



# Town of Zebulon

## Planning Department

1003 N. Arendell Avenue, Zebulon, NC 27597  
Phone: (919) 823-1810 Fax: (919) 887-2824  
[www.townofzebulon.org](http://www.townofzebulon.org)

## VESTED RIGHTS DETERMINATION APPLICATION

### GENERAL INFORMATION:

In accordance with section 2.2.22 of the UDO, a Vested Rights Determination application provides clear procedure for an applicant to request vesting or protection from changes in this Ordinance that take place after approval of the application but prior to completion of an approved site-specific development plan.

### INSTRUCTIONS:

**PRE-APPLICATION MEETING:** A pre-application meeting with staff in accordance with Section 2.3.2 of the UDO to verify the application requirements, processes, and procedures regarding a proposed request. To schedule a meeting, applicants must e-mail a pdf map, drawing, model, site or sketch plan to Assistant Planning Director Meade Bradshaw ([mbradshaw@TownofZebulon.org](mailto:mbradshaw@TownofZebulon.org)) no later than five (5) working days prior to the desired meeting day.

**APPLICATION PROCEDURE:** The applicant requesting a Vested Rights must submit a written application to the Zebulon Planning Department using the forms included in this packet.

- Completed Application Form
- 8 Full Size Plan Sets and 1 PDF set on USB drive. (see site plan checklist)
- Petition Fee (Please See Fee Schedule)
- One (1) Legal Description (metes and bounds) of subject property
- Registered survey of subject property
- Certified List of Property Owners within 150 feet of subject property
- Owner's Consent Form
- Stamped envelopes addressed to Certified List of Property Owners all the homeowners associations of those properties within 150 feet of the outer boundary subject property or properties affixed with the following return address:  
Town of Zebulon  
Planning Department  
1003 N. Arendell Ave  
Zebulon, NC 27597

**PUBLIC HEARING PROCEDURE:** Upon submittal of a complete application, the Planning Department will schedule the application for a public hearing before the Board of Commissioners. **APPLICANTS ARE STRONGLY ENCOURAGED TO CONTACT PLANNING STAFF AS SOON AS POSSIBLE TO ADDRESS ANY QUESTIONS ABOUT THE PUBLIC HEARING.** Notices of the public hearing will be mailed to all adjacent property owners of the property being considered for a Vested Rights Determination. At the public hearing, the applicant, proponents, and opponents will be given the opportunity to offer evidence in favor of or against the proposal. After completion of the public hearing, the Board of Commissioners may take it up for consideration. Deadline dates and Public Hearing dates can be found on the Town of Zebulon's website.



# APPLICATION FOR VESTED RIGHTS DETERMINATION

PART 1. DESCRIPTION OF REQUEST/PROPERTY		
Street Address of the Property:	Acreage:	
Parcel Identification Number (NC PIN):	Deed Book:	Deed Page(s):
Existing Zoning of the Property:	Proposed Zoning of the Property:	
Existing Use of the Property:	Proposed Use of the Property:	
Description of Vested Rights:		

PART 2. APPLICANT/AGENT INFORMATION		
Name of Applicant/Agent:		
Street Address of Applicant/Agent:		
City:	State:	Zip Code:
Email of Applicant/Agent:	Telephone Number of Applicant/Agent:	Fax Number of Applicant/Agent:
Are you the owner of the property? <input type="checkbox"/> Yes <input type="checkbox"/> No	Are you the owner's agent? <input type="checkbox"/> Yes <input type="checkbox"/> No	<b>Note: If you are not the owner of the property, you <u>must</u> obtain the Owner's consent and signature giving you permission to submit this application.</b>

PART 3. PROPERTY OWNER INFORMATION		
Name of Property Owner:		
Street Address of Property Owner:		
City:	State:	Zip Code:
Email of Property Owner:	Telephone Number of Property Owner:	Fax Number of Property Owner:
<i>I hereby state that the facts related in this application and any documents submitted herewith are complete, true, correct, and accurate to the best of my knowledge.</i>		
<b><i>Signature of Applicant:</i></b>	<b><i>Print Name:</i></b>	<b><i>Date:</i></b>
<b><i>Signature of Owner:</i></b>	<b><i>Print Name:</i></b>	<b><i>Date:</i></b>



**LEGISLATIVE CONSIDERATIONS – VESTED RIGHTS DETERMINATION**

The applicant shall propose provide documentation pertaining to a request for vested rights subject to the standards of Section 2.2.21,E of the UDO. Please respond to the following questions and include additional documentation to support statements provided.

1. Is the vested rights determination for an approved site-specific development plan and if so, what are the details of that plan, specifically relating to approval date, construction, improvements, or other elements which provide evidence of process.

2. Is the subject development valid and unexpired?

3. Has there been any required variances obtained that relate to the subject request?



**OWNER’S CONSENT FORM**

Name of Project: \_\_\_\_\_ Submittal Date: \_\_\_\_\_

**OWNER’S AUTHORIZATION**

I hereby give CONSENT to \_\_\_\_\_ (type, stamp or print clearly full name of agent) to act on my behalf, to submit or have submitted this application and all required material and documents, and to attend and represent me at all meetings and public hearings pertaining to the application(s) indicated above. Furthermore, I hereby give consent to the party designated above to agree to all terms and conditions which may arise as part of the approval of this application.

I hereby certify I have full knowledge the property I have an ownership interest in is the subject of this application. I acknowledge and agree that, pursuant to Section 2.2.22 of the Town of Zebulon Unified Development Ordinance, that lands subject to a vested rights determination shall be subject to all the standards, conditions, and plans approved as part of that application. These standards, plans, and approved conditions are perpetually binding on the land as an amendment to this Ordinance and the Official Zoning Map, and may only be changed in accordance with the procedures established in this Ordinance. Development located outside the Town of Zebulon’s corporate limits shall comply with all Town policies related to annexation and the extension of utilities. I understand that all other applicable standards and regulations of the UDO will remain applicable to the subject lands unless specifically listed as conditions or deviations as part of this request. I understand that any false, inaccurate or incomplete information provided by me or my agent will result in the denial, revocation or administrative withdrawal of this application, request, approval or permits. I acknowledge that additional information may be required to process this application. I further consent to the Town of Zebulon to publish, copy or reproduce any copyrighted document submitted as a part of this application for any third party. I further agree to all terms and conditions, which may be imposed as part of the approval of this application.

\_\_\_\_\_  
*Signature of Owner*

\_\_\_\_\_  
*Print Name*

\_\_\_\_\_  
*Date*

**CERTIFICATION OF PROPERTY OWNER**

I hereby certify the statements or information made in any paper or plans submitted herewith are true and correct to the best of my knowledge. I understand this application, related material and all attachments become official records of the Planning Department of the Town of Zebulon, North Carolina, and will not be returned.

\_\_\_\_\_  
*Signature of Owner*

\_\_\_\_\_  
*Print Name*

\_\_\_\_\_  
*Date*

\*Owner of record as shown by the Wake County Revenue Department ([www.wakegov.com](http://www.wakegov.com)). An option to purchase does not constitute ownership. If ownership has been recently transferred, a copy of the deed must accompany this form.



APPLICATION FOR VESTED RIGHTS DETERMINATION

ADJACENT OWNERS AND HOA CONTACTS:

Provide a certified list of property owners subject to this application and all properties owners within 150-feet feet of the subject property, and any HOA Contacts for developments which fall within 300-feet of the subject property.

Table with 3 columns: Parcel Address, Parcel ID Number, Owner's Name. Multiple empty rows for data entry.

HOA

Contacts:

Table with 3 columns: Development Name, Contact Name, Contact Address. Three empty rows for data entry.