



City of Maitland  
1776 Independence Lane  
Maitland, Florida 32751  
407-539-6212

## PETITION FOR VESTED RIGHTS

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### VESTED RIGHTS PROCEDURE

#### General Summary

The following is a guide designed to assist those persons who wish to claim vested rights on a parcel of land within the corporate limits of Maitland. As such, it does not assure any approvals.

1. The applicant can find specific information with regards to this process in the City Code, Chapter 7.5, Land Development Procedures, Article XIII. The applicant may purchase a copy at City Hall. (A copy of the Zoning Code is available for purchase at City Hall or may be obtained on the internet at [www.itsmymaitland.com](http://www.itsmymaitland.com).) The applicant must file for vested rights within two (2) years of the effective date of the amendatory ordinance that rezones, changes the land use of the property, or otherwise materially and adversely affects the applicant's parcel of land (or portion thereof) so as to prohibit the nature, type, level, intensity, density or other form of development, in whole or in part, or vested rights shall be deemed to have been waived.
2. Submit petition and all required information at least forty (40) days prior to the first Thursday of the month in which the Planning and Zoning Commission<sup>1</sup> hearing will be held.
3. A fee payment is required at the time of application. No application will be reviewed for sufficiency unless accompanied by a fee payment. The applicant will pay for all advertising costs as they occur.

The fee for all RS zoning districts is \$100 plus postage cost per mailing item. Advertisement cost for Board Reviews is \$300. If additional fees exceeding \$300 are incurred, you will be billed under separate cover.

The fee for all zoning districts, except RS, is \$300 plus postage cost per mailing item. Advertisement cost for Board Reviews is \$300. If additional fees exceeding \$300 are incurred, you will be billed under separate cover.

Fees are not refundable, other than for unused postage costs.

4. Within five (5) days of submission, the Community Development Department will review the petition for sufficiency and completeness and will accept it or request corrections. If corrections are requested, the applicant will have five (5) days to make all requested changes. If all information is not submitted as required, the application will not be considered complete and will not be accepted. The applicant will forfeit the application fee and the application processing will be terminated.

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<sup>1</sup> The Planning and Zoning Commission of the City of Maitland, Florida, also sits as the Local Planning Agency and the Land Development Regulation Commission.

5. A Planning and Zoning Commission public hearing will be held on the first Thursday of the month appropriate for the submittal date (at least forty (40) days from submittal). Please attend in person or by representative agent.
6. Following the public hearing, the Development Review Committee will meet and formulate a recommendation to the Planning and Zoning Commission. The applicant may attend in person or by agent or representative.
7. Within forty-five (45) days of the public hearing, the Planning and Zoning Commission shall make its findings and submit its recommendations to the City Council.
8. Within thirty (30) days of the Planning and Zoning Commission recommendation meeting, the City Council will hold a public hearing.
9. Following the City Council hearing, Council will hold a meeting and make a decision on its findings. The meeting will take place within forty-five (45) days after the Council public hearing.

**\*Please Note: Once a hearing is scheduled and advertised, the deadline for cancellation is no later than five (5) working days prior to the hearing. There is a \$50 fee in addition to postage cost for each mailing item, as well as payment for the hearing cancellation notice in the newspaper and for re-advertising the hearing at a later date.**

Petition Number \_\_\_\_\_  
(office use only)



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## PETITION FOR VESTED RIGHTS

### PART I. APPLICANT INFORMATION (Part I to be submitted in triplicate.)

*Please check box for those who should receive all correspondence relating to this petition.*

1. APPLICANT'S NAME \_\_\_\_\_

Address \_\_\_\_\_

Telephone No. (\_\_\_\_\_) \_\_\_\_\_ Fax No. (\_\_\_\_\_) \_\_\_\_\_

E-mail Address \_\_\_\_\_

*(If more than one applicant, please attach list and signatures.)*

2. CURRENT PROPERTY OWNER'S NAME(S) \_\_\_\_\_

Address \_\_\_\_\_

Telephone No. (\_\_\_\_\_) \_\_\_\_\_ Fax No. (\_\_\_\_\_) \_\_\_\_\_

E-mail Address \_\_\_\_\_

*(Provide for each owner of real property that is subject to petition; please attach list and signatures.)*

3. AGENT'S NAME \_\_\_\_\_

Address \_\_\_\_\_

Telephone No. (\_\_\_\_\_) \_\_\_\_\_ Fax No. (\_\_\_\_\_) \_\_\_\_\_

E-mail Address \_\_\_\_\_

*(If more than one agent, please attach list.)*

4. Gross Acreage \_\_\_\_\_ Net Acreage \_\_\_\_\_ Parcel I.D. \_\_\_\_\_

Existing and Proposed Land Use \_\_\_\_\_

5. REQUEST STATEMENT:

I (We) \_\_\_\_\_ of \_\_\_\_\_  
hereby petition the City of Maitland, Florida to review a request to vest the parcel of land  
subject to this petition.

6. APPLICATION CERTIFICATION:

I certify that, to the best of my knowledge, the submitted information and statements are true and correct.

I have received and read the Public Summary Information, which outlines the Vested Rights procedure.

*(Attach signatures as required.)*

\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
Date

**NOTE:** Any desire to amend or withdraw application must be submitted in writing to the Community Development Department. If ownership of any part of or all of the real property subject to the petition shall change during the pendency of the petition, the petitioning owner who has conveyed said parcel of real property shall be required to immediately advise the Community Development Department in writing.

**PART II. REQUIRED APPLICATION INFORMATION**

1. **FEES.** (Payment required upon application submission.)  
\$100 + postage cost per mailing item for all RS zoning districts  
\$300 + postage cost per mailing item for all zoning districts except RS  
\$300 for advertisement costs for Board reviews. If additional fees exceeding \$300 are incurred, you will be billed under separate cover.
2. **AUTHORIZATIONS.** If the applicant or agent is other than the property owner, the applicant or agent shall provide a notarized letter of authorization from the property owner. The applicant shall also provide the name, address and telephone number of any attorney who is or will be representing the applicant.
3. **LIST OF PROPERTY OWNERS.** A list of the names and mailing addresses of all property owners of real property within five hundred (500) feet of the outer perimeter of the subject property, taken from the most recent tax rolls in Orange or Seminole Counties shall be submitted. The five hundred feet distance shall be measured by a straight line from the point of the boundary of the subject property nearest to the point of the boundary of any property within five hundred (500) feet thereof.

**Part III. REQUIRED SUPPLEMENTAL INFORMATION.** Submit two sets of all plans and supplemental materials until application has been deemed sufficient. When sufficient, all supplemental information shall be submitted in sets of twenty-two (22) copies. All plans submitted must be in sets of **12 full-size** and **10 half-sheet** sets.

1. **TITLE.** A title opinion of a Florida attorney, abstract of title or other evidence demonstrating property ownership interests in the real property described in the application, which opinion, abstract or other evidence of ownership is acceptable to the City and covers a period from the day of the date of notice of a change in a land development regulation until at least two (2) weeks prior to the date of application for a special permit together with a description of the extent and quality of ownership of the real property during said period.
2. **BOUNDARY SURVEY AND LEGAL DESCRIPTION** prepared by a surveyor registered by the State of Florida under a surveyor's seal and certified to the City for the parcel of land upon which the applicant claims to have vested development rights.
3. **AFFIDAVIT**, under penalty of perjury, executed by the applicant before a notary public attesting to the truth, accuracy and veracity of the application and all attachments thereto.
4. **RECITAL OF THE FACTS.** A concise and complete recital of the facts, including dates of expenditures or obligation to expend funds, dollar amounts, the nature of expenditures or obligation to expend funds, and other factors which are claimed to support the claim to a vested right to commence and complete a specific level, type, nature, density, intensity or other form of development.
5. **ADDITIONAL INFORMATION** relevant to the standards and factors in this section as the Zoning Administrator may specify.

# VESTED RIGHTS APPLICATION PROCESS

