copy of Vested Rights Order - including an extensions that have been granted.
- C. Supporting Documentation for Extension Request - as outlined in **LDC** Section 11.02.04.C that includes a statement as to why the extension is reasonable and necessary in light of the development approved.

Vested Rights Information Form

1. Date the property was acquired (attach supporting documentation).

2. Current use(s) of the property.

3. Describe the vested rights to develop the property being claimed, including the nature, extent, and density or intensity of each use for which vested rights are being claimed.

4. Specify each and every act of Hillsborough County that authorized the specific development for which this claim of vested rights is asserted, and the date of each act. Include permit or ordinance numbers, (where known), and attach copies of approvals and permits.

5. Specify the amount, date and purpose of each expenditure or obligation incurred in reliance on the acts identified above (include copies of contracts).

6. Construction/Improvements

7. Land Acquisition/Rent

8. Taxes/Fees.

9. Specify the date, nature, and extent of each physical improvement that has been made to the property.

10. Attach a pro forma statement of the expenses and revenues for the development for which a determination of vested rights is sought if a statement or estimate of expenses and revenues is available.

Checklist of Submittal Requirements For a Vested Rights

| | Applicant Initials | Intake Initials | Requirements |
|------|-------------------------------|----------------------------|---|
| 1. | _____ | _____ | Application (Included in this packet) |
| 2.a. | _____ | _____ | Affidavit to Authorize Agent (If applicable) NOTE: All property owners must sign either the Application form or the Affidavit to Authorize |
| 2.b. | _____ | _____ | Property Information Sheet (all information must be completed for each folio included in the request.) |
| 2.c. | _____ | _____ | Copy of Recorded Deed(s) (can be obtained in the Records Library on the 6 th floor of 501 E. Kennedy Blvd.) |
| 3. | _____ | _____ | Legal Description |
| 4. | _____ | _____ | Plot Plan or Survey |
| 5. | _____ | _____ | Detailed Statement |
| 6. | _____ | _____ | General Location Map |
| 7. | _____ | _____ | Aerial Photographs (can be obtained on the 21 st floor) |
| 8. | _____ | _____ | Vested Rights Information Form (Included in this packet) |

Checklist of Submittal Requirements For a Vested Rights Extension

| | Applicant Initials | Intake Initials | Requirements |
|------|-------------------------------|----------------------------|---|
| 1. | _____ | _____ | Application (Included in this packet) |
| 1.a. | _____ | _____ | Affidavit to Authorize Agent (If applicable) |
| 2. | _____ | _____ | Copy of Vested Rights Order |
| 3. | _____ | _____ | Supporting Documentation for Extension Request |