



# APPLICATION FOR VARIANCE PUBLIC HEARING IN THE VILLAGE OF ESTERO

Project Name: \_\_\_\_\_

Request: \_\_\_\_\_  
\_\_\_\_\_

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## PART 1 APPLICANT/AGENT INFORMATION

A. **Name of Applicant:** \_\_\_\_\_  
**Company Name:** \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Phone Number: \_\_\_\_\_  
E-mail Address: \_\_\_\_\_

- B. **Relationship of Applicant to owner (check one) and provide Affidavit of Authorization form:**
- Applicant is the sole owner of the property. [34-201(a)(1)a.1.]
  - Applicant has been authorized by the owner(s) to represent them for this action. [34-202(b)(1)b. & c.]
  - 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. [34-202(b)(1)c.]**

1. **Company Name:** \_\_\_\_\_  
**Contact Person:** \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

2. **Additional Agent(s):** Provide the names of other agents that the Village of Estero may contact concerning this application. [34-202(b)(1)c.]

## PART 2 PROPERTY OWNERSHIP

A. **Property owner(s): If multiple owners (corporation, partnership, trust, association), provide a list with owner interest. [34-201; 34-204]**  
**Name:** \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

B. **Disclosure of Interest [34-201; 34-204]:**  
 Attach Disclosure of Interest Form. [34-201; 34-204]

THE VILLAGE OF ESTERO DEPARTMENT OF COMMUNITY DEVELOPMENT  
9401 Corkscrew Palms Circle • Estero, FL 33928  
Phone (239) 221-5036

**C. Multiple parcels:**

- Property owners list. [34-202(a)(5)]
- Property owners map. [34-202(a)(5)]

**D. Certification of Title and Encumbrances [34-202(a)(3)]**

1. Title certification document, no greater than 90 days old. [34-202(a)(3)]
2. Date property was acquired by present owner(s): \_\_\_\_\_

**PART 3  
PROPERTY INFORMATION**

**A. STRAP Number(s):** [Attach extra sheets if additional space is needed.]

\_\_\_\_\_

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

**C. Legal Description (must submit) [34-202(a)(1)]:**

- Legal description (8½"x11") and sealed sketch of the legal description. [34-204(a)(1)]

**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 [34-202(a)(2); 34-373(a)(4)a.]:**

- 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 500 feet of the perimeter of the subject parcel or portion thereof that is subject of the request):

1.  List of surrounding property owners. [34-202(a)(6)]
2.  Map of surrounding property owners. [34-202(a)(7)]
3.  One set of mailing labels.. [34-202(a)(6)]

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

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

- Provide a list of all Zoning Resolutions and Zoning Approvals applicable to the subject property. [34-202(a)(8)]

**F. Use(s) of Property [34-204(a)(5)]:**

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 [34-202(a)(8)]:**

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. [34-202(a)(10);33-54(a)&(b)]
- J. **Waivers from Application Submission Requirements:** Attach waivers, if any, approved by the Director of Zoning. [34-202(a)]

**PART 4  
ACTION REQUESTED**

- A. **Variance(s).** List the specific section number(s) of the Village of Estero Land Development Code {and their name(s)} from which the relief is sought. [34-203(f)(1)] [Attach extra sheets if additional space is needed]:

<u>Section Number</u>	<u>Title of LDC Section or Subsection</u>

- B. **Reason why Variance is needed** [Attach extra sheets if additional space is needed]:
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- C. **Variance Criteria.** Explain how each variance request meets the criteria set forth in 34-145(b)(3) and (4). [34-145(b)(3); 34-203(f)(1)]
  1. What are the property’s inherent exceptional conditions that cause the application of the regulation to create a hardship (as defined in LDC section 34-2) on the property owner?
  2. Are the exceptional conditions the result of actions of the property owner taken subsequent to the adoption of the ordinance?  **YES**  **NO** (If **YES**, explain.)
  3. Is the requested variance the minimum variance that will relieve the unreasonable burden caused by the application of the regulation to the property?  **YES**  **NO** (Explain.)
  4. Will granting the variance be injurious to the neighborhood or otherwise detrimental to the public welfare?  **YES**  **NO** (Explain.)
  5. Is the requested variance consistent with the Comprehensive Plan?  **YES**  **NO** (Explain.)
  6. If applicable, how does the variance meet the special findings criteria of 34-145(b)(4)?

- D. **Site Plans:**
  1. All requests for a variance (excluding a setback variance on a collector or arterial road) must include a site plan showing: [34-203(f)(2)]
    - a. All existing public streets, easements or other reservations of land within the site;
    - b. All existing and proposed structures on the site; and
    - c. The location of the proposed variance.
  2. All requests for a variance from a required street setbacks on a collector or arterial road must include a site plan, drawn to scale, showing: [34-203(f)(4)2.]
    - a. The location of all proposed structures, easements, rights-of-way and vehicular access onto the property, including entrance gates or gatehouses; and
    - b. The extent of modification from street setbacks requested.

**PART 5  
ADDITIONAL REQUIREMENTS**

- A. **Flood Hazard: [34-202(a)(8)]**
  - 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)
- B. **Excavations/Blasting: [34-202(b)(6)]**
  - 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).

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

- Not Applicable
- Property is located within \_\_\_\_\_ Airport Noise Zone: **[34-1004]**
- Property is located within Airport Protection Zone. Indicate which Zone below. **[34-1005]**
  - Property is located within Airport Runway Clear Zone: **[34-1006]**
  - Property is located within Airport School Protection Zone: **[34-1007]**
  - Property is located within Airport Residential Protection Zone: **[34-1009]**
  - Property is located in an Airport Obstruction Notification Zone and subject to LCPA regulations. **[34-1009]**
- A Tall Structures Permit is required. **[34-1010]**

**D. Any other reasonable information required by the Department which is commensurate with the intent and purpose of the Village of Estero Land Development Code. **[34-203(f)(3)]****

**PART 6  
SUBMITTAL REQUIREMENT CHECKLIST**

***Three COLLATED paper copies and one electronic copy required for submittal  
Clearly label your attachments as noted in bold below***

<input type="checkbox"/>	Completed application for Public Hearing [34-201(b)]
<input type="checkbox"/>	Filing Fee - [34-202(a)(9)]
<input type="checkbox"/>	<b>Affidavit of Authorization</b> (notarized) [34-202(b)(1)c]
<input type="checkbox"/>	<b>Additional Agents</b> [34-202(b)(1)c.]
<input type="checkbox"/>	<b>Multiple Owners List</b> (if applicable) [34-201; 34-204]
<input type="checkbox"/>	<b>Disclosure of Interest Form</b> (multiple owners) [34-201(b)(2)a]
<input type="checkbox"/>	<b>Legal description (must submit one) [34-202(a)(1)]</b>
<input type="checkbox"/>	Legal description (metes and bounds) and sealed sketch of legal description
	<b><u>OR</u></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>[34-202(a)(2); [34-373(a)(4)a.]</b>
<input type="checkbox"/>	<b>Property Owners list</b> (if applicable) [34-202(a)(5)]
<input type="checkbox"/>	<b>Property Owners map</b> (if applicable) [34-202(a)(5)]
<input type="checkbox"/>	Confirmation of <b>Ownership/Title Certification</b> [34-202(a)(3)]
<input type="checkbox"/>	<b>STRAP Numbers</b> (if additional sheet is required) [34-202(a)(1)]
<input type="checkbox"/>	<b>List of Surrounding Property Owners</b> [34-202(a)(6)]
<input type="checkbox"/>	<b>Map of Surrounding Property Owners</b> [34-202(a)(7)]
<input type="checkbox"/>	<b>Mailing labels</b> [34-202(a)(6)]
<input type="checkbox"/>	List of <b>Zoning Resolutions</b> and Approvals [34-202(a)(8)]
<input type="checkbox"/>	Summary of <b>Public Informational Session</b> [34-202(a)(10);33-54(a)&(b)]
<input type="checkbox"/>	<b>Waivers</b> from Application Submission Requirements (if applicable) [34-202(a)]
<input type="checkbox"/>	List of <b>variances requested</b> (if additional sheet is required) [34-203(f)(1)]
<input type="checkbox"/>	<b>Reason</b> Variance is needed (if additional sheet is required)
<input type="checkbox"/>	Variance <b>criteria</b> [34-145(b)(3); 34-203(f)(1)]
<input type="checkbox"/>	<b>Site Plan</b> [34-203(f)(2) or 34-203(f)(4)2.]
<input type="checkbox"/>	<b>Excavations/Blasting</b> (if applicable) [34-202(b)(6)]
<input type="checkbox"/>	<b>Tall Structures Permit</b> (if applicable) [34-1010]
<input type="checkbox"/>	<b>Additional Information</b> required by Department