



**** ADVISEMENTS ****

SITE INSPECTION FEE:

IN ADDITION TO THE APPLICATION PLAN REVIEW FEES, AN ADDITIONAL **SITE INSPECTION FEE OF 2.25%** OF THE COST OF CONSTRUCTION OF THE SITE (PARKING AREAS, LIGHTING, LANDSCAPING, STORMWATER RETENTION AREAS, AND WATER AND SEWER UTILITIES) IS REQUIRED FOR ALL NON-RESIDENTIAL AND NEW MULTI-FAMILY DEVELOPMENT. THIS FEE WILL BE CALCULATED BEFORE APPLYING FOR BUILDING PERMITS AND **COLLECTED AT TIME OF THE ISSUANCE OF BUILDING PERMITS**. IT IS THE APPLICANT'S OBLIGATION TO PROVIDE THE CITY'S ENGINEERING DEPARTMENT WITH ADEQUATE INFORMATION (I.E. COPIES OF BIDS OR CONTRACTS) IDENTIFYING THESE COSTS BEFORE APPLYING FOR BUILDING PERMITS.

COMMUNICATION TOWERS:

COMMUNICATION TOWERS MUST COMPLY WITH CHAPTER 70 OF THE CITY'S CODE OF ORDINANCES AND PAY THE ASSOCIATED FEES IDENTIFIED IN SECTION 88-2(A)(1) OF THE CITY OF WINTER GARDEN'S CODE OF ORDINANCES?

UTILITY LOCATE:

IT IS THE OWNER/CONTRACTOR'S RESPONSIBILITY TO LOCATE EXISTING UTILITIES AND COORDINATE WITH THE PROPER AGENCY FOR THE INSPECTION OF NEW UTILITIES.

PROCEDURE:

UNDER THIS DIVISION, ALL USES SHALL BE SUBJECT TO THE GENERAL REGULATIONS FOR STRUCTURES AND USES, LOTS AND YARDS AND VEHICLES CONTAINED IN THIS CHAPTER. SITE PLANS LESS THAN OR EQUAL TO 25,000 SQUARE FEET SHALL REQUIRE REVIEW AND APPROVAL BY THE DEVELOPMENT REVIEW COMMITTEE. SITE PLANS GREATER THAN 25,000 SQUARE FEET OF LAND AREA SHALL ALSO REQUIRE CITY COMMISSION APPROVAL AFTER DEVELOPMENT REVIEW COMMITTEE REVIEW AND APPROVAL. ALL SITE PLANS APPROVED BY THE CITY STAFF OR COMMISSION PURSUANT TO THIS DIVISION SHALL EXPIRE AND BECOME NULL AND VOID IF THE BUILDING OR IMPROVEMENT OR OTHER MATTERS AUTHORIZED BY THE SITE PLAN APPROVAL HAVE NOT RECEIVED AN APPROVED BUILDING PERMIT FOR THE PRINCIPAL STRUCTURE OR BUILDING WITHIN 365 DAYS OF THE DATE OF THE APPROVAL. THE CITY ENGINEER, IF SHOWN GOOD CAUSE, MAY EXTEND THE APPROVAL ONE TIME FOR A PERIOD NOT TO EXCEED AN ADDITIONAL 365 DAYS. THE EXTENSION REQUEST SHALL BE FILED WITH THE CITY ENGINEER IN WRITING AT LEAST TWO WEEKS PRIOR TO THE EXPIRATION OF THE INITIAL 365-DAY APPROVAL PERIOD.

CODE OF ORDINANCES:

THE CITY OF WINTER GARDEN'S CODE OF ORDINANCE 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.

APPLICATION SUBMITTAL:

THE APPLICANT SHALL SUBMIT AN APPLICATION FOR A DEVELOPMENT PERMIT ALONG WITH TWO COPIES OF A PRELIMINARY DEVELOPMENT USE SITE PLAN SHOWING ALL THE APPROPRIATE AND APPLICABLE DATA REQUESTED IN THIS ARTICLE AND OTHER INFORMATION AS REQUIRED BY THE DIRECTOR OF PLANNING.

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



APPLICATION FOR SITE PLAN APPROVAL

THE FOLLOWING APPLICATION IS REQUIRED FOR ALL PROPOSED INDUSTRIAL COMMERCIAL, OR MULTI-FAMILY SITE PLANS THAT ADD MORE THAN 300 SF OF BUILDING OR 500 SF OF ASPHALT/CONCRETE AND FOR ALL NEW OR ALTERATIONS OF COMMUNICATION TOWERS.

OWNER OF RECORD INFORMATION

BUSINESS NAME: _____
CONTACT NAME: _____
MAILING ADDRESS: _____
CITY: _____ STATE: _____ ZIP: _____
PHONE: _____ FACSIMILE: _____ CELLULAR: _____
EMAIL: _____

APPLICANT/CONTACT PERSON (IF DIFFERENT THAN OWNER OF RECORD):

BUSINESS NAME: _____
CONTACT NAME: _____
MAILING ADDRESS: _____
CITY: _____ STATE: _____ ZIP: _____
PHONE: _____ FACSIMILE: _____ CELLULAR: _____
EMAIL: _____

Only the primary contact as indicated by the Applicant/Contact Person will receive all correspondence from the City.

PROPERTY/SITE INFORMATION:

PROJECT NAME: _____
SITE ADDRESS: _____
COUNTY PROPERTY APPRAISER TAX PARCEL ID NUMBER(S):

CURRENT ZONING: _____
ACRES: _____
ACRES: _____
ACRES: _____

EXISTING USE: _____
DU OR SQFT: _____
DU OR SQFT: _____
DU OR SQFT: _____

PROPOSED USE(S): _____
DU OR SQFT: _____
DU OR SQFT: _____
DU OR SQFT: _____

RESPONSIBLE PARTY:

IF THIS APPLICATION IS DEEMED TO REQUIRE REVIEW BY THE CITY ENGINEER, CITY SURVEYOR AND/OR CITY ATTORNEY, I UNDERSTAND THAT I OR MY COMPANY WILL BE RESPONSIBLE TO PAY FOR ANY AND ALL REASONABLE LEGAL, ENGINEERING, OR SURVEYING FEES INCURRED BY THE CITY OF WINTER GARDEN IN THE PROCESS OF REVIEWING THE ABOVE PROJECT. 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.

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.

PLEASE INITIAL RECOGNIZING YOUR AGREEMENT OF THE ABOVE REQUIREMENT: **INITIALS:** _____

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

PROJECT NAME OR ADDRESS: _____

NAME: _____

COMPANY: _____

MAILING ADDRESS: _____

_____ CITY STATE ZIP

TELEPHONE: _____ **EXT.:** _____

FACSIMILE: _____ **EMAIL:** _____

PROPERTY OWNER AUTHORIZATION / SIGNATURE OF APPLICANT:

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

_____ OWNER SIGNATURE OR AUTHORIZED APPLICANT DATE

_____ PRINT NAME

NOTARIZATION:

STATE OF FLORIDA
COUNTY OF _____

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____ ,
20 _____ , BY _____ , AS _____
OF _____ , WHO IS PERSONALLY KNOWN TO ME OR WHO PRODUCED
_____ AS IDENTIFICATION.

_____ MY COMMISSION EXPIRES: _____
NOTARY PUBLIC SIGNATURE

_____ PRINT NAME

FOR OFFICE USE ONLY

- SITE PLAN
- FEES
- SURVEY
- PARKING CALCULATIONS
- LEGAL ATTACHED
- OWNERSHIP ATTACHED
- POA OR POAA ATTACHED

DATE/RECEIVED BY STAMP

SUFFICIENCY CHECKLIST FOR SITE PLAN SUBMITTAL

PROJECT NAME: _____

SITE ADDRESS: _____



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) calendar 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.