

**HILLSBOROUGH COUNTY
PLANNING & GROWTH MANAGEMENT DEPARTMENT
DEVELOPMENT AGREEMENT APPLICATION**

INSTRUCTIONS: Please refer to instructions following application form for assistance on completing application and for necessary Notice Forms (Letter of Notification, Affidavit of Mailing, Affidavit to Authorize Agent, and Public Hearing Notice). Appendix 'A' contains Development Agreement Fee Information. Appendix 'B' contains a checklist for your application. **All applications must contain** one hard copy of all materials submitted **along with** an **electronic copy** (CD, Flash Drive, etc.) containing your signed submission.

OFFICIAL USE ONLY
 DA #: ____ - ____ Receipt #: _____ Folio #: _____ Acreage: _____
 Zoning: _____ Land Use: _____ Section/Township/Range: ____/____/____
 General Location: _____

SITE INFORMATION
 Tax folio #: _____ Project Name: _____
 Street Address: _____

 Current Use: _____
 (Additional information, see Exhibit 'A' on page 2)

AUTHORIZED AGENT/PRIMARY CONTACT
 (Affidavit to Authorize Agent **must** be completed if Primary Contact is not Owner)
 Name: _____ Company Name (if applicable): _____
 Phone: Daytime (____) ____ - ____ Evening (____) ____ - ____ Fax (____) ____ - ____
 Email: _____ Affidavit to Authorize Agent form included
 Address: _____
 City: _____ State: _____ Zip: _____

Is this application accompanied by other applications? ___ Yes ___ No
 If yes, what are the application numbers? _____
 If this is part of a DRI, list the project name and number:

 Is this an amendment to a prior Development Agreement? ___ Yes ___ No
 If yes, please provide the original Developer Agreement number and name:

 If this is an Annual Report Submittal:
 Anniversary Date: ____/____/____ Reporting Period: ____/____/____ to ____/____/____

I hereby swear or affirm that all of 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 petition.

 Signature of Applicant

 Type or Print Name Legibly

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 Applicant

 Type or Print Name Legibly

**HILLSBOROUGH COUNTY
PLANNING & GROWTH MANAGEMENT DEPARTMENT
DEVELOPMENT AGREEMENT APPLICATION
EXHIBIT 'A'**

SITE INFORMATION

DA #: ____ - ____ Folio #: _____ Acreage: _____ Section/Township/Range: ____/____/____

APPLICANT INFORMATION

Check if Applicant is same as Primary Contact

Name: _____ Company Name (if applicable): _____
Phone: Daytime (____) ____ - _____ Evening (____) ____ - _____ Fax (____) ____ - _____
Email: _____
Address: _____
City: _____ State: _____ Zip: _____

PROPERTY OWNER INFORMATION

Check if Property Owner is same as Applicant

Name: _____ Company Name (if applicable): _____
Phone: Daytime (____) ____ - _____ Evening (____) ____ - _____ Fax (____) ____ - _____
Email: _____
Address: _____
City: _____ State: _____ Zip: _____

UTILITIES TO BE UTILIZED

(Check appropriate fields)

Is site within the Urban Service Area? ___ Yes ___ No

Water: ___ Public Water ___ Private Water (well)
Wastewater: ___ Public Sewer ___ Septic Tank
 ___ Interim Treatment Plant

ZONING HISTORY

If a DRI, Is this Project in noncompliance with the terms of the Development Order? ___ Yes ___ No

If a Zoning or Special Use petition has been heard on this property in the past year, provide the petition number: _____

Applicant's Initials: _____

Owner's Initials: _____

HILLSBOROUGH COUNTY
OFFICIAL PLANNING AND GROWTH MANAGEMENT FORM
AFFIDAVIT TO AUTHORIZE AGENT

STATE OF FLORIDA
COUNTY OF _____

(Property Owners)

PROPERTY OWNER(S), being first duly sworn, depose(s) and says:

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

ADDRESS OR GENERAL LOCATIONS: _____

Folio Numbers: _____

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.

That the undersigned (has/have) appointed and (does/do) appoint _____
_____ as (his/their) agent(s) to
execute any petitions or other documents necessary to affect such petition.

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

That the undersigned shall notify the Hillsborough County Planning & Growth
Management Department in writing should any of the information contained in this
Affidavit change.

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

SIGNED (Property Owner)

By: _____
SIGNED (Property Owner)
Name Printed: _____
Title: _____

<p>STATE OF FLORIDA COUNTY OF _____</p> <p>The foregoing instrument was acknowledged before me this (DATE) _____ by _____ who:</p> <p><input type="checkbox"/> Personally known to me <input type="checkbox"/> Other type of ID: <input type="checkbox"/> Florida Driver's License _____</p> <p>And who: <input type="checkbox"/> did <input type="checkbox"/> did not take an oath.</p> <p>_____ (Signature of person taking acknowledgement)</p> <p>_____ Type or print name of Notary Public</p> <p>_____ Commission Number _____ My Commission Expires</p>

<p>STATE OF FLORIDA COUNTY OF _____</p> <p>The foregoing instrument was acknowledged before me this (DATE) _____ by _____ who:</p> <p><input type="checkbox"/> Personally known to me <input type="checkbox"/> Other type of ID: <input type="checkbox"/> Florida Driver's License _____</p> <p>And who: <input type="checkbox"/> did <input type="checkbox"/> did not take an oath.</p> <p>_____ (Signature of person taking acknowledgement)</p> <p>_____ Type or print name of Notary Public</p> <p>_____ Commission Number _____ My Commission Expires</p>

DEVELOPMENT AGREEMENT INSTRUCTION SHEET AND NOTICE FORMS

I. INFORMATION REQUIRED FOR APPLICATION

- A. **DOCUMENTS REQUIRED.** The following documents are required to be submitted with all applications. If another application is accompanying this one, information contained in that application can be referenced.
1. **DEED.** A copy of the deed must be submitted. All owners listed on the deed must sign the application.
 2. **LEGAL DESCRIPTION OF PROPERTY.** This may be all or a portion of the property contained in the deed.
 3. **ADJACENT PROPERTY OWNERS LIST.** At the time of filing, the applicant must furnish the Planning and Growth Management Department with a list of adjacent property owners. The first step in this process is to determine if Rural or Urban notification distances are required. Property in the Agricultural and Rural Residential Land Use Categories are considered Rural and requires notification of all property owners within 500 feet. All other property is Urban and requires notification of owners within 250 feet. Public rights-of-way and water bodies less than 1,000 feet in width are excluded from the distance determinations.

The Graphics Section, County Center, 601 E. Kennedy Blvd., 20th Floor, can assist you in determining if Rural or Urban notification distances are required. Property owner names and addresses are recorded in current year's tax rolls in the Property Appraiser's Office County Center, 601 E. Kennedy, Blvd., 16th Floor. If you are able to determine these property owners from the legal description of the property to be rezoned, you can prepare this list. You might need to have the list prepared by either a title company or some other person familiar with reading legal descriptions. Please provide the name of the person preparing the list and the date which it was prepared.

In order for the application to be accepted, the following procedures shall be followed:

- a. The Adjacent Property Owners List shall be submitted at the time of filing the application and be typewritten or clearly printed in black ink. The list shall be on one side of the paper and numbered. The Folio Number, Name (exactly as it appears on the current tax roll) and address including Zip Code shall be included. See Sample List below.

- b. Please note at the bottom of the list the numbers of any duplicated property owners. This means identically recorded name and address. For example: one and three on the sample list are duplicates; however two is not identical and would require a separate notice. If you have the same name but different addresses, send the notice to both addresses. Because parties could be father and daughter or brother and sister, never assume parties are husband and wife and address to Mr. and Mrs.

SAMPLE LIST

1. 10000.0000 John and Mary Smith
100 S. Smith Road
Tampa, FL 33601
2. 10000.0001 John and Mary J. Smith
100 S. Smith Road
Tampa, FL 33601
3. 10000.0002 John and Mary Smith
100 S. Smith Road
Tampa, FL 33601
4. 10000.0003 Tom Arnold
1938 Timber Way
Tampa, FL 33614

NOTE: Numbers 1 and 3 are duplicates.

4. **TWO AERIAL PHOTOGRAPHS.** These may be purchased from the Engineering Department, County Center, 601 E. Kennedy Blvd., 21st Floor.
5. **CHECK FOR FILING FEE.** Please make checks or money orders payable to the Board of County Commissioners. (See Appendix 'A' for Fee Schedule)
6. **COMPLETED APPLICATION.** Type the application or use black inks. All owners and applicants must sign the application. If both husband and wife appear on the deed, they must both sign the application.
 - a. Folio numbers can be obtained from property tax receipts or from the Property Appraiser's Office, County Center, 601 E. Kennedy Blvd., 16th Floor or website www.hcpafl.org.
 - b. All owners and applicants must sign the application. (i.e., if both husband and wife appear on the deed, they must both sign the application.)

c. After you have filled out your application, you must have the items in the box marked “OFFICIAL USE ONLY” completed by the Graphics Section, County Center, 601 E. Kennedy Blvd., 20th Floor, before you file your application.

7. ADDITIONAL INFORMATION.

- a. Land Title Report. A report identifying: all property ownership, beneficial interests, mortgages, liens, and easements within the boundaries of the property, and giving evidence of unified control of its entire area. Documentation to satisfy validity of title shall be considered acceptable for 3 months; updated information is required thereafter.
- b. Transportation Analysis. If applicable, a transportation analysis should be prepared by the applicant, which includes the total trips generated by the project and the distribution of trips onto adjacent streets. Institute of Traffic Engineers (ITE) trip generation rates or another approved source shall be used for the basis for trip generations. If the number of daily trips projected to travel adjacent streets is greater than 5% of the Level of Service “C” capacity of said street, a detailed traffic analysis shall be provided.
- c. Written Statement. Provide a written statement with the following:
- i. a description of the proposed development including proposed land uses, population densities, building intensities and heights along with any proposed phases of development and the expected beginning and completion dates of each phase; and
 - ii. the proposed duration of the agreement; and
 - iii. a description of the impacts and benefits of the development on the County; and
 - iv. a proposal for mitigating the impacts of the proposed development, including the transportation impacts. Please also provide a schedule with the proposed timing for the provision of any new public facilities (Water, Wastewater, Parks, Schools, and/or Transportation) to assure that the public facilities are available concurrent with the impacts of development; and
 - v. the existing land use designation of the property under the Future Land Use Element of the Future of Hillsborough Comprehensive Plan; and
 - vi. the current zoning of the property; and
 - vii. a description of any reservations or dedications of land for public purposes; and

- viii. any anticipated approvals, waivers, variances or special exceptions to be sought; and
 - ix. a finding that the development permitted or proposed is consistent with the Future of Hillsborough Comprehensive Plan and the Hillsborough County Land Development Code.
- d. Development Agreement. Provide a draft Development Agreement to include, at a minimum, the requirements of Sec. 163.3227(1), Fl. Statutes and Section 5.05.03.A of the Land Development Code.

II. FILING THE APPLICATION

After you have assembled all the necessary materials, you need to file your request with the Planning and Growth Management Department, County Center, 601 E. Kennedy Blvd., 20th Floor. The best way to submit your application is to call for an appointment at (813) 272-6309. If you are unable to do so, however, you may bring the application to the Department during normal business hours. Put your application to the attention of Shawn Perrine.

Your application will be reviewed for completeness, the fee will be verified and you will be given a petition number. You will also be given dates for the public hearings on your request and necessary notification materials. Please note that applications will not be accepted after 4:00 p.m. Applications which are received after 2:00 p.m. on the cutoff date for one hearing shall be assigned to the next hearing. As of Oct. 1, 2007 **All applications must contain** one hard copy of all materials submitted **along with** an **electronic copy** (CD, Flash Drive, etc.) containing your signed submission.

Once accepted, your application may be routed to other County departments for review and comment. You will be contacted in about two weeks, after a preliminary review has been done.

III. ADJACENT PROPERTY OWNER NOTIFICATION

You must notify adjacent property owners by mail at least fifteen (15) days prior to the first hearing on the application date. The notice must give the location, date, and time of hearing, as well as a description of the request, the location of the land subject to the development agreement, the development uses proposed on the property, including the proposed population densities and proposed building intensities and height, and instructions for obtaining further information and the request, including where a copy of the proposed agreement can be obtained. A Letter of Notification form is attached, along with a form Affidavit of Mailing.

The notices must be sent utilizing the U.S. Mail's "Certificate of Mailing". The certificate of mailing service furnishes only evidence of mailing. No receipt is obtained upon delivery of the mail to the addressee nor is insurance provided against loss or damage.

Bring the certificate of mailing documentation, a copy of the mailing list, a copy of the notice that you mailed, and the affidavit of mailing to the Development Agreement Coordinator of the Planning and Growth Management Department at least seven (7) working days prior to the meeting. The receptionist will notarize the affidavit at no cost to the applicant.

NOTE: Your notice must be approved by the County Attorney's Office prior to mailing. Provide your draft notice to Shawn Perrine for forwarding to the appropriate Assistant County Attorney for review at least three working days prior to the time by which the notices must be mailed.

IV. NEWSPAPER ADVERTISEMENT

Two newspaper advertisements are required. You must have published an advertisement on the application approximately seven (7) days prior to each public hearing in a newspaper of general circulation and readership in Hillsborough County. Ad copy must be turned into the Legal Advertisement Department of the Tampa Tribune three business days in advance of publish date. The telephone number of the Tampa Tribune Legal Advertisement Department is (813) 272-7585. The Applicant must furnish proof of the Legal Ad (affidavit and tear sheet from the paper), to the Planning and Growth Management Department, County Center, 601 E. Kennedy Blvd., 20th Floor, Tampa, Florida, 33602, a minimum of six (6) working days prior to the meeting date.

NOTE: Your notice must be approved by the County Attorney's Office prior to publication. Provide your draft notice to Shawn Perrine for forwarding to the appropriate Assistant County Attorney for review at least three working days prior to the time your ad copy is due.

V. THE PUBLIC HEARINGS

The Board of County Commissioners shall conduct two public hearings on each application. The public hearings may take place during the regularly scheduled Land Use Meetings of the Board of County Commissioners. The first public hearing will be approximately eight (8) weeks from date of filing. The day, time, and place of the second public hearing shall be announced at the first public hearing. At the conclusion of the second public hearing, the Board of County Commissioners shall approve, approve with modifications, or deny the application.

**DEVELOPMENT AGREEMENT
LETTER OF NOTIFICATION**

TO: All Property Owners within 250' (URBAN)
All Property Owners within 500' (RURAL)

DATE FILED: _____

RE: DEVELOPMENT AGREEMENT # _____

You are hereby notified that the person who signed this letter is requesting a Development Agreement before the Hillsborough County Board of County Commissioners at a public hearing.

By law, you must be notified of the requested permit because you own land within 250 feet or 500 feet (excluding public right-of-ways) of the subject site for the Development Agreement.

Additional information concerning this request, including a copy of the proposed agreement, may be obtained by calling the Planning and Growth Management Department at (813) 272-5920.

MEETING DATE _____ TIME _____

LOCATION OF MEETING: 2nd Floor, County Center
601 E. Kennedy Blvd., Tampa, Florida 33602

LOCATION OF PROPERTY: _____

LEGAL DESCRIPTION: _____ (See Attached)

DEVELOPMENT USES PROPOSED ON THE PROPERTY, INCLUDING THE PROPOSED POPULATION DENSITIES AND PROPOSED BUILDING INTENSITIES AND HEIGHT:

BRIEF DESCRIPTION OF DEVELOPMENT AGREEMENT REQUEST, INCLUDING ANY CHANGES TO TYPE, DENSITY OR INTENSITY OF USES ON SITE, AND ANY OTHER CHANGES TO AN APPROVED SITE PLAN: _____

Print name of owner/applicant

Signature of owner/applicant

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, any Chief Assistant County Attorney, County Administrator, any Assistant County Administrator or any department head, you may be required to register as a lobbyist.

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF _____

I hereby state that I am the owner or the agent for the owner of the above-numbered Development Agreement request.

I further state that I have notified all persons owning land within:

(CHECK ONE)
[] 250' OR [] 500'

of the property described in the attached letter by Proof-of-Mailing of my intention of requesting a Public Hearing before the Board of County Commissioners of Hillsborough County.

I have attached hereto the Certificate of Mailing as proof of such notification.

(TYPE OR PRINT LEGIBLY NAME OF
OWNER/AGENT OF OWNER)

(SIGNATURE OF OWNER/
AGENT OF OWNER)

(DATE SIGNED)

(DATE SIGNED)

STATE OF FLORIDA	
COUNTY OF HILLSBOROUGH	
The foregoing instrument was acknowledged before me this (DATE) _____ by _____ who:	
<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.	
_____ (Signature of person taking acknowledgement)	
_____ Type of Print Name of Notary Public	
Commission Number	My Commissioner Expires

**NOTICE OF PUBLIC HEARINGS ON
A DEVELOPMENT AGREEMENT**

A public hearing has been established by the Board of County Commissioners of Hillsborough County to consider an Application for (type of action)

_____ filed on
(date) _____. The application will be heard at a public hearing by the Board of County Commissioners beginning at (time) _____ on (date) _____ on the 2nd Floor of the County Center, 601 E. Kennedy Blvd., Tampa, Florida.

The property which is the subject of hearing is located at

_____ Hillsborough County, and consists of _____ acres, more or less.

The development uses proposed for the property are _____ [include type and quantity/density of uses] with a maximum building height of _____ feet. The primary purpose of the Development Agreement is to set forth the requirements for mitigation of the traffic impacts of the proposed development.

INFORMATION AND REPORTS ON THE REQUEST AND A COPY OF THE PROPOSED AGREEMENT CAN BE REVIEWED AT THE COMMUNITY DESIGN SECTION OF THE PLANNING AND GROWTH MANAGEMENT DEPARTMENT, COUNTY CENTER, 601 E. KENNEDY BLVD., TAMPA, FLORIDA. ANY PERSON WHO MIGHT WISH TO APPEAL ANY DECISION MADE BY THE GOVERNING BODY REGARDING ANY MATTER CONSIDERED AT THE FORTHCOMING PUBLIC HEARING IS HEREBY ADVISED THAT THEY WILL NEED A RECORD OF THE PROCEEDINGS FOR SUCH PURPOSE. THEY MAY NEED TO ENSURE THAT A VERBATIM RECORD IS MADE THAT INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH SUCH APPEAL IS TO BE BASED.

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT AND SECTION 286.26, FLORIDA STATUTES, PERSONS NEEDING SPECIAL ACCOMMODATIONS TO PARTICIPATE IN THE PROCEEDING, AND THOSE NEEDING AN INTERPRETER, SHOULD CONTACT THE CITIZENS ACTION CENTER AT (813) 272-5900 OR TTY (813) 301-7173 NO LATER THAN FORTY-EIGHT (48) HOURS PRIOR TO THE PROCEEDINGS.

APPENDIX 'A'
DEVELOPMENT AGREEMENT
FEE SCHEDULE

<u>Process</u>	<u>Fee</u>	<u>Comments</u>
Development Agreement Application	\$2,500	Less than 5 acres
	\$6,200	5 to 100 acres
	\$9,800	More than 100 acres
Supplemental Fee	Established by Department Director	
Fee Adjustment	Established by Department Director up to 50% of initial application fee; Otherwise, set by BOCC.	

APPENDIX 'B'
DEVELOPMENT AGREEMENT
CHECKLIST

- _____ Copy of Deed
- _____ Legal Description of Property
- _____ List of Adjacent Property Owners
- _____ Two Aerial Photographs
- _____ Check for Payment of Fee
- _____ Completed Application Form
(Including Affidavit to Authorize Agent,
If needed)
- _____ Land Title Report
- _____ Transportation Analysis (if necessary)
- _____ Written Statement, Per Section I.A.7.c
- _____ Draft of Development Agreement
(As part of Draft Agreement)
 - _____ Exhibit A Legal Description
 - _____ Exhibit B Zoning
 - _____ Exhibit C Required
Improvement
(With text description)
 - _____ Exhibit (As needed per
Agreement)
- _____ One hard copy of all materials submitted
along with an **electronic copy** (CD, Flash
Drive, etc.) containing your signed
submission.

If you have any questions regarding your application, please contact Shawn Perrine at (813) 276-8305 for assistance. Please allow at least two weeks after submission of your application for preliminary review.