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CITY OF BONITA SPRINGS

Community Development Department
9220 Bonita Beach Road, Ste. 111
Bonita Springs, FL 34135
Phone: (239) 444-6150
email: permitting@cityofbonitaspringscd.org

AMENDMENT DEVELOPMENT ORDER APPLICATION

NOTE: This form is to be completed by the applicant after having been issued a Development Order.

1. Development Order # : _____ - _____ Amendment # : _____ Resubmittal # : _____

2. Project Name (should be same as above DO): _____

3. Date Development Order or previous amendment was approved: _____

4. Applicant/Owner's Authorized Representative Title: Mr. Mrs. Ms.

Name: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Phone Number: _____ Ext: _____ E-mail Address: _____

5. Specific amendment(s) proposed to the Development Order are:

NOTE: This section must be completed or application cannot be accepted. This application must itemize and specify the amendment(s) requested, and use of phrases such as "see plan" are unacceptable. If the scope of the project is proposed to be changed, the previously approved parameters and the proposed parameters must be listed (e.g. DO approved 100 single family units, amendment proposes 88 single family units and 12 duplex units). If this is a resubmittal for a previously denied Amendment, it must be so stated (e.g. this is resubmittal #2 for proposed Amendment #1). Use additional sheets if needed.

6. Does this amendment result in an increased number of dwelling units or square footage of commercial or industrial buildings? NO YES If YES, please include a revised Traffic Impact Statement (TIS).

7. This application must be accompanied with the following information:

- a. **Four (4)** sealed copies of the revised site plan, with all changes highlighted along with any other documents or reports necessary to assure compliance with the Bonita Springs Land Development Regulations
- b. **One (1) original and One (1) copy** of any other paperwork submitted with this application (including application)
- c. **One (1) original and One (1) copy** Covenant of Unified Control and Authorization of Applicant/Owner's Representative (if not previously provided by current Owner for current Applicant)
- d. **Please note when changes are made to just certain plan sheets, a full plan set is required to be submitted with all sheets (even if there are no changes to those particular sheets). Single Sheets will not be accepted. (i.e. if Civil Plan sheets are being revised, Community Development Department will require Civil full sets, as well as if the change is for Architectural, Lighting and Landscaping Plans)**
- e. **A flash drive/CD with all documents and plans must be accompanied with submittal**

PART I - COVENANT A

**DEVELOPMENT ORDER COVENANT OF UNIFIED CONTROL
WHERE OWNER IS AN INDIVIDUAL**

The undersigned do hereby swear or affirm that they are the fee simple title holders and owners of record of property commonly known as _____ and legally described in Exhibit I-A-1 attached hereto. (street address)

The property described herein is the subject of an application for a Development Order. We hereby designate _____ as the legal representative of the property and as such, this individual is authorized to legally bind all owners of the property in the course of seeking the necessary approvals to develop. This authority includes but is not limited to the hiring and authorization of agents to assist in the preparation of applications, plans, surveys, and studies necessary to obtain zoning and development approval on the site. This representative will remain the only entity to authorize development activity on the property until such time as a new or amended covenant of unified control is delivered to the City of Bonita Springs or other designee.

The undersigned recognize the following and will be guided accordingly in the pursuit of development of the project:

1. The property will be developed and used in conformity with the approved development order including all conditions placed on the development and all commitments agreed to by the applicant in connection with the development order.
2. The legal representative identified herein is responsible for compliance with all terms, conditions, safeguards, and stipulations made at the time of approval of the development order, even if the property is subsequently sold in whole or in part, unless and until a new or amended covenant of unified control is delivered to and recorded by the City of Bonita Springs or their designee.
3. A departure from the provisions of the approved plans or a failure to comply with any requirements, conditions, or safeguards provided for in the development order will constitute a violation of the City of Bonita Springs Land Development Regulations.
4. All terms and conditions of the development order will be incorporated into covenants and restrictions which run with the land so as to provide notice to subsequent owners that all development activity within the development must be consistent with those terms and conditions.
5. So long as this covenant is in force, the City of Bonita Springs or their designee, can, upon the discovery of noncompliance with the terms, safeguards, and conditions of the development order, seek equitable relief as necessary to compel compliance. The City or their designee, will not issue permits, certificates, or licenses to occupy or use any part of the development and may stop ongoing construction activity until the project is brought into compliance with all terms, conditions and safeguards of the development order.

***** SIGN ONLY IN THE PRESENCE OF A NOTARY PUBLIC *****

Printed Name: _____	Signature: _____	Date: _____
STATE OF FLORIDA, COUNTY OF _____ Sworn to (or affirmed) and subscribed before me		
day of _____, _____, by _____ (name of person making statement).		
Personally known: ___ OR Produced identification: ___ Type of identification produced: _____		
_____	_____	_____
(Signature of Notary Public – State of Florida)	(Print, Type or Stamp Commissioned Name of Notary Public)	

PART I - COVENANT B

**DEVELOPMENT ORDER COVENANT OF UNIFIED CONTROL
WHERE THE OWNER IS A CORPORATION, LIMITED LIABILITY COMPANY (L.L.C.),
LIMITED COMPANY (L.C.), PARTNERSHIP, LIMITED PARTNERSHIP, OR TRUSTEE**

The undersigned do hereby swear or affirm that they are the fee simple title holders and owners of record of property commonly known as _____ and legally described in Exhibit I-A-1 attached hereto. (street address)

The property described herein is the subject of an application for a Development Order. We hereby designate _____ as the legal representative of the property and as such, this individual is authorized to legally bind all owners of the property in the course of seeking the necessary approvals to develop. This authority includes but is not limited to the hiring and authorization of agents to assist in the preparation of applications, plans, surveys, and studies necessary to obtain zoning and development approval on the site. This representative will remain the only entity to authorize development activity on the property until such time as a new or amended covenant of unified control is delivered to the City of Bonita Springs or their designee.

The undersigned recognize the following and will be guided accordingly in the pursuit of development of the project:

1. The property will be developed and used in conformity with the approved development order including all conditions placed on the development and all commitments agreed to by the applicant in connection with the development order.
2. The legal representative identified herein is responsible for compliance with all terms, conditions, safeguards, and stipulations made at the time of approval of the development order, even if the property is subsequently sold in whole or in part, unless and until a new or amended covenant of unified control is delivered to and recorded by the City of Bonita Springs or their designee.
3. A departure from the provisions of the approved plans or a failure to comply with any requirements, conditions, or safeguards provided for in the development order will constitute a violation of the City of Bonita Springs Land Development Regulations.
4. All terms and conditions of the development order will be incorporated into covenants and restrictions which run with the land so as to provide notice to subsequent owners that all development activity within the development must be consistent with those terms and conditions.
5. So long as this covenant is in force, the City of Bonita Springs or their designee, can, upon the discovery of noncompliance with the terms, safeguards, and conditions of the development order, seek equitable relief as necessary to compel compliance. The City of Bonita Springs or their designee, will not issue permits, certificates, or licenses to occupy or use any part of the development and may stop ongoing construction activity until the project is brought into compliance with all terms, conditions and safeguards of the development order.

***** SIGN ONLY IN THE PRESENCE OF A NOTARY PUBLIC *****

Name of Entity (corporation, partnership, LLP, LC, etc): _____	
Printed Name: _____	Signature: _____ Date: _____
STATE OF FLORIDA, COUNTY OF _____ Sworn to (or affirmed) and subscribed before me	
day of _____, _____, by _____ (name of person making statement).	
Personally known: ___ OR Produced identification: ___ Type of identification produced: _____	
_____ (Signature of Notary Public – State of Florida)	_____ (Print, Type or Stamp Commissioned Name of Notary Public)

***Notes:**

- *If the owner is a corporation, then it is usually executed by the corp. pres. or v. pres.*
- *If the owner is a Limited Liability Company (L.L.C.) or Limited Company (L.C.), then the documents should typically be signed by the Company's "Managing Member."*
- *If the owner is a partnership, then typically a partner can sign on behalf of the partnership.*
- *If the owner is a limited partnership, then the general partner must sign and be identified as the "general partner" of the named partnership.*
- *If the owner is a trustee, then they must include their title of "trustee."*
- *In each instance, first determine the owner's status, e.g., individual, corporation, trust, partnership, estate, etc., and then use the appropriate format for that ownership.*