



Petition to Voluntarily Annex Real Property

Town of Oakland, Florida - Individual Property Owner Form

Petitioner, _____ (hereinafter "Petitioner") whose mailing address is:

Hereby voluntarily petitions the Town of Oakland, Florida to annex his/her real property to the Town of Oakland, Florida (hereinafter "Town") pursuant to and in accordance with the provisions of Chapter 171.044, Florida Statutes, and state(s):

(1) Petitioner is/are the sole owner of the real property located at:

and more particularly described on Exhibit "A" attached hereto and by this reference made a part of this Petition (hereinafter the "Real Property"), as evidenced by a deed or other document recorded in Deed Book _____ or Official Records Book _____ Page(s) _____, Public Records of Orange County, Florida.

(2) When the Real Property is annexed to the Town, Petitioner agrees to and will abide by and comply with all of the existing and future laws, rules and regulations which presently are and from time to time in the future may be in effect within the Town.

(3) Petitioner agrees that this is a continuous request of the property owner for annexation to the Town that will be fulfilled when the Town determines the Real Property meets with the requirements of law.

(4) This Petition shall be recorded in the Public Records of Orange County, Florida and shall constitute an irrevocable petition to annex into the Town of Oakland, which shall run with the Real Property and shall be binding on all subsequent purchasers, successors in interest and assigns of the Real Property.

**Town of Oakland
Petition to Voluntarily Annex Real Property**

WHEREFORE, Petitioner requests that the Town take action to approve this Petition and to annex the Real Property into the Town.

DATED this _____ day of _____, 20_____

WITNESSES:

PETITIONER:

Signature

Signature

Printed Name

Printed Name

Signature

Printed Name

STATE OF FLORIDA
COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of _____, 20 _____, by (Petitioner) _____ who is personally known to me (or) who produced his/her _____ as identification.

(SEAL)

Notary Signature

Printed Name



www.oaktownusa.com

Planning & Development Application

Incomplete applications will not be processed

(return to Town via mail, e-mail, or hand delivery)

Project name			
Application Number(s) (to be filled out by Town)			
Property address and/or physical location			
County Property Appraiser Tax Parcel ID number(s) _____			
Applicant is: _____ Owner _____ Developer _____ Lessee _____ Agent _____ Property Optionee			
Applicant - Contact / address / phone / fax / e-mail		Type of application: Check all that apply, and use the appropriate supplemental form(s) to provide relevant information. <input type="checkbox"/> Pre-application Meeting <input type="checkbox"/> Annexation (ANX) <input type="checkbox"/> Architectural Review (ARB)* <input type="checkbox"/> Comprehensive Plan Amendment – Text/Map (CPA)* <input type="checkbox"/> Lot Split/Boundary Line Adjustment (LS)* <input type="checkbox"/> Planned Subdivision/Planned Development (PD)* <input type="checkbox"/> Site Development Plan – Major/Minor (SIT)* <input type="checkbox"/> Special Exception – Conditional Use (SPX) <input type="checkbox"/> Subdivision Preliminary Plat (PSP)* <input type="checkbox"/> Subdivision Final Plat (FSP)* <input type="checkbox"/> Vacation of ROW/Easement (VAC) <input type="checkbox"/> Vacation of Recorded Plat (VAP) <input type="checkbox"/> Zoning Variance / Waiver (VAR) <input type="checkbox"/> Zoning map amendment/Rezoning (ZMA)* <i>*Contact the Planning Dept. for Sufficiency Checklists</i>	
* Will receive all correspondence from the Town			
Property Owner / address / phone / fax / e-mail			
Consultant / address / phone / fax / e-mail			
Current zoning	Proposed zoning	Parcel size (sf/ac)	Proposed # of lots
Current use		Gross floor area (sf)	Proposed # of buildings
Current future land use (FLU) designation		Proposed future land use (FLU) designation	
Summary of project or proposed use (Use separate sheet if necessary)			

I certify that the information and exhibits submitted are correct to the best of my knowledge, and that I am acting with the knowledge and consent of all parties involved in the project. I understand there may be additional fees required to complete the application review process.

Applicant signature / date

The petition of the undersigned certifies that I/We hereby respectfully request that the Town of Oakland perform the required reviews, hold the required public hearing(s), prepare and adopt the appropriate ordinances in order to grant said petition.



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Submittal Requirements

Incomplete applications will not be processed

PLEASE BRING ALL OF THE FOLLOWING ITEMS THAT APPLY WHEN SUBMITTING YOUR REQUEST			
APPLICATION	Incomplete applications will not be processed.	ALL	<input type="checkbox"/>
CD	A CD copy of ALL of the application documents and submittal documents in PDF format	ALL	<input type="checkbox"/>
SURVEY	2 Copies (If larger than 11x17 Folded not Rolled) With complete legal description written in "meets and bounds"	ALL	<input type="checkbox"/>
SITE PLAN	6 Copies (If larger than 11x17 Folded not Rolled)	ARB / CPA SIT / PSP / VAR	<input type="checkbox"/>
SUFFICIENCY CHECKLIST	6 Copies of plans required per the Sufficiency Checklist (If larger than 11x17 Folded not Rolled)	SIT / PSP	<input type="checkbox"/>
ARCHITECTURE	6 Copies of Architectural Plans (If larger than 11x17 Folded not Rolled)	ARB / PD SIT / VAR	<input type="checkbox"/>
TRANSPORTATION	2 Copies of Traffic Impact Analysis with approved methodology	CPA / PD SIT / ZMA	<input type="checkbox"/>
LIGHTING	6 Copies (If larger than 11x17 Folded not Rolled)	ARB / PD / SIT / PSP	<input type="checkbox"/>
PHOTOGRAPHS	2 Copies in Color - minimum of 4 site photos (from north, south, east, west)	ALL	<input type="checkbox"/>
OWNERSHIP	Proof of Ownership (i.e., a copy of the deed)	ALL	<input type="checkbox"/>
POA	Limited Power of Attorney (If application is signed by Agent of the Owner)	ALL	<input type="checkbox"/>

**** Advisements ****

PROCEDURE (ANX/ CPA/ ZMA):

The procedure for annexation is defined in Chapter 171 of the Florida Statutes. The procedure for comprehensive plan amendments is defined in Chapter 163.3184 of the Florida Statutes. The procedure for rezoning is defined in 166.041 of the Florida Statutes. The procedures for development site plans, plats, and construction plans are defined in the Town's codes and ordinances. In general, all petitions and application processes shall be heard and recommended by the Planning and Zoning Board and will be finally approved, denied, or approved with conditions by the Town Commission at an advertised public hearing. All ordinances require two readings before Town Commission.

CODE OF ORDINANCES:

The Town of Oakland's Code of ordinance can be found on the internet at www.oaktownusa.com or www.municode.com. Access to the internet can be obtained at any branch or the Orange County Library.

APPLICATION PROCESSING DEADLINE:

The Application Submittal Deadline is the second Friday of each month. The application shall be presented to the Planning and Zoning Board on the third Tuesday of the following month. Due to advertising guidelines, any application recommended by the Planning and Zoning Board will be on the agenda of the first Commission meeting of the following month.

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.

COMMUNICATION TOWERS:

Communication towers and the amendment thereof must comply with Ordinance 2012-10 the Town's Code of Ordinances and pay the associated fees identified in Article XXI of the Town of Oakland's Code of Ordinances.

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. The Town Planning and Zoning Board and the town Commission will not hear cases that do not have representation at their respective meeting(s).



Submittal Requirements
Incomplete applications will not be processed

DEVELOPMENT REVIEW COSTS – RESPONSIBLE PARTY

I understand that the Town of Oakland requires that the applicant be responsible for reimbursing the Town for all advertising costs associated with this application, including postage for notices to adjacent property owners, and for newspaper advertising as required by the Florida Statutes and the Town Code. I understand that I will be billed for these costs and will be responsible for paying them, whether or not my application for annexation, zoning, future land use, and/or development approval is successful.

In addition, if this application is deemed to require review by the Town Engineer, Town Surveyor, Town Attorney or any other required Town Consultant, I understand that I or my company shall be responsible to pay for any and all reasonable legal, engineering, surveying, or consultant costs incurred by the Town of Oakland in the process of reviewing the above project pursuant to ORDINANCE 2014-01 et al.. Invoices from the Town shall be paid within ten (10) calendar days of the date appearing on the invoice. Full payment is a requirement for Town's final approval or any such similar Application. The agreements contained herein are supplemental to the Applicant's and the property owner(s)' requirements and obligations under ORDINANCE 2014-01.

I also understand that if this project property is sold, I or my company will be responsible to ensure that the new owner executes a similar application form accepting all of the responsibility to pay for any and all reasonable legal, engineering, surveying, or consultant fees incurred by the Town of Oakland in the process of reviewing this project from the date the property is sold. An applicant shall provide prompt written notice to the Town Manager within ten (10) days 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 Town.

Please sign recognizing your agreement with the above requirement: _____

All invoices for the costs associated with this project should be sent to:

Project Name / Address: _____

Applicant Name: _____

Company: _____

Mailing Address: _____

_____ CITY STATE ZIP

Telephone: _____ EXT. _____

Facsimilie: _____

E-Mail: _____

The 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 Town or to otherwise develop the real Property, and the Town is not liable for reimbursing Applicants for such costs and expenses. Individual Town employees, Town consultants, Town appointed officials and elected officials (including Town Commissioners) have no actual or apparent authority to bind the Town on Application approvals and development matters, except for certain limited matters that are expressly authorized by the Town of Oakland Code of Ordinances to be determined by the Town Manager. The applicant shall not rely on and has no basis to rely on any written or oral statements of the Town's employees, consultants, or elected or appointed officials, except for the actual development order(s) or permits issued after final action is taken by the Town on the Application pursuant to the standard applicable review and approval process. Often for development matters, prior to final action being taken by the Town, the town must conduct quasi-judicial public hearing(s) where decisions on development applications must be based on the evidence presented into 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 Town on development matters can be challenged; thus, the Applicant should consult with its own legal counsel as to the reliability of final actions of the Town and development orders and permits issued by the Town.



Applicant Affidavit

STATE OF FLORIDA
COUNTY OF ORANGE

Before me, the undersigned authority personally appeared _____
who being by me first duly sworn on oath, deposes and says:

(1) That he/she affirms and certifies that he/she understands and will comply with all ordinances, regulations and
provisions of the Town of Oakland, Florida, and that all statements and diagrams submitted herewith are true and accurate to
the best of his/her knowledge and belief, and further, that this application and all attachments shall become part of the Official
Records of the town of Oakland, Florida, and are not returnable.

(2) That the submittal requirements for the application have been completed and attached hereto as part of this
application.

(3) That the applicant desires approval of _____

Affiant (Applicant's Signature)

The foregoing instrument was acknowledged before me this _____ day of _____ 2_____, by
_____, who is/are personally known to me (or) who has/have produced
_____ as identification and who did (did not) take an oath.

Notary Public (signature)

(Notary Stamp)

NOTE

All applications shall be signed by the owner of the property, or some person duly authorized by the owner to sign. A
Limited Power of Attorney / Owner's Verification authorizing a person other than the owner to sign must be attached.



Limited Power of Attorney & Owner Verification

STATE OF FLORIDA
COUNTY OF ORANGE

Before me, the undersigned authority personally appeared _____ who being by me first duly sworn on oath, deposes and says:

(1) That he/she is the fee-simple owner of the property legally described on page one of this application.

(2) That he/she desires approval for _____

(3) That he/she has appointed _____ to act as agent in his/her behalf to accomplish the above. The Owner is required to complete the APPLICANT'S AFFIDAVIT of this application if no agent is appointed to act in his/her stead.

Affiant (Owner's Signature)

The foregoing instrument was acknowledged before me this _____ day of _____ 2_____, by _____, who is/are personally known to me (or) who has/have produced _____ as identification and who did (did not) take an oath.

Notary Public (signature)

(Notary Stamp)

NOTE

All applications shall be signed by the owner of the property, or some person duly authorized by the owner to sign. This authority authorizing a person other than the owner to sign must be attached.



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Development Application Review Fees

REVIEW FEES ARE NON-REFUNDABLE

Ordinance 2012-02; Resolution 2014-01

THE ADMINISTRATIVE FEE AND CONSULTANT DEPOSIT SHALL BE SUBMITTED AS SEPARATE CHECKS				
APPLICATION		FEE CALCULATION	ADMIN. FEE	CONSULTANT DEPOSIT
Annexation	ANX	Greater than 5 acres	\$1,000	
		Less than 5 acres	\$500	
		Infill / Enclave – all sizes (includes CPA & ZMA)	FREE	
Architectural Review	ARB	Residential	\$300	
		Non-Residential	\$300 per 1,000sf	
Building Permit		Misc. Zoning Review and sign-off	\$40 / \$50	
		Zoning / LDR Review and sign-off per single/multi –family unit	\$750	
Comprehensive Plan Amendment	CPA	Small-Scale (less than 10 acres)	\$1,200	
		Large-Scale (greater than 10 acres)	\$1,700	\$5,000
		Text Amendment	\$2,000	\$5,000
Lot Split	LS	All lot sizes (not a plat process)	\$300	
Planned Subdivision / Planned Development	PS PD	Developer's Agreement / Order	\$1,000	\$5,000
		Residential	\$1,000 + \$10 per number of units	\$5,000
		Non-Residential	\$1,000 + \$10 per 1,000sf of building & impervious area	\$5,000
		Amendment	\$750	\$2,000
Site Development Plan	SIT	De Minimis Industrial or Commercial Site Plan Review (less than 300sf of building or 500sf of impervious surface)	\$750	\$1,000
		Minor Industrial or Commercial or Institutional Site Plan Review	\$1,200	\$5,000
		Major Industrial or Commercial or Institutional Site Plan Review (greater than 4,000sf of building or 5,000sf of impervious)	\$750 + \$20 per 1,000sf of building & impervious area	\$5,000
		Multi-Family	\$750 + \$20 per unit	\$5,000
Special Exception / Conditional Use	SPX	Per Business Tax Classification Code	\$1,000	
Pre-Plat	PSP	Residential / Non-Residential	\$500 + \$10 per lot \$500 / non-res lot	\$5,000
Final Plat	FSP	Residential / Non-Residential	\$500 + \$10 per lot \$500 / non-res lot	\$5,000
Vacate ROW / Plat / Easement	VAC VAP		\$500	\$1,000
Variance / Waiver	VAR	Per zoning element variance / waiver is requested for	\$500	
Zoning Map Amendment	ZMA	Residential designation request	\$500	\$1,000
		Non-residential / Planned-unit designation request	\$1,000	\$5,000

ADDITIONAL FEES & COSTS

The reimbursement of Town consultant fees, advertising costs and expenses are in addition to the fees listed above and are to be paid when billed. The deposit portion of the application fee will be held in escrow until final approval is given. Any remaining Town consultant fees will be deducted from the deposit and returned to the Applicant. **The Town Administrator retains the right to reduce or eliminate any or all application or deposit fees on a project by project basis.** The Town Commission retains the right to enforce or dismiss mandatory collection of fees overall.