



APPLICATION FOR VARIANCE PUBLIC HEARING UNINCORPORATED AREAS ONLY

Project Name: _____

Request: _____

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PART 1 APPLICANT/AGENT INFORMATION

A. **Name of Applicant:** _____
Address: _____
City, State, Zip: _____
Phone Number: _____
E-mail Address: _____

B. **Relationship of Applicant to owner (check one) and provide Affidavit of Authorization form:**
 Applicant is the sole owner of the property. [34-201(a)(1)a.1.]
 Applicant has been authorized by the owner(s) to represent them for this action. [34-202(b)(1)b. & c.]
 Application is County initiated. Attach BOCC authorization.

C. **Authorized Agent: (If different than applicant) Name of the person who is to receive all County-initiated correspondence regarding this application. [34-202(b)(1)c.]**
1. Company Name: _____
Contact Person: _____
Address: _____
City, State, Zip: _____
Phone Number: _____ Email: _____
2. **Additional Agent(s):** Provide the names of other agents that the County may contact concerning this application. [34-202(b)(1)c.]

PART 2 PROPERTY OWNERSHIP

A. **Property owner(s): If multiple owners (corporation, partnership, trust, association), provide a list with owner interest. [34-201; 34-204]**
Name: _____
Address: _____
City, State, Zip: _____
Phone Number: _____ Email: _____

B. **Disclosure of Interest [34-201; 34-204]:**
 Attach Disclosure of Interest Form. [34-201; 34-204]

LEE COUNTY COMMUNITY DEVELOPMENT
PO BOX 398 (1500 MONROE STREET), FORT MYERS, FL 33902
PHONE (239) 533-8585

C. Multiple parcels:

- Property owners list. [34-202(a)(5)]
- Property owners map. [34-202(a)(5)]

D. Certification of Title and Encumbrances [34-202(a)(3)]

1. Title certification document, no greater than 90 days old. [34-202(a)(3)]
2. Date property was acquired by present owner(s): _____

**PART 3
PROPERTY INFORMATION**

A. STRAP Number(s): [Attach extra sheets if additional space is needed.]

B. Street Address of Property: _____

C. Legal Description (must submit) [34-202(a)(1)]:

- Legal description (8½"x11") and sealed sketch of the legal description. [34-204(a)(1)]

OR

- Legal description (NO metes and bounds) if the property is located within a subdivision platted per F.S. Chapter 177, and is recorded in the Official Records of Lee County under Instruments or Plat Books. ([Click here](#) to see an example of a legal description with no metes and bounds.)

AND

Boundary Survey [34-202(a)(2); 34-373(a)(4)a.]:

- A Boundary survey, tied to the state plane coordinate system.

OR

- Not required if the property is located within a subdivision platted per F.S. Chapter 177.

D. Surrounding property owners (within 500 feet of the perimeter of the subject parcel or portion thereof that is subject of the request):

1. List of surrounding property owners. [34-202(a)(6)]
2. Map of surrounding property owners. [34-202(a)(7)]
3. One set of mailing labels.. [34-202(a)(6)]

Note: When the case is found complete/sufficient, a new list and mailing labels must be submitted.

E. Current Zoning of Property: _____

- Provide a list of all Zoning Resolutions and Zoning Approvals applicable to the subject property. [34-202(a)(8)]

F. Use(s) of Property [34-204(a)(5)]:

1. Current uses of property are: _____
2. Intended uses of property are: _____

G. Future Land Use Classification (Lee Plan):

_____	_____	Acres	_____	% of Total
_____	_____	Acres	_____	% of Total
_____	_____	Acres	_____	% of Total

H. Property Dimensions [34-202(a)(8)]:

1. Width (average if irregular parcel): _____ Feet
2. Depth (average if irregular parcel): _____ Feet
3. Total area: _____ Acres or square feet
4. Frontage on road or street: _____ Feet on _____ Street
- 2nd Frontage on road or street: _____ Feet on _____ Street

I. **Planning Communities/Community Plan Area Requirements:** If located in one of the following planning communities/community plan areas, provide a meeting summary document of the required public informational session. **[34-202(a)(10)]**

- Not Applicable
- Estero Planning Community. **[33-54(a)&(b); Lee Plan Policy 19.5.3]**
- Captiva Planning Community (Captiva Island). **[33-1612(a)&(b); Lee Plan Policy 13.1.7]**
- North (Upper) Captiva Community Plan area. **[33-1711; Lee Plan Policy 25.1.1]**
- Boca Grande Planning Community. **[Lee Plan Policy 22.1.5]**
- Caloosahatchee Shores Community Plan area. **[33-1482(a)&(b); Lee Plan Policy 21.6.3]**
- Page Park Community Plan area. **[33-1203(a) & (b); Lee Plan Policy 27.11.2]**
- Palm Beach Boulevard Community Plan area. **[Lee Plan Policy 23.5.2]**
- Buckingham Planning Community. **[Lee Plan Policy 17.7.2]**
- Pine Island Planning Community. **[33-1004(a) & (b); Lee Plan Policy 14.7.1]**
- Lehigh Acres Planning Community. **[33-1401(a)&(b); Lee Plan Policy 32.12.2]**
- North Fort Myers Planning Community. **[33-1532(a)&(b)]**
- North Olga Community Plan area. **[33-1663(a)&(b)]**

J. **Waivers from Application Submission Requirements:** Attach waivers, if any, approved by the Director of Zoning. **[34-202(a)]**

**PART 4
ACTION REQUESTED**

A. **Variance(s).** List the specific section number(s) of the Lee County Land Development Code {and their name(s)} from which the relief is sought. **[34-203(f)(1)]** [Attach extra sheets if additional space is needed]:

<u>Section Number</u>	<u>Title of LDC Section or Subsection</u>

B. **Reason why Variance is needed** [Attach extra sheets if additional space is needed]:

C. **Variance Criteria.** Explain how each variance request meets the criteria set forth in 34-145(b)(3) and (4). **[34-145(b)(3); 34-203(f)(1)]**

1. What are the property's inherent exceptional conditions that cause the application of the regulation to create a hardship (as defined in LDC section 34-2) on the property owner?
2. Are the exceptional conditions the result of actions of the property owner taken subsequent to the adoption of the ordinance? **YES** **NO** (If **YES**, explain.)
3. Is the requested variance the minimum variance that will relieve the unreasonable burden caused by the application of the regulation to the property? **YES** **NO** (Explain.)
4. Will granting the variance be injurious to the neighborhood or otherwise detrimental to the public welfare? **YES** **NO** (Explain.)
5. Is the requested variance consistent with the Lee Plan? **YES** **NO** (Explain.)
6. If applicable, how does the variance meet the special findings criteria of 34-145(b)(4)?

D. **Site Plans:**

1. All requests for a variance (excluding a setback variance on a collector or arterial road) must include a site plan showing: **[34-203(f)(2)]**
 - a. All existing public streets, easements or other reservations of land within the site;
 - b. All existing and proposed structures on the site; and
 - c. The location of the proposed variance.
2. All requests for a variance from a required street setbacks on a collector or arterial road must include a site plan, drawn to scale, showing: **[34-203(f)(4)2.]**
 - a. The location of all proposed structures, easements, rights-of-way and vehicular access onto the property, including entrance gates or gatehouses; and
 - b. The extent of modification from street setbacks requested.

**PART 5
ADDITIONAL REQUIREMENTS**

A. Flood Hazard: [34-202(a)(8)]

- Not applicable
- The property is within an Area of Special Flood Hazard as indicated in the Flood Insurance Rate Maps (FIRM)s.
- The minimum elevation required for the first habitable floor is _____ NAVD (MSL)

B. Excavations/Blasting: [34-202(b)(6)]

- No blasting will be used in the excavation of lakes or other site elements.
- If blasting is proposed, provide information regarding proposed blasting (including soil borings, a map indicating the location of the proposed blasting, and other required information).

C. Airport Zones & Lee County Port Authority (LCPA) Requirements:

- Not Applicable
- Property is located within _____ Airport Noise Zone: **[34-1004]**
- Property is located within Airport Protection Zone. Indicate which Zone below. **[34-1005]**
 - Property is located within Airport Runway Clear Zone: **[34-1006]**
 - Property is located within Airport School Protection Zone: **[34-1007]**
 - Property is located within Airport Residential Protection Zone: **[34-1009]**
 - Property is located in an Airport Obstruction Notification Zone and subject to LCPA regulations. **[34-1009]**
- A Tall Structures Permit is required. **[34-1010]**

D. Any other reasonable information required by the Department which is commensurate with the intent and purpose of the Land Development Code. [34-203(f)(3)]

**PART 6
SUBMITTAL REQUIREMENT CHECKLIST**

*Two copies required for submittal
Clearly label your attachments as noted in bold below*

<input type="checkbox"/>	Completed application for Public Hearing [34-201(b)]
<input type="checkbox"/>	Filing Fee - [34-202(a)(9)]
<input type="checkbox"/>	Affidavit of Authorization (notarized) [34-202(b)(1)c]
<input type="checkbox"/>	Additional Agents [34-202(b)(1)c.]
<input type="checkbox"/>	Multiple Owners List (if applicable) [34-201; 34-204]
<input type="checkbox"/>	Disclosure of Interest Form (multiple owners) [34-201(b)(2)a]
<input type="checkbox"/>	Legal description (must submit one) [34-202(a)(1)]
<input type="checkbox"/>	Legal description (metes and bounds) and sealed sketch of legal description
	<u>OR</u>
<input type="checkbox"/>	Legal description (NO metes and bounds) if the property is located within a subdivision platted per F.S. Chapter 177, and is recorded in the Official Records of Lee County under Instruments or Plat Books. (Click here to see an example of a legal description with no metes and bounds.)
<input type="checkbox"/>	Boundary Survey (not required if platted lot) [34-202(a)(2); [34-373(a)(4)a.]
<input type="checkbox"/>	Property Owners list (if applicable) [34-202(a)(5)]
<input type="checkbox"/>	Property Owners map (if applicable) [34-202(a)(5)]
<input type="checkbox"/>	Confirmation of Ownership/Title Certification [34-202(a)(3)]
<input type="checkbox"/>	STRAP Numbers (if additional sheet is required) [34-202(a)(1)]
<input type="checkbox"/>	List of Surrounding Property Owners [34-202(a)(6)]
<input type="checkbox"/>	Map of Surrounding Property Owners [34-202(a)(7)]
<input type="checkbox"/>	Mailing labels [34-202(a)(6)]
<input type="checkbox"/>	List of Zoning Resolutions and Approvals [34-202(a)(8)]
<input type="checkbox"/>	Summary of Public Informational Session (if applicable) [34-202(a)(10)]
<input type="checkbox"/>	Waivers from Application Submission Requirements (if applicable) [34-202(a)]
<input type="checkbox"/>	List of variances requested (if additional sheet is required) [34-203(f)(1)]
<input type="checkbox"/>	Reason Variance is needed (if additional sheet is required)
<input type="checkbox"/>	Variance criteria [34-145(b)(3); 34-203(f)(1)]
<input type="checkbox"/>	Site Plan [34-203(f)(2) or 34-203(f)(4)2.]
<input type="checkbox"/>	Excavations/Blasting (if applicable) [34-202(b)(6)]
<input type="checkbox"/>	Tall Structures Permit (if applicable) [34-1010]
<input type="checkbox"/>	Additional Information required by Department