

STATE OF FLORIDA
DEPARTMENT OF COMMUNITY AFFAIRS
DIVISION OF COMMUNITY PLANNING
2555 Shumard Oak Blvd.
Tallahassee, Florida 32399
850/488-8466

**APPLICATION FOR A BINDING LETTER OF
MODIFICATION TO A DEVELOPMENT OF REGIONAL
IMPACT WITH VESTED RIGHTS UNDER SECTIONS 380.06
and 120.57, FLORIDA STATUTES**

- I. Issuance of a binding letter is final agency action and subject to judicial review pursuant to Section 120.68, Florida Statutes. The record on appeal will consist of exhibits, documents or other materials prepared by the applicant and submitted to the Division of Resource Planning and Management pursuant to this application plus other information or materials the Division of Resource Planning and Management may develop and make part of the record. The Division of Resource Planning and Management may provide for a hearing if appropriate under Rule 9J-2.016(16), Florida Administrative Code. If necessary for the preparation of a complete record, the applicant should request a hearing. The hearing shall be conducted pursuant to provisions of Section 120.27, Florida Statutes, which are appropriate to the issues to be decided. Where the Division determines that information submitted is inadequate for a determination, the binding letter may state that determination.

- II. I, _____, the undersigned owner or authorized representative of _____ hereby request a binding letter of interpretation for modification in accordance with Sections 120.57 and 380.06, Florida Statutes. I hereby certify that all information submitted with and pursuant to this application is true and correct to the best of my knowledge and belief and that on this date a copy of the application has been submitted to the appropriate regional planning agency and local government as required in Subsection 9J-2.016(4), Florida Administrative Code.

Date

Signature

Street or P.O. Address

City State Zip

Phone Number

A. Basic Project Information

1. Provide a complete description of the proposed modification, including name, type, size, ownership status, and location (city, county, section, township and range). Describe the proposed modification in terms compatible with the criteria presented in Chapter 28-24, Florida Administrative Code. ATTACH AS EXHIBIT A-1.
2. Describe the exact nature of the proposed modification in terms of the attached "Worksheet for Substantial Modification and Impact Determination." Provide a written description of the changes, the resultant impacts from the changes, and the rationale for the conclusions that there are/are not changes in impacts. ATTACH AS EXHIBIT A-2.
3. Provide a copy of the original vested plan of development and a copy of the proposed modified plan of development at the same scale. The modified plan should clearly delineate where changes are to occur. ATTACH AS TTEXHIBIT A-3.

B. Status of Permits (The developer should compare all proposed modifications with the requirements of federal, state and local laws and regulations.)

1. What federal, state or local requirements if any, have resulted in the need for this modification? ATTACH AS EXHIBIT B-1.
2. To what extent have the permit requirements above actually resulted in modifications in the planning, design and layout of the subject project? ATTACH AS EXHIBIT B-2.
3. What federal, state or local permits will be required because of the proposed modification? ATTACH AS EXHIBIT B-3.

C. Right and Obligations

1. List all previous correspondence, binding letters and action between the Division and the developer with respect to this project. ATTACH AS EXHIBIT C-1.
2. Document any rights or obligations claimed subsequent to July 1, 1973. ATTACH AS EXHIBIT C-2.

D. Are there any other materials, unique features or relevant data on your proposed modification which you wish to bring to the attention of the Division of Resource Planning and Management which will aid in making this determination? ATTACH AS EXHIBIT D.

**WORKSHEET FOR SUBSTANTIAL MODIFICATION
AND IMPACT DETERMINATION**

Due to the nature of judging a modification of a vested project in which the Division has very little information about the previous planning approach, the Division must insist that all the application questions be answered as completely as possible. In addition, the Division retains the right to request additional information from the developer or his agent to aid in making this determination.

Based on the particular factual circumstances, the Division may waive the requirements that the applicant complete the following form as to some or all of the information required herein.

In the following chart, the applicant should address each modification concern, unless determined by the Division to be unnecessary or inapplicable, by answering how the subject change will result in an increase (+), no change (0), or a decrease (-) in impacts from that previously planned.

MODIFICATION CONCERNS	SUBJECT OF THE CHANGE	AMOUNT OF CHANGE	IN (+)	NC (0)	DE (-)	PREVIOUS AMOUNT	NOTES
Man-Made Alteration	Dwelling units						
		# of Units					
	Open space & recreation						
		Acres					
	Non-residential floor area						
		Sq. Feet					
Resulting Natural Alterations	Parking						
		# of spaces					
	Air pollutants						
		amt/type					
	Cleared area						
		Acres					
	Impervious surfaces						
		Sq. Ft. or Acres					
	Surface water						
		Acres					
	Water pullants						
		Amt/Type					

MODIFICATION CONCERNS	SUBJECT OF THE CHANGE	AMOUNT OF CHANGE	IN (+)	NC (0)	DE (-)	PREVIOUS AMOUNT	NOTES
	Surface drainage						
		Acres/Feet					
	Wetlands						
		Acres					
	100 year flood prone areas						
		Acres					
	Natural vegetation						
		Acres					
	Endangered plant & animal species protected						
		Number					
Historic	Historic or archeological sites						
		Number					
Economic	Employment opportunities						
		Number					
	Tax yield						
		Dollars					
Resulting Public Expenditures	Sewage flow						
		g.p.d.					
	Water consumption demand						
		g.p.d.					
	Solid waste generated						
	Energy demand						
		Amt/Type					
	Average daily trips						
		Number					

MODIFICATION CONCERNS	SUBJECT OF THE CHANGE	AMOUNT OF CHANGE	IN (+)	NC (0)	DE (-)	PREVIOUS AMOUNT	NOTES
	Peak hour trips						
		Number					
	Public transportation per person per day						
		Trip/Miles					
	Public roadways						
		Miles					