CITY OF SANIBEL

ORDINANCE 12–004

AN ORDINANCE PERTAINING TO CHAPTER 90 OF THE SANIBEL CODE ENTITLED "FEES", ARTICLE II, SECTION 90-59 AND ARTICLE IV, SECTION 90-486; REDUCING THE PERMIT, DEVELOPMENT REVIEW AND ADMINISTRATIVE FEES SET FORTH THEREIN RELATING TO THE MINIMUM FEE FOR ADDITIONS AND REMODELING, AND RELATING TO FEES FOR VARIANCES; ESTABLISHING SUCH REDUCED FEES AND SUPERSEDING AND REPEALING ALL PRIOR ORDINANCES AND RESOLUTIONS INCONSISTENT HEREWITH; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, municipalities are legally authorized to maintain planning, development review and administrative fees at levels necessary to recoup reasonably related costs and expenses of such applicable Planning Department fees; and

WHEREAS, the City Council has determined that it is appropriate and in the public's best interests to reduce the minimum fee for additions and remodeling which include an increase in living area; and

WHEREAS, the City Council has determined that it is appropriate and in the public's best interests to reduce the minimum fee for variances to land development regulations; and

WHEREAS, this schedule of fees is established to supersede and repeal all prior Ordinances and Resolutions inconsistent herewith;

NOW, THEREFORE BE IT ORDAINED by the City Council of the City of Sanibel, Florida:

SECTION 1 - AMENDMENT OF FEES

CHAPTER 90, FEES; ARTICLE II, DEVELOPMENT PERMITS, DIVISION 2. RESIDENTIAL DEVELOPMENT, Sec. 90-59. Same – Increase in living area, and ARTICLE IV, PUBLIC HEARINGS, DIVISION 8. VARIANCES, Sec. 90-486 – Generally, of the Sanibel Land Development Code are hereby amended to read as follows, with additions indicated by underlining and deletions indicated by strikeout:

Sec. 90-59. Same--Increase in living area.

The fee for additions and remodeling which include an increase in living area shall be one percent of the estimated cost of the remodeling improvements up to $1,000,000 in value and 0.5% of the next $500,000 in value and 0.25% of the value in excess of $1,500,000, plus $0.90 per square foot for each new square foot of living area, or fraction thereof, but not less than ~~$426.00~~ $213.00.

Sec. 90-486. Generally.

For an application filed pursuant to section 82-136 et seq., requesting a variance from any requirement set forth in the applicable provisions of this land development code, the fee shall be ~~$2,850.00~~ $2,000.00 for one variance to one regulation, plus ~~$747.00~~ $560.00for each additional variance request to each separate regulation, when included with the same application for the same parcel.

SECTION 2. All prior resolutions and ordinances relating to the above amended fees are superceded.

The Planning, Development Review, Administrative Services and related fees set forth in this Ordinance (noted by underlining) shall constitute the currently adopted fees of the City of Sanibel and all prior ordinances and resolutions are hereby repealed and superceded to the extent of any conflict herewith.

SECTION 3. Codification.

This ordinance shall be deemed an amendment to the Code of Ordinances of the City of Sanibel and the Sanibel Code of Ordinances is hereby amended

SECTION 4. Effective Date.

This Ordinance shall be effective immediately upon adoption provided, however, the fees set forth herein shall become effective seven (7) days after adoption.

DULY PASSED AND ENACTED by the Council of the City of Sanibel, Florida, this 1st day of May, 2012.

AUTHENTICATION:

Kevin Ruane, Mayor

Pamela Smith, City Clerk

APPROVED AS TO FORM: Kenneth B. Cuyler, City Attorney Date 5/1/12

First Reading	April 03, 2012
Publication	April 19, 2012
Second Reading	May 01, 2012

Vote of Council Members:

Ruane	yea
Denham	yea
Congress	yea
Harrity	yea
Jennings	yea

Date Filed with City Clerk: May 1, 2012