



WINTER GARDEN • A charming little city with a juicy past.

FINAL PLAT SUFFICIENCY CHECKLIST

Y	N	N/A	SUBMISSION REQUIREMENTS
1			APPLICATION FEE: \$250 + \$10 PER RESIDENTIAL LOT AND \$100 PER NON-RESIDENTIAL LOT
2			REVIEW DEPOSIT: \$2,000 (UNLESS ALREADY PAID)
3			A CD COPY OF ALL THE APPLICATION DOCUMENTS AND SUBMITTAL DOCUMENTS IN PDF FORMAT
4			PROOF OF OWNERSHIP (I.E., COPY OF THE DEED)
5			LIMITED POWER OF ATTORNEY (IF REPRESENTED BY AGENT)
6			5 COPIES OF THE FINAL PLAT (IF LARGER THAN 11" X 17" FOLDED NOT ROLLED)
7			5 COPIES OF THE FOLLOWING REQUIRED DOCUMENTS (IF LARGER THAN 11" X 17" FOLDED NOT ROLLED)

Y	N	N/A	REQUIRED DOCUMENTS
8			CERTIFICATE OF TITLE OR RECENT TITLE OPINION
9			BOUNDARY SURVEY (SIGNED AND SEALED) WITH COMPLETE LEGAL DESCRIPTION WRITTEN IN "METES AND BOUNDS"
10			HOA DOCUMENTS, AND ANY OTHER DEED RESTRICTIONS OR DECLARATIONS
11			JOINDER AND CONSENT TO DEDICATION
12			ORANGE COUNTY STATEMENT OF LIEN SETTLEMENT
13			911 DEPARTMENT LETTER APPROVING STREET NAMES
14			PERMANENT REFERENCE MONUMENTS (PRM) LETTER
15			ENGINEER'S CERTIFICATION OF COST ESTIMATE OF IMPROVEMENTS
16			ENGINEER'S CERTIFICATION OF COST ESTIMATE OF TOTAL PROJECT IMPROVEMENTS OR EXECUTED CONTRACTS
17			ENGINEER'S CERTIFICATION OF EASEMENTS
18			AFFIDAVIT ON ABSENCE OF RESERVE STRIPS FROM SURVEYOR
19			AFFIDAVIT ON ABSENCE OF RESERVE STRIPS FROM OWNER
20			PROOF OF CONTRACTOR'S INSURANCE
21			MAINTENANCE BOND
22			PERFORMANCE BOND OR CERTIFICATE OF COMPLETION FROM CITY ENGINEER
23			RELEASE OF LIENS FROM ALL CONTRACTORS, SUBCONTRACTORS, ETC.

Y	N	N/A	COVER SHEET
24			TITLE UNDER WHICH PROPOSED SUBDIVISION IS TO BE RECORDED
25			OWNER DEDICATION
26			QUALIFICATION AND STATEMENT OF SURVEYOR OR MAPPER
27			CERTIFICATE OF APPROVAL BY MUNICIPALITY
28			CERTIFICATE OF COUNTY COMPTROLLER
29			CERTIFICATE OF REVIEW BY CITY SURVEYOR
30			NOTES DESCRIBED IN SECTION 110-152 (1) (R) OF CITY CODE
31			SURVEYORS NOTES
32			LEGAL DESCRIPTION
33			KEY PLAN OR VICINITY MAP (SEE SECTION 110-124 (11) OF CITY CODE)
34			NORTH ARROW
35			LOCATION MAP (SEE SECTION 110-122 OF CITY CODE)

Y	N	N/A	GENERAL REQUIREMENTS
36			CONTROL POINTS
37			TRACT BOUNDARY LINES, RIGHT OF WAY LINES OF STREETS, EASEMENTS, ETC. (SEE SECTION 110-152 (1) (B))
38			LOCATION AND DESCRIPTION OF MONUMENTS
39			EASEMENTS: LOCATION, WIDTH, AND PURPOSE OF EXISTING AND PROPOSED EASEMENTS AND R/Ws (SEE SECTION 110-152 (1) (C) & (D))
40			NUMBER TO IDENTIFY EACH LOT OR SITE
41			PURPOSE FOR WHICH SITES, OTHER THAN RESIDENTIAL LOTS, ARE DEDICATED OR RESERVED
42			CONTIGUOUS PROPERTIES IDENTIFIED PER SECTION 110-152 (1) (J)
43			SCALE AND NORTH ARROW AS PER SECTION 110-152 (1) (N)
44			NAME AND R/W WIDTH OF EACH STREET
45			20' ACCESS (DEDICATED TO THE HOA) TO ALL COMMON AREAS

PLANNING DEPARTMENT APPROVAL:

LEGAL DEPARTMENT APPROVAL:

ENGINEERING DEPARTMENT APPROVAL:



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APPLICATION FOR FINAL PLAT

ONLY THE PRIMARY CONTACT AS INDICATED BY THE CHECKED BOX WILL RECEIVE ALL CORRESPONDENCE FROM THE CITY.

OWNER OF RECORD

PRIMARY CONTACT?

NAME: _____
MAILING ADDRESS: _____
CITY: _____ STATE: _____ ZIP: _____
PHONE: _____ EXT _____ FAX: _____
E-MAIL: _____

APPLICANT / CONTACT PERSON (IF DIFFERENT)

PRIMARY CONTACT?

NAME: _____
MAILING ADDRESS: _____
CITY: _____ STATE: _____ ZIP: _____
PHONE: _____ EXT _____ FAX: _____
E-MAIL: _____

ATTORNEY FOR PLAT

PRIMARY CONTACT?

NAME: _____
MAILING ADDRESS: _____
CITY: _____ STATE: _____ ZIP: _____
PHONE: _____ EXT _____ FAX: _____
E-MAIL: _____

SURVEYOR FOR PLAT

PRIMARY CONTACT?

NAME: _____
MAILING ADDRESS: _____
CITY: _____ STATE: _____ ZIP: _____
PHONE: _____ EXT _____ FAX: _____
E-MAIL: _____

AFTER PRELIMINARY PLAT APPROVAL, CONSTRUCTION PLAN APPROVAL, AND THE ACTUAL CONSTRUCTION OF THE ESSENTIAL INFRASTRUCTURE OF THE SUBDIVISION, THE PROPOSED PLAT MUST RECEIVE FINAL PLAT APPROVAL.

DO NOT SEND YOUR REVISIONS AND DOCUMENTS INCREMENTALLY, AS THIS WILL DELAY STAFF'S REVIEW TIME AND/OR INCREMENTAL SUBMITTALS WILL BE REFUSED. FINAL PLAT SUBMITTALS MUST BE COORDINATED BETWEEN YOUR STAFF, LAWYER, AND SURVEYOR. IF ANY DOCUMENTS WERE GIVEN TO OUR ATTORNEY BY YOUR ATTORNEY, WE MUST RECEIVE A COPY, AS OTHER STAFF WILL NEED TO REVIEW THESE DOCUMENTS AS WELL.



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1. PROPERTY ID NUMBER: _____

2. ADDRESS OF SITE: _____

3. NUMBER OF ACRES: _____

4. IS A FULL LEGAL DESCRIPTION ATTACHED? YES NO

5. IS A COPY OF A SURVEY ATTACHED? YES NO

6. THE UNDERSIGNED HEREBY ACKNOWLEDGES THAT I (WE) HAVE REVIEWED CHAPTER 88 OF THE CITY OF WINTER GARDEN CODE OF ORDINANCES AND AGREE TO PROVIDE A REVIEW DEPOSIT AND A FLAT FEE FOR USE IN ACCORDANCE WITH CHAPTER 88. IN ADDITION, THE UNDERSIGNED HEREBY AGREES TO PAY FOR ANY AND ALL DIRECT COSTS, EXPENSES AND FEES INCURRED BY THE CITY OF WINTER GARDEN RELATING TO THE REVIEW, PROCESSING, INSPECTION OR REGULATION OF THE ENCLOSED APPLICATION, INCLUDING BUT NOT LIMITED TO, LEGAL, ENGINEERING AND SURVEYING FEES, AS WELL AS COSTS ASSOCIATED WITH THE ADVERTISING OF THE REQUEST, INCLUDING POSTAGE FOR NOTICES TO ADJACENT PROPERTY OWNERS, AND FOR NEWSPAPER ADVERTISING AS REQUIRED BY THE FLORIDA STATUTES AND THE CITY CODE. I ALSO UNDERSTAND THAT IF THIS PROJECT PROPERTY IS SOLD, I OR MY COMPANY WILL BE RESPONSIBLE TO ENSURE THAT THE NEW OWNER WRITES A SIMILAR LETTER ACCEPTING ALL THE RESPONSIBILITY TO PAY FOR ANY AND ALL REASONABLE LEGAL, ENGINEERING, OR SURVEYING FEES INCURRED BY THE CITY OF WINTER GARDEN IN THE PROCESS OF REVIEWING THIS PROJECT FROM THE DATE THE PROPERTY IS SOLD.

THE UNDERSIGNED, BEING THE OWNER (OR DULY AUTHORIZED AGENT OF THE OWNER) OF THE PROPERTY WHICH IS THE SUBJECT OF THE ENCLOSED APPLICATION, FURTHER ACKNOWLEDGES THAT THE FAILURE TO COMPLY WITH CHAPTER 88 AND PAY AMOUNTS DUE MAY RESULT IN A LIEN BEING PLACED ON THE PROPERTY RELATED TO THE APPLICATION AND FORECLOSURE THEREOF. AND FURTHER ACKNOWLEDGES THAT THE UNDERSIGNED SHALL PROVIDE PROMPT WRITTEN NOTICE TO THE CITY IN THE EVENT OF A CHANGE IN OWNERSHIP OF ALL OR A PORTION OF A LOT, TRACT OR PARCEL OF REAL PROPERTY RELATED TO THE ENCLOSED APPLICATION.

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 THE RESPECT TO WHICH AN APPLICATION, OR PROJECT IS PENDING BEFORE THE CITY.

_____ I UNDERSTAND THE ABOVE STATEMENTS.
(INITIALS)

ALL INVOICES FOR THE COSTS ASSOCIATED WITH THIS PROJECT SHOULD BE SENT TO:

PROJECT NAME OR ADDRESS: _____

CONTACT NAME: _____

MAILING ADDRESS: _____

CITY/STATE: _____ ZIP: _____ PHONE: _____

EMAIL: _____ FAX: _____



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I/WE HEREBY CERTIFY THAT I/WE ARE THE OWNER(S) OF THE REAL PROPERTY WHICH IS THE SUBJECT OF THIS PETITION AND THAT THE FOREGOING INFORMATION ON THIS PETITION IS TRUE AND COMPLETE.

SIGNATURE OF THE APPLICANT: _____

PRINT NAME: _____

DATE: _____

STATE OF FLORIDA | COUNTY OF ORANGE

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____,

2015, BY _____ OF _____,

WHO IS PERSONALLY KNOWN TO ME OR WHO PRODUCED _____ AS IDENTIFICATION.

NOTARY PUBLIC SIGNATURE: _____

PRINT NAME: _____

MY COMMISSION EXPIRES: _____

NOTE: IF THE PETITIONER WISHES TO BE REPRESENTED BY AN AGENT, A LIMITED POWER OF ATTORNEY MUST BE PROPERLY EXECUTED AND PROVIDED TO THE CITY ALONG WITH THIS APPLICATION.



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SUBMITTAL REQUIREMENTS FOR FINAL PLAT

INITIAL SUBMITTAL

SUBMITTALS WITHOUT THE FOLLOWING WILL BE REFUSED OR NOT REVIEWED UNTIL ALL OF THE FOLLOWING HAVE BEEN RECEIVED:

- A CD COPY OF ALL THE APPLICATION DOCUMENTS AND SUBMITTAL DOCUMENTS IN PDF FORMAT.
- APPLICATION FEE: \$250 + \$10 PER RESIDENTIAL LOT, AND \$100 PER NON-RESIDENTIAL LOT. PLEASE NOTE THAT ACTUAL CITY ENGINEER, CITY SURVEYOR AND CITY ATTORNEY REVIEW COSTS AND RECORDING FEES WILL BE CHARGED TO THE RESPONSIBLE PARTY IDENTIFIED.

NUMBER OF RESIDENTIAL UNITS: _____ **NUMBER OF COMMERCIAL AND/OR INDUSTRIAL UNITS:** _____

- REVIEW DEPOSIT OF \$2,000 AS IN ACCORDANCE WITH CHAPTER 88 OF THE CITY CODE
- PROOF OF OWNERSHIP (I.E., A COPY OF THE DEED)
- LIMITED POWER OF ATTORNEY (IF SIGNED BY AGENT OF THE PROPERTY OWNER)
- 5 COPIES OF THE PLAT, FOLDED AND NOT ROLLED (SEE LAST PAGE FOR THE REQUIREMENTS OF THE PLAT)
- 5 COPIES OF A SIGNED AND SEALED BOUNDARY SURVEY (WITH THE VERBATIM LEGAL DESCRIPTION AS ON THE PROPOSED PLAT)
- 5 COPIES AND 1 ORIGINAL OF EACH OF THE FOLLOWING:
 - A CERTIFICATE OF TITLE OR RECENT TITLE OPINION (WITH THE VERBATIM LEGAL DESCRIPTION AS ON THE PROPOSED PLAT) THAT SHOWS ALL MORTGAGES THAT ARE NOT SATISFIED OR RELEASED OF RECORD NOR OTHERWISE TERMINATED BY LAW AND WHICH MUST REFLECT ALL EXISTING EASEMENTS ON THE PROPERTY PROPOSED TO BE PLATTED
 - COPIES OF HOMEOWNERS'/PROPERTY OWNER'S ASSOCIATION DOCUMENTS AND ANY OTHER DEED RESTRICTIONS OR DECLARATIONS OF COVENANTS
 - JOINDER AND CONSENT TO DEDICATION
 - ORANGE COUNTY STATEMENT OF LIEN SETTLEMENT (CONTACT ORANGE COUNTY PROPERTY APPRAISER TO OBTAIN)
 - A LETTER FROM THE 911 DEPARTMENT APPROVING THE STREET NAMES (THE PHYSICAL ADDRESSES MUST BE ASSIGNED BY THE PLANNING DEPARTMENT. DO NOT REQUEST ADDRESSES UNTIL THE PROJECT IS SCHEDULED FOR THE PLANNING AND ZONING BOARD.)
 - PROOF OF IDENTIFICATION AND ESTABLISHMENT OF A PERMANENT HORIZONTAL AND VERTICAL CONTROL
 - ENGINEER'S CERTIFICATION OF COST ESTIMATE OF IMPROVEMENTS
 - ENGINEER'S CERTIFICATION OF COST ESTIMATE OF TOTAL PROJECT IMPROVEMENTS OR EXECUTED CONTRACTS
 - ENGINEER'S CERTIFICATION OF EASEMENTS
 - AFFIDAVIT ON ABSENCE OF RESERVE STRIPS FROM SURVEYOR
 - AFFIDAVIT ON ABSENCE OF RESERVE STRIPS FROM OWNER



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SUBSEQUENT SUBMITTALS

THE FOLLOWING ARE REQUIRED DURING THE REVIEW PROCESS, BUT NOT NECESSARY FOR THE INITIAL REVIEW:

- A CD COPY OF ALL SUBMITTAL REVISED DOCUMENTS IN PDF FORMAT
- PAYMENT FOR ALL REQUIRED STREET SIGNS (BOTH STOP SIGNS AND STREET NAME SIGNS)
- PAYMENT FOR THE FIRST YEAR'S STREET LIGHT OPERATION (PROVIDE PROGRESS ENERGY RECEIPT)
- STREET LIGHT UPGRADE AGREEMENT, IF NECESSARY (CONTACT PUBLIC WORKS FOR FORM)
- RELEASE OF LIENS FROM ALL CONTRACTORS, SUBCONTRACTORS, MATERIAL SUPPLIERS, ETC. ASSOCIATED WITH THIS PROJECT
- ORIGINAL MYLAR
- ORIGINAL HOMEOWNERS'/PROPERTY OWNER'S ASSOCIATION DOCUMENTS AND ANY OTHER DEED RESTRICTIONS OR DECLARATIONS OF COVENANTS (DUE BEFORE CITY COMMISSION)
- PROOF THAT THE INFRASTRUCTURE IS COMPLETED AND COMPLIES WITH ALL CITY SPECIFICATIONS AND REGULATIONS. A LETTER OF COMPLETION IS REQUIRED FROM THE CITY ENGINEER PRIOR TO FINAL APPROVAL BY THE CITY COMMISSION. ALTERNATIVELY, A PERFORMANCE BOND OR LETTER OF CREDIT AS APPROVED BY THE CITY ENGINEER MAY BE PROVIDED.
- A ONE-YEAR MAINTENANCE BOND FOR 10 PERCENT OF COST OF THE DEDICATED IMPROVEMENTS IS REQUIRED BEFORE THE CITY ENGINEER ISSUES A CERTIFICATE OF COMPLETION.

PLAT REQUIREMENTS

- AT A SCALE OF 1:100 OR LARGER
- PRIMARY CONTROL POINTS, APPROVED BY THE CITY ENGINEER, OR DESCRIPTIONS AND TIES TO SUCH CONTROL POINTS, TO WHICH ALL DIMENSIONS, ANGLES, BEARINGS, AND SIMILAR DATA ON THE PLAT SHALL BE REFERRED
- NAME AND RIGHT-OF-WAY WIDTH OF EACH STREET OR OTHER RIGHT-OF-WAY
- LOCATION, DIMENSIONS, AND PURPOSE OF ANY EASEMENTS
- NUMBER TO IDENTIFY EACH LOT OR SITE
- PURPOSE FOR WHICH SITES, OTHER THAN RESIDENTIAL LOTS, ARE DEDICATED OR RESERVED
- PROVIDING A 20-FOOT ACCESS (A TRACT DEDICATED TO THE HOA) TO ALL COMMON AREAS FROM A RIGHT-OF-WAY
- LOCATION AND DESCRIPTION OF MONUMENTS
- REFERENCE TO RECORDED SUBDIVISION PLATS OF ADJOINING PLATTED LAND BY RECORD NAME, DATE, AND NUMBER
- LANGUAGE (OR VERY SIMILAR LANGUAGE) ON THE FACE OF THE PLAT:
 - "EACH OF THE OWNERS OF LOTS AS SHOWN ON THIS {NAME OF THE SUBDIVISION} IS A MEMBER OF THE {SUBDIVISION NAME} HOMEOWNERS' ASSOCIATION. THE HOMEOWNERS' ASSOCIATION IS REQUIRED TO MAINTAIN TRACKS {X} (THE RETENTION POND AND PRIVATE STREETS). THE MEMBERS OF THE HOMEOWNERS' ASSOCIATION ARE ULTIMATELY RESPONSIBLE FOR PAYMENT OF THE COST OF MAINTENANCE OF TRACT {X} (THE RETENTION POND AND ANY PRIVATE STREETS) AND ALL LOTS ARE SUBJECT TO ASSESSMENTS, LIENS, AND FORECLOSURES FOR NON-PAYMENT."
 - "THE OWNER HEREBY CONVEYS TO THE CITY OF WINTER GARDEN THE RIGHT TO MAINTAIN OF HAVE MAINTAINED TRACTS {LIST THE STORM WATER RETENTION AREAS AND ANY PRIVATE STREETS} IN THE EVENT SAID TRACT(S) ARE NOT MAINTAINED OR SUCH BECOME A NUISANCE. THE COST OF SAID MAINTENANCE BY THE CITY OF WINTER GARDEN SHALL BE BORNE AND PAID BY THE HOMEOWNERS' ASSOCIATION OF {LIST THE NAME OF THE SUBDIVISION}. SAID COSTS SHALL BE A LIEN ON ALL LOTS IN THE SUBDIVISION AND BE ENFORCEABLE BY FORECLOSURE PROCEEDINGS AND OTHER REMEDIES. THIS RIGHT AND THE CITY'S EXERCISE OF SAID RIGHT SHALL NOT IMPOSE ANY OBLIGATION ON THE CITY TO MAINTAIN SAID EASEMENTS OR IMPROVEMENTS."



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PLAT REQUIREMENTS (CONTINUED)

- THE FOLLOWING (OR SIMILAR) LANGUAGE SHOULD BE INCORPORATED INTO ALL DEDICATIONS SUBMITTED AS PART OF THE PLAT REVIEW PROCESS:
 - "THE CITY OF WINTER GARDEN SHALL HEREBY HAVE THE RIGHT, BUT NOT THE OBLIGATION TO ACCESS, MAINTAIN, REPAIR, REPLACE AND/OR OTHERWISE FOR OR CAUSE TO BE CARED FOR ANY AND ALL PRIVATE EASEMENTS, COMMON PROPERTY AND/OR RIGHTS-OF-WAY DEPICTED ON THE PLAT AS RECORDED IN PLAT BOOK, PAGE, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA. IN THE EVENT SAID PRIVATE EASEMENTS, COMMON AREAS, IMPROVEMENTS AND/OR RIGHTS-OF-WAY ARE NOT MAINTAINED OR SUCH BECOME A NUISANCE OR IN THE EVENT THE CITY OF WINTER GARDEN EXERCISES THE AFOREMENTIONED RIGHT, THE {INSERT THE NAME OF THE HOMEOWNERS' ASSOCIATION} AND EACH OF THE LOT OWNERS IN THE {INSERT NAME OF SUBDIVISION AND PHASE} ARE HEREBY ULTIMATELY RESPONSIBLE FOR PAYMENT OF THE COST OF MAINTENANCE, REPAIR, REPLACEMENT AND CARE PROVIDED BY THE CITY OF WINTER GARDEN OR ITS AGENTS PLUS ADMINISTRATIVE COSTS AND ATTORNEY'S FEES INCURRED BY OR FOR THE CITY OF WINTER GARDEN. SAID COSTS SHALL BE A LIEN OR ASSESSMENT ON ALL OF THE LOTS IN THE SUBDIVISION AND ON ALL {INSERT NAME OF HOMEOWNERS' ASSOCIATION} PROPERTY AND MAY BE ENFORCED BY FORECLOSURE PROCEEDINGS AND OTHER REMEDIES. THIS RIGHT AND THE CITY'S EXERCISE OF SAID RIGHT SHALL NOT IMPOSE ANY OBLIGATION ON THE CITY TO MAINTAIN SAID PRIVATE EASEMENTS, COMMON AREAS, RIGHTS-OF-WAY OR IMPROVEMENTS."
 - "NO PORTION OF THIS DEDICATION SHALL ENDORSE, ALLOW OR SANCTION THE VIOLATION OF ANY CODE OR ORDINANCE OF THE CITY OF WINTER GARDEN OR ANY STATUTE OR LAW."

IMPORTANT NOTES

- ALL DOCUMENTS ARE SUBJECT TO CITY REVIEW.
- ADDITIONAL DOCUMENTS MAY BE REQUIRED AFTER THE INITIAL SUBMITTAL.
- SAMPLE FORMS MAY BE REQUESTED IN ELECTRONIC FORM AS A GUIDE. CONTACT THE PLANNING DEPARTMENT OR CHECK THE CITY'S WEBSITE FOR DOWNLOADABLE FORMS.
- THE CITY REQUIRES THE IDENTIFICATION OF ANY MAINTENANCE RESPONSIBILITIES SPECIFIC TO PARTICULAR LOTS/TRACTS IN THE SUBDIVISION IN THE DECLARATION OF COVENANTS ITSELF.
- THE CITY REQUIRES ALL LIEN HOLDERS TO EXECUTE A JOINDER AND CONSENT TO THE DECLARATION OF COVENANTS ON ALL LOTS IN THE SUBDIVISION. IN THIS WAY, THE DECLARATION OF COVENANTS WOULD ALSO APPLY TO "BANK-OWNED" FORECLOSED PROPERTY.
- NO DECLARATION OF COVENANTS AND RESTRICTIONS SHOULD ALLOW THE HOMEOWNERS' ASSOCIATION OR LOT OWNERS TO IN ANY WAY REGULATE PARKING OR TRAFFIC MATTERS IN THE PUBLIC AND PRIVATE RIGHTS-OF-WAY.
- THE PLAT MUST BE IN COMPLIANCE WITH F.S. 177 AND THE SUBDIVISION REGULATIONS OF THE CITY OF WINTER GARDEN CODE OF ORDINANCES.
- THE APPLICANT IS RESPONSIBLE FOR THE PAYMENT OF ALL PLATTING FEES.
- A TOTAL OF 24 ADDITIONAL COPIES WILL BE REQUIRED FOR P&Z AND COMMISSION APPROVAL AFTER STAFF REVIEW.

PROCEDURE

THE CITY STAFF AND THE CITY ATTORNEY WILL REVIEW THE PROPOSED FINAL PLAT AND ALL ASSOCIATED IMPROVEMENTS FOR CONFORMANCE WITH THE CITY CODE AND THE FLORIDA STATUTES. THE PLANNING AND ZONING BOARD WILL REVIEW THE PROPOSED FINAL PLAT AND MAKE A RECOMMENDATION. THE CITY COMMISSION SHALL APPROVE, DENY, OR APPROVE WITH CONDITIONS THE PROPOSED FINAL PLAT.

CODE OF ORDINANCES

THE CITY OF WINTER GARDEN'S CODE OF ORDINANCES CAN BE FOUND ON THE INTERNET AT WWW.MUNICODE.COM. ACCESS TO THE INTERNET CAN BE OBTAINED AT ANY BRANCH OF THE ORANGE COUNTY LIBRARY SYSTEM.



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DEVELOPMENT REVIEW COSTS

BY SIGNING THIS APPLICATION, THE APPLICANT ACKNOWLEDGES AND AGREES THAT APPLICANT HAS READ CHAPTER 88, CITY OF WINTER GARDEN CODE ORDINANCES ("CHAPTER 88") AND UNDERSTANDS AND AGREES TO ACCEPT APPLICANT'S RESPONSIBILITIES AND OBLIGATIONS TO PAY THE CITY FOR ALL FEES, COSTS, AND EXPENSES INCURRED BY THE CITY IN THE REVIEW, PROCESSING, INSPECTION, AND REGULATION OF THIS APPLICATION, INCLUDING BUT NOT LIMITED TO: (i) THOSE CHARGES ASSOCIATED WITH THE TIME CITY STAFF AND CITY CONSULTANTS (INCLUDING, WITHOUT LIMITATION ENGINEERS, ARCHITECTS, PLANNERS, ATTORNEYS, PARALEGALS, SURVEYORS, CONSTRUCTION INSPECTION PROFESSIONALS AND ANY OTHER PROFESSIONAL OR TECHNICAL CONSULTANTS) SPEND ON THE REVIEW, PROCESSING, INSPECTION, AND REGULATION OF THE APPLICATION OR DEVELOPMENT; (ii) ANY EXPENSES DIRECTLY RELATED THERETO, INCLUDING BUT NOT LIMITED TO NOTICES, ADVERTISING, POSTAGE, SURVEYING, INSPECTION, LEGAL AND ENGINEERING COSTS; AND (iii) THOSE CHARGES ASSOCIATED WITH THE TIME CITY STAFF AND CITY CONSULTANTS SPEND CONCERNING ADMINISTRATIVE PROCEEDINGS, QUASI-JUDICIAL PROCEEDINGS, TRIAL COURT PROCEEDINGS AND APPELLATE COURT PROCEEDINGS RELATING TO THE CONSIDERATION, REVIEW OR CHALLENGE OF ALL OR PART OF THE APPLICATION OR ANY DEVELOPMENT ORDER OR PERMIT ISSUED AS THE PRODUCT OF THE APPLICATION OR A SIMILAR APPLICATION BY THE APPLICANT. HOWEVER, CHAPTER 88 DOES NOT REQUIRE THE APPLICANT TO PAY THE CITY'S ATTORNEYS' FEES AND LITIGATION EXPENSES IN PROCEEDINGS OR LITIGATION WHERE THE CITY AND APPLICANT ARE DIRECT ADVERSE PARTIES, EXCEPT IN MATTERS WHERE THE CITY IS ENFORCING THE REQUIREMENTS OF CHAPTER 88 AGAINST APPLICANT AS SPECIFIED IN § 88-10, CITY OF WINTER GARDEN CODE OF ORDINANCES. APPLICANT UNDERSTANDS AND AGREES THAT THE AFORESAID FEES, COSTS AND EXPENSES WILL BE INVOICED AND SHALL BE PAID BY THE APPLICANT WHETHER OR NOT THE APPLICATION IS SUCCESSFUL.

APPLICANT SHALL PROVIDE PROMPT WRITTEN NOTICE TO THE CITY'S CITY MANAGER AND COMMUNITY DEVELOPMENT DIRECTOR WITHIN TEN (10) CALENDARS DAYS OF THE OCCURRENCE OF A CHANGE IN OWNERSHIP OF ALL OR A PORTION OF A LOT, TRACT, OR PARCEL OF REAL PROPERTY THAT IS THE SUBJECT OF THE APPLICATION. SUCH WRITTEN NOTICE SHALL COMPLY WITH THE PROVISIONS OF § 88-11, CITY OF WINTER GARDEN CODE OF ORDINANCES.

INVOICES FROM THE CITY SHALL BE PAID WITHIN TEN (10) CALENDAR DAYS OF THE DATE APPEARING ON THE INVOICE. FULL PAYMENT IS A REQUIREMENT FOR CITY'S FINAL APPROVAL OF THE APPLICATION OR ANY SIMILAR APPLICATION BY THE APPLICANT, AND AS SUCH, THE FAILURE TO PAY SUCH AMOUNT JEOPARDIZES THE EFFECTIVENESS OF ANY DEVELOPMENT ORDER OR PERMIT ISSUED PRIOR TO FULL PAYMENT OF SUCH AMOUNTS BY APPLICANT. IF NONPAYMENT OCCURS, THE CITY SHALL HAVE ALL REMEDIES AT LAW AND IN EQUITY AGAINST THE APPLICANT AND THE PROPERTY OWNER(S) OF THE PROPERTY SUBJECT TO THIS APPLICATION, INCLUDING WITHOUT LIMITATION, THE RIGHT TO CEASE DEVELOPMENT REVIEW AND PROCESSING OF THE APPLICATION, REVOKE, RESCIND OR PLACE A STOP WORK ORDER ON DEVELOPMENT ORDERS AND PERMITS ISSUED AT THE REQUEST OF THE APPLICANT, AND THOSE OTHER REMEDIES SPECIFIED IN CHAPTER 88. THE PROVISIONS OF CHAPTER 88 ARE INCORPORATED HEREIN BY THIS REFERENCE, AND THE AGREEMENTS CONTAINED HEREIN ARE SUPPLEMENTAL TO THE APPLICANT'S AND THE PROPERTY OWNER(S)' REQUIREMENTS AND OBLIGATIONS UNDER CHAPTER 88.

NO RELIANCE

APPLICANT ACKNOWLEDGES AND AGREES THAT IT IS SPENDING FUNDS AT ITS OWN RISK IN AN ATTEMPT TO OBTAIN DEVELOPMENT ORDERS, PERMITS AND/OR APPROVALS FROM THE CITY OR TO OTHERWISE DEVELOP THE PROPERTY, AND THE CITY IS NOT LIABLE FOR REIMBURSING APPLICANT FOR SUCH COSTS AND EXPENSES. INDIVIDUAL CITY EMPLOYEES, CITY CONSULTANTS, CITY APPOINTED OFFICIALS AND ELECTED OFFICIALS (INCLUDING CITY COMMISSIONERS) HAVE NO ACTUAL OR APPARENT AUTHORITY TO BIND THE CITY ON APPLICATION APPROVALS AND DEVELOPMENT MATTERS, EXCEPT FOR CERTAIN VERY LIMITED MATTERS THAT ARE EXPRESSLY AUTHORIZED BY THE CITY OF WINTER GARDEN CODE OF ORDINANCES TO BE DETERMINED BY THE CITY'S COMMUNITY DEVELOPMENT DIRECTOR OR THE CITY'S CITY MANAGER. APPLICANT SHALL NOT RELY ON AND HAS NO BASIS TO RELY ON, ANY WRITTEN OR ORAL STATEMENTS OF THE CITY'S EMPLOYEES, CONSULTANTS, OR ELECTED OR APPOINTED OFFICIALS, EXCEPT FOR THE ACTUAL DEVELOPMENT ORDER(S) OR PERMIT(S) ISSUED AFTER FINAL ACTION IS TAKEN BY THE CITY ON THE APPLICATION PURSUANT TO THE STANDARD APPLICABLE REVIEW AND APPROVAL PROCESS. OFTEN FOR DEVELOPMENT MATTERS, PRIOR TO FINAL ACTION BEING TAKEN BY THE CITY, THE CITY MUST CONDUCT QUASI-JUDICIAL PUBLIC HEARING(S) WHERE DECISIONS ON DEVELOPMENT APPLICATIONS MUST BE BASED ON THE EVIDENCE PRESENTED IN THE RECORD AT SUCH HEARING(S), INCLUDING TESTIMONY AND EVIDENCE PRESENTED BY THE APPLICANT, CITY STAFF AND CONSULTANTS, AND OTHER INTERESTED PARTIES. MOREOVER, OFTEN IT IS THE CASE THAT MULTIPLE TYPES OF DEVELOPMENT ORDERS AND PERMITS MUST BE ISSUED BEFORE A DEVELOPMENT CAN PROCEED, SO THE ISSUANCE OF ONE OR MORE DEVELOPMENT ORDERS AND PERMITS, SHOULD NOT BE RELIED UPON BY THE APPLICANT FOR THE LIKELIHOOD THAT OTHER REQUIRED DEVELOPMENT ORDERS, PERMITS AND APPROVALS WILL BE ISSUED. FURTHER, THE FINAL ACTIONS AND/OR DEVELOPMENT ORDERS OR PERMITS OF THE CITY ON DEVELOPMENT MATTERS CAN OFTEN BE CHALLENGED; THUS, THE APPLICANT SHOULD CONSULT WITH ITS OWN LEGAL COUNSEL AS TO THE RELIABILITY OF FINAL ACTIONS OF THE CITY AND DEVELOPMENT ORDERS AND PERMITS ISSUED BY THE CITY.

S:\AKA\CLIENTS\WINTER GARDEN\GENERAL W500-20501\DEVELOPMENT REVIEW COSTS REIMBURSEMENT\APPLICATION LANGUAGE FOR DEVELOPMENT REVIEW COSTS.DOC