

CITY OF FELLSMERE Community Development Department

21 South Cypress Street Fellsmere, Fla. 32948

Phone: 772. 571.9077/Fax: 772. 571.0097

APPLICATION FOR VOLUNTARY ANNEXATION

This application, to be filed with the Fellsmere Community Development Department, shall be complete and all required documents attached. Fees shall be paid at the time of submittal. The Applicant will be notified of the Public Hearing dates to be scheduled before the City Council. The City and applicant shall adhere to the Florida Statutes regarding annexation procedures.

NAME OF APPLICANT: _____

ADDRESS: _____

PHONE: _____ FAX: _____

ADDRESS OF PROPERTY TO BE ANNEXED: _____

LEGAL DESCRIPTION OF PROPERTY TO BE ANNEXED:

SECTION: _____ TOWNSHIP: _____ RANGE: _____

SUBDIVISION: _____ BLOCK: _____ LOT/PARCEL: _____

ORB/PAGE: _____

TOTAL ACREAGE: _____ DIMENSIONS: _____

CURRENT USE: _____

PRESENT ZONING CLASSIFICATION: _____

PRESENT FUTURE LAND USE CLASSIFICATION: _____

PROPOSED USE: _____

REQUESTED ZONING CLASSIFICATION: _____

REQUESTED FUTURE LAND USE CLASSIFICATION: _____

REQUIRED EXHIBITS/FEES:

_____ Check for Application fees: 0-5 acres: \$750/ >5 to 10 acres: \$1,500, plus \$50/acre over 10 acres

_____ \$1,500 for Annexation/Development Agreement

_____ \$5,000 Professional Services Escrow fee (only to be paid 1 time for combined applications)

_____ A County Property Appraiser's map describing the exact parcel and location.

_____ A copy of the most recent recorded warranty deed.

_____ A Certified Survey of the subject property with legal description. Electronic version of survey and legal description is required.

_____ Notarized statement(s) from all property owners listed on the warranty deed who are authorizing someone other than themselves to act on their behalf as the applicant.

_____ Certificate of Title from an Attorney or Title Insurance Company (O and E certificate) dated no farther than 6 months before date of application

_____ Certificate of good standing for corporate owner/copy of articles of incorporation for Corporation

_____ Is there a lien(s)/mortgage(s) against the property? Yes _____ No _____

_____ If yes, please attach a letter of authorization from all the lienholders.

_____ Describe the existing use of the property. _____

_____ Describe the intended use of the property. _____

The undersigned understands that this application must be complete and accurate prior to advertising a public hearing.

STATE OF _____ COUNTY OF _____, I, _____

being first duly sworn, depose and say that:

_____ I am the owner of the subject property, or if corporation, I am the officer of the corporation authorized to act on this request.

_____ I am the legal representative of the owner of the subject property of this application (If the

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property is not owned or owned only in part by the applicant, either a Form "A" or a notarized letter must accompany the application giving written consent by all property owners of the subject property unless the applicant is the Attorney of the owner.)

ALL THE ANSWERS TO THE QUESTIONS IN THIS APPLICATION AND ALL SKETCHES AND DATA ATTACHED TO AND MADE A PART OF THIS APPLICATION ARE TRUE TO THE BEST OF MY KNOWLEDGE:

(Print, type of stamp Commissioned Name of Notary Public) (Applicant Signature)
Personally known _____OR Produced Identification: _____

Type of ID produced: _____ (Notary Signature)
STATE OF FLORIDA, COUNTY OF BREVARD
Sworn and subscribed to before me this _____ day of _____, 20_____
My commission expires: _____

FOR CITY OF FELLSMERE USE ONLY:

CITY OF FELLSMERE ANNEXATION NUMBER: _____

FEES PAID: _____ RECEIPT NUMBER: _____

PZ/LPA Meeting
date/Action: _____

CITYCOUNCIL
Meeting/Action: _____

SIGNATURE OF PERSON ACCEPTING
APPLICATION: _____

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LETTER OF AUTHORIZATION

APPLICATION REQUEST: (CHECK ALL THAT APPLY)

_____Annexation _____Rezoning _____Comprehensive Plan Amendment (Large Scale) _____Comprehensive Plan (Small Scale) _____Variance _____Conditional Use _____Home Occupation _____Subdivision Plat _____Site Plan _____Other (Specify):_____

LEGAL DESCRIPTION OF PROPERTY

Section _____ Township _____ Range _____ Tax I.D. # _____ Lot(s) _____ Block(s) _____ Subdivision _____

I, _____, fee simple owner of the above described property, (Name of Owner)

authorize _____ of _____, (Name of Representative) (Name of Business)

to serve as agent on my behalf for the purpose of making and executing this application for the proposed request. Also, that any representation(s) made on my behalf, by my authorized representative, shall be legally binding on me and my aforesaid property as if I myself had made said representation(s).

Signature: _____ Signature of Owner

STATE OF _____ COUNTY OF _____

Sworn to (or affirmed) and subscribed before me this _____ day of _____, 2000, by _____

Personally known _____ or Produced Identification _____

Print Name of Notary Public

Signature of Notary Public
Commission Number:
Expiration Date:

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LEGAL INFORMATION RELATING TO QUASI-JUDICIAL HEARINGS BEFORE THE PLANNING AND ZONING BOARD, CITY COUNCIL OR BOARD OF ADJUSTMENT HEARINGS:

The applicant, the applicant's representative as stated on the application, or the applicant's attorney should appear at the public hearing. If photographs, maps or other materials are provided to the Board as evidence at the public hearing, you will need to leave those instruments with the Secretary. By law those instruments automatically become part of the public records and cannot be returned to you.

The public hearing before the Board of Adjustment regarding land development is considered quasi-judicial in nature. State and local law PROHIBITS applicants and/or interested parties from participating in ex-parte communications with Board members in person, by phone, e-mail, or in writing before the application is discussed at the hearing.

For the purposes of making a decision on the application, the Board shall only consider testimony of qualified witnesses. A witness is determined by the Board and is generally based on:

- a. The witness has personal knowledge of the fact (s) in which the witness will testify; and/or
- b. In the case of testimony consisting of opinions or inferences, the testimony is qualified as the following:
 1. **LAYMAN WITNESS:** Testimony of a witness other than an expert witness is qualified only if:
The witness can readily, and with equal accuracy and adequacy, communicate what he perceived to the Board without testifying in the form of opinions or inferences.
The opinions and inferences do not require any special knowledge, skill experience or training.
 2. **EXPERT WITNESS:** Testimony of an expert witness is qualified only if:
The subject matter is proper for expert testimony because scientific, technical, or other specialized skill will help the Board understand the evidence being presented, or helps establish a fact in issues.
The witness is adequately qualified to express an opinion on the matter.