

**CITY OF EDGEWATER  
PLANNING & ZONING**

104 North Riverside Drive  
Edgewater, Florida 32132

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**VESTED RIGHTS DETERMINATION –  
APPLICATION**

**OFFICE USE ONLY**

DATE APPLICATION RECEIVED: \_\_\_\_\_

CASE NO. \_\_\_\_\_

FEE: \$1,000.00

APPLICANT NAME \_\_\_\_\_

MAILING ADDRESS \_\_\_\_\_

PHONE NUMBER \_\_\_\_\_ EMAIL \_\_\_\_\_

OWNER'S NAME (if different from applicant) \_\_\_\_\_

MAILING ADDRESS \_\_\_\_\_

PHONE \_\_\_\_\_

PROPERTY ADDRESS/LOCATION \_\_\_\_\_

PARCEL#(S) \_\_\_\_\_

Pursuant to Chapter 286, F.S., if an individual decides to appeal any decision made with respect to any matter considered at a meeting or hearing, that individual will need a record of the proceedings and will need to insure that a verbatim record of the proceeding is made. The City does not prepare or provide such record.

**PLEASE SUBMIT YOUR APPLICATION ACCURATELY WITH ALL REQUIRED  
ATTACHMENTS. SUBMISSIONS OF INCOMPLETE APPLICATIONS WILL DELAY PUBLIC  
HEARINGS**

I have read and agree to the terms and conditions set forth in this application.

In accordance with Section 21-07 of the City of Edgewater Land Development Code, vested rights for the real property referenced above is asserted based upon meeting one (1) or more of the following criteria:

- The project or development has been issued a final development order and the developer has commenced development and is continuing development in good faith as of September 11, 2006 and on the date of submittal of the application for a determination of vested rights.:
  - a. Identification by specific reference to any Ordinance, Resolution, City Council action, approved final subdivision plan, building permit or other action demonstrating that the project was issued a final development order prior to September 11, 2006.
  - b. A sworn statement of facts demonstrating that development of the project has continued in good faith.

**OR**

- The person seeking to establish vested rights, with respect to such project or development, or their predecessors-in-interest (i) have relied in good faith and in reasonable reliance upon some clear and unequivocal act or promise by the City, and (ii) have made such a substantial change in position and incurred such extensive obligations that it would be highly inequitable or unjust to destroy the rights which such person has acquired:
  - a. A sworn statement setting forth the facts upon which the claim for vested rights is based.
  - b. Copies of all contracts, letters, appraisals, reports or any other documents, items or things upon which that applicant's claim is based.

**OR**

- The City has entered into a development agreement prior to September 11, 2006 which expressly grants vested rights to all or a portion of a project or development:
  - a. A sworn statement setting forth the facts upon which the claim for vested rights is based.
  - b. A copy of the developer agreement or other document supporting the claim for vested rights.
- A sworn statement setting forth the specific vested rights claimed by the applicant and whether vested rights are claimed for purposed of consistency or concurrency, or both.

SIGNATURE OF OWNER(S) \_\_\_\_\_ DATE \_\_\_\_\_

SIGNATURE OF APPLICANT(S) \_\_\_\_\_ DATE \_\_\_\_\_

**Required Submittals**

1. Signed and Sealed Survey.
2. Current Warranty Deed.

# CITY OF EDGEWATER

## AGREEMENT FOR CONSULTANT, ENGINEERING, PLANNING, ENVIRONMENTAL, LEGAL, ADVERTISING COSTS & ON-SITE INSPECTIONS

The City of Edgewater contracts for certain consultant, engineering, planning, environmental and legal services related to its review of development projects. All fees charged by any such consultant, engineering, planning, environmental, on-site inspections and/or legal service providers are required to be paid by the **owner/applicant**. In addition, the **owner/applicant** is required to pay all advertising and recording costs in connection with application submitted by the undersigned.

The undersigned agrees that it shall be liable to the City for one hundred percent (100%) of the actual costs, both direct and indirect, of coordinating and reviewing the application submitted by the undersigned, including, but not limited to, the following:

*Engineering Review and Approval Fees*

*Planning Consultant Fees*

*On Site Inspection and Approval Fees*

*Legal Fees*

*Advertising Costs*

*Recording Costs*

The owner/applicant does hereby acknowledge that on-site inspections by City staff, consultants, elected and appointed officials are permitted on said property.

The undersigned agrees to pay the above-referenced fees within thirty (30) days of receipt of an invoice for same and further agrees to pay to the City interest on the unpaid balance at the rate of one percent (1%) per month for any fees not remitted within thirty (30) days of receipt of an invoice for same. No site inspections, Development Order or Certificates of Occupancy will be issued until all of the above-referenced fees are paid in full.

### **OWNER/APPLICANT:**

By: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

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

**THE CITY OF EDGEWATER**

**NOTARIZED AUTHORIZATION OF OWNER**

I/we \_\_\_\_\_  
(owner's name)

as the sole or joint fee simple title holder(s) of the property described as: \_\_\_\_\_

\_\_\_\_\_  
(address or parcel number)

authorize \_\_\_\_\_ to act as my agent to

seek a \_\_\_\_\_  
(type of request)

on the above referenced property.

\_\_\_\_\_  
Owner's Signature

\_\_\_\_\_  
Owner's Signature

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

The foregoing instrument was acknowledged before me on this \_\_\_\_\_  
(date)

by \_\_\_\_\_  
(name of person acknowledging)

who is personally known to me or who has produced \_\_\_\_\_  
(type of ID)

as identification and who did not take an oath.

\_\_\_\_\_  
NOTARY PUBLIC

STAMP/SEAL