



Planning and Zoning Department
 401 W. Venice Avenue
 Venice, FL 34285
 941-486-2626 ext. 7434
www.venicegov.com

Vested Rights Application

Section 1.14 Vested Rights (Quasi-Judicial Application)

Submit a completed application and supporting documents to the Planning and Zoning Department. Checklist on page 2 must be executed for application to be considered complete. All information will become a permanent part of the public record. Incomplete applications will be returned to the applicant/agent.

Project Name:

Brief Project Description:

Property Information

- Address/Location(s):
- Parcel Identification No.(s):
- Parcel Size:
- Zoning Designation:
- FLUM Designation:

Application Fees:

Total Fees: \$579.85 (Application Fee \$347.91 / Review Fee \$231.94)

A review fee shall be deposited to be drawn upon by the city as payment for costs, including but not limited to advertising and mailing expenses, professional services and reviews, and legal fees.

Applicant/Owner Name (for billing purposes):

- Address:
- Email:
- Phone Number:
- Signature: Date:

Authorized Agent (project point of contact):

- Address:
- Email:
- Phone Number:
- Signature: Date:

By submitting this application the owner(s) of the subject property does hereby grant his/her consent to the Zoning Administrator and his/her designee, to enter upon the subject property for the purposes of making any examinations, surveys, measurements, and inspections deemed necessary to evaluate the subject property and the application.

VESTED RIGHTS APPLICATION Checklist

Please check box for each document submitted; if not applicable, please indicate with N/A.

Application General Requirements (Section 1.2):

NARRATIVE – a document describing the project in detail.

LOCATION MAP - general location map, showing the relation of the site to major streets, schools, important landmarks or other physical features in and adjoining the project.

SURVEY - accurate survey, reflecting existing conditions, no more than two years old.

LEGAL DESCRIPTION – copyable electronic format (i.e. Microsoft Word).

AGENT AUTHORIZATION (if applicable)

STATEMENT OF OWNERSHIP AND CONTROL – documentation of ownership and control of the subject property (deed).

Specific Application Requirements (Section 1.14.2):

The property owner shall submit a written petition for a vested rights determination to the Director. The petition shall state the grounds on which the request is based, with complete responses to the decision criteria in section 1.14.3, and any additional information as required by the Director.

1.14.3. Decision Criteria

- A. It shall be the duty and responsibility of any person alleging vested rights to affirmatively demonstrate to Council the following:
 1. A reliance in good faith upon some act or omission of the government; and
 2. A substantial change in position or the incurrance of such extensive obligations and expenses that it would be highly inequitable and unjust to destroy the rights that have been acquired.
- B. In granting a vested rights, the decision shall be based upon the specific request, information, and testimony and shall not be grounds for establishing a precedent for any other alleged vested rights.
- C. Notwithstanding anything herein to the contrary, any person alleging vested rights may not rely upon an erroneous act of the City that the person asserting vested rights could have discovered with reasonable diligence and effort. Further, the City may deny a requested vested rights determination if the City shows that a peril to the health, safety, morals or general welfare of the residents or property in the City has arisen subsequent to the approval of any development order on the subject property.