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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
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**PUBLIC HEARING REQUEST
CONVENTIONAL REZONING OR SPECIAL EXCEPTION**

ACTION REQUEST INFORMATION

A. Project Name: _____

STRAP Number(s): _____

B. Type of Request (please check one): Conventional Rezoning Special Exception

**PART I
APPLICANT\PROPERTY OWNERSHIP INFORMATION**

A. Applicant's Name: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

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

NOTE: The Applicant must sign the Applicant's Signature and Certification form [See "PART III"].

B. Applicant relationship to property: Owner Trustee Option holder Lessee Contract Purchaser

Other (indicate): _____

*If the applicant is NOT the owner and the application is NOT City-initiated, submit a **notarized** Authorization Form from the owner to the applicant. Label the attachment "Exhibit I-B-1".

* If the application is City-initiated, enter the date the action was initiated by the City Council: _____

Attach a copy of the "green sheet" and a list of all property owners, and their mailing addresses, for all properties within the area described. Names and addresses must be those appearing on the latest tax rolls of Lee County. Label the "green sheet" as "Exhibit I-B-2" and the list as "Exhibit I-B-3".

C. Property Owner's Name: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

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

D. Date property was acquired by present owner(s): _____

E. Is the property subject to a sales contract or sales option? _____ NO _____ YES

F. Is owner(s) or contract purchaser(s) required to file a disclosure form? _____ NO _____ YES. If yes, please complete and submit Exhibit I-F (attached).

G. Are there any existing deed restrictions or other covenants on this property which may affect this request?
_____ NO _____ YES. If yes, submit a copy of the Plat Book page with subject property clearly marked. Label this Exhibit II-A-3.

H. Authorized Agent(s): List names of authorized agents (submit additional sheets if necessary).
Name: _____
Mailing Address: _____
City: _____ State: _____ Zip: _____
Phone Number: _____ Ext: _____ E-mail Address: _____

**PART II
GENERAL INFORMATION**

A. Nature of Request: (Check applicable answers)

Rezoning FROM: _____ TO: _____

Special Exception for: _____

A. Legal Description and Boundary Sketch: Is property within a platted subdivision recorded in the official Plat Books of Lee County?

_____ NO. *Attach a legible copy of the legal description (labeled Exhibit II-A-1.) and a certified sketch of description as set out in Chapter 5J-17.053, F.A.C., Florida Administrative Code, unless the subject property consists of one or more undivided platted lots. If the application includes multiple abutting parcels, the legal description must describe the perimeter boundary of the total area, but need not describe each individual parcel. However, the STRAP number for each parcel must be included. (labeled Exhibit II-A-2.)*

_____ YES. Property is identified as:

Subdivision Name: _____

Plat Book: _____ Page: _____ Unit: _____ Block: _____ Lot: _____

Section: _____ Township: _____ Range: _____

Attach a copy of the Plat Book page with subject property clearly marked. Label this Exhibit II-B-3.

B. Project Street Address: _____

C. General Location of Property (referenced to major streets): _____

D. Present Use of Property: Is the property vacant? _____ NO _____ YES

Except for City-initiated requests, if the property is not vacant, the owner or applicant's signature on this application indicates that the Owner agrees to either remove all existing buildings and structures, OR that the use of the building or structure(s) will be in compliance with all applicable requirements of the land development code.

Briefly describe current use of the property: _____

E. Property Dimensions

1. Width (average if irregular parcel): _____ Feet
2. Depth (average if irregular parcel): _____ Feet
3. Frontage on road or street: _____ Feet on _____
(Name of street)
4. Total land area: _____ Acres or Square Feet

F. Facilities

1. Fire District: _____
2. Sewer Service Supplier: _____
3. Water Service Supplier: _____

**PART III
AFFIDAVIT**

I, _____, certify that I am the owner or owner's authorized representative of the property described herein, and that all answers to the questions in this application and any sketches, data or other supplementary matter attached to and made a part of this application, are honest and true to the best of my knowledge and belief. I also authorize the staff of the City of Bonita Springs Community Development to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made through this application.

STATE OF: _____ COUNTY OF: _____

Signature: _____

Signatory's Printed Name: _____

Sworn to (or affirmed) and subscribed before me by means of physical presence or online notarization, this _____ (day) of _____, (month) _____ (year), by _____ (name of person making statement).

Signature of Notary Public - State of Florida: _____

Name of Notary Typed, Printed, or Stamped: _____

Personally Known OR Produced Identification

Type of Identification Produced: _____

PART IV - SUBMITTAL REQUIREMENTS

APPLICATION TYPE	COPIES	EXHIBIT	ITEM
All	1		Completed application
All	1		Application Fee
All	1		Summary of Neighborhood Informational Meeting
All	1		Area Location Map
All	1	I-B-1	Notarized Authorization Form (if applicable)
City Initiated	1	I-B-2	Green Sheet (If applicable)
City Initiated	1	I-B-3	List of Property Owners (If applicable)
All	1	I-F	Notarized Disclosure Form (if applicable)
All	1	II-A-1	Legal Description
All	1	II-A-2	Certified sketch of description (if applicable)
All	1	II-A-3	Plat Book Page (if applicable)
All	2	IV-A	Surrounding Property Owners List
All	1	IV-B	Property Owners Map
Owner Initiated	1	IV-C	Deed Restrictions & Narrative (if applicable)
Rezoning Only	1	IV-D	Narrative Regarding Zoning Request
Rezoning Only	1	IV-E	Hazardous Materials Emergency Plan (if applicable)
All	1	IV-F	Application and Exhibits on CD-ROM

SPEC. EXCEPTIONS	COPIES	EXHIBIT	ITEM
All	1	IV-F	Narrative Re. Special Exception Request
All	1	IV-G	Site Plan
All	1	IV-H	Traffic Impact Analysis
Solar/wind	1	IV-I	Needs Documentation
Temp. Parking	1	IV-J	Need Analysis
Temp. Parking	1	IV-K	Traffic/Ped. Safety Plan
Consumption on prem.	1	IV-L	Affidavit
Harvesting of Cypress	1	IV-M-1	Aerial Photograph
Harvesting of Cypress	1	IV-M-2	Forest Management Plan
Joint Parking	1	IV-O-1	Notarized Statement
Joint Parking	1	IV-O-2	Agreements
Joint Parking	1	IV-O-3	Back-up Plan
Air. Land. Facility	1	IV-P	Certified List
Animals	1	IV-Q	Number & Type animals
Communication Towers	1	IV-R-1	Map showing all tower locations
Communication Towers	1	IV-R-2	Proof of attempt to use other facilities
Communication Towers	1	IV-R-3	Proof of attempt to inform others
Communication Towers	1	IV-R-4	Shared Tower Plan Agreement
Communication Towers	1	IV-R-5	Letter from Mosquito Control (if app.)
Communication Towers	1	IV-R-6	Letter from L.C. Port Authority (if app.)
Mobile Food Vendor Park	1	IV-S	Analysis of Off-Site Impacts

GENERAL – EXPLANATORY NOTES

ALL APPLICANTS MUST PAY THE APPLICATION FEE SET FORTH IN THE CITY OF BONITA SPRINGS EXTERNAL FEES AND CHARGES MANUAL.

UPON WRITTEN REQUEST, THE DIRECTOR MAY MODIFY THE SUBMITTAL REQUIREMENTS CONTAINED IN THIS SECTION WHERE IT CAN BE CLEARLY DEMONSTRATED THAT THE SUBMISSION WILL HAVE NO BEARING ON THE REVIEW AND PROCESSING OF THE APPLICATION. THE REQUEST AND THE DIRECTOR'S WRITTEN RESPONSE MUST ACCOMPANY THE APPLICATION SUBMITTED AND WILL BECOME A PART OF THE PERMANENT FILE.

PART I – EXPLANATORY NOTES

- A. Applicant's Name: Application may be made by the landowner or the authorized agent. Where there is more than one owner, either legal or equitable, then all such owners must jointly initiate the application. Exceptions to this are:
- 1) It is not required that both husband and wife initiate the application on private real property owned by them.
 - 2) Where the property is subject to a land trust agreement, the trustee may initiate the application.
 - 3) Where the fee owner is a corporation, any duly authorized corporate official may initiate the application.
 - 4) Where the fee owner is a partnership, the general partner may initiate the application.
 - 5) Where the fee owner is an association, the association may appoint an agent to initiate the application on behalf of the association.
 - 6) Where the property is a condominium or time-share condominium, refer to Sec. 4-193(a)(1)b. for rules.
 - 7) Where the property is a subdivision, refer to Sec. 4-193 (a)(1)c. for rules.
 - 8) Rezoning initiated by the Mayor and City Council on property not owned by the City.
- B. Relationship of applicant to owner: Except for City-Initiated rezonings, if the applicant is not the owner of the property, a **notarized** authorization form from the owner to the applicant must be submitted. If the application IS City-initiated, then attach to the application a copy of the "Green Sheet" whereby the action was authorized. Label this submittal as Exhibit I-B.
- C. Name of owner (s): see F. below
- D. Date property was acquired by present owner(s). If City-initiated rezoning and does not own the property or have it under contract for purchase, enter "Not Applicable".
- E. If the request is City-initiated and the City is not purchasing the property, enter "Not Applicable".
- F. Name of Owner(s): Except for City-Initiated rezonings, a Disclosure Form (Exhibit I-F, attached) must be submitted for any entity whose interest in the property is other than solely equity interest(s) which are regularly traded on an established commodities market in the United States or another Country.
- G. Authorized Agents: If the owner or applicant has authorized agents to act on his/her behalf, list the agent(s) name, mailing address and phone number. If City-initiated, enter "Not Applicable".

PART II – EXPLANATORY NOTES

- A. Legal Description: If the property is not within a platted subdivision recorded in the official plat books of Lee County, a complete legal description must be attached which is sufficiently detailed and legible so as to be able to locate said property on city maps or aerial photographs. Also include the Section, Township, Range, and parcel number(s). If the application includes multiple abutting parcels, the legal description may describe the perimeter boundary of the total area, and need not describe each individual parcel, except where different zoning requests are made on individual parcels. Label the legal description as Exhibit II-A-1.

A survey or a certified sketch of description as set out in Chapter 5J-17.053, F.A.C., Florida Administrative Code must be submitted unless the subject property consists of one or more undivided platted lots. If the application includes

multiple abutting parcels, the legal description must describe the perimeter boundary of the total area, but need not describe each individual parcel. However, the STRAP number for each parcel must be included. Label the Sketch as Exhibit II-A-2.

If the request is owner-initiated and a boundary survey is required, the survey must include the location of any existing structures on the property. Label the Boundary Survey as Exhibit II-A-2.

The Director has the right to reject any legal description which is not sufficiently detailed or legible so as to locate said property, and may require a certified survey or boundary-survey prepared by a surveyor meeting the minimum technical standards for land surveying in the state, as set out in Chapter 5J-17.053, F.A.C. Boundaries must be clearly marked with a heavy line. The boundary line must include the entire area to be developed. If the request is owner-initiated the Federal Emergency Management Agency flood zone and required finished floor elevation must be shown as well as the location of existing structures on the property.

A copy of the plat may be purchased from the County Clerk's office.

NOTE: The Director has the right to reject any legal description which is not sufficiently detailed or legible so as to locate said property, and may require a certified survey or boundary sketch to be submitted.

- B. Project Street Address: If the street address is unknown, the address may be obtained from the Lee County E-911 Addressing Division at (239) 335-1630.
- C. General Location: The general location should reference known major streets so as to indicate to the general public the location of the property.
- E. Property Dimensions: If the parcel is irregularly shaped, indicate the average width and depth of the property. Indicate the length of property abutting any existing street rights-of-way or easements. If property abuts more than one street, indicate frontage on each street.
- F. Facilities
 - 1. Fire District: Insert the name of the Fire District in which the property is located.
 - 2. Sewer Service Supplier: List the name of the utility company or package plant which will be providing sanitary sewer service to the project. If a new private disposal plant is proposed or if septic systems will be used, so indicate.
 - 3. Potable Water Service Supplier: List the name of the utility company which will be providing potable water service to the project. If wells are to be utilized, so indicate.
- G. Present Use of Property: Briefly describe the present use of the property.
- H. Property Restrictions: The application must include a copy of the deed restrictions or other types of covenants and restrictions on the parcel, along with a statement as to how the restrictions may affect the requested action. If there are no restrictions on the property, the applicant must indicate so on the application form.

PART III – EXPLANATORY NOTES

- A. The applicant is responsible for the accuracy and completeness of this application. Time delays or additional expenses necessitated by the submittal of inaccurate or incomplete information is the responsibility of the applicant.
- B. All information submitted with the application or submitted at the public hearing becomes a part of the public record and will be a permanent part of the file.
- C. All applications must be submitted in person. Mailed-in applications will not be processed.
- D. All attachments and exhibits submitted must be of a size that will fit or conveniently fold to fit into a letter size (8 1/2" x 11") folder.
- E. The Department staff will review this application for compliance with requirements of the City of Bonita Springs Land Development Code. If any deficiencies are noted, the applicant will be notified.

PART IV – EXPLANATORY NOTES

- Neighborhood Meetings: Neighborhood meetings are mandatory for applications for rezoning and special exception requests. The city shall not process an application if the applicant has not conducted a neighborhood meeting. The applicant shall conduct a neighborhood meeting prior to filing its application with the city. The applicant shall include a written summary of the pre-application neighborhood meeting, as well as copies of all documents and exhibits that the applicant presented during the neighborhood meeting, with its initial application filing. The written summary shall include a list of those in attendance, a summary of the issues related to the development proposal discussed, comments by those in attendance about the development proposal, and any other information the applicant deems appropriate. The applicant shall conduct a second neighborhood meeting within 30 days after the city has deemed the application to be

sufficient and submit a post-sufficiency summary. Applications will not be scheduled for public hearings until the post-sufficiency meeting summary is submitted. **[Sec 4-28(c)]**

- Property Owners Map: *City-initiated requests*: A complete list of all property owners, and their mailing addresses, for all property within the area described. For the purpose of this subsection, names and addresses of property owners will be deemed to be those appearing on the latest tax rolls of the county. Label as Exhibit I-B-3.
- Surrounding Property Owners List: A complete list of all property owners, and their mailing addresses, for all property within three hundred seventy-five (375) feet [five hundred (500) feet if for a COP] of the perimeter of the subject property or the portion thereof that is the subject of the request. Names and addresses of property owners shall be deemed to be those appearing on the latest tax rolls of the County. The applicant is responsible for the accuracy of such list. This list is for the purpose of confirming mailed notices by the applicant to property owners within 375 feet or 500 feet of the property described as set forth in Section 4-229. **[Sec 4-194(a)(6)]**. Label as Exhibit IV-A.
- Surrounding Property Owners Map: A City Zoning map or other similar map displaying all of the parcels of property within three hundred seventy-five feet (375) [five hundred (500) feet if for a Consumption on Premises permit] of the perimeter of the subject parcel or the portion thereof that is the subject of the request, referenced by number or other symbol to the names on the property owners list. The applicant is responsible for the accuracy of the map. Label as Exhibit IV-B.
- Deed Restrictions: A copy of the deed restrictions on the subject property, if any, and a written statement as to how the deed restrictions may affect the requested action. Label as Exhibit IV- C.
- Narrative Statement (Rezoning Only): Label as Exhibit IV-D. State the basis or reason(s) for the requested action and address the following issues
 - a. Whether there exists an error or ambiguity which must be corrected;
 - b. Whether urban services, as defined in the Bonita Plan, are, or will be, available and adequate to serve a proposed land use change, when reviewing a proposed change to a future urban area category;
 - c. Whether a proposed change is intended to rectify errors on the official zoning map;
 - d. Whether there exist changed or changing conditions that make approval of the request appropriate;
 - e. Whether the request is consistent with the goals, objectives, policies, and intent of the Bonita Plan;
 - f. Whether the request meets or exceeds all performance and locational standards set forth for the proposed use;
 - g. Whether the request will protect, conserve or preserve environmentally critical areas and natural resources;
 - h. Whether the request will be compatible with existing or planned uses;
 - i. Whether the request will cause damage, hazard, nuisance or other detriment to persons or property;
 - j. Whether a requested use will be in compliance with all general zoning provisions and supplemental regulations pertaining to the use as set forth in LDC Chapter 4.
- Narrative Statement (Special Exceptions Only): Label as Exhibit IV-E. State the basis or reason(s) for the requested action and address issues d through j above.
- Site Plans (Special Exceptions only): Label as Exhibit IV-F. Request for a Special Exception MUST include a site plan detailing the proposed use, including where applicable:
 - a. The location and current use of all existing structures on the site, as well as those on adjacent properties within one hundred (100) feet of the perimeter boundaries of the site; and
 - b. All proposed structures and uses to be developed on the site; and
 - c. Any existing public streets, easements or land reservations within the site and the proposed means of vehicular access to and from the site; and
 - d. A traffic impact analysis for the development consistent with the Zoning Traffic Impact Statement (ZTIS) Guidelines; and
 - e. Proposed fencing and screening, if any; and
 - f. Any other reasonable information which may be required by the Director commensurate with the intent and purpose of the regulations.
- ADDITIONAL REQUIREMENTS FOR CERTAIN SPECIAL EXCEPTIONS: Certain Special Exceptions have specific requirements for additional submittals. Refer to the appropriate sections as indicated: Solar or Wind Energy Modifications:
 - Temporary Parking Lots:
 - Consumption on Premises:
 - Harvesting of Cypress:
 - Joint Parking:
 - Communication Towers:
 - Aircraft Landing Facilities - Private:
 - Animals:
 - Farm Labor Housing:
 - Mobile Food Vendor Park:
 - Dock Slips and Associated Structures:

**EXHIBIT I-F
DISCLOSURE OF INTEREST FORM FOR:**

STRAP NO. _____ **CASE NO.** _____

1. If the property is owned in fee simple by an INDIVIDUAL, tenancy by the entirety, tenancy in common, or joint tenancy, list all parties with an ownership interest as well as the percentage of such interest.

<u>Name and Address</u>	<u>Percentage of Ownership</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

2. If the property is owned by a CORPORATION, list the officers and stockholders and the percentage of stock owned by each.

<u>Name, Address, and Office</u>	<u>Percentage of Stock</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

3. If the property is in the name of a TRUSTEE, list the beneficiaries of the trust with percentage of interest.

<u>Name and Address</u>	<u>Percentage of Interest</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

4. If the property is in the name of a GENERAL PARTNERSHIP OR LIMITED PARTNERSHIP, list the names of the general and limited partners.

<u>Name and Address</u>	<u>Percentage of Ownership</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

5. If there is a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the officers, stockholders, beneficiaries, or partners.

<u>Name, Address, & Office (if applicable)</u>	<u>Percentage of Stock</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Date of Contract: _____

6. If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust.

<u>Name and Address</u>

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest shall be filed.

The above is a full disclosure of all parties of interest in this application, to the best of my knowledge and belief.

STATE OF: _____ COUNTY OF: _____

Signature: _____

Signatory's Printed Name: _____

Sworn to (or affirmed) and subscribed before me by means of physical presence or online notarization, this _____ (day) of _____, (month) _____ (year), by _____ (name of person making statement).

Signature of Notary Public - State of Florida: _____

Name of Notary Typed, Printed, or Stamped: _____

Personally Known OR Produced Identification

Type of Identification Produced: _____