



**Application For Special Exception Public Hearing  
In The Village of Estero**  
[LDC Sections 2-403, 2-405, 2-501.E.]

**Project Name:** \_\_\_\_\_  
**Request:** \_\_\_\_\_  
\_\_\_\_\_

**PART 1  
APPLICANT/AGENT INFORMATION**

- A. Name of Applicant:** \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, ZIP: \_\_\_\_\_  
Phone Number: \_\_\_\_\_ E-mail: \_\_\_\_\_
- B. Relationship of Applicant to owner (check one) and provide Affidavit of Authorization form:**  
☐ Applicant is the sole owner of the property.  
☐ Applicant has been authorized by the owner(s) to represent them for this action.  
☐ Application is Village of Estero initiated. Attach Village Council authorization.
- C. Authorized Agent: (If different than applicant) Name of the person who is to receive all Village of Estero-initiated correspondence regarding this application.**  
Company Name: \_\_\_\_\_  
Contact Person: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, ZIP: \_\_\_\_\_  
Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

**PART 2  
PROPERTY OWNERSHIP**

- A. Property owner(s): If multiple owners (corporation, partnership, trust, association), provide a list with owner interest. (Attach additional sheet(s) if necessary.)**
- Name:** \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_
- Name:** \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_
- Name:** \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_
- B. Disclosure of Interest:**  
☐ Attach Disclosure of Interest Form.

**C. Multiple parcels:**

- ☐ Property owners list.  
☐ Property owners map.

**D. Certification of Title and Encumbrances:**

1. Title certification document, no greater than 90 days old.  
2. Date property was acquired by present owner(s): \_\_\_\_\_

**PART 3  
PROPERTY INFORMATION**

**A. STRAP Number(s):** (Attach extra sheets if necessary.) \_\_\_\_\_

**B. Street Address of Property:** \_\_\_\_\_

**C. Legal Description (must submit):**

- ☐ Legal description (metes and bounds) (8½"x11") and sealed sketch of the legal description.

**OR**

- ☐ Legal description (NO metes and bounds) if the property is located within a subdivision platted per F.S. Chapter 177, and is recorded in the Official Records of Lee County under Instruments or Plat Books.

**AND**

**Boundary Survey:**

- ☐ A Boundary survey, tied to the state plane coordinate system.

**OR**

- ☐ Not required if the property is located within a subdivision platted per F.S. Chapter 177.

**D. Surrounding property owners** (within 750 feet of the perimeter of the subject parcel or portion thereof that is subject of the request) **[2-405.C.2.]**:

1. ☐ List of surrounding property owners.  
2. ☐ Map of surrounding property owners.  
3. ☐ One set of mailing labels.

*Note: When the case is found complete/sufficient, a new list and mailing labels must be submitted.*

**E. Current Zoning of Property:** \_\_\_\_\_

- ☐ Provide copies of all Zoning Resolutions and Zoning Approvals applicable to the subject property.

**F. Use(s) of Property:**

1. Current uses of property are: \_\_\_\_\_

2. Intended uses of property are: \_\_\_\_\_

**G. Future Land Use Classification (Comprehensive Plan):**

_____	_____	Acres	_____	% of Total
_____	_____	Acres	_____	% of Total
_____	_____	Acres	_____	% of Total

**H. Property Dimensions:**

1. Width (average if irregular parcel): \_\_\_\_\_ Feet  
2. Depth (average if irregular parcel): \_\_\_\_\_ Feet  
3. Total area: \_\_\_\_\_ Acres or square feet  
4. Frontage on road or street: \_\_\_\_\_ Feet on \_\_\_\_\_ Street  
2<sup>nd</sup> Frontage on road or street: \_\_\_\_\_ Feet on \_\_\_\_\_ Street

**I. Public Meeting Requirements:** Provide a meeting summary document of the required public informational session. **[2-401.C.4.]**

- J. Waivers from Application Submission Requirements:** Attach waivers, if any, approved by the Community Development Director.

#### **PART 4 ACTION REQUESTED**

- A. Request Statement:** Explain the nature of the request and how the property qualifies for the special exception based on the findings/review criteria set forth in 2-501.E.3. and listed below. The use:
- A. Will be consistent with the goals, objectives, and policies of the comprehensive plan;
  - B. Will comply with all applicable zoning district standards;
  - C. Will comply with all standards in Chapter 4: Use Specific Standards;
  - D. Will be appropriate for its location and is compatible with the general character of surrounding lands and the uses permitted in the zoning district;
  - E. Will adequately screen, buffer, or otherwise minimize adverse visual impacts on adjacent lands;
  - F. Will ensure that no site lighting source shall negatively impact adjacent properties and rights-of-way;
  - G. Will maintain safe and convenient ingress and egress and traffic flow onto and through the site by vehicles and pedestrians, and safe road conditions around the site;
  - H. Will avoid significant adverse odor, noise, glare, and vibration impacts on surrounding lands regarding refuse collection, service delivery, parking and loading, signs, lighting, and other site elements;
  - I. Will not have an adverse impact on land values and the ability of neighboring lands to develop uses permitted in the zoning district;
  - J. Will avoid significant deterioration of water and air resources, scenic resources, and other natural resources; and
  - K. Will not overburden existing public facilities and services, including, but not limited to, streets and other transportation facilities, schools, potable water facilities, sewage disposal, storm water management, and police and fire protection facilities; and
  - L. Will comply with all other relevant Village, state, and federal laws and regulations.
  - M. In the case of new antenna supporting structure wireless communication facilities, meets the additional criteria of the Land Development Code (4-143) and Administrative Manual.
- B. Traffic Impact Statement (TIS):** Attach a traffic impact analysis of projected trip generation for the use. A TIS is not required for special exceptions for consumption on premises.
- C. Site Plan:** Attach a site plan showing:
- 1. The location and current use of all existing structures on the site.
  - 2. All proposed structures and uses to be developed on the site.
  - 3. Any existing public streets, easements or land reservations within the site, and the proposed means of vehicular access to and from the site.
  - 4. Other information specific to the type of application or which may be required by the Director.
- D. Additional Information:** Any other reasonable information which may be required by the Director which is commensurate with the intent and purpose of the Land Development Code

#### **PART 5 ADDITIONAL REQUIREMENTS**

- A. Potable Water:** Will the project be connected to potable water and central sewer as part of any development of the property?
- ☐ **YES** (Provide letter from the appropriate utility to which the connection(s) are proposed confirming availability of service.)
- ☐ **NO** (Provide a narrative explaining why the connection is not planned and how the water and sewer needs of the project will be met.)

**B. Flood Hazard:**

- ☐ Not applicable
- ☐ The property is within an Area of Special Flood Hazard as indicated in the Flood Insurance Rate Maps (FIRM)s.
- ☐ The minimum elevation required for the first habitable floor is \_\_\_\_\_ NAVD (MSL)

**C. Excavations/Blasting:**

- ☐ No blasting will be used in the excavation of lakes or other site elements.
- ☐ If blasting is proposed, provide Information Regarding Proposed Blasting (including soil borings, a map indicating the location of the proposed blasting, and other required information).

**D. Airport Zones & Lee County Port Authority (LCPA) Requirements:**

- ☐ Not Applicable
- ☐ Property is located within \_\_\_\_\_ Airport Notification Zone:
- ☐ A Tall Structures Permit is required.

**G. On-Premises Consumption of Alcoholic Beverages: [4-402]**

1. A written statement describing the type of state liquor license to be acquired, e.g., 2 COP, SRX, 11C, etc., and the anticipated hours of operation for the business.
2. The site plan must include a detailed parking plan.
3. Location of any outdoor seating.

**J. Wireless Communication Facilities: [Transitional Code 34-1441 et. seq. and Administrative Manual]**

1. Documentation of authority/acceptance of responsibility for compliance with these regulations, executed by property owner, applicant, and provider who will be placing antennas on the proposed or existing wireless communications facility.
2. Name, address, and telephone contact information for the owners(s) of all proposed or existing antenna-supporting structures and wireless communication facilities with an affidavit that such contact information will be updated annually or upon a change of ownership after the application is approved.
3. A copy of license issued by FCC. A broadcast structure must submit a construction permit.
4. New antenna-supporting structures must demonstrate there are no existing suitable structures available or higher priority zoning districts in the geographic search area. As part of that demonstration, the application must include a graphical representation of the geographic search area.
5. A statement confirming the overall height of the facility and all other facilities on the subject property, in terms of grade and sea-level.
6. A letter demonstrating consent from the Executive Director of Lee County Port Authority if the wireless communications facility is to be located within the County airspace notification limits of LCLDC Section 34-1008.
7. For any wireless communications facility exceeding 35 feet, a letter confirming review and recommendation from the Lee County Mosquito Control District, Sheriff's Department, and Director of Public Safety.
8. A letter demonstrating evidence of compliance with applicable Federal Aviation Administration requirements under 14 C.F.R. s. 77, as amended, and evidence of proper Federal Communications Commission licensure, or other evidence of Federal Communications Commission authorized spectrum use.
9. The Boundary Survey, completed by a registered land surveyor, must show all existing conditions.
10. Photo-simulated post-construction renderings of the proposed wireless communications facility, equipment enclosures, and ancillary appurtenances as they would look after construction from areas where the proposed wireless communications facility will be visible according to the balloon test and sight lines.
11. Shared use plan or copy of an executed shared use plan must be provided for the existing facility (see Supplement A).
12. For all new antenna support structures, a list and map identifying all existing wireless communications facilities to which the proposed facility will be a handoff candidate, including latitude, longitude, and power levels of each.

13. Floor plans, elevations, and cross sections on 24" X 36" size paper at a scale no smaller than 1/4" = 1' (1:48) of any proposed accessory structures.
14. To scale elevation drawings, indicating the roof, facades, doors, and other exterior appearance and materials of the proposed wireless communication facility (signed and sealed by Professional Engineer).
15. If the property owner is not a provider, a copy of an executed lease agreement or memorandum of lease between the application or property owner and provider. If no lease agreement has been executed, an affidavit signed by provider attesting to provider's intent to make an application for development order approval to place antennas on the wireless communications facility if the zoning application is approved.
16. For antenna supporting structures, the graphic results of the balloon test conducted by the applicant pursuant to the requirements of LCLDC Section 34-1446(d).

### SUBMITTAL REQUIREMENT CHECKLIST

*Clearly label your attachments as noted in bold below.*

***Please provide one CD or thumb drive and three COLLATED paper sets of your submittal package.***

***Clearly label your attachments as noted in bold below.***

<input type="checkbox"/>	Completed <b>Application</b> for Public Hearing
<input type="checkbox"/>	Filing Fee (no copies)
<input type="checkbox"/>	<b>Affidavit of Authorization</b> (notarized)
	<b>Multiple Owners List</b> (if applicable)
<input type="checkbox"/>	<b>Disclosure of Interest</b> Form (multiple owners)
	<b>Legal description (must submit one)</b>
<input type="checkbox"/>	Legal description (metes and bounds) and sealed sketch of legal description
	<b>OR</b>
<input type="checkbox"/>	Legal description (NO metes and bounds) if the property is located within a subdivision platted per F.S. Chapter 177, and is recorded in the Official Records of Lee County under Instruments or Plat Books.
<input type="checkbox"/>	<b>Boundary Survey</b> (not required if platted lot)
	<b>Property Owners List</b> (if applicable)
<input type="checkbox"/>	<b>Property Owners Map</b> (if applicable)
<input type="checkbox"/>	Confirmation of <b>Ownership/Title Certification</b>
	<b>STRAP Numbers</b> (if additional sheet is required)
<input type="checkbox"/>	<b>List of Surrounding Property Owners</b>
<input type="checkbox"/>	<b>Map of Surrounding Property Owners</b>
<input type="checkbox"/>	<b>Mailing Labels</b> (one original plus 2 copies)
<input type="checkbox"/>	Copies of <b>Zoning Resolutions</b> and Approvals
<input type="checkbox"/>	Summary of <b>Public Informational Session</b>
<input type="checkbox"/>	<b>Waivers</b> from Application Submission Requirements
<input type="checkbox"/>	<b>Request Statement</b>
<input type="checkbox"/>	Traffic Impact Statement ( <b>TIS</b> )
<input type="checkbox"/>	<b>Site Plan</b>
<input type="checkbox"/>	<b>Additional Information</b> (if applicable)
	<b>Potable Water &amp; Sanitary Sewer.</b> Letter from the appropriate utility entity indicating the utility entity or explanation of how water and sewer needs will be met if connection will not be made.
<input type="checkbox"/>	<b>Excavations/Blasting</b> (if applicable)
<input type="checkbox"/>	<b>Tall Structures Permit</b> (if applicable)
<input type="checkbox"/>	Consumption on Premises ( <b>COP</b> ) (if applicable)
<input type="checkbox"/>	<b>Wireless Communication Facilities</b> (if applicable) (4-143)