



City of Maitland
1776 Independence Lane
Maitland, Florida 32751

Petition Number _____
(office use only)

**PETITION FOR SITE PLAN REVIEW OR
PERMITTED CONDITIONAL USE**

PART I. APPLICANT INFORMATION (Part I - Submit one original and two copies.)

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

1. APPLICANT'S NAME City of Maitland Public Works

Address 1827 Fernell Street
Maitland Fl. 32751

Telephone No. (407) 539-6252 Fax No. (407) 660-1677

E-mail Address R.Louke@ITS.MY.MAITLAND.COM

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

2. CURRENT PROPERTY OWNER'S NAME(S) City of Maitland

Address 1827 Fernell Street
Maitland Fl. 32751

Telephone No. (407) 539-6252 Fax No. (407) 660-1677

E-mail Address R.Louke@ITS.MY.MAITLAND.COM

(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. Indicate Section of Zoning Code under which this Site Plan Review or Permitted Conditional Use is sought.

5. PROJECT INFORMATION: Project Name: LIFT STATION # 1 Relocation

Project Address: 2230 TUSCARORA TRAIL, MAITLAND

Acreage: _____ Existing Building Square Footage: 0

Proposed Building Square Footage: _____ No. of Building Stories: _____

Building Height: _____ No. of Dwelling Units: _____

6. BRIEFLY STATE GROUNDS FOR REQUEST:

Construct Sanitary Sewer Master
Pump Station, Relocation from
2481 Deloraine Trail.

7. 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.

(Attach signatures as required.)

[Signature] _____ 10/2/16
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)

- A \$5,000 review deposit, payable to the City of Maitland, as specified in Article XVI, Chapter 7.5 (Section 7.5-143) of the City Code. (*The review deposit shall be utilized by the City to reimburse the City for the actual expenses incurred by the City as a result of the review of the development application. A waiver of this requirement may be acceptable under certain conditions as specified in Article XVI, Chapter 7.5, Section 7.5-143 (c) of the City Code.*)
- The application fee schedule is: \$250 Administrative Site Plan Review; \$800 Site Plan Review with a Board review; or \$500 for a Permitted Conditional Use.
- If waiver of the review deposit is approved, a minimum payment of the application fee plus \$300 for advertisement costs for Board reviews and postage cost per mailing item must be submitted with the application. If additional fees exceeding \$300 are incurred, you will be billed under separate cover.

2. To be considered sufficient and complete, the application, in conjunction with properly identified exhibits and supporting materials, must be supplied as follows: Submit 2 sets of all plans and supplemental materials until application has been deemed sufficient. When sufficient, all plan sets shall be submitted in sets of twenty-two (22) copies, with 12 full-size and 10 half-sheet sets. For supplemental materials such as soils borings and storm water calculations, four sets shall be submitted. All other supplemental information shall be submitted in sets of twenty-two (22). (A CD of all application materials is requested in conjunction with the application submittal.)

- (a) *Completed application form for review.* A completed application form, with the name, address and telephone number of applicant, property owner, and agent, statement indicating request, and appropriate signatures. 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 such parcel of real property shall be required to immediately advise the Community Development Department in writing. Any intent to amend or withdraw application must be submitted in writing to the Community Development Department.
- (b) *List of property owners (for uses required for Board reviews).* The names and mailing addresses of all property owners of real property within five hundred (500) feet of outer perimeter of subject property, taken from most recent tax rolls in Orange or Seminole Counties. The five-hundred (500) foot distance shall be measured by a straight line from the boundary of the subject property nearest to the point of the boundary of any property within five hundred (500) feet thereof.
- (c) *Applicant authorization.* If the applicant or agent is other than the property owner, the applicant shall provide a notarized letter of authorization from the property owner.
- (d) *Supplemental information.*
 - 1. Vicinity map drawn to a noted scale and showing:
 - a. The location of the property subject to the petition;
 - b. Relationships to surrounding streets; and
 - c. Existing zoning and land use on the site and surrounding areas (within five hundred (500) feet).
 - 2. Site plan drawn to a noted scale and to include:
 - a. Boundary survey and the legal description of the property prepared by a surveyor registered by the State of Florida under a surveyor's seal with the date of certification not in excess of one year. Provide gross and net land area which may be provided on a separate sheet.
 - b. Street address (if applicable);
 - c. North arrow and noted scale;
 - d. Required yard and setback information;
 - e. Required off-street: parking detail (number and location), loading areas, service and refuse areas;

PART II. REQUIRED APPLICATION INFORMATION (Continued)

- f. The layout of bikeways and pedestrian ways;
 - g. Locations of ingress/egress to property (existing and proposed);
 - h. Open space (provide total acreage for open space); provide a description of what areas have been counted in the calculation);
 - i. Recreation areas (if applicable);
 - j. Permeable surface area (describe and provide total in text form as well);
 - k. Existing and proposed building(s) located on site and indicate structural height, and, square footage; (indicate floor area ratios in text form);
 - l. Width, pavement type, and laneage of all adjacent rights-of-way;
 - m. Accessible parking, including details, location and accessible route to building with elevations;
 - n. Location and proposed dimension of sidewalk(s) and walkway(s) and connections to facilities in adjacent developments;
 - o. Any proposed streets, alleys and access easements and, include any connections to adjacent property(ies);
 - p. Internal traffic circulation patterns;
 - q. Access to all new buildings by fire/rescue apparatus shall be as required by applicable sections of the Florida Fire Prevention Code, current edition, and Chapter 6, City Fire Code;
 - r. Turning radii for fire engines shall be twenty (20) inside and forty (40) outside diameter; turning radii for ladder or aerial trucks shall be twenty-five (25) inside and fifty (50) outside, in accordance with manufacturer's specifications;
 - s. Roadways to be designed to sustain the weight of fire apparatus; minimum design;
 - t. Dead-end fire department access roads in excess of 150 feet in length shall be provided with approved provisions for the fire apparatus to turn around; and
 - u. Indicate gross and net density(ies) for residential development, floor area ratio for non-residential development and Site FAR for Downtown Maitland (if applicable).
3. Grading concept plan/utility service plan to include:
- a. Proposed contour lines or point/spot elevations; and extending twenty-five (25) feet beyond the property boundary. Existing contour lines screened as background.
 - b. Location, size and description of drainage, sewage collection and water distribution systems; and including location of any proposed or existing fire hydrants. Service plans to include runoff retainage.
 - c. Existing utilities on or adjacent to the site, including connection details.
 - d. Note finished floor elevation and perimeter.
 - e. Plan(s) to include footprint of existing and proposed site improvements for evaluating the grading and drainage systems.
- All plans are to be drawn at a scale of one (1) inch equals one hundred (100) feet or greater.
4. Fire Flow:
- a. Type of construction for the proposed facility per the Florida Building Code;
 - b. Total square footage;
 - c. Whether the building is protected with fire sprinklers;
 - d. The minimum required fire flow per building shall be provided by the Fire Marshal;
 - e. Engineered hydraulic calculations shall be accomplished to prove the required fire flow is available. The minimum acceptable design pressure shall not be less than twenty-five (25) psi for these calculations.
 - f. The hydraulic calculations shall be submitted to the Fire Marshal for review and acceptance.

PART II. REQUIRED APPLICATION INFORMATION (Continued)

5. Landscape plan pursuant to Chapter 8 Landscape, Treescape, Streetscape: The landscape plan shall be drawn at a noted scale of at least 1"=30' and be signed and sealed by a Landscape Architect.
 - a. Proposed landscape areas, including berms and buffers (reference species type, dimensions and character at planting, as well as spot elevations and contours for berms);
 - b. Species of tree, caliper and condition of preservable existing trees greater than 6" DBH;
 - c. Location, height and material for walkways, fences, walls and other manmade landscape features;
 - d. Existing vegetation to be preserved (reference species type, dimensions and character);
 - e. Relocation and/or preservation management process, if applicable;
 - f. Irrigation plan (note G.P.D./usage);
 - g. An arrow indicating north;
 - h. Plan must include screening and buffering (reference, type, dimensions, and character) and interior parking and service areas.
6. Topography plan indicating existing contours at one-foot intervals, based on U.S. Geodetic Datum and extending twenty-five (25) feet beyond the property boundaries. The topographic map must delineate the mean high water elevations for each water body and the one-hundred-year flood elevations throughout the site, if applicable. Jurisdictional wetland lines shall be surveyed, flagged and illustrated, if applicable. Topography plan may be included on the grading/drainage plan.
7. Vegetation map (for applications with property one (1) acre or larger). A map of existing vegetation species, caliper, and character, and including all threatened, endangered or species of special concern and all preservable trees 6"D.B.H. or more in diameter.
8. Building elevations for all sides including structural heights, proposed building materials list, and color rendering(s).
9. Existing building uses (if any) and intended use of each building or portion thereof.
10. Level of service data and analysis. Data illustrating that all adopted levels of service affecting the property are met or, if any service levels are not met, schedule of improvements which will be provided to ensure that all service levels are met; and a detailed analysis of parking requirements, including time of use and function, to support request. Data shall include, but not limited to, traffic, stormwater drainage, water, sewer and parks; and in a format acceptable to the Community Development Director. Include water/sewer level of service analysis signed and sealed by an engineer.
11. Soils. A soils map and detailed soils report based on the findings of a professional soils expert supporting proposed construction activity.
12. Signs and lighting, (existing and proposed locations, elevations, and typical sections) if any. Provide height and overall square footage for each sign proposed; provide elevations, type, height, location and illumination data for lighting proposed.
13. Wildlife inventory. An inventory of wildlife species on site, including species categorized as endangered, threatened or of special concern status, if applicable. A description of techniques and practices proposed to protect endangered, threatened, or species of special concern status.
14. Incentives and/or development bonuses requested if applicable.
15. Off-site credits requested if applicable.
16. Mobility Strategies if applicable for a Transportation Concurrency Exception Area (TCEA).

Should an item listed under the category of Supplemental Information in (d) above be determined by the Community Development Director (or designee) as not applicable to a particular application, the item(s) may be waived without affecting the sufficiency of the application.

<p><u>FIRE FLOW CALCULATION ACCEPTANCE</u></p> <p><u>Address of project:</u> _____ _____</p> <p>Required Fire Flow per City: _____ gpm</p> <p>Fire Flow available for Project per Engineered Calculations: _____ gpm</p> <p>Accepted by: _____ _____</p> <p>Fire Marshal or Designee _____ Date _____</p> <p><u>Copy of Sealed Calculations attached</u></p>	<p><u>WATER /SEWER LEVEL OF SERVICE ANALYSIS</u></p> <p><u>Address of project:</u> _____ _____</p> <p>water gpd: _____</p> <p>sewer gpd: _____</p> <p>_____ Engineer's Signature _____ Date _____</p> <p><u>NOTE: Attach demand calculations signed and sealed by Engineer of Record.</u></p>
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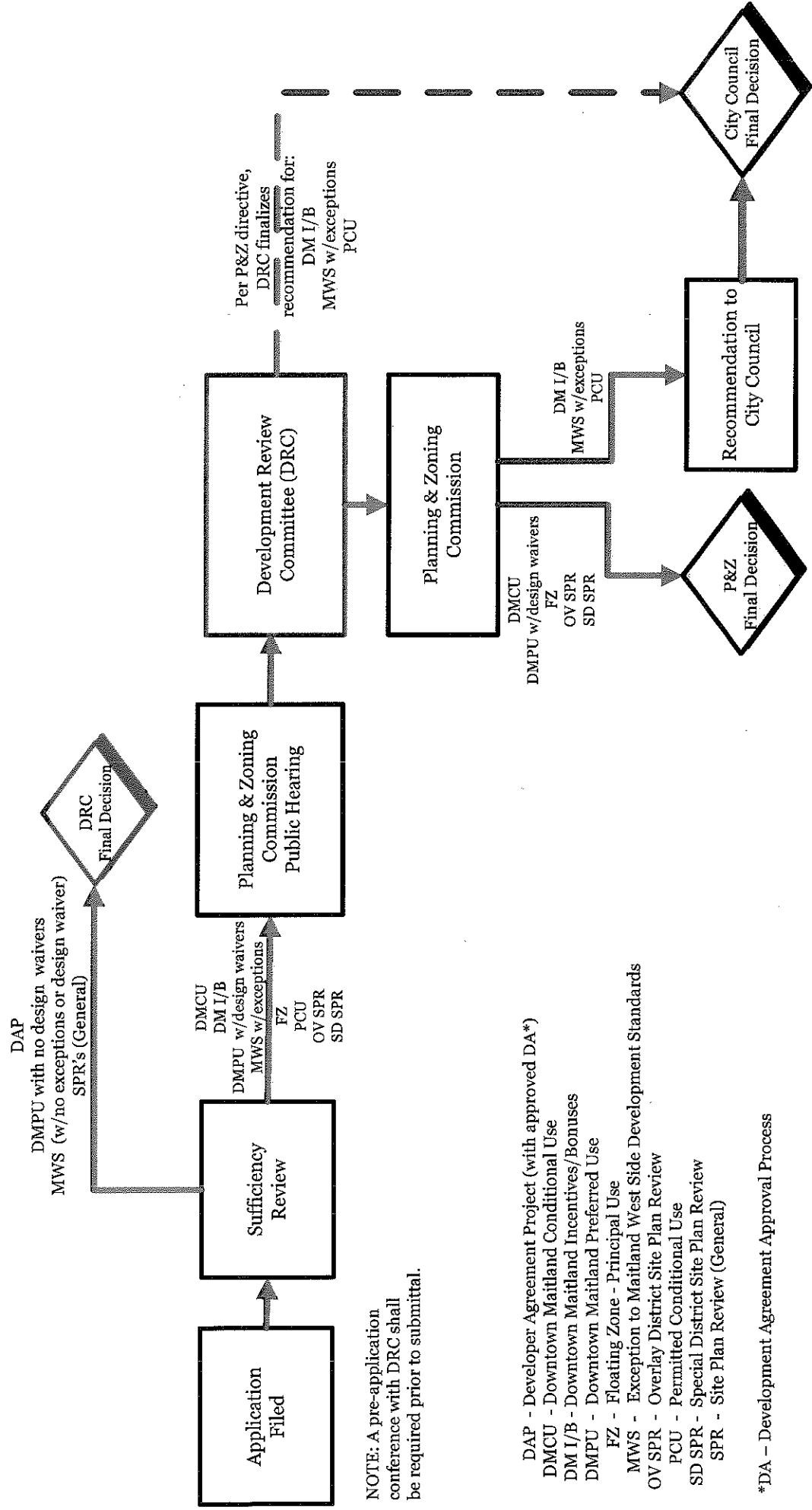
CERTIFICATION

I do hereby certify that I, the undersigned, have read the above information and have full understanding to the best of my knowledge and belief that all information supplied with this application is true and accurate.

Signature _____ Date _____
 Owner Applicant

Print Name _____

SITE PLAN REVIEW AND PERMITTED CONDITIONAL USE APPLICATION PROCESS



DAP
 MWS (w/no exceptions or design waiver)
 SPR's (General)

DMCU
 DMI/B
 DMPU w/design waivers
 MWS w/exceptions
 FZ
 PCU
 OV SPR
 SD SPR

Per P&Z directive,
 DRC finalizes
 recommendation for:
 DMI/B
 MWS w/exceptions
 PCU

NOTE: A pre-application conference with DRC shall be required prior to submittal.

- DAP - Developer Agreement Project (with approved DA*)
- DMCU - Downtown Maitland Conditional Use
- DMI/B - Downtown Maitland Incentives/Bonuses
- DMPU - Downtown Maitland Preferred Use
- FZ - Floating Zone - Principal Use
- MWS - Exception to Maitland West Side Development Standards
- OV SPR - Overlay District Site Plan Review
- PCU - Permitted Conditional Use
- SD SPR - Special District Site Plan Review
- SPR - Site Plan Review (General)

*DA - Development Agreement Approval Process

Chapter 7.5 Land Development Procedures
Article XVI. Pass-Through Fees

ARTICLE XVI. - PASS-THROUGH FEES

Sec. 7.5-141. - Authority.

The city is hereby authorized to assess and collect fees, deposits, costs and expenses relating or pertaining to the review, inspection, regulation and defense of development related activities pursuant to this article.

(Ord. No. 1160, § 1, 1-14-08)

Sec. 7.5-142. - Definitions.

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

Applicant shall mean and refer to an owner or an owner's authorized agent who submits an application, proposal, petition or project to the city.

Application, for purposes of this article, shall mean and refer to an application, petition or proposal submitted to the city pertaining to development for which city approval is required, and shall be limited to the following, except as the provisions of section 7.5-143(b) shall apply:

- (1) Comprehensive plan amendment.
- (2) Concurrency determination.
- (3) Development agreement, formulation and review.
- (4) Development of regional impact.
- (5) Final subdivision plat, including any revisions to a previously approved or existing subdivision or plat.
- (6) Permitted conditional use.
- (7) Planned development.
- (8) Preliminary subdivision plat.
- (9) Rezoning (with or without a comprehensive plan amendment).
- (10) Site plan review.
- (11) Substantial change in any of the above.

City shall mean and refer to the City of Maitland, Florida.

City consultant shall mean and refer to those companies, private consultants, governments, individuals or other entities under contract with the city to provide services to or for the city or who provide services to or for the city or who provide technical or legal expertise to or for the city, including but not limited to, attorneys, engineers and surveyors.

City staff shall mean and refer to city employees.

Total development review amount shall mean and refer to the total amount of the review deposit to be paid by an applicant pursuant to section 7.5-143 and any fees authorized to be collected by the city pursuant to its Code of Ordinances.

Owner shall mean and refer to an owner or group of owners of fee simple title to a particular lot, tract, or parcel of real property.

Owner's authorized agent shall mean and refer to an agent of the owner duly authorized to submit and process an application. If the applicant is not the property owner, a proper authorization must accompany the application. Such authorization shall be evidenced by a power of attorney signed by the owner and notarized specifically authorizing the agent to represent the owner in connection with the application and as to the owner's real property which is the subject of the application. The authorization shall include an agreement of the owner to be bound by the actions of the owner's authorized agent and the provisions of this article.

Review deposit shall mean and refer to a deposit of money, as established by this article, to be paid by an applicant at the time of the filing of an application as defined above or, upon good cause shown, such other development-related application as determined by the city manager or his/her designee as required in section 7.5-143(b).

(Ord. No. 1160, § 1, 1-14-08)

Sec. 7.5-143. - Review deposits.

- (a) *Required review deposits.* A five thousand-dollar (\$5,000.00) review deposit, payable to the City of Maitland by money order, personal or company check or cashier's check drawn on a financial institution authorized to do business in Orange County, Florida, shall be delivered to and collected by the city at the time of submission of each application as defined in Section 7.5-142. Said review deposit shall be utilized by the city to reimburse the city for the actual costs paid by the city incurred as a result of the review of the development activity.
- (b) *Other types of development-related applications.* Upon good cause shown, a review deposit, in an amount determined by the city manager not to exceed five thousand dollars (\$5,000.00), paid as set forth above in subsection (a), shall be delivered to and collected by the city at the time of submission of such other types of development-related application as may be determined by the city manager or at such other time as the city manager may designate. The following factors, by way of example, not limitation, may be considered to support a finding of good cause for the imposition of a review deposit during the review and approval of a development-related Application other than as described in section 7.5-142 and for establishing the appropriate review deposit amount: information provided by the city staff and applicant about the complexity and scope of the proposed development-related application and the development project, the payment history of the applicant as it pertains to past dealings with the city, and the expected involvement of city consultants.
- (c) *Waiver of review deposits.* In all cases, the city manager may waive the requirement of a review deposit if, based upon information from city staff and the applicant, the amount of the fees, costs and expenses relating to the review, processing, inspection and regulation of such, as estimated by the city manager, will not exceed the application fee. Similarly, should the city manager determine at anytime thereafter, in his sole discretion, that requiring a review deposit is in the city's best interest, he may require one at that time. No review of an application pertaining or relating to subdivision plats, development agreements, planned unit developments, a development of regional impact or

such other development-related application as determined by the city manager, shall commence until the Application fee and review deposit, if applicable, is paid. The total development review amount shall be forwarded to the city manager prior to the end of the second business day following the submittal of said application for review or approval. The balance of the review deposit, if any, shall be returned to the applicant as provided for in section 7.5-144. No interest shall be paid to applicant on any review deposit on account with the city.

(Ord. No. 1160, § 1, 1-14-08)

Sec. 7.5-144. - Project account.

Once an application pertaining or relating to an application or, upon good cause shown, such other development-related application as determined by the city manager, has been submitted to the city and the applicable total development application fee has been collected, the city manager or his/her designee shall establish an individual project account through which all fees, expenses and costs incurred by the city which are associated with the applicable application will be monitored. The project account will be maintained throughout the entire review, processing, inspection, and regulation process until the latter of:

- (1) Final action (after all appeal periods have run) by the city council has occurred with respect to the application;
- (2) No further significant involvement of the city staff or city consultants is expected to occur;
- (3) The city has been paid all of the amounts due under this section and the city code; or
- (4) The expiration of any warranty period associated with the conveyance or dedication of improvements to the city.

Fees, costs, and expenses for any city consultant time directly related to the review, processing, inspection or regulation of any application or development pursuant to this section, the city code and/or state statutes, and all other directly related expenses, including, but not limited to, advertising, legal, inspection and engineering costs are to be charged to the project account.

(Ord. No. 1160, § 1, 1-14-08)

Sec. 7.5-145. - City invoices.

- (a) *Payment.* The city manager or his/her designee may periodically calculate the costs, expenses and fees incurred by the city for each application for which a review deposit is required and send an invoice to the applicant for payment. The applicant shall have ten (10) days from the date of the invoice to pay to the city the invoiced amount. Thereafter, if payment is not received in the required time, the city manager or his/her designee shall apply the review deposit toward payment for the invoiced amounts. If the total of the costs, expenses, and fees incurred by the city for an application for which a review deposit is required exceeds the review deposit, and payment is not received in the required time after invoicing, then the city manager or his/her designee shall apply the review deposit to the unpaid portion of the invoice and send a notice of nonpayment to the applicant for the remaining amount of the invoice. The city manager or designee shall also send a notice to the applicant and to all city staff and city consultants associated with the subject application or project, instructing them to cease all work relating to such application or project unless and until further notified by the city manager or his/her designee. A copy of such notice shall be sent to the applicant.

Upon receipt of the notice, work by the city staff and city consultants on the application or project shall cease, and neither building permits, certificates of completion, temporary certificates of occupancy, nor certificates of occupancy will be issued with respect to such real property. Continuation of the review of

the application or project with respect to the real property for which payment was not made will not be undertaken by the city until such time as all outstanding fees, costs and expenses due under this section are paid in full and a new review deposit paid to the city.

Unless otherwise provided for in this article, if an applicant receives or is granted approval on an application or project or is issued a building permit, certificate of completion, temporary certificate of occupancy, certificate of occupancy, occupational license or other development order by the city, and additional fees, costs, expenses or such other obligations attributable to the application are thereafter posted to the project account for work that is associated with said approval or issuance, the applicant or his/her successor in interest shall pay said costs, fees and expenses incurred by the city for such application. The city shall send an invoice to the applicant or successor for such fees or expenses, and the applicant or successor shall reimburse the city for such fees or expenses within ten (10) days.

(b) *Deficiency and liens.* Failure to pay an invoiced amount within the requested time shall constitute a violation of this article. Any deficiency owed to the city, whether incurred before or after project approval, shall bear interest from the date of the aforementioned notice of non-payment at the rate of eighteen (18) percent simple interest per annum or otherwise at the highest rate permitted by law until paid. The amount of any such deficiency owed to the city shall, together with interest and the costs of collection as hereinafter provided, shall be the personal obligation of the applicant and shall be a continuing lien on the real property related to the application or project under review. Any subsequent or new owner of the real property related to the application or project shall take title subject to the obligations of the applicant under the terms of this article and shall be jointly and severally liable for such obligations. An applicant may not escape liability for the deficiency by abandonment of the application or project, withdrawal of such application or sale of the real property with respect to which such application has been submitted. If the initial or subsequent invoices are not paid in a timely fashion, and the invoiced amount exceeds the amount of the review deposit, the city may take whatever legal means it deems appropriate to collect the deficiency, including, but not limited to, retaining the services of a collection agency or attorney, initiating legal proceedings for the collection thereof, recording a notice of lien as hereinafter provided, and foreclosing same in the same manner as mortgage liens are foreclosed.

If the project is subject to the provisions of a development agreement, and the applicant is found to be in default of such development agreement, then it would be considered a default of that agreement and whatever remunerative such development agreement calls for would be applied, as opposed to the provisions called for in this article.

(Ord. No. 1160, § 1, 1-14-08)

Sec. 7.5-146. - Required payments.

Payment for costs, expenses and fees incurred by the city under this article is a requirement for the city's final approval of the application and project.

(Ord. No. 1160, § 1, 1-14-08)

Sec. 7.5-147. - Assessable costs, expenses, and fees.

All direct costs, expenses and fees incurred by the city that relate directly to the review, processing, inspection, regulation or defense of an application, including, but not limited to, expenses incurred by city consultants who review or defend the application at the direction of the city, as well as other expenses related directly to advertising, surveying, legal review and/or engineering review for an application or

project shall be assessed to the applicant and reimbursed to the city. Assessable expenses shall not include the cost of city employee time in reviewing such application, as such time shall be deemed to have been reimbursed by the application fee.

City consultants shall submit records of their time, fees, costs, and expenses to the city manager or his/her designee and such fees, costs and expenses shall be invoiced to the applicant on a dollar-for-dollar basis for services provided under the direction of the city to review. The rates charged to the applicant for said services shall not exceed those charged to the city.

(Ord. No. 1169, § 1, 1-14-08)

Sec. 7.5-148. - Objections/appeal.

Any objection to any invoice or to any matter set forth in this article must be set forth in writing and addressed and delivered to the city manager on or before the tenth day after the date of the relevant invoice. In the event the city manager denies the objection, the applicant shall have ten (10) days after the date of the city manager's written decision to file an appeal of such decision with the city clerk or his/her designee, which appeal shall be heard by the city council. All objections and appeals shall set forth in detail the reasons and evidence upon which the objection and appeal are based. Failure of the applicant to establish beyond a preponderance of the evidence that an invoice is not appropriate and is not based upon competent substantial evidence, shall result in a denial of the objection and appeal.

(Ord. No. 1169, § 1, 1-14-08)

Sec. 7.5-149. - Attorney's fees in the event of failure to pay review costs.

In the event the city is required to enforce this article, then the city shall be entitled to recover from the applicant all costs and expenses incurred, including but not limited to its reasonable attorneys' fees, paralegal fees and other costs and expenses, whether incurred prior to, during or subsequent to court proceedings or on appeal, and/or in any bankruptcy proceedings involving the applicant, the real property and/or the project being reviewed.

(Ord. No. 1169, § 1, 1-14-08)

Sec. 7.5-150. - Change of ownership.

An applicant shall provide prompt written notice to the city manager in the event of a change in ownership of all or a portion of a lot, tract, or parcel of real property with respect to which an application, or project is pending before the city. Such notice shall be on a form approved by the city and shall include the name, address and phone number of the new owner and a legal description of the lot, tract or parcel of real property now owned by the new owner. Any such new owner (i) shall not be entitled to utilize or draw upon any review deposit previously paid to the city by the original applicant, (ii) shall be liable to the city for all fees, costs and expenses related to the lot, tract or parcel of real property which arise subsequent to the date the new owner acquires title to such real property, and (iii) may be required by the city to pay a separate review deposit in the same manner as a new application, in which case a separate project account will be opened in the name of the new owner or the new owner's authorized agent. If a separate review deposit is required, no work shall be undertaken by the city or its consultants with respect to the lot, tract or parcel of real property under control of the new owner until a separate review deposit is paid to the city. Until such time as the city receives such written notice of a change in ownership, the original applicant shall be jointly and severally liable to the city for all fees, costs and expenses associated with the application or project; provided, however, that upon receipt by the city of a notification of change

of ownership, the original applicant shall no longer be liable to the city for fees, costs and expenses incurred by the city which arise after receipt of the notification of change of ownership, and the new owner shall be solely liable to the city for all such fees, costs and expenses associated with the application or project activities subsequent to the date of receipt by the city of such notification. Additionally, the applicant shall be entitled to a refund of any review deposit balance as of the date said change of ownership notice is received by the city, provided all assessable costs, expenses and fees hereunder and incurred to that date are paid in full.

(Ord. No. 1169, § 1, 1-14-08)

Sec. 7.5-151. - Agreement to be bound by this article.

Submission of an application shall constitute the consent and agreement for the applicant and the owner, if the application is being executed by the owner's authorized agent, to be bound by the provisions of this article.

(Ord. No. 1169, § 1, 1-14-08)

Secs. 7.5-152—7.5-159. - Reserved.