



# 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(a)(3)]
  - 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(a)(4)]**
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(a)(4)]

## PART 2 PROPERTY OWNERSHIP

A. **Property owner(s): If multiple owners (corporation, partnership, trust, association), provide a list with owner interest. [34-202(a)(2)]**  
**Name:** \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

- B. **Disclosure of Interest [34-202(a)(2)]:**
- Attach [Disclosure of Interest](#) Form.

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)(8)]
- Property owners map. [34-202(a)(8)]

**D. Certification of Title and Encumbrances [34-202(a)(7)]**

1. Title certification document, no greater than 90 days old.
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. [34-203(a)(5)]]

\_\_\_\_\_

**B. Street Address of Property:** \_\_\_\_\_

**C. Legal Description (must submit) [34-202(a)(5)]:**

- Legal description (8½"x11") and sealed sketch of the legal description.

**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)(6)]:**

- 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)(9)]
2.  Map of surrounding property owners. [34-202(a)(9)]
3.  One set of mailing labels.. [34-202(a)(9)]

*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.

**F. Use(s) of Property:**

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:**

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
- 2<sup>nd</sup> 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.

- 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. [34-201(c)]

**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(b)(3)] [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]:

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**C. Variance Criteria.** Explain how each variance request meets the criteria set forth in 34-145(b)(3) and (4). [34-202(b)(6)(a)]

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: [34-202(b)(6)(b)]
  - 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: [34-202(b)(6)(b)]
  - 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:**

- 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:**

- 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: **[34-1104]**
- Property is located within Airport Runway Protection Zone. Indicate which Zone below. **[34-1105]**
- Property is located within Airport Residential and Educational Protection Zone: **[34-1106]**
- Property is located in an Airport Obstruction Notification Zone and subject to LCPA regulations. **[34-1107]**
- A Tall Structures Permit is required. **[34-1108]**

**D. Any other reasonable information required by the Department which is commensurate with the intent and purpose of the Land Development Code.**

**PART 6  
SUBMITTAL REQUIREMENT CHECKLIST**

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

<input type="checkbox"/>	Completed application for Public Hearing [34-202(a)(1)]
<input type="checkbox"/>	Filing Fee - [34-201(d)]
<input type="checkbox"/>	Bonus Density Filing Fee - (if applicable) [34-202(a)(11)]
<input type="checkbox"/>	<b><u>Affidavit of Authorization</u></b> (notarized) Form [34-202(a)(3)]
<input type="checkbox"/>	<b><u>Additional Agents</u></b> [34-202(a)(4)]
<input type="checkbox"/>	<b>Multiple Owners List</b> (if applicable) [34-202(a)(2)]
<input type="checkbox"/>	<b><u>Disclosure of Interest</u></b> Form (multiple owners) [34-202(a)(2)]
<input type="checkbox"/>	<b>Legal description (must submit one)</b> [34-202(a)(5)]
<input type="checkbox"/>	Legal description (metes and bounds) and sealed sketch of legal description
	<b>OR</b>
<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. ( <a href="#">Click here</a> to see an example of a legal description with no metes and bounds.)
<input type="checkbox"/>	<b>Boundary Survey</b> (not required if platted lot) [34-202(a)(6)]
<input type="checkbox"/>	<b>Property Owners list</b> (if applicable) [34-202(a)(8)]
<input type="checkbox"/>	<b>Property Owners map</b> (if applicable) [34-202(a)(8)]
<input type="checkbox"/>	Confirmation of <b>Ownership/Title Certification</b> [34-202(a)(7)]
<input type="checkbox"/>	<b>STRAP Numbers</b> (if additional sheet is required) [34-203(a)(5)]
<input type="checkbox"/>	<b>List of Surrounding Property Owners</b> [34-202(a)(9)]
<input type="checkbox"/>	<b>Map of Surrounding Property Owners</b> [34-202(a)(9)]
<input type="checkbox"/>	<b>Mailing labels</b> [34-202(a)(9)]
<input type="checkbox"/>	List of <b>Zoning Resolutions</b> and Approvals
<input type="checkbox"/>	Summary of <b>Public Informational Session</b> (if applicable)
<input type="checkbox"/>	<b>Waivers</b> from Application Submission Requirements (if applicable) [34-201(c)]
<input type="checkbox"/>	<b>Potable Water &amp; Sanitary Sewer.</b> Letter from the appropriate utility entity indicating the utility entity or explanation of how water and sewer needs will be met if connection will not be made. [34-202(a)(10)]
<input type="checkbox"/>	List of <b>variances requested</b> (if additional sheet is required) [34-203(b)(3)]
<input type="checkbox"/>	<b>Reason</b> Variance is needed (if additional sheet is required)
<input type="checkbox"/>	Variance <b>criteria</b> [34-202(b)(6)(a)]
<input type="checkbox"/>	<b>Site Plan</b> [34-202(b)(6)(b)]
<input type="checkbox"/>	<b>Excavations/Blasting</b> (if applicable)
<input type="checkbox"/>	<b>Tall Structures Permit</b> (if applicable) [34-1108]
<input type="checkbox"/>	<b>Additional Information</b> required by Department