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CITY OF BONITA SPRINGS

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**ADMINISTRATIVE ACTION REQUEST – SUPPLEMENT R
DOWNTOWN DISTRICT ADMINISTRATIVE VARIANCE**

If the request for an administrative variance is to modify the development requirements of the T4, T5, T5 Core, or Special Transect Zone district, please fill out the “Application for Administrative Action” form and the following:

1. Section(s) of the ordinance from which the administrative variance is sought: _____

2. INTENT: Please explain why the above-mentioned code section(s) cannot be met. (attach extra page if additional space is needed):

3. PROPOSED OPTION: Please provide the proposed alternate development regulation for consideration, and a statement that explains in detail how the proposed alternate development regulation would not conflict with Section 4-866(a), Intent of the Form Based Code (add extra page if additional space is needed):

ADDITIONAL SUBMITTAL REQUIREMENTS: Please submit the following:

1. (Optional) An analysis of how the variance meets the approval criteria listed in Section 4-866(f)(4)
2. Site plan, drawn to scale, indicating all buildings and easements on the property, the proposed structure or additions for which the administrative variance is sought, and any adjacent structures which may be affected by the requested administrative variance. The location of the requested administrative variance must be clearly indicated on the site plan.
3. (Optional) Photographs of property and surrounding area.
4. (Optional) Other Documentation. Copies of permits or other approvals applicable to the requested administrative variance.

EXPLANATORY NOTES

1. Section of ordinance from which relief is sought: Indicate the specific section(s) of the Land Development Code from which relief is being sought.
2. INTENT: Explain exactly what is proposed and why the administrative variance is requested. (use additional paper if necessary):
3. PROPOSED OPTION: Provide the development standard that is being sought and explain how the proposed standard would not be in conflict with Section 4-866(a), Intent of the Form Based Code (listed below):
 - (1) Support the goals, objectives and policies of the city's comprehensive plan and downtown district.
 - (2) Keep cognizant the elements are scale, aesthetics, predictability, and new investment.
 - (3) Capitalize on opportunities to attract the development of a variety of building types and uses in order to contribute to a robust economic base.
 - (4) Encourage mixed-use development within the downtown district in support of viable and diverse locally-oriented business and cultural institutions.
 - (5) Promote development attractive to past, present and future generations that allows them to participate in the economic growth.
 - (6) Enable a walkable streetscape and predictable, small-town urban character.
 - (7) Achieve context-based development and complete streets.

ADDITIONAL SUBMITTAL REQUIREMENTS

1. (Optional) An analysis can be provided that demonstrates how the request meets the following approval criteria of Section 4-866(f)(4):
 - a. The proposed variance is not in conflict with Section 4-866(a), Intend of the Form Based Code
 - b. There are exceptional or extraordinary conditions or circumstances that are inherent to the property or building in question.
 - c. The exceptional or extraordinary circumstances are not the result of actions taken by the Applicant.
 - d. The variance, if granted, is the minimum necessary to relieve the Applicant of the assumed burden of the code section(s).
 - e. The granting of the variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare.
2. (Required) Site plan, drawn to scale, indicating all buildings and easements on the property, the proposed structure or additions for which the variance is sought, and any structures on adjacent property which may be affected by the requested variance. The location of the requested variance must be clearly indicated on the site plan.
3. (Optional) Photographs of property and surrounding area. Photographs of the property, especially the portion for which relief is sought may facilitate the review process. It is suggested that pictures of the adjacent property nearest the proposed structure be included.
4. (Optional) Copies of permits, development orders, or resolutions approving rezoning, special exceptions, special permits, or variances on the property or any other documentation that may pertain to the request if the applicant feels they might help facilitate the Directors decision.

NOTE: ACCEPTANCE OF AN APPLICATION FOR AN ADMINISTRATIVE VARIANCE IN NO WAY GUARANTEES ITS APPROVAL. IF THE DIRECTOR DETERMINES THAT THE REQUESTED VARIANCE IS BEYOND THE SCOPE OF THE LAND DEVELOPMENT CODE AND THAT A PUBLIC HEARING FOR THE VARIANCE IS NECESSARY, THEN ALL FEES PAID TOWARD THE ADMINISTRATIVE APPLICATION MAY BE APPLIED TOWARD AN APPLICATION FOR PUBLIC HEARING OF THE REQUESTED VARIANCE.

THE DIRECTOR'S DECISION ON AN ADMINISTRATIVE VARIANCE IS FINAL AND CAN NOT BE APPEALED. IN THE EVENT THE DIRECTOR DENIES THE REQUEST THE APPLICANT'S ONLY RECOURSE IS TO APPLY FOR A PUBLIC HEARING VARIANCE. NO FEES PAID FOR THE ADMINISTRATIVE VARIANCE WILL BE REFUNDED OR APPLIED TOWARDS THE PUBLIC HEARING.