APPLICATION FOR A DEVELOPMENT ORDER FORT MYERS BEACH

Applicant's Name:_____ Phone #_____

Project Name (maximum 30 characters & spaces):_____

Project Area: _____ Proposed Impervious Cover: _____ Acres

STRAP Number(s):_____

Brief description of proposed development project _____

_____

_____

_____

_____

****

STAFF USE ONLY

Case Number: _____ Fee Amount: _____

Current FMB Zoning: _____ Intake by: _____

FMB Land Use Classification: _____

****

LEE COUNTY
COMMUNITY DEVELOPMENT
P.O. BOX 398 (1500 MONROE STREET)
FORT MYERS, FLORIDA 33902
PHONE (239) 533-8585

PART I
LEGAL DESCRIPTION

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

_____ NO Attach legible copies of the legal description (1 original & 1 copy) and a boundary survey (6 copies) as well as an aerial photograph (1 copy). Label as "**Exhibits I-A-1, I-A-2, and I-A -3** " respectively.

_____ YES Property is identified as: Subdivision Name: _____

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

B. Sub-area: Is the property to be developed smaller than the property described above?

_____ NO _____ YES. If yes, attach a legal description and sketch of description (1 original & 1 copy) of the property to be included in this development order. Label as "**Exhibit I-B-1**". Attach a map (2 copies) showing the relationship of this portion to the property described above. Label as "**Exhibit "I-B-2**".

C. Provide all STRAP NUMBER(s) for the development parcel: _____

_____

PART II
OWNER\APPLICANT\DEVELOPER INFORMATION

A. Name of the proposed development (limited to 30 characters and spaces):

_____

B. Project Street Address: _____

C. Name of Applicant*:___ Mr. ___Mrs. ___Ms. _____

Mailing Address: Street_____

City: _____ State: _____Zip:_____

Phone Number: Area Code: _____ Number: _____Ext: _____
Fax Number: Area Code: _____ Number: _____
E-mail Address: _____

D. Relationship of applicant to property*:

_____ Owner* _____ Trustee* _____ Option holder* _____ Lessee*

_____ Contract Purchaser* _____ Other (indicate)* _____

*Applicant must submit a **statement under oath** that he is the authorized representative of the owner [see **Part VII** (attached) and please complete the Affidavit form appropriate to the type of applicant].

E. Name of developer:_____

Mailing Address: Street: _____

City: _____ State: _____Zip:_____

Phone Number: Area Code: _____ Number: _____Ext: _____
Fax Number: Area Code: _____ Number: _____
E-mail Address: _____

F. Name of Authorized Agent(s): _____

Mailing Address: Street: _____

City: _____ State: _____ Zip: _____

Phone Number: Area Code: _____ Number: _____ Ext: _____
Fax Number: Area Code: _____ Number: _____

G. Name of owner of property*: _____

Mailing Address: Street: _____

City: _____ State: _____ Zip: _____

Phone Number: Area Code: _____ Number: _____ Ext: _____
Fax Number: Area Code: _____ Number: _____

*** A disclosure of the name of all persons or entities having an ownership interest in the property is required [see Exhibit II-G (attached)].**

H. Professional consultants. Were professional consultants used in the preparation of this application or submitted documents? _____ NO _____ YES If YES, please complete **Exhibit II-H** (attached).

PART III
PROPERTY INFORMATION

A. Date the property was acquired: _____. Submit a copy of current Title Assurance. Label as "**Exhibit III-A**"

B. Property Dimensions:

1. Width (average if irregular parcel) _____ feet
2. Depth (average if irregular parcel): _____ feet
3. Frontage on road or street: _____ feet
4. Width along waterbody (If applicable): _____ feet
5. Total land area: _____ acres or _____ square feet

C. Are any ad valorem taxes or assessments against the property delinquent? _____ NO _____ YES

D. Are there any outstanding tax certificates issued for the property? _____ NO _____ YES

E. Current use of property (if vacant or undeveloped, please indicate): _____

_____

_____

F. Provide a Vegetation Associations (FLUCCS) Map pursuant to FMBLDC section 10-154(8)f (2 copies). Label as "**Exhibit III-F**".

G. Submit a Protected Species Survey (2 copies) for all large projects as required by Section 10-471 et seq. of the FMBLDC. Label as "**Exhibit III-G**"

H. Does the Protected Species Survey show that there are any protected species on the property? _____ NO _____ YES If YES, submit a Protected Species Habitat Management Plan (2 copies) pursuant to Section 10-154(16) of the FMBLDC. Label as "**Exhibit III-H**".

PART IV
GENERAL DEVELOPMENT INFORMATION

A. Current Zoning: _____ Zoning Resolution Number(s)* (if any): _____Date: _____ attach a copy of the approving resolution(s) used to prepare this application. Label as "**Exhibit IV-A**".

1. If property is zoned RPD or CPD, was it rezoned prior to December 2, 1991? _____ NO _____ YES If YES, submit four (4) copies of the approved final plan to verify compliance with the Master Concept Plan. Label as "**Exhibit IV- A-1**".

2. Were any special conditions (special exceptions, variances, deviations, unusual uses, temporary uses, density limitations) granted for this property which were not included in the Zoning Resolution? _____ NO _____ YES. If YES, attach a copy of the approving resolution(s) to this application. Label as "**Exhibit IV-A- 2**".

B. Is a rezoning, special exception, or zoning variance required or requested concurrent with this application? _____ NO _____ YES

If yes, has application for the requested change been made? _____ NO * _____ YES If YES, submit a copy of the application/case number. Case No: _____

* Application must be filed for the change or approval before submitting a Development Order application.

C. Is this proposed development part of a Development of Regional Impact? _____ NO _____ YES

If YES, give name _____and

Regional Planning Case Number _____.

D. Has a preapplication informal meeting been conducted for this project? _____ NO _____ YES

If YES, provide the date of meeting: _____PRE Case #_____

E. Has any other development order application for this property (or any portion thereof) ever been filed with the Division Development Services? _____ NO _____ YES

1) Under what name? _____

2) D.O. number? _____ Approval/Denial date? _____

3) Type of Development Order (or Exemption): _____

4) Current Status? _____

F. Has an administrative deviation from the technical standards of the Land Development Code been requested? _____ NO _____ YES
If YES, submit a copy of the application/case number. Case No:_____

G. Have any Local permits or stipulations been issued which affect this property (i.e. airport height restrictions [Tall Structures Permit], etc.) _____ NO _____ YES. If YES, please indicate what they are and attach a copy of the permit/stipulation. Label as "**Exhibit IV-G**". See VI below for Federal and State Permits to be provided.

PART V
PROPOSED DEVELOPMENT

A. Does the development plan include any new roads that are proposed for town maintenance?
_____ NO _____ YES If YES, is such designation indicated on the drawings? _____ NO _____ YES

B. Is the property proposed to be subdivided into lots (F.S. Chapter 177 subdivision)?
_____NO_____YES If YES, submit a Proposed Plat (Label as "**Exhibit V-B**") and Plat Application fee with this Development Order application.

C. Type of structures proposed:

1. Nonresidential: Commercial

a. Total number of buildings: _____

b. Total floor area of buildings: _____

2. Residential:

a. Total number of buildings: _____

b. Total number of dwelling units: _____

c. Total number of rental units: _____

3. Hotel/Motel:

a. Number of rental units by size:

425 sf or less: _____

426 to 725 sf: _____

726 sf or more: _____

b. Total rental units: _____

D. Phasing: 1. Is project proposed to be developed in phases? NO_____ YES_____

2. If YES, please provide the estimated number of phases: _____

E. Is it proposed that excavated materials are to be removed from the site? _____NO_____YES

F. Are recreational facilities proposed? NO_____ YES_____. If YES, provide a brief description. _____
_____

PART VI
FEDERAL/STATE PERMITS REQUIRED FOR THIS DEVELOPMENT

A. FEDERAL AND/OR STATE PERMITS: Are any additional Federal or State permits required for this development? _____ NO _____ YES* If yes, provide the applicable permits required or the current status of any application for those permits [if not applicable, write N/A before the listed permit(s)]:

_____South Florida Water Management District (SFWMD) Permit. Label as "**Exhibit VI -A -1a**".
_____Florida Department of Environmental Protection (FDEP) Permit. Label as "**Exhibit VI- A - 1b**".
_____Corps of Engineers (CORPS) Permit. Label as "**Exhibit VI-A-1c**".
_____Florida Dept. of Transportation (FDOT) Notice of Intent to Issue or Permit. Label as "**Exhibit VI-A-2**".
_____DEP Permit. Label as "**Exhibit VI-A-3**".
_____HRS Permit. Label as "**Exhibit VI-A-4**".
_____Others (specify):
_____
_____
_____

* If application has been made or approved, attach a copy of the application.

AFFIDAVIT FOR DEVELOPMENT ORDER
APPLICATION IS SIGNED BY AN INDIVIDUAL OWNER OR APPLICANT

I, _____ , swear or affirm under oath, that I am the owner or the authorized representative of the owner(s) of the property and that:

1. I have full authority to secure the approval(s) requested and to impose covenants and restrictions on the referenced property as a result of any action approved by the Town of Fort Myers Beach in accordance with this application for Development Order.

2. All answers to the questions in this application and any sketches, data or other supplementary matter attached hereto and made a part of this application are honest and true;

3. I have authorized the staff of Lee County Community Development to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made thru this application; and that

4. The property will not be transferred, conveyed, sold or subdivided unencumbered by the conditions and restrictions imposed by the approved action.

_____ Signature

_____ (Type or printed name)

STATE OF _____

COUNTY OF _____

The foregoing instrument was sworn to (or affirmed) and subscribed before me this _____ (date) by _____(name of person providing oath or affirmation), who is personally known to me or who has produced _____(type of identification) as identification.

_____ Signature of person taking oath or affirmation

_____ Name typed, printed or stamped

_____ Title or rank

_____ Serial number, if any

PART VII AFFIDAVIT A2

AFFIDAVIT FOR DEVELOPMENT ORDER
APPLICATION IS SIGNED BY A CORPORATION, LIMITED LIABILITY COMPANY (L.L.C.), LIMITED COMPANY (L.C.), PARTNERSHIP, LIMITED PARTNERSHIP, OR TRUSTEE

I, *_____ , as_____of _____ , swear or affirm under oath, that I am the owner or the authorized representative of the owner(s) of the property and that:

1. I have full authority to secure the approval(s) requested and to impose covenants and restrictions on the referenced property as a result of any action approved by the Town of Fort Myers Beach in accordance with this application for a Development Order.
2. All answers to the questions in this application and any sketches, data or other supplementary matter attached hereto and made a part of this application are honest and true;
3. I am hereby authorizing the staff of Lee County Community Development to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made thru this application; and that
4. The property will not be transferred, conveyed, sold or subdivided unencumbered by the conditions and restrictions imposed by the approved action.

_____
***Name of Entity (corporation, partnership, LLP, LC, etc)**

_____ Signature

_____ (Type or printed name)

_____ (title of signatory)

STATE OF _____
COUNTY OF _____
The foregoing instrument was sworn to (or affirmed) and subscribed before me this _____ (date) by _____(name of person providing oath or affirmation), who is personally known to me or who has produced _____(type of identification) as identification.

_____ Signature of person taking oath or affirmation

_____ Name typed, printed or stamped

_____ Title or rank

_____ Serial number, if any

**Notes:*

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

PART VIII SUBMITTALS

COPIES		EXHIBIT	SUBMITTAL DOCUMENT
SUB'D	REQ'D		
	2 & 4		Completed application **[Sec. 10-153]**
	2 & 4	Part VII; A1 or A2	Applicant's Affidavit of Authorization **[Sec. 10-153(2)e]**
	2 & 2	I-A-I	Legal Description **[Sec. 10-154(1)]**
	7	I-A-2	Boundary survey **[Sec. 10-154(3)]**
	2	I-A-3	Aerial Photograph **[Sec. 10 -154(9)]**
	2 & 2	I-B-1	Sub-area legal description & sketch (if applicable) **[Sec. 10-154(1)]**
	2 & 2	I-B-2	Sub-area location map (if applicable) **[Sec. 10-154(1)]**
	2 & 2	II-G	Disclosure of Ownership Interest **[Sec. 10-153(2)(e)]**
	2 & 4	II-H	List of professional consultants **[Sec. 10-153(2)f.]**
	2	III-A	Title assurance **[Sec. 10-154(2)]**
	3	III-F	Vegetation Associations (FLUCCS) Map **[Sec. 10-154(6)e. & f.]**
	2 & 2	III-G	Protected species survey (for large projects) **[Sec. 10-154(13)]**
	2 & 2	III-H	Protected species habitat management plan (if applicable) **[Sec. 10-154(14)]**
	5	IV-A & A-1	Zoning Resolution(IV-A)) and Final Plan Approvals (IV-A-1) **[Sec. 10-154(5)]**
	5	IV-A-2	Special Conditions Resolution(s) **[Sec. 10-154(5)]**
	2	IV-G	Local Permits (including Tall Structures Permit) affecting property **[Sec. 10 -153(4)d & 10-153(6)b]**
	3	V-B	Proposed Plat & Plat Application Fee (if applicable) **[Sec. 10-154(4)]**
	3	VI-A-1	SFWMD, FDEP, CORPS permit(s) (if applicable) **[Sec. 10-153(6)a &10-154(20)]**
	3	VI-A-3	DEP permit (if applicable) **[Sec. 10-153(6)a & 10-154(20)]**
	3	VI-A-4	HRS permit (if applicable) **[Sec. 10-153(6)a & 10-154(20)]**
	7		Existing Conditions Drawing **[Sec. 10-154(6)]**
	7		Proposed development plan drawings. **[Sec. 10-154(7)]**
	4		Proposed exterior lighting plans **[Sec. 10-154(8), 10-8(9) & 34-2032]**
	4		Landscape Plan **[Sec. 10-154(7)l. & 10-414]**
	4		Irrigation Plan **[Sec. 10-154(7)m & 10-417]**
	3		Traffic Impact Statement **[Sec. 10-154(10)]**
	3		Traffic Impact Mitigation plan (if applicable) **[Sec. 10-154(11)]**
	3		Hazardous materials emergency plan (if applicable) **[Sec. 10-154(12)]**
	3		Certificate to Dig; historic preservation reports (if applicable) **[Sec. 10-154 (15)]**
	3		Historical/archaeological impact assessment (if applicable) **[Sec. 10-154(16)]**
	4		Exotic vegetation removal plan (if applicable) **[Sec. 10-154(17)]**
	2		Calculations (including surface water management calculations) & other materials. **[Sec. 10-154(7)k&(18)]**
	3		Emergency preparedness plan (if applicable) **[Sec. 10-154(19)]**
	3		Operation and maintenance covenants (if applicable) **[Sec. 10-154 (21)]**
	3		Articles of Incorporation for assignment of maintenance (if applicable) **[Sec. 10-154 (22)]**
	3		Opinion of probable construction costs **[Sec. 10-154(23)]**
	3		Assurance of completion of improvements (if applicable) **[Sec. 10-154(24)]**
	4		Surface Water Pollution Prevention Plan (SWP3) (all developments > 1 acre) **[Sec. 10-606(1)]**
	4		Compliance with Commercial Design Standards (if applicable) **[Sec. 34-992(d)]**

EXHIBIT II - G

DISCLOSURE OF OWNERSHIP 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.

Name and Address	Percentage of Ownership

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

Name, Address, and Office	Percentage of Stock

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

Name and Address	Percentage of Interest

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

Name and Address	Percentage of Interest

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.

Name and Address	Percentage of Interest

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.

Name and Address	

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 certificate of compliance, a supplemental disclosure of interest must be filed.

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

Signature: _____
(Applicant)

_____
(Printed or typed name of applicant)

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me this _____ day of _____, 200_, by _____, who is personally known to me or who has produced _____as identification.

(SEAL)

_____
Signature of Notary Public

_____
Printed Name of Notary Public

Page 2 of 2

EXHIBIT II - H

PROFESSIONAL CONSULTANTS INFORMATION

PROFESSIONAL CONSULTANTS: If professional assistance was used in preparing the application or submitted documents, the names, address, and phone numbers must be provided, i.e. architects, engineers, landscape architects, planners, surveyors.

1) ENGINEER: _____

ADDRESS: _____

PHONE NUMBER: _____

FAX NUMBER: _____

E-MAIL ADDRESS: _____

2) ARCHITECT: _____

ADDRESS: _____

PHONE NUMBER: _____

FAX NUMBER: _____

E-MAIL ADDRESS: _____

3) LANDSCAPE ARCHITECT: _____

ADDRESS: _____

PHONE NUMBER: _____

FAX NUMBER: _____

E-MAIL ADDRESS: _____

4) PLANNER: _____

ADDRESS: _____

PHONE NUMBER: _____

FAX NUMBER: _____

E-MAIL ADDRESS: _____

5) SURVEYOR: _____

ADDRESS: _____

PHONE NUMBER: _____

FAX NUMBER: _____

E-MAIL ADDRESS: _____

6) TRAFFIC ENGINEER: _____

ADDRESS: _____

PHONE NUMBER: _____

FAX NUMBER: _____

E-MAIL ADDRESS: _____

EXPLANATIONS FOR PART I

A. Legal description. A legal description for the property must be submitted. Label as "Exhibit I-A-1". **[Sec. 10-153(2)]**

Boundary survey. A boundary survey meeting the minimum technical standards for land surveying in the state, as set out in chapter 61G 17-6, Florida Administrative Code, must be submitted. For projects of 10 acres or more, the survey must be tied to the state plane coordinate system for the Florida West Zone (North American Datum of 1983/1990 Adjustment). Boundaries must be clearly marked with a heavy line and must include the entire area to be developed. The Federal Emergency Management Agency flood zone and required finished floor elevations must be shown. Label as "Exhibit I-A-2" **[Sec. 10-154(3)]**

Aerial photograph. A recent aerial photograph of the property and all properties within 660 feet of the perimeter of the property, with a scale of one inch equals 300 feet, must be submitted. Label as "Exhibit I-A-3" **[Sec. 10-154(9)]**

EXPLANATIONS FOR PART II

A. Name of development. The name is limited to 30 characters and spaces. If the name exceeds this limit, the name will be adjusted to fit within that limit. **[Sec. 10-153(2)a]**

D. Applicant's signed statement. A statement is to be signed by the applicant, under oath, that he is the authorized representative of the owner(s) of the property and has full authority to secure the approval(s) requested and to impose covenants and restrictions on the referenced property as a result of the issuance of a development order in accordance with this code. The signed statement also constitutes an agreement that the property will not be transferred, conveyed, sold or subdivided unencumbered by the covenants and restrictions imposed as part of the development order. {See **Part VII** for suggested forms where application is signed by either an individual owner or applicant (Affidavit A1), or is signed by a corporation, limited liability company (L.L.C.), limited company (L.C.), partnership, limited partnership, or trustee (Affidavit A2).} **[Sec. 10-153(1)]**

E. Name of developer. **[Sec. 10-153(2)c]**

F. Authorized Agent(s): List names of authorized agents (attach extra page if more space is needed).

G. Name of owner(s). The name of all persons or entities having an ownership interest in the property, including the names of all stockholders and beneficiaries of trusts must be provided. Disclosure with respect to a beneficial ownership interest in any entity registered with the federal securities exchange commission or registered pursuant to Chapter 517, whose interest is for sale to the general public, is exempt from the provision of this subsection. See **Exhibit II-G** (attached) for form to be completed and attached to the application. **[Sec. 10-153(2)e.]**

H. Professional Consultants: A listing of the professional consultants* employed in preparing the application or submitted documents. The names, addresses and telephone numbers shall be provided for consultants such as but not limited to architects, engineers, attorneys, landscape architects, planners, surveyors. Please complete Exhibit II-H. **[Sec, 10-153(2)f.]**

* An engineer must be employed by the developer to design all required improvements such as streets, drainage structures, drainage systems, bridges, bulkheads, water and sewage facilities, etc. All plans, drawings, reports and calculations must be prepared, signed and sealed by the appropriate licensed professional, such as engineers, architects, landscape architects, land surveyors and attorneys, registered in the state. Other specialized consultants, such as environmental consultants, archaeologists, etc., may be required to assist in the preparation of the plans, drawings, reports and other documents required as development order submittals. **[Sec. 10-102]**

EXPLANATIONS FOR PART III

A. The date the property was acquired must be provided. **[Sec. 10-153(3)b.]**

Title Assurance. Title assurance in the form of either a current title certification by an attorney or a current title insurance policy is required. Label as "Exhibit III-A" **[Sec. 10-154(2)]**

B. The property dimensions and area must be provided. **[Sec. 10-153(3)c.]**

C. & D.No development orders or plats may be approved for the subject property if ad valorem taxes or assessments against the property are delinquent or if there are outstanding tax certificates issued for the property. **[Sec. 10-108.1.]**

E. Current use of property. Provide a brief description of the current uses located on the site. If the site is undeveloped or vacant, state "vacant."

F. Vegetation Associations & Wetlands. Vegetation associations (not land use category) on the site as listed in the Florida Land Use, Cover and Forms Classification System (FLUCCS), must be mapped at the same scale as the site plan. The map must include the edges of all areas of mangrove, coastal scrub (beach/dune), and tropical hardwoods and indicate all protected trees. Label as "Exhibit III-F". **[Sec. 10-154(6)e. & f.]**

G. Protected species survey. A species survey (and management plan, if applicable) must be submitted for all large projects (> 10 acres or > 2 acres of impervious area)as required by Section 10-471 et seq. of the FMBLDC. Label as "Exhibit III-G". **[Sec. 10-154(13)]**

H. Protected species habitat management plan. A management plan meeting the requirements of Section 10-474 will be required for all development order applications if listed species are found on the property (see also Administrative Code AC-13-10). Label as "Exhibit III-H". **[Sec. 10-154(14)]**

EXPLANATIONS FOR PART IV

A. Current Zoning. A copy of the most recent zoning resolution(s) for the subject property used in the preparation of the Development Order must be submitted..Label as "Exhibit IV-A". Also provide a list of the Zoning Resolution Numbers in the application form for those resolutions utilized in the preparation of the Development Order. **[Sec. 10-154(5)]**

A.1.Any applicant who intends to submit an application for development order approval on a project which was zoned RPD or CPD prior to December 2, 1991, must submit four complete sets of plans and documents for review of the submittals for full compliance with the adopted master concept plan and any conditions of approval. Label as "Exhibit IV-A -1". NOTE: All former CFPD, MPD and PUD zoning was rezoned as CPD by FMB Ordinance 03-03.

Plans may be reviewed concurrently for compliance with this chapter and with the terms of the zoning approval. No development orders may be issued for the project in question until the plans have been determined to be in compliance with the terms of the zoning approval. **[Sec. 10-103(a)]**

A.2.Special Conditions. A copy of any pertinent special exceptions or variance documents and resolutions, must be submitted. Label as "Exhibit IV-A-2". **[Sec. 10-154(5)]**

B. For developments that require rezoning, the applicant may make application for a development order and the rezoning simultaneously. The development order will be reviewed for compliance with the requirements of this chapter and the requirements of chapter 34 for the proposed zoning of the property. No approval of the development order will be granted until the proposed rezoning is approved and a zoning resolution signed by the mayor of the Town of Fort Myers Beach is issued. If application for

rezoning has been made, submit a copy of the application/case number(s) as requested in the application form. **[Sec. 10-103(b)]**

C. If the proposed development is a part of a Development of Regional Impact(DRI), please provide the name of the DRI and the Southwest Florida Regional Planning Council case number as requested in the application form. **[Sec. 10-153(4)d.]**

D. If any preapplication conference meetings have been conducted with staff on this property prior to the submission of this application for a Development Order, please indicate the date of the meeting(s) and the preapplication (PRE) case number as requested in the application form.

E. If any Development Orders have been filed on any part of this property prior to this application, please provide the information on the prior applications as requested in the application form.

F. Administrative Deviations. If any administrative deviations from the technical standards of the Land Development Code have been requested, please provide the application/case number as requested in the application form. **[Sec. 10-153(4)c]**

G. Provide copies of any Local permits which affect the property. This includes a "Tall Structures Permit" when development is located within an airport flight zone (see section 34-1001 et. seq.). Label as "Exhibit IV-G". See VI below for other Federal and State permits to be provided. **[Sec. 10-153(6)b]**

EXPLANATIONS FOR PART V

A. If the development plan includes any new roads that are proposed to be dedicated for Town maintenance, please indicate that intention in the application form.

B. Proposed Plat. If the property is to be divided into lots (a F. S. Chapter 177 subdivision), a proposed preliminary plat and plat application fee must be submitted (see also Administrative Code AC-13-19). Label the proposed plat as "Exhibit V-B". **[Sec. 10-154(4) & 10-211 et. seq.]**

C. The types of structures proposed for the development, the proposed uses, the number of dwelling units and square footage and other appropriate measures of intensity of uses, parking and loading space provisions etc. must be provided. Please complete the tables in the application form and consult the other application requirements to verify that the required information is provide in the development drawings. **[Sec. 10-153(5)]**

D. If the project is proposed to be constructed in phases, please provide project phasing information. These phases must be keyed to the development drawings to show the scope of each phase. **[Sec. 10-153(5)i.]**

F. If recreational facilities are proposed, please provide a brief explanation of the types and sizes (e.g. square footage) of facilities that are planned. **[10-153(5)h.]**

EXPLANATIONS FOR PART VI

A. Provide copies of any Federal and State permits which affect the property. This includes SFWMD, FDEP, CORPS, FDOT, DEP and HRS permits as applicable. Label as "Exhibit VI-A-1a thru 4 (as per the application form)". See IV above for all other Local permits to be provided. **[Sec. 10-153(4)d & 10-153(6)a]**

EXPLANATIONS FOR PART VII

A; B. *Applicant's statement/affidavit.* The applicant must sign a statement, under oath, that he is the owner or the authorized representative of the owner(s) of the property and that he has full authority to secure the approval(s) requested and to impose covenants and restrictions on the referenced property as a result of the action approved by the Town in accordance with this code. This must also include a statement that the property owner will not transfer, convey, sell or subdivide the subject parcel unencumbered by the covenants and restrictions imposed by the approved action. {See **Part VII** for suggested forms where application is signed by either an individual owner or applicant (Affidavit A), or is signed by a corporation, limited liability company (L.L.C.), limited company (L.C.), partnership, limited partnership, or trustee (Affidavit B). Please complete the appropriate Affidavit form based upon the type of applicant.} **[10-121(3); 10-153(1)]**

EXPLANATION FOR OTHER SUBMITTALS

Existing conditions and improvements drawing. An existing conditions and improvements drawing must be submitted, showing at a minimum the following: **[Sec. 10-154(6)]**

a. An area location map showing the location of the property to be developed in relation to arterial and collector streets.
b. Coastal construction control lines, if applicable.
c. The location and name of abutting streets together with the number of lanes, the widths of rights-of-way and easements, and the location and purpose of abutting utility easements. The established centerline of streets on or abutting the property must be shown.
d. Existing elevations based on the National Geodetic Vertical Datum of 1929. Sufficient spot elevations based on the National Geodetic Vertical Datum of 1929 must be shown to indicate the slope of the land and any rises, depressions, ditches, etc., that occur, but in no case may spot elevations be shown at a spacing greater than 200 feet. Spot elevations must be shown beyond the development boundary extending a minimum of 25 feet. The director of development review may direct a closer grid pattern or elevations more than 25 feet beyond the development boundary to provide sufficient satisfactory information. For developments of 40 acres or more, contours at one-foot intervals may be shown.
e. Identification of wetlands as defined in the Lee Plan. The applicant may be required to flag these areas for site inspection by the staff of the department of community development.
f. Vegetation associations (not land use category) on the site as listed in the Florida Land Use, Cover and Forms Classification System, mapped at the same scale as the site plan. The map must include the edges of all areas of mangrove, coastal scrub (beach/dune), and tropical hardwoods and indicate all protected trees. (See III-F above)
g. The location of all existing buildings and structures on the property. If buildings or structures are to be moved or razed, this should be noted.
h. The location and size of all public water and sewage systems, private wells, irrigation and flowing wells, sidewalks, curbs, gutters, storm drains and manholes on or abutting the property.
i. The zoning classifications for the subject property, as well as the zoning and actual use of all abutting properties.
j. The nature and location of any known or recorded historical or archaeological sites as listed on the Florida Master Site File, and the location of any part of the property which is located within level 1 or level 2 zones of archaeological sensitivity pursuant to chapter 22 (See Certificate to Dig below). A description of proposed improvements that may impact archaeological resources must also be provided.
k. The location of existing and proposed public transit service areas, and bus routes and stops, including passenger amenities, e.g., shelters, lighting, benches, walkways, passenger parking, bicycle racks, etc.
l. A diagram depicting the existing surface hydrology of the property (note the requirement that elevations.be shown beyond the development boundary to provide satisfactory information as required under d. above).

Proposed development plan drawings. Proposed development plan drawings shall be submitted, showing at a minimum the following: **[Sec. 10-154(7)]**

a. If the development is a subdivision, all lot lines and lot numbers.
b. Phasing plan. Where a large development is being proposed, the applicant must submit a master phasing plan with the stages numbered in sequence. It is understood that, for long-term projects, the details of a given phase may change as the economic, environmental, social and legal elements of the proposed development change. For such phased developments, each phase must be issued a separate development order, but each phase will be considered in relation to the rest of the overall project. The phasing plan must show how each phase fits into the master plan for the continuance of streets, drainage, storm water management, potable water, fire protection, sewage collection, landscaping and buffers. Specific requirements for phased projects are specified in section 10-117.
c. Proposed buildings or proposed structures. The building envelope, that is, the perimeter of the area within which the building will be built, the height of all buildings and structures, the maximum number of dwelling units or gross floor area, and no less than the minimum number of required parking spaces, including the number of spaces for the handicapped, must be shown.
d. Open space, parks and recreation. All proposed open space, parks and recreation areas and facilities must be shown and identified as either public or private. If common facilities, including but not limited to recreation areas or facilities and common open space, are proposed, a statement must be included explaining how the area or facilities will be permanently operated and maintained, and identifying who

will be responsible for such maintenance. A list of the facilities to be constructed within each park or recreational area must be provided or shown on the drawings.

e. Proposed vehicular ingress and egress for the development.

f. Proposed streets within the development.

g. Proposed location of on-site sidewalks and bikepaths with ingress to and egress from the development, as well as to or from common open space areas.

h. Where applicable, the proposed location and type of public transit amenities to be provided.

i. Parking and service areas. All off-street parking areas and all landscaped areas to be reserved for future parking spaces pursuant to section 34-2017(d), and all service areas for delivery of goods or services, must be shown for all developments that are not subdivisions.

j. Utilities. A statement indicating the proposed method intended to provide water, sewer, electricity, telephone, refuse collection and street lighting, including but not limited to:
   1. The names and address of all utilities, governmental or private, intended to supply the service.
   2. The names and addresses of the owners of all existing public water and sewage systems within one-quarter mile of the proposed development.
   3. A plan showing the location and size of all water mains and services, fire hydrants, sewer mains and services, treatment plants and pumping stations, together with plan and profile drawings showing the depth of utility lines and points where utility lines cross one another or cross storm drain or water management facilities. The location of services must be shown.

k. Drainage and storm water management plan. A drawing showing the location of all curbs and gutters, inlets, culverts, swales, ditches, water control structures, water retention or detention areas, and other drainage or water management structures or facilities must be submitted. Sufficient elevations must be shown to adequately show the direction of flow of storm water runoff from all portions of the site. A copy of all drawings and calculations submitted to the South Florida Water Management District of the Florida Department of Environmental Protection (as applicable) must also be submitted. The plan must also identify the U.S. Department of Agriculture Soil Conservation Service soils classifications of the site to determine the feasibility of the proposed pollution control and drainage plans.

l. Landscaping and buffering. A landscaping plan must be submitted showing not less than the required open space and buffer areas, and including:
   1. A tree location map or aerial photographic overlay which depicts the preservation of existing trees and the planting of any new trees required by Town regulations.
   2. All proposed landscaping, fencing, screening and buffering.
   3. The size, variety, species and number of all trees and shrubs, with site-specific location, used in landscaping, open space and buffer areas.
   4. The calculations to determine the minimum open space and other landscaping calculations.

   The landscape plan must be prepared by and bear the seal of a landscape architect registered in the State of Florida. The plan must include the narrative and calculations to ensure that the proposed landscaping will be in compliance with requirements of this code. However, small projects may qualify for a hardship waiver if the cost of compliance with the landscape architect requirement is disproportionate to the cost of the entire project. This waiver is subject to the sole discretion of the director. The landscape plan must be drawn at the same scale as the development order plans and include, at a minimum, the items detailed in Section 10-414. (See Sec. 10-414 for detailed requirements for landscape plans.)

m. An irrigation plan must be submitted unless not required per Sec. 10-417. It may be a separate drawing or may be combined with the landscaping and buffering plan. Detailed requirements for the plan are stated in Sec. 10-154(7)m.

n. Historical and archaeological resources. The plan must show the outline of historic buildings and approximate extent of archaeological sites. Where this information is not available from published sources, a professionally conducted archaeological survey may be required.

o. Excavations. Where applicable, the location of all excavations must be shown, including the outline or boundaries of the excavation, both the outline of the top of the bank and the outline when the lake is at its maintained elevations, the depth of all excavations, and the slopes of all excavations (see application Part V-E for submittal requirements when the removal of excavated material from the site is proposed).

p. A description of impacts on wetlands and mitigation measures.

Plat. If the development is a subdivision, a preliminary plat meeting the requirements of F.S. ch. 177 must be submitted. (Also see Part III-F above) **[Sec. 10-154(4)]**

Traffic impact statement. A traffic impact statement (TIS) must be submitted, which will survey current and anticipated traffic conditions and public transportation in order to identify potential traffic problems posed by the proposed development. Adverse traffic impacts created by the development, both on-site and off-site, must be mitigated by the applicant as specified in the traffic impact mitigation plan and development order. Criteria for traffic impact statements are specified in Section 10-286. **[Sec. 10-154(10)]**

Traffic impact mitigation plan. A traffic impact mitigation plan must be submitted, which is based on the approved traffic impact statement and must identify in detail those on- and off-site road and intersection improvements necessary to mitigate the proposed development's adverse impacts by maintaining or restoring adopted levels of service on the public roads providing immediate access to the site, including any major street to which the adjacent street is tributary. Criteria for traffic impact mitigation plans are specified in Section 10-287. **[Sec. 10-154(11)]**

Hazardous materials emergency plan. Any applicant for a private port facility which did not receive approval of a hazardous materials emergency plan at the time of rezoning is required to submit a hazardous materials emergency plan, which will be subject to the approval of the Lee County division of emergency management, water resources and planning, and of the appropriate fire district. The plan must also provide for annual monitoring for capacity and effectiveness of implementation. At the minimum, the plan must comply with the spill prevention control and countermeasure plan (SPCC) as called for in the federal oil pollution prevention regulations, 40 CFR 112, as amended. **[Sec. 10-154(12)]**

Protected species survey. A species survey must be submitted for all large projects (> 10 acres or > 2 acres of impervious area)as required by Section 10-471 et seq. of the FMBLDC (See Part III-G above). **[Sec. 10-154(13)]**

Protected species habitat management plan. Protected species habitat management plan. A management plan meeting the requirements of Section 10-474 will be required for all development order applications if listed species are found on the property (see also Administrative Code AC-13-10 and Part III-H above). **[Sec. 10-154(14)]**

Certificate to dig; historic preservation forms and reports. When applicable, an archaeological/historic resources certificate to dig must be obtained from the department of community development and submitted. Florida Master Site File forms for historical or archaeological resources, facade or other historic or scenic easements related to the subject property or reports prepared by a professional archaeologist as may be required by FMBLDC chapter 22 must be submitted with the application. **[Sec. 10-154(15)]**

Historical/archaeological impact assessment. An impact assessment for historical & archaeological resources describing the following treatments: demolition, relocation, reconstruction, rehabilitation, adaptive use, excavation, filling, digging, or no impact, must be submitted with the application. **[Sec. 10-154(16)]**

Exotic vegetation removal plan. An exotic vegetation removal plan, as specified in Section 10-420(f) must be submitted with the application. **[Sec. 10-154(17)]**

Calculations and other pertinent materials. The director may also require submission of calculations in support of all proposed drawings, plans and specifications. Calculations, data and reports to substantiate engineering designs (see section 10-321(a)4), soil condition, flood hazards, compensation of floodplain storage (see section 10-253), wet season water table, etc., are required to be submitted with the application. **[Sec. 10-154(18)]**

Emergency preparedness plan. Prior to final approval of a development order for a hospital, nursing home, assisted living facility (ALF) or developmentally disabled housing project, an emergency preparedness plan approved by the director of the Lee County Division of Emergency Management must be submitted (or submit the proposed plan for review with the development order application). **[Sec. 10-154(19)]**

State permits. Prior to final approval of a development order, copies of permits issued by the South Florida Water Management District or the Florida Department of Environmental Protection must be submitted.

Copies of all other necessary state land development permits must be submitted prior to the commencement of construction work on the site.(See IV-G also) **[Sec. 10-154(20)]**

Operation and maintenance covenants. Where applicable, a copy of the covenants used for the maintenance and operation of the improvements as required by the FMBLDC must be provided, and must include but not be limited to private streets and adjacent drainage, drainage and storm water management systems, utilities, public water and sewage systems, open space, parks, recreation areas and buffers. **[Sec. 10-154(21)]**

Articles of incorporation or other legal documents for assignment of maintenance. The developer must submit a copy of the legal documents creating the legal mechanism to ensure that the drainage system, on-site bikeways, on-site pedestrian ways, roadways and rights-of-way, etc. are continuously maintained. **[Sec. 10-154(22)]**

Opinion of probable construction costs. The estimated cost of installing all streets, drainage systems, water management systems, potable water treatment and distribution systems, sewage collection and treatment systems, park and recreation improvements, landscaping and buffers must be prepared by the developer's consultant, as follows:

a. For subdivisions, both on-site and off-site systems.
b. For all other developments, off-site improvements.

The opinion of probable cost must include an estimated date of completion for the work and must be submitted with the application for a development order. **[Sec. 10-154(23)]**

Assurance of completion of improvements. Assurance of completion of the development improvements as specified in subsections a. and b. of this section will be required for all off-site improvements prior to commencing any off-site or on-site development. Assurance of completion of the development improvements for on-site subdivision improvements will be required prior to the acceptance of the subdivision plat. Those on-site subdivision improvements which have been constructed, inspected and approved by the director of development review may be excluded from the requirements of subsections a. and b. of this section. In addition to the assurance of completion for off-site improvements, all subdivisions for single- and two-family residential structures shall provide the assurance of completion of on-site improvements, or the construction of on-site improvements, within one year of the date of issuance of the final development order for that subdivision.

a. *Surety or cash performance bond.* Security in the form of a surety or cash performance bond shall be posted with the board and made payable to the Town in an amount equal to 110 percent of the full cost of installing the required improvements as approved by the Town. If the proposed improvement will not be constructed within one year of issuance of the final development order, the amount of the surety or cash performance bond shall be increased by ten percent compounded for each year of the life of the surety or bond. Alternatively, the surety or cash performance bond may be renewed annually at 110 percent of the cost of completing the remaining required improvements as approved by the director of development review. Bonds shall be reviewed and approved as to form by the Town attorney prior to acceptance.
b. *Other types of security.* The board may accept letters of credit or escrow account agreements or other forms of security provided that the reasons for not obtaining the bond are stated and the Town attorney approves the document. **[Sec. 10-154(24)]**

Surface Water Pollution Control Plan (SWP3). For all development orders for developments of more than one acre a Stormwater Pollution Prevention Plan (SWP3) for construction meeting the criteria set forth in section 10-607 must be submitted. At the discretion of the director of development services, an affidavit or certification from a Florida licensed professional engineer may be submitted attesting that the SWP3 for construction has been prepared in accordance with section 10-607 and will be on site and available for review during all phases of construction. **[Sec. 10-606(1)]**

Commercial Buildings Architectural Design Standards. These commercial design standards apply to all commercial and mixed-use buildings or portions thereof that are newly built, and to "substantial improvements" to such buildings as defined in FMBLDC Sec. 6-405, on properties that are zoned in any of the following zoning districts:

(1) SANTOS
(2) DOWNTOWN
(3) SANTINI
(4) VILLAGE
(5) CB
(6) CPD

Documents confirming that the Town has approved compliance with these standards must be submitted before a development order is issued for land in these six zoning districts. **[34-991 et. seq.]**