APPLICATION FOR VARIANCE
PUBLIC HEARING
UNINCORPORATED AREAS ONLY

Project Name: ____________________________________________________________

Request: __________________________________________________________________
________________________________________________________________________
________________________________________________________________________

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.
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.
- 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.)
- Boundary Survey [34-202(a)(6)]:
  - A Boundary survey, tied to the state plane coordinate system.
  - 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):

<table>
<thead>
<tr>
<th>Land Use Classification</th>
<th>Acres</th>
<th>% of Total</th>
<th>Land Use Classification</th>
<th>Acres</th>
<th>% of Total</th>
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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
   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.

- 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

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]:

<table>
<thead>
<tr>
<th>Section Number</th>
<th>Title of LDC Section or Subsection</th>
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<tbody>
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</tbody>
</table>

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). [34-202(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? □ YES □ NO (If YES, explain.)
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.
<table>
<thead>
<tr>
<th>PART 6</th>
<th>SUBMITTAL REQUIREMENT CHECKLIST</th>
</tr>
</thead>
<tbody>
<tr>
<td>Two copies required for submittal</td>
<td>Clearly label your attachments as noted in bold below</td>
</tr>
</tbody>
</table>

- [ ] Completed application for Public Hearing [34-202(a)(1)]
- [ ] Filing Fee - [34-201(d)]
- [ ] Bonus Density Filing Fee - (if applicable) [34-202(a)(11)]
- [ ] Affidavit of Authorization (notarized) Form [34-202(a)(3)]
- [ ] Additional Agents [34-202(a)(4)]
- [ ] Multiple Owners List (if applicable) [34-202(a)(2)]
- [ ] Disclosure of Interest Form (multiple owners) [34-202(a)(2)]
- [ ] Legal description (must submit one) [34-202(a)(5)]
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- [ ] Boundary Survey (not required if platted lot) [34-202(a)(6)]
- [ ] Property Owners list (if applicable) [34-202(a)(8)]
- [ ] Property Owners map (if applicable) [34-202(a)(8)]
- [ ] Confirmation of Ownership/Title Certification [34-202(a)(7)]
- [ ] STRAP Numbers (if additional sheet is required) [34-203(a)(5)]
- [ ] List of Surrounding Property Owners [34-202(a)(9)]
- [ ] Map of Surrounding Property Owners [34-202(a)(9)]
- [ ] Mailing labels [34-202(a)(9)]
- [ ] List of Zoning Resolutions and Approvals
- [ ] Summary of Public Informational Session (if applicable)
- [ ] Waivers from Application Submission Requirements (if applicable) [34-201(c)]
- [ ] Potable Water & Sanitary Sewer: 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)]
- [ ] List of variances requested (if additional sheet is required) [34-203(b)(3)]
- [ ] Reason Variance is needed (if additional sheet is required)
- [ ] Variance criteria [34-202(b)(6)(a)]
- [ ] Site Plan [34-202(b)(6)(b)]
- [ ] Excavations/Blasting (if applicable)
- [ ] Tall Structures Permit (if applicable) [34-1108]
- [ ] Additional Information required by Department