



# Town of Fort Myers Beach

## LIMITED REVIEW DEVELOPMENT ORDER APPLICATION

LDO NUMBER: \_\_\_\_\_ DATE: \_\_\_\_\_

Site Address: \_\_\_\_\_

STRAP Number: \_\_\_\_\_

Applicant: \_\_\_\_\_ Phone: \_\_\_\_\_

Contact Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Email: \_\_\_\_\_ Fax: \_\_\_\_\_

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### STAFF USE ONLY

Staff Intake: \_\_\_\_\_ Date: \_\_\_\_\_

Notes: \_\_\_\_\_  
\_\_\_\_\_

### PLAN REVIEW TRACKING

	Reviewer	Distributed	Returned
<input type="checkbox"/> ZONING	_____	_____	_____
<input type="checkbox"/> FLOODPLAIN	_____	_____	_____
<input type="checkbox"/> ENVIRONMENTAL	_____	_____	_____
<input type="checkbox"/> PUBLIC WORKS	_____	_____	_____
<input type="checkbox"/> FMB FIRE DEPART	_____	_____	_____

**PART I: OWNER/APPLICANT/DEVELOPER INFORMATION**

A. Name of the subject property: \_\_\_\_\_

B. Applicant\*: \_\_\_\_\_ Phone: \_\_\_\_\_

*\*Applicant must submit a statement under oath that he/she is the authorized representative of the property owner. Please see PART V and please complete the appropriate Affidavit form for the type of applicant.*

Applicant Mailing Address: \_\_\_\_\_

Email: \_\_\_\_\_ Fax: \_\_\_\_\_

Contact Name: \_\_\_\_\_ Phone: \_\_\_\_\_

C. Relationship of Applicant to subject property:

Owner\*                       Trustee\*                       Option Holder\*                       Lessee\*  
 Contract Purchaser\*                       Other\* (please indicate) \_\_\_\_\_

*\*Applicant must submit a statement under oath that he/she is the authorized representative of the property owner. Please see PART V and please complete the appropriate Affidavit form for the type of applicant.*

D. Authorized Agent(s). Please list the names of all Authorized Agents (attach extra sheets if necessary)

1. Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_

Email: \_\_\_\_\_ Fax: \_\_\_\_\_

2. Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_

Email: \_\_\_\_\_ Fax: \_\_\_\_\_

3. Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_

Email: \_\_\_\_\_ Fax: \_\_\_\_\_

E. Developer\*: \_\_\_\_\_ Phone: \_\_\_\_\_

*\*Applicant must submit a statement under oath that he/she is the authorized representative of the property owner. Please see PART V and please complete the appropriate Affidavit form for the type of applicant.*

Developer Mailing Address: \_\_\_\_\_

Email: \_\_\_\_\_ Fax: \_\_\_\_\_

Contact Name: \_\_\_\_\_ Phone: \_\_\_\_\_

F. Property Owner(s)\*: \_\_\_\_\_ Phone: \_\_\_\_\_

*\*A disclosure of interest form for all persons or entities having an ownership interest in the subject property is required. Please see Exhibit I.*

Property Owner Mailing Address: \_\_\_\_\_

Email: \_\_\_\_\_ Fax: \_\_\_\_\_

**PART II GENERAL INFORMATION**

A. Legal Description:

STRAP: \_\_\_\_\_

Is the subject property within a platted subdivision recorded in the official Plat Books of Lee County?  No. Attach a legible copy of the legal description

Yes. Property identified in subdivision: \_\_\_\_\_

Book: \_\_\_\_\_ Page: \_\_\_\_\_ Unit: \_\_\_\_\_ Block: \_\_\_\_\_ Lot(s): \_\_\_\_\_

B. Subject Property purchase date: \_\_\_\_\_

C. Subject Property Street Address: \_\_\_\_\_

D. Subject Property dimensions:

Width (please provide an average width if irregular in shape) \_\_\_\_\_ feet

Depth (please provide an average width if irregular in shape) \_\_\_\_\_ feet

Frontage on street: \_\_\_\_\_ feet. Frontage on waterbody: \_\_\_\_\_ feet

Total land area: \_\_\_\_\_  acres  square feet

E. Current Zoning: \_\_\_\_\_

F. Existing Use: \_\_\_\_\_

G. Are there any pending or contemplated zoning actions (special exceptions, variances, re-zonings, etc) on the subject property?  No.  Yes. If yes please provide:

Case/Hearing Number: \_\_\_\_\_

Type of action requested (use additional pages if necessary): \_\_\_\_\_

H. Have any variances/deviations been granted or requested on this property?

No.  Yes. If yes please provide:

Case/Hearing Number: \_\_\_\_\_

Type of variance/deviations granted (use additional pages if necessary): \_\_\_\_\_

I. Has a Development Order/LDO/Exemption application been previously filed?

No.  Yes. If yes please provide:

Case Number: \_\_\_\_\_ Date of Approval/Denial: \_\_\_\_\_

Type of Development Order (or Exemption): \_\_\_\_\_

J. Are there any Federal, State or local permits or stipulations affecting this application request?

No.  Yes. If yes, please provide additional detail: \_\_\_\_\_

**PART III REQUESTED ACTION**

A. Nature of Request:

- TYPE 1: A cumulative addition or enlargement of an existing impervious area, provided that the addition or enlargement does not increase the total impervious cover area by more than 2,500 square feet and there is no increase in the rate of runoff from the project site.
- TYPE 2: Any out-of-door type recreational facilities, such as swimming pools, tennis courts, tot lots and other similar facilities, provided the total cumulative additional impervious area does not exceed 8,000 square feet.
- TYPE 3: Any one-time subdivision of land into four or less lots where zoning district regulations permit such subdivision; subject to certain limitations [10-174(3)]
- TYPE 4: Any single building of two dwelling units or less and any accessory improvements thereto on a single non-conforming lot as defined in LDC Section [34-3271(B)]
- TYPE 5: Any improvements for public water access purposes in Town owned or Town maintained rights-of-way.
- TYPE 6: Any development for a fenced or screened enclosed storage yard as defined in Chapter 34, provided that the yard consists solely of stabilized grassed surface, a surface water management system, buffers and fencing; and provided further that site access complies with the provisions of Chapters 10 and 34 of the Land Development Code.
- TYPE 7: The installation of any new utility lines in existing Town rights-of-way or Town easements.
- TYPE 8: Any other improvement to land determined by the director to have insignificant impacts on public facilities in accordance with applicable standards of measurement in Chapter 10 (vehicular trips, amount of impervious surface, gallons per day, etc.)

B. Please explain the proposed improvement (use additional sheets if necessary): \_\_\_\_\_

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## PART IV SUBMITTAL REQUIREMENTS

One (1) original and four (4) copies are to be submitted of each required document.  
Explanatory notes need not be copied

### SUBMITTAL REQUIREMENTS FOR ALL LIMITED REVIEW REQUESTS

- Completed application [Section 10-175(1)]
- Applicant's Affidavit of Authorization [Section 10-153(1)]
- Disclosure of Ownership Interest [10-153(2)e]
- Legal Description [Section 10-154(1)]
- Boundary Sketch (if applicable) [Section 10-154(3)]
- Area Location Map, drawn to scale, which indicates where the property is located in relation to major roads. [Sec. 10-175(3)]
- Aerial Photograph: A copy of an aerial photograph (most current available from the County) at a scale of one inch = 200 or 300 feet. [Sec. 10-175(4)]
- Written Description of Proposed Development and the reasons why it should be approved. [Section 10-175(5)]
- Copy of Approved Building Permits/Site Plans (if applicable). A copy of any current building permits and approved site plan, if applicable. [Section 10-175(6)]

*NOTE: The Director may require additional information such as copies of deeds, sealed surveys, calculations, SFWMD permits, and other state, federal or local permits. [Section 10-175(7)]*

### ADDITIONAL TYPE SPECIFIC SUBMITTAL REQUIREMENTS

#### TYPES 1 & 2

- A site plan, drawn to scale, which shows the site and location of all buildings, structures, engineering improvements and other impervious areas on the property. [Section 10-175(2)] See NOTE B.
- Calculations showing total area of impervious cover before and after the improvement (including any additional parking areas required by the zoning regulations). See NOTE C.

#### TYPE 3

- A sealed survey or boundary sketch of the property, legal description and dimensions of the parent parcel and the location of the proposed split(s). If structures exist on the parent parcel, show all sizes, locations, and setbacks from existing and proposed property lines. Include information on existing adjacent roads (dimensions, elevations, gravel and paved width, etc.)
- The subdivision plan sealed by a surveyor, and ready for recording.
- The legal descriptions, sealed by a surveyor, of each lot in the subdivision, and ready for recording.

- A site plan, drawn to scale, which shows the site and location of all buildings, structures, engineering improvements and other impervious areas on the property. [(Section 10-175(2)1 See NOTE B.

TYPE 4

- A sealed survey or sealed boundary sketch of the boundary, legal description and dimensions of the property to be developed.

TYPES 5 & 6

- A site plan, drawn to scale, which shows the site and location of all buildings, structures, and other impervious areas on the property. [Section 10-175(2)] See NOTE B.
- Calculations showing total area of impervious cover before and after the improvement (including any additional parking areas required by the zoning regulations. See NOTE C.
- A copy of any plat or recorded deeds or easements for the property.

TYPE 7

- Copies of the utility plans, prepared as prescribed in Section 10-151 showing, as appropriate, the location, type, and size of all existing & proposed water mains and services, fire hydrants, sewer mains and services, 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 all existing and proposed services
- State Permits

TYPE 8

- A site plan, drawn to scale, which shows the site and location of all buildings, structures, and other impervious areas on the property. [Section 10-175(2)] See NOTE B.
- Calculations showing total area of impervious cover before and after the improvement (including any additional parking areas required by the zoning regulations). See NOTE C.

COMMUNICATION TOWERS

- Copy of Approved Decision for Special Exception. [34-1444(a)]
- Proof the communication tower has been designed to withstand sustained winds (120 mph TIA/EIA standard 222-F) in accordance with the Florida Building Code and will accommodate three additional carriers with a minimum wind loading of 160 square feet factored area including the mounting bracket. [34-1445(b)(1)]

*NOTE: Additional submittal documents, if required, will be determined by the Director on the basis of the nature of the proposed improvement.*

**PART V AFFIDAVIT**

**AFFIDAVIT A1**

**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:

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 and the Land Development Code;

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;

I have authorized the staff of the Town of Fort Myers Beach 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

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

\_\_\_\_\_  
Signature of Owner or Authorized Agent

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

STATE OF FLORIDA)  
COUNTY OF LEE)

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

(SEAL)

\_\_\_\_\_  
Signature of Notary Public

\_\_\_\_\_  
Printed Name of Notary Public

**PART V AFFIDAVIT**

**AFFIDAVIT A2**

**APPLICATION IS SIGNED BY A CORPORATION, LIMITED LIABILITY COMPANY (L.L.C.), LIMITED COMPANY (L.C.), PARTNERSHIP, LIMITED PARTNERSHIP, OR TRUSTEE**

I, \_\_\_\_\_ (name), as \_\_\_\_\_ (title) of \_\_\_\_\_ (company), 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 County in accordance with this application and the Land Development Code;
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.

\_\_\_\_\_  
Name of Entity (Corporation, Partnership, LLP, LLC, etc)

\_\_\_\_\_  
Signature of Authorized Representative

\_\_\_\_\_  
Title

\_\_\_\_\_  
Typed or Printed Name

\_\_\_\_\_  
Date

STATE OF FLORIDA)  
COUNTY OF LEE)

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

(SEAL)

\_\_\_\_\_  
Signature of Notary Public

\_\_\_\_\_  
Printed Name of Notary Public

**EXHIBIT I**

**DISCLOSURE OF OWNERSHIP INTEREST FORM**

**LDO:** \_\_\_\_\_ **STRAP:** \_\_\_\_\_

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 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 Ownership
_____	_____
_____	_____
_____	_____
_____	_____

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, Address and Office	Percentage of Stock
_____	_____
_____	_____
_____	_____
_____	_____

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

\_\_\_\_\_  
Printed Name

STATE OF FLORIDA)  
COUNTY OF LEE)

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by \_\_\_\_\_ who is personally known to me or has produced \_\_\_\_\_ (type of identification) as identification.

(SEAL)

\_\_\_\_\_  
Signature of Notary Public

\_\_\_\_\_  
Printed Name of Notary Public

## EXPLANATORY NOTES FOR PART I

- 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.]
- B. & C. 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 V for suggested forms where application is signed by either 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 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 1-E (attached) for form to be completed and attached to the application. [Sec.10-153(2)e]
- F. 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. [Sec.10-153(2)f.]
- G. Describe briefly how to get to the property from the nearest arterial road.

## EXPLANATORY NOTES FOR PART II

- 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 county maps or aerial photographs. Also include the Section, Township, Range, and parcel number(s). [Sec.10-154(1)] Label the legal description as Exhibit 11-A-1.

If the application includes multiple contiguous parcels, the legal description may describe the perimeter boundary of the total area, and need not describe each individual parcel, except where different development requests are made on individual parcels.

A boundary sketch, drawn to scale must also be submitted unless the subject property is vacant and consists of one or more undivided platted lots. The boundary sketch must include the location of any existing structures on the property. Label the Boundary Sketch as Exhibit 11-A-2. [Sec.10-154(3)]

STRAP Number(s). If the STRAP Number is unknown, it may be obtained from the Lee County Property Appraiser at 339-6150.

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.

- C. 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. 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. [Sec. 10-153(3)c.]

### **EXPLANATORY NOTES FOR PART III**

#### **COMMUNICATION TOWERS**

All new communication towers must apply for a development order as follows:

1. If the facility and all accessory buildings, pads, and other impervious areas will not increase the total impervious area by more than 2,500 square feet, or increase the rate of runoff from the project site, a Limited Review TYPE 1 may be used.
2. If the facility and all accessory buildings, pads, and other impervious areas will increase the total impervious area by more than 2,500 square feet, but do not result in any significant impacts, a Limited Review TYPE 12 may be used.
3. If the facility and all accessory buildings, pads, and other impervious areas will increase the total impervious area by more than 2,500 square feet and result in significant impacts, a regular development order must be used.

#### **TYPE 3 LIMITATIONS:**

1. Each lot must meet or exceed all width, depth and area requirements of the zoning district in which located. b. Each lot abuts and has access to an existing improved right-of-way or easement meeting at least the minimum construction standards required by LDC Chapter 10. This provision requires that each lot abut and have access to a road complying with the requirements of section 10-296.
2. No alteration of existing utility installations is involved.
3. No change in drainage will occur which affects the surrounding properties
4. No new road rights-of-way or road easements or upgrading of road rights-of-way or road easements to minimum standards contained in FMBLDC Chapter 10 is required. This provision requires that a development order be obtained in order to establish or upgrade a road right-of-way or a road easement or to construct or upgrade a road.
5. No commercial or multi-family development may occur on any of the lots without first obtaining a development order.

### **EXPLANATORY NOTES FOR PART IV**

- A. The applicant is responsible for the accuracy and completeness of this application. Delays or additional expenses necessitated by the submittal of inaccurate or incomplete information are the responsibility of the applicant.
- B. All information submitted with the application becomes a part of the public record and will be a permanent part of the file.
- C. All applications must be submitted in person. Applications received through the mail 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 (8.5x11) folder.
- E. The Department staff will review this application for compliance with requirements of the LDC. If any deficiencies are noted, the applicant will be notified.

NOTE A: Aerial photographs may be obtained at the Lee County Property Appraisers office at 2480 Thompson Street, Constitutional Complex, Fort Myers, Florida 33901

NOTE B: If the site plan is insufficient for the type of review requested, an engineered drawing

may be required.

NOTE C: If the changes the applicant is proposing are over existing impervious ground (i.e. asphalt or concrete), then a Limited Review Development Order may not be required. However, a "Letter of Transmittal" must be obtained prior to submitting plans for a Building Permit.

### **EXPLANATORY NOTES FOR PART V**

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 County 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 V 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). Please complete the appropriate Affidavit form based upon the type of applicant.} [10-153(1)]