

# MEMO

**To: City Council**

**Cc: City Manger, City Attorney**

**Re: Request to waive fees**

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My Fellow Council Members:

On June 4th, 2013, Council was presented a request to waive fees for a variance to reconstruct a boat dock. The applicants, Mr. and Mrs. Cary Giese, were out of town and not able to attend this meeting. Council voted 3-2 against granting relief and I was one of the three dissenting votes. The supporting documentation provided clearly explains the request, but in my opinion, fails to illustrate the severe safety issue and justification for the waiver request.

Since this time I have had two meetings with Mr. Giese, including a site visit. After discussions with Director Jordan, Assistant Director Gibson, and Mr. Giese, as well as visiting the subject property, I concur with Mr. Giese that the only way to minimize the safety issue was to reconstruct the dock. In taking this corrective action, the dock would not conform to the 15-foot setback requirement, or the maximum eight-foot width of docks, therefore would require a variance. Not only did the Planning Commission unanimously agree to grant the variance, but they recommended a new plan design that was safer than originally proposed, even though it was less compliant. Staff supported and recommended the Commission grant the variance.

Based on a more thorough review of the facts, I believe the variance fee Mr. Giese incurred is unjust. Fees that deter or inhibit corrective actions that improve health, safety and welfare should be discouraged. For this reason, I respectfully request Council to reconsider this item.

**NONCONFORMANCE AND BUILD-BACK PROVISIONS OF THE LAND DEVELOPMENT CODE; PROVIDING FOR CONFLICT AND SEVERANCE; AND PROVIDING AN EFFECTIVE DATE**

City Council scheduled the second reading and public hearing for July 16, 2013 at 9:20 a.m.

**CONSENT AGENDA**

Councilman Denham asked the item d, j, and p be pulled. Councilman Jennings asked the item (g) be pulled.

**d. RESOLUTION 13-046 APPROVING THE INVESTMENT POLICY STATEMENT ADOPTED BY THE BOARD OF TRUSTEES OF THE CITY OF SANIBEL GENERAL EMPLOYEES' RETIREMENT PLAN; AND PROVIDING FOR AN EFFECTIVE DATE**

Discussion ensued regarding a change in the investment policy for the General Employees Pension Board, Ms. Zimomra explained the difference in agenda ,arterial for the General Employees Pension Board and Sanibel Police Officers Pension Trust, most changes to the policy was wordsmithing with further changes being the allocation of investments, which was more conservative.

Ms. Zimomra read the title of Resolution 13-046.

Vice Mayor Congress moved, seconded by Councilman Denham, to adopt Resolution 13-046.

Public Comment

None

The motion carried.

**g. Award 2013 Street Resurfacing contract to Community Asphalt Corp. in the amount of \$674,979 and Approve the same contract authorizing the City Manager to execute (This project is in the adopted FY12/13 budget)**

Mr. Jennings spoke to trenches and potholes on Sandcastle Road. Mr. Willimas, Public Works Director spoke regarding the conditions of Sandcastle Road and the need to allow the road to settle after Island Water Association (IWA) work. He further stated that due to the increased amount of pedestrian traffic staff would be reviewing this location for a crosswalk, Ms. Zimomra noted that the pedestrian issue was being reviewed and staff would contact IWA for a partnership in reviewing the road as it currently stands, Ms. Zimomra clarified that she did not want the newspaper to misrepresent the work completed by IWA and there should be a temporary patch and she spoke to homeowners associational meeting asking for a pedestrian crossing.

Councilman Jennings moved, seconded by Councilman Denham, to approve the above item.

Public Comment

None

The motion carried.

**j. RESOLUTION 13-051 GRANTING A WAIVER OF THE VARIANCE FEE FOR APPLICANTS CARY AND PATTI GIESE FOR A VARIANCE APPLICATION RELATING TO EXISTING SEAWALL AND DOCK WORK AT THEIR RESIDENTIAL PARCEL LOCATED AT 1198 HARBOUR COTTAGE COURT, SANIBEL; AND PROVIDING AN EFFECTIVE DATE.**

Ms. Zimomra read the title of Resolution 13-051. She noted that the residents advised they were out of state. She also noted that Council had discussed the fee and the Planning Commission hears the merit of the application.

Discussion ensued regarding being against the waiver.

Mr. Gibson spoke to the following:

- Variance fee was \$2,000 for one variance of the code
- There was no application for a subject variance request
- This request was for Council to consider a reduction of fees
- Relief from set back standard of 15 feet and want to reconfigure a dock that did not conform to the current standard

Discussion ensued regarding that there was no justification to give relief, documents indicated that property evaluation was increased, any permit was to improve property, Ms. Zimomra noted that the reconfiguration was because of safety to their grandchildren, Ms. Zimomra noted that staff was making no recommendation, Mr. Gibson noted that the current configuration had a minimum width and the potential applicant would like to enlarge and minimize the safety to their grandchildren and enlarge dock would be within the City's setback, and Ms. Zimomra noted there was a small triangle that would be left if not improved if not increased.

Mayor Ruane moved, seconded by Councilman Jennings, to adopt Resolution 13-051.

Discussion ensued regarding resolution not speaking to safety, but waiver of fees, do not agree with waiver of fees, no problem with the variance, but could reduce the fee to \$1,000 for the sake of consistency, not consistent with the decision last month, and may want to set a cut-off and grant relief retroactively.

The motion failed with Councilman Harrity, Councilman Denham and Vice Mayor Congress voting in opposition.

Discussion ensued regarding grandfathering, if there was a grandfather clause the City would credit difference paid and the adopted change, whatever amount deciding upon the fee was paid to the future decision, Mr. Cuyler advised a motion could be made to revive, if there was a grandfather clause then the \$2,000 would be paid and the remainder would be refunded to the applicant, fair to all people, pay fee and apply for variance and if Council reduces fees a credit would be given, no application and fee paid, if the applicant wants to pursue there was a course of action and would be discussed at the July 16, 2013 agenda, Mr. Cuyler noted that Council's discussion would be formalized until the next meeting, advised the person could apply and would be advised of Council's action.

p. **RESOLUTION 13-049 GRANTING A PARTIAL WAIVER OF THE CONDITIONAL USE APPLICATION FEE AND VARIANCE FEE FOR SANIBEL DELI AND COFFEE FACTORY, LLC LOCATED AT 2330 PALM RIDGE ROAD; AND PROVIDING AN EFFECTIVE DATE**

Councilman Denham spoke to disapproving of a waiver of reduction in the above types of fees.

Ms. Zimomra read the title of Resolution 13-049.

Mayor Ruane moved, seconded by Vice Mayor Congress to adopt Resolution 13-049.

Public Comment  
None

The motion carried

q. **RESOLUTION 13-050 GRANTING A PARTIAL WAIVER OF THE VARIANCE FEE FOR TWO DREAMERS, INC. D/B/A FRESH TAQUERIA LOCATED AT 2411 PERIWINKLE WAY; AND PROVIDING AN EFFECTIVE DATE**

Ms. Zimomra read the title of Resolution 13-050.

Public Comment

**Planning Department Fee Schedule History**

**City of Sanibel Code of Ordinance (Code)**

**Subpart B - Land Development Code - Chapter 90 Fees - Articles I, II, III, IV**

(Where differences exist between this schedule and the Code, the Code overrules)

| Section  | Description  | 7/30/2002<br>Ord. 02-015              | 9/16/2003<br>Ord. 03-012              | 10/5/2004<br>Res. 04-127              | 9/10/2005<br>Ord. 05-013              | 10/3/2006<br>Res. 06-147              | 12/4/2007<br>Ord. 07-015              | 2/19/2008<br>Ord. 08-003 | 5/1/2012<br>Ord. 12-004 | 10/2/2012<br>Ord. 12-008 |
|--|--|---------------------------------------|---------------------------------------|---------------------------------------|---------------------------------------|---------------------------------------|---------------------------------------|--------------------------|-------------------------|--------------------------|
| <b>ARTICLE I - IN GENERAL</b>                  |  |                                       |                                       |                                       |                                       |                                       |                                       |                          |                         |                          |
| 90-6   | Adjacent property notifications (each in excess of 50)                                       | 0.80                                  | 0.82                                  | 0.83                                  | 1.50                                  | 1.60                                  | 1.65                                  |                          |                         |                          |
| 90-7   | Long Form administrative/advertising fee   | 1,100.00                              | 1,128.00                              | 1,151.00                              | 1,900.00                              | 1,967.00                              | 2,025.00                              |                          |                         |                          |
| 90-8.5   | Amendment to pending application   | 20% of filing fee<br>(min \$110.00)   | 20% of filing fee<br>(min \$113.00)   | 20% of filing fee<br>(min \$116.00)   | 20% of filing fee<br>(min \$200.00)   | 20% of filing fee<br>(min \$207.00)   | 20% of filing fee<br>(min \$213.00)   |                          |                         |                          |
| 90-9   | Appeals  | 10% of filing fee<br>(min \$110.00)   | 10% of filing fee<br>(min \$113.00)   | 10% of filing fee<br>(min \$681.00)   | 10% of filing fee<br>(min \$1,150.00) | 10% of filing fee<br>(min \$1,191.00) | 10% of filing fee<br>(min \$1,226.00) |                          |                         |                          |
| 90-10  | Continuation of public hearing   | 400.00                                | 410.00                                | 419.00                                | 700.00                                | 725.00                                | 747.00                                |                          |                         |                          |
| 90-11  | Extension of an expiration date<br>(1) City Manager approval only                            | 10% of filing fee<br>(min \$110.00)   | 10% of filing fee<br>(min \$113.00)   | 10% of filing fee<br>(min \$116.00)   | 10% of filing fee<br>(min \$200.00)   | 10% of filing fee<br>(min \$207.00)   | 10% of filing fee<br>(min \$213.00)   |                          |                         |                          |
|  | (2) Planning Commission/City Council approval required                                       | 10% of filing fee<br>(min \$1,100.00) | 10% of filing fee<br>(min \$1,128.00) | 10% of filing fee<br>(min \$1,151.00) | 10% of filing fee<br>(min \$1,900.00) | 10% of filing fee<br>(min \$1,967.00) | 10% of filing fee<br>(min \$2,025.00) |                          |                         |                          |
| 90-13  | Reinspections (after request of final inspection)  | 110.00                                | 113.00                                | 116.00                                | 200.00                                | 207.00                                | 213.00                                |                          |                         |                          |
| 90-14  | Revisions to an active permit or approval<br>(1) City Manager approval only                  | 110.00                                | 113.00                                | 116.00                                | 250.00                                | 259.00                                | 267.00                                |                          |                         |                          |
|  | (2) Planning Commission/City Council approval required                                       | 1,100.00                              | 1,128.00                              | 1,151.00                              | 1,900.00                              | 1,967.00                              | 2,025.00                              |                          |                         |                          |
| 90-16  | Street graphics<br>(1) New street graphic  | 220.00                                | 226.00                                | 231.00                                | 400.00                                | 400.00                                | \$10.00/sqft                          |                          |                         |                          |
|  | (2) Revisions to existing street graphic   | 55.00/110.00                          | 56.50/113.00                          | 57.75/116.00                          | 100.00/200.00                         | 100.00/200.00                         | 50.00                                 |                          |                         |                          |
|  | (3) Variance request<br>first request  | 1,500.00                              | 1,538.00                              | 1,569.00                              | 2,675.00                              | 2,675.00                              | 2,850.00                              |                          |                         |                          |
|  | each additional  | 400.00                                | 410.00                                | 419.00                                | 700.00                                | 700.00                                | 747.00                                |                          |                         |                          |
| 90-17  | Vegetation permits<br>(2)a. Removal/trimming seaward of 1974 coastal line                    | 55.00                                 | 56.50                                 | 57.75                                 | 100.00                                | 104.00                                | 108.00                                |                          |                         | 108.00                   |
|  | (2)b. Mangrove trimming and removal  | 55.00                                 | 56.50                                 | 57.75                                 | 100.00                                | 104.00                                | 108.00                                |                          |                         | 72.00                    |
|  | (3) Appeal of City Manager decision to Planning Commission                                   | 1,100.00                              | 1,128.00                              | 1,151.00                              | 1,900.00                              | 1,967.00                              | 2,025.00                              |                          |                         | 2,025.00                 |
| <b>ARTICLE II - DEVELOPMENT PERMITS</b>        |  |                                       |                                       |                                       |                                       |                                       |                                       |                          |                         |                          |
| <b>DIVISION 2 - RESIDENTIAL DEVELOPMENT</b>    |  |                                       |                                       |                                       |                                       |                                       |                                       |                          |                         |                          |
| 90-57  | New development; relocation of existing structures   | ≤ 2,000 sq.ft. 1,500.00               | 1,538.00                              | 1,569.00                              | 2,675.00                              | 2,769.00                              | 2,850.00                              |                          |                         |                          |
|  | per sq.ft. in excess of 2,000  | 0.45                                  | 0.46                                  | 0.47                                  | 0.75                                  | 0.78                                  | 0.80                                  |                          |                         |                          |
| 90-58  | Alterations and remodelings - no increase in living area<br>(based on costs of improvements) | ≤ \$1,000,000 N/A                     | N/A                                   | N/A                                   | 1% of costs                           | 1% of costs                           | 1% of costs                           |                          |                         |                          |
|  | next \$500,000   | N/A                                   | N/A                                   | N/A                                   | 0.50% of costs                        | 0.50% of costs                        | 0.50% of costs                        |                          |                         |                          |
|  | excess of \$1,500,000  | N/A                                   | N/A                                   | N/A                                   | 0.25% of costs                        | 0.25% of costs                        | 0.25% of costs                        |                          |                         |                          |
|  | total improvement costs  | 1% of costs                           | 1% of costs                           | 1% of costs                           | N/A                                   | N/A                                   | N/A                                   |                          |                         |                          |
|  | minimum fee  | 400.00                                | 410.00                                | 419.00                                | 250.00                                | 259.00                                | 267.00                                |                          |                         |                          |
| 90-59  | Alterations and remodelings - increase in living area (based<br>on costs of improvements)    | ≤ \$1,000,000 N/A                     | N/A                                   | N/A                                   | 1% of costs                           | 1% of costs                           | 1% of costs                           |                          |                         | 1% of costs              |
|  | next \$500,000   | N/A                                   | N/A                                   | N/A                                   | 0.50% of costs                        | 0.50% of costs                        | 0.50% of costs                        |                          |                         | 0.50% of costs           |
|  | excess of \$1,500,000  | N/A                                   | N/A                                   | N/A                                   | 0.25% of costs                        | 0.25% of costs                        | 0.25% of costs                        |                          |                         | 0.25% of costs           |
|  | per sqft of each new sqft of living area   | 0.50                                  | 0.51                                  | 0.52                                  | 0.85                                  | 0.88                                  | 0.90                                  |                          |                         | 0.90                     |
|  | total improvement costs  | 1% of costs                           | 1% of costs                           | 1% of costs                           | N/A                                   | N/A                                   | N/A                                   |                          |                         | N/A                      |
|  | minimum fee  | 650.00                                | 667.00                                | 681.00                                | 400.00                                | 414.00                                | 426.00                                |                          |                         | 213.00                   |
| <b>ARTICLE II - DEVELOPMENT PERMITS</b>        |  |                                       |                                       |                                       |                                       |                                       |                                       |                          |                         |                          |
| <b>DIVISION 3 - NONRESIDENTIAL DEVELOPMENT</b> |  |                                       |                                       |                                       |                                       |                                       |                                       |                          |                         |                          |

**Planning Department Fee Schedule History**

**City of Sanibel Code of Ordinance (Code)**

**Subpart B - Land Development Code - Chapter 90 Fees - Articles I, II, III, IV**

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|---------|--|--|--|--|--|--|--|--|-------------------------|--------------------------|
| 90-82   | New development; relocation of existing structures for commercial use; redevelopment of existing parcels | \$3,000 up to 1,500 sqft. + 1.10 per sqft in excess of 1,500 | \$3,075 up to 1,500 sqft. + 1.13 per sqft in excess of 1,500 | \$3,137 up to 1,500 sqft. + 1.15 per sqft in excess of 1,500 | \$2,500 up to 1,000 sqft. + 2.00 per sqft in excess of 1,500 | \$2,588 up to 1,000 sqft. + 2.10 per sqft in excess of 1,500 | \$2,664 up to 2,000 sqft. + 2.20 per sqft in excess of 2,000 |  |                         |                          |
| 90-83   | Alterations or remodelings - no increase in floor area (based on costs of improvement)                   |  |  |  |  |  |  |  |                         |                          |
|         | ≤ \$1,000,000  | N/A  | N/A  | N/A  | 1% of costs  | 1% of costs  | 1% of costs  |  |                         |                          |
|         | next \$500,000   | N/A  | N/A  | N/A  | 0.50% of costs   | 0.50% of costs   | 0.50% of costs   |  |                         |                          |
|         | excess of \$1,500,000  | N/A  | N/A  | N/A  | 0.25% of costs   | 0.25% of costs   | 0.25% of costs   |  |                         |                          |
|         | total improvement costs  | 1% of costs  | 1% of costs  | 1% of costs  | N/A  | N/A  | N/A  |  |                         |                          |
|         | minimum fee  | 300.00   | 308.00   | 315.00   | 500.00   | 518.00   | 534.00   |  |                         |                          |
| 90-84   | Alterations or remodelings - increase in floor area (based on costs of improvement)                      |  |  |  |  |  |  |  |                         |                          |
|         | ≤ \$1,000,000  | N/A  | N/A  | N/A  | 1% of costs  | 1% of costs  | 1% of costs  |  |                         |                          |
|         | next \$500,000   | N/A  | N/A  | N/A  | 0.50% of costs   | 0.50% of costs   | 0.50% of costs   |  |                         |                          |
|         | excess of \$1,500,000  | N/A  | N/A  | N/A  | 0.25% of costs   | 0.25% of costs   | 0.25% of costs   |  |                         |                          |
|         | per sqft of each new sqft of living area   | 1.10   | 1.13   | 1.15   | 2.00   | 2.10   | 2.20   |  |                         |                          |
|         | total improvement costs  | 1% of costs  | 1% of costs  | 1% of costs  | N/A  | N/A  | N/A  |  |                         |                          |
|         | minimum fee  | 850.00   | 872.00   | 908.00   | 1,000.00   | 1,035.00   | 1,066.00   |  |                         |                          |
| 90-85   | Telecommunications devices as a principal use  |  |  |  |  |  |  |  |                         |                          |
|         | ≤ \$1,000,000  | N/A  | N/A  | N/A  | 1% of costs  | N/A  | 1% of costs  |  |                         |                          |
|         | next \$500,000   | N/A  | N/A  | N/A  | 0.50% of costs   | N/A  | 0.50% of costs   |  |                         |                          |
|         | excess of \$1,500,000  | N/A  | N/A  | N/A  | 0.25% of costs   | N/A  | 0.25% of costs   |  |                         |                          |
|         | total improvement costs  | 1% of costs  | 1% of costs  | 1% of costs  | N/A  | 1% of costs  | N/A  |  |                         |                          |
|         | minimum fee  | 1,750.00   | 1,794.00   | 1,830.00   | 3,020.00   | 3,126.00   | 3,217.00   |  |                         |                          |
| 90-86   | Outdoor seating  |  |  |  |  |  |  |  |                         |                          |
|         | (1) Restaurants, regular   |  |  |  |  |  |  | \$38 each seat;<br>\$600 max                         |                         |                          |
|         | (2) Restaurants, carryout  |  |  |  |  |  |  | 0-6 seats: \$0<br>7-12 seats: \$267<br>\$28 each add |                         |                          |

**ARTICLE II - DEVELOPMENT PERMITS**

**DIVISION 4 - ACCESSORY USES AND STRUCTURES**

|        |   |             |             |             |                |                |                |  |  |  |
|--------|---|-------------|-------------|-------------|----------------|----------------|----------------|--|--|--|
| 90-100 | Beach dune walkover                                 | 300.00      | 308.00      | 315.00      | 550.00         | 570.00         | 587.00         |  |  |  |
| 90-101 | Boat docks, davits and lifts outside Bay Beach zone |             |             |             |                |                |                |  |  |  |
|        | (1) new construction                                | 300.00      | 308.00      | 315.00      | 550.00         | 570.00         | 587.00         |  |  |  |
|        | (2) addition, extension, alteration                 |             |             |             |                |                |                |  |  |  |
|        | ≤ \$1,000,000                                       | N/A         | N/A         | N/A         | 1% of costs    | 1% of costs    | 1% of costs    |  |  |  |
|        | next \$500,000                                      | N/A         | N/A         | N/A         | 0.5% of costs  | 0.5% of costs  | 0.50% of costs |  |  |  |
|        | ≥ \$1,500,000                                       | N/A         | N/A         | N/A         | 0.25% of costs | 0.25% of costs | 0.25% of costs |  |  |  |
|        | total improvement cost                              | 1% of costs | 1% of costs | 1% of costs | N/A            | N/A            | N/A            |  |  |  |
|        | minimum fee   | 110.00      | 113.00      | 116.00      | 200.00         | 207.00         | 213.00         |  |  |  |
| 90-102 | Telecommunications devices                          |             |             |             |                |                |                |  |  |  |
|        | ≤ \$1,000,000                                       | N/A         | N/A         | N/A         | 1% of costs    | 1% of costs    | 1% of costs    |  |  |  |
|        | next \$500,000                                      | N/A         | N/A         | N/A         | 0.50% of costs | 0.50% of costs | 0.50% of costs |  |  |  |
|        | ≥ \$1,500,000                                       | N/A         | N/A         | N/A         | 0.25% of costs | 0.25% of costs | 0.25% of costs |  |  |  |
|        | total improvement cost                              | 1% of costs | 1% of costs | 1% of costs | N/A            | N/A            | N/A            |  |  |  |
|        | minimum fee   | 110.00      | 113.00      | 116.00      | 200.00         | 207.00         | 213.00         |  |  |  |
| 90-103 | Exterior Lighting                                   |             |             |             |                |                |                |  |  |  |
|        | each fixture  | N/A         | N/A         | N/A         | 80.00          | 83.00          | 35.00          |  |  |  |
|        | each fixture (up to 10)                             | 400.00      | 410.00      | 419.00      | N/A            | N/A            | N/A            |  |  |  |
|        | additional (over 10)                                | 46.25       | 46.25       | 47.25       | N/A            | N/A            | N/A            |  |  |  |
|        | maximum fee   | N/A         | N/A         | N/A         | N/A            | 280.00         | 280.00         |  |  |  |

**Planning Department Fee Schedule History**

**City of Sanibel Code of Ordinance (Code)**

**Subpart B - Land Development Code - Chapter 90 Fees - Articles I, II, III, IV**

(Where differences exist between this schedule and the Code, the Code overrules)

| Section | Description                                 | 7/30/2002<br>Ord. 02-015 | 9/16/2003<br>Ord. 03-012 | 10/5/2004<br>Res. 04-127 | 9/10/2005<br>Ord. 05-013 | 10/3/2006<br>Res. 06-147 | 12/4/2007<br>Ord. 07-015 | 2/19/2008<br>Ord. 08-003 | 5/1/2012<br>Ord. 12-004 | 10/2/2012<br>Ord. 12-008 |
|---------|---|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|-------------------------|--------------------------|
| 90-104  | Fences                                      |                          |                          |                          |                          |                          |                          |                          |                         |                          |
|         | up to 300 lineal feet                       | 110.00                   | 113.00                   | 116.00                   | 200.00                   | 207.00                   | 213.00                   |                          |                         |                          |
|         | each additional 100 lineal feet             | 25.00                    | 25.75                    | 26.50                    | 50.00                    | 51.75                    | 53.25                    |                          |                         |                          |
| 90-105  | Screen enclosures                           |                          |                          |                          |                          |                          |                          |                          |                         |                          |
|         | up to 1,000 sq. ft.                         | 110.00                   | 113.00                   | 115.00                   | 200.00                   | 207.00                   | 213.00                   |                          |                         |                          |
|         | each additional 500 sq. ft.                 | 15.00                    | 35.00                    | 35.75                    | 60.00                    | 62.25                    | 64.25                    |                          |                         |                          |
| 90-106  | Storage areas, buildings, garages and other |                          |                          |                          |                          |                          |                          |                          |                         |                          |
|         | (1) Freestanding                            |                          |                          |                          |                          |                          |                          |                          |                         |                          |
|         | up to 100 sq.ft.                            | 220.00                   | 226.00                   | 213.00                   | 150.00                   | 156.00                   | 161.00                   |                          |                         |                          |
|         | each additional 50 sq.ft.                   | 25.00                    | 25.75                    | 26.50                    | 50.00                    | 53.25                    | 53.25                    |                          |                         |                          |
|         | (2) Attached or below existing structure    |                          |                          |                          |                          |                          |                          |                          |                         |                          |
|         | up to 500 sq.ft.                            | 220.00                   | 226.00                   | 231.00                   | 200.00                   | 207.00                   | 213.00                   |                          |                         |                          |
|         | each additional 100 sq.ft.                  | 25.00                    | 25.75                    | 26.50                    | 50.00                    | 51.75                    | 53.25                    |                          |                         |                          |
| 90-107  | Swimming pools and spas                     |                          |                          |                          |                          |                          |                          |                          |                         |                          |
|         | (1) Single family or duplex                 | 300.00                   | 308.00                   | 315.00                   | 550.00                   | 570.00                   | 587.00                   |                          |                         |                          |
|         | (2) Other than single family or duplex      | 650.00                   | 667.00                   | 681.00                   | 1,200.00                 | 1,242.00                 | 1,279.00                 |                          |                         |                          |
|         | (3) Freestanding spa                        | 110.00                   | 113.00                   | 116.00                   | 200.00                   | 207.00                   | 213.00                   |                          |                         |                          |
| 90-108  | Tennis courts                               |                          |                          |                          |                          |                          |                          |                          |                         |                          |
|         | (1) Single family or duplex                 | 300.00                   | 308.00                   | 315.00                   | 550.00                   | 570.00                   | 587.00                   |                          |                         |                          |
|         | (2) Serving more than single family/duplex  |                          |                          |                          |                          |                          |                          |                          |                         |                          |
|         | first                                       | 550.00                   | 564.00                   | 576.00                   | 950.00                   | 984.00                   | 1,013.00                 |                          |                         |                          |
|         | each additional                             | 220.00                   | 226.00                   | 231.00                   | 400.00                   | 414.00                   | 426.00                   |                          |                         |                          |
| 90-109  | Resort housing accessory beach equipment    |                          |                          |                          |                          |                          |                          |                          |                         |                          |
|         | up to 20                                    | N/A                      | N/A                      | N/A                      | 300.00                   |                          |                          |                          |                         |                          |
|         | over 20                                     | N/A                      | N/A                      | N/A                      | 5.00                     |                          |                          |                          |                         |                          |
|         | maximum fee                                 | N/A                      | N/A                      | N/A                      | 500.00                   |                          |                          |                          |                         |                          |
| 90-110  | Uses and structures not specifically listed |                          |                          |                          |                          |                          |                          |                          |                         |                          |
|         | total cost                                  | 1% of costs              |                          |                         |                          |
|         | minimum fee                                 | 110.00                   | 113.00                   | 116.00                   | 200.00                   | 207.00                   | 213.00                   |                          |                         |                          |

**ARTICLE II - DEVELOPMENT PERMITS**

**DIVISION 5 - MISCELLANEOUS**

|        |  |                                   |                                   |                                   |                                   |                                   |                                  |  |  |  |
|--------|--|-----------------------------------|-----------------------------------|-----------------------------------|-----------------------------------|-----------------------------------|----------------------------------|--|--|--|
| 90-126 | Change of use  |                                   |                                   |                                   |                                   |                                   |                                  |  |  |  |
|        | (1) change in intensity of use   |                                   |                                   |                                   |                                   |                                   |                                  |  |  |  |
|        | each unit added  | 1,100.00                          | 1,128.00                          | 1,151.00                          | 1,900.00                          | 1,967.00                          | 2,025.00                         |  |  |  |
|        | adding seats to restaurant   | \$ 550 up to 10<br>15.00 each add | \$ 564 up to 10<br>15.50 each add | \$ 576 up to 10<br>16.00 each add | \$ 950 up to 10<br>26.00 each add | \$ 984 up to 10<br>27.00 each add | 1,013 up to 10<br>28.00 each add |  |  |  |
|        | (2) change of nonconforming use to different use                                 | 650.00                            | 667.00                            | 681.00                            | 1,125.00                          | 1,165.00                          | 1,199.00                         |  |  |  |
|        | (3) change when development standards differ                                     | 650.00                            | 667.00                            | 681.00                            | 1,125.00                          | 1,165.00                          | 1,199.00                         |  |  |  |
| 90-127 | Demolition of a structure (per structure)  | 150.00                            | 154.00                            | 158.00                            | 260.00                            | 270.00                            | 287.00                           |  |  |  |
| 90-128 | Dredging or excavation   |                                   |                                   |                                   |                                   |                                   |                                  |  |  |  |
|        | ≥ 100 cubic yds  | 650.00                            | 667.00                            | 681.00                            | 1,200.00                          | 1,242.00                          | 1,279.00                         |  |  |  |
|        | each additional 50 cubic yds   | 55.00                             | 56.50                             | 57.75                             | 100.00                            | 104.00                            | 108.00                           |  |  |  |
| 90-129 | Emergency beach shoreline erosion control  |                                   |                                   |                                   |                                   |                                   |                                  |  |  |  |
|        | ≥ 100 lineal ft  | 1,250.00                          | 1,282.00                          | 1,308.00                          | 2,160.00                          | 2,236.00                          | 2,301.00                         |  |  |  |
|        | each additional 50 lineal ft   | 220.00                            | 226.00                            | 231.00                            | 400.00                            | 414.00                            | 426.00                           |  |  |  |
| 90-130 | Placement of fill  |                                   |                                   |                                   |                                   |                                   |                                  |  |  |  |
|        | (1) No drainage plan required  | 110.00                            | 113.00                            | 116.00                            | 200.00                            | 207.00                            | 213.00                           |  |  |  |
|        | (2) Drainage plan required   | 400.00                            | 410.00                            | 419.00                            | 700.00                            | 725.00                            | 747.00                           |  |  |  |
| 90-131 | Revetments in manmade canals and lakes   |                                   |                                   |                                   |                                   |                                   |                                  |  |  |  |
|        | ≥ 100 lineal ft  | 650.00                            | 667.00                            | 681.00                            | 1,200.00                          | 1,242.00                          | 1,279.00                         |  |  |  |
|        | each additional 50 lineal ft   | 150.00                            | 154.00                            | 158.00                            | 260.00                            | 270.00                            | 278.00                           |  |  |  |
| 90-132 | Vegetation removal/alteration as adjunct of<br>construction or other development |                                   |                                   |                                   |                                   |                                   |                                  |  |  |  |
|        | ≥ 1 acre   | 150.00                            | 154.00                            | 158.00                            | 260.00                            | 270.00                            | 278.00                           |  |  |  |
|        | each add acre  | 55.00                             | 56.50                             | 57.75                             | 100.00                            | 104.00                            | 108.00                           |  |  |  |
| 90-133 | Other development permits not listed   |                                   |                                   |                                   |                                   |                                   |                                  |  |  |  |
|        | ≤ \$1,000,000  | N/A                               | N/A                               | N/A                               | 1% of costs                       | 1% of costs                       | 1% of costs                      |  |  |  |
|        | next \$500,000   | N/A                               | N/A                               | N/A                               | 0.50% of costs                    | 0.50% of costs                    | 0.50% of costs                   |  |  |  |

**Planning Department Fee Schedule History**

**City of Sanibel Code of Ordinance (Code)**

**Subpart B - Land Development Code - Chapter 90 Fees - Articles I, II, III, IV**

(Where differences exist between this schedule and the Code, the Code overrules)

| Section   | Description                                   | 7/30/2002<br>Ord. 02-015 | 9/16/2003<br>Ord. 03-012 | 10/5/2004<br>Res. 04-127 | 9/10/2005<br>Ord. 05-013 | 10/3/2006<br>Res. 06-147 | 12/4/2007<br>Ord. 07-015 | 2/19/2008<br>Ord. 08-003 | 5/1/2012<br>Ord. 12-004 | 10/2/2012<br>Ord. 12-008 |
|---|---|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|-------------------------|--------------------------|
|   | ≥ \$1,500,000                                 | N/A                      | N/A                      | N/A                      | 0.25% of costs           | 0.25% of costs           | 0.25% of costs           |                          |                         |                          |
|   | total cost of project                         | 1% of costs              | 1% of costs              | 1% of costs              | N/A                      | N/A                      | N/A                      |                          |                         |                          |
|   | minimum fee                                   | 110.00                   | 113.00                   | 116.00                   | 200.00                   | 207.00                   | 213.00                   |                          |                         |                          |
| <b>ARTICLE II - DEVELOPMENT PERMITS</b>                                       |   |                          |                          |                          |                          |                          |                          |                          |                         |                          |
| <b>DIVISION 6 - SUBDIVISIONS</b>  |   |                          |                          |                          |                          |                          |                          |                          |                         |                          |
| 90-151  | Creation of cooperative or condominium units  |                          |                          |                          |                          |                          |                          |                          |                         |                          |
|   | (1) Existing structure only                   |                          |                          |                          |                          |                          |                          |                          |                         |                          |
|   | first 2 units                                 | 1,100.00                 | 1,128.00                 | 1,151.00                 | 1,900.00                 | 1,967.00                 | 2,025.00                 |                          |                         |                          |
|   | each additional unit                          | 220.00                   | 226.00                   | 231.00                   | 400.00                   | 414.00                   | 426.00                   |                          |                         |                          |
|   | (2) Land or new structure included            |                          |                          |                          |                          |                          |                          |                          |                         |                          |
|   | first 2 units                                 | 1,750.00                 | 1,794.00                 | 1,830.00                 | 3,020.00                 | 3,126.00                 | 3,217.00                 |                          |                         |                          |
|   | each additional unit                          | 300.00                   | 308.00                   | 315.00                   | 550.00                   | 570.00                   | 587.00                   |                          |                         |                          |
| 90-152  | Minor subdivision                             |                          |                          |                          |                          |                          |                          |                          |                         |                          |
|   | first 2 lots                                  | 1,250.00                 | 1,282.00                 | 1,308.00                 | 2,160.00                 | 2,236.00                 | 800.00                   |                          |                         |                          |
|   | each additional lot                           | 400.00                   | 410.00                   | 419.00                   | 700.00                   | 725.00                   | 600.00                   |                          |                         |                          |
| 90-153  | Major subdivision                             |                          |                          |                          |                          |                          |                          |                          |                         |                          |
|   | ≥ 5 lots                                      | 6,500.00                 | 6,663.00                 | 6,797.00                 | 11,200.00                | 11,592.00                | 8,500.00                 |                          |                         |                          |
|   | each additional lot                           | 400.00                   | 410.00                   | 419.00                   | 700.00                   | 725.00                   | 325.00                   |                          |                         |                          |
| 90-154  | After-the-fact subdivision approvals          | Standard fees doubled    |                          |                          |                          |                          |                          |                          |                         |                          |
| <b>ARTICLE II - DEVELOPMENT PERMITS</b>                                       |   |                          |                          |                          |                          |                          |                          |                          |                         |                          |
| <b>DIVISION 7 - DEVELOPMENT PERMITS IMPLEMENTING CONDITIONAL USE APPROVAL</b> |   |                          |                          |                          |                          |                          |                          |                          |                         |                          |
| 90-172  | Public utility uses                           |                          |                          |                          |                          |                          |                          |                          |                         |                          |
|   | ≤ \$1,000,000                                 | N/A                      | N/A                      | N/A                      | 1% of costs              | 1% of costs              | 1% of costs              |                          |                         |                          |
|   | next \$500,000                                | N/A                      | N/A                      | N/A                      | 0.50% of costs           | 0.50% of costs           | 0.50% of costs           |                          |                         |                          |
|   | ≥ \$1,500,000                                 | N/A                      | N/A                      | N/A                      | 0.25% of costs           | 0.25% of costs           | 0.25% of costs           |                          |                         |                          |
|   | minimum                                       | N/A                      | N/A                      | N/A                      | 400.00                   | 414.00                   | 426.00                   |                          |                         |                          |
|   | total cost of project                         | 1% of costs              | 1% of costs              | 1% of costs              | N/A                      | N/A                      | N/A                      |                          |                         |                          |
|   | base fee                                      | 1,100.00                 | 1,128.00                 | 1,151.00                 | N/A                      | N/A                      | N/A                      |                          |                         |                          |
| 90-174  | Agriculture and aquaculture                   |                          |                          |                          |                          |                          |                          |                          |                         |                          |
|   | ≤ \$1,000,000                                 | N/A                      | N/A                      | N/A                      | 1% of costs              | 1% of costs              | 1% of costs              |                          |                         |                          |
|   | next \$500,000                                | N/A                      | N/A                      | N/A                      | 0.50% of costs           | 0.50% of costs           | 0.50% of costs           |                          |                         |                          |
|   | ≥ \$1,500,000                                 | N/A                      | N/A                      | N/A                      | 0.25% of costs           | 0.25% of costs           | 0.25% of costs           |                          |                         |                          |
|   | minimum                                       | N/A                      | N/A                      | N/A                      | 400.00                   | 414.00                   | 426.00                   |                          |                         |                          |
|   | total cost of project                         | 1% of costs              | 1% of costs              | 1% of costs              | N/A                      | N/A                      | N/A                      |                          |                         |                          |
|   | base fee                                      | 1,100.00                 | 1,128.00                 | 1,151.00                 | N/A                      | N/A                      | N/A                      |                          |                         |                          |
| 90-175  | Recreational facilities                       |                          |                          |                          |                          |                          |                          |                          |                         |                          |
|   | ≤ \$1,000,000                                 | N/A                      | N/A                      | N/A                      | 1% of costs              | 1% of costs              | 1% of costs              |                          |                         |                          |
|   | next \$500,000                                | N/A                      | N/A                      | N/A                      | 0.50% of costs           | 0.50% of costs           | 0.50% of costs           |                          |                         |                          |
|   | ≥ \$1,500,000                                 | N/A                      | N/A                      | N/A                      | 0.25% of costs           | 0.25% of costs           | 0.25% of costs           |                          |                         |                          |
|   | minimum                                       | N/A                      | N/A                      | N/A                      | 400.00                   | 414.00                   | 426.00                   |                          |                         |                          |
|   | total cost of project                         | 1% of costs              | 1% of costs              | 1% of costs              | N/A                      | N/A                      | N/A                      |                          |                         |                          |
|   | base fee                                      | 1,100.00                 | 1,128.00                 | 1,151.00                 | N/A                      | N/A                      | N/A                      |                          |                         |                          |
| 90-176  | Resort housing accessory commercial uses      |                          |                          |                          |                          |                          |                          |                          |                         |                          |
|   | (1) Real Estate sales and rental offices      | 1,100.00                 | 1,128.00                 | 1,151.00                 | 400.00                   | 414.00                   | 426.00                   |                          |                         |                          |
|   | (2) Retail sales of food and sundries         | 1,100.00                 | 1,128.00                 | 1,151.00                 | 400.00                   | 414.00                   | 426.00                   |                          |                         |                          |
|   | (3) Restaurants                               | 1,100.00 +<br>Div 3 fees | 1,128.00 +<br>Div 3 fees | 1,151.00 +<br>Div 3 fees | See Div 3<br>fees        | See Div 3<br>fees        | See Div 3<br>fees        |                          |                         |                          |
|   | (4) Rentals of nonmotorized equipment/lessons |                          |                          |                          |                          |                          |                          |                          |                         |                          |
|   | per equipment                                 | 45.00                    | 46.25                    | 47.25                    | 80.00                    | 83.00                    | 85.50                    |                          |                         |                          |
|   | minimum                                       | N/A                      | N/A                      | N/A                      | 400.00                   | 414.00                   | 426.00                   |                          |                         |                          |
|   | base fee                                      | 1,100.00                 | 1,128.00                 | 1,151.00                 | N/A                      | N/A                      | N/A                      |                          |                         |                          |
| 90-177  | Foster family homes                           |                          |                          |                          |                          |                          |                          |                          |                         |                          |

**Planning Department Fee Schedule History**

**City of Sanibel Code of Ordinance (Code)**

**Subpart B - Land Development Code - Chapter 90 Fees - Articles I, II, III, IV**

(Where differences exist between this schedule and the Code, the Code overrules)

| Section | Description   | 7/30/2002<br>Ord. 02-015   | 9/16/2003<br>Ord. 03-012                             | 10/5/2004<br>Res. 04-127                             | 9/10/2005<br>Ord. 05-013                            | 10/3/2006<br>Res. 06-147   | 12/4/2007<br>Ord. 07-015   | 2/19/2008<br>Ord. 08-003   | 5/1/2012<br>Ord. 12-004 | 10/2/2012<br>Ord. 12-008 |
|---------|---|--|--|--|---|--|--|--|-------------------------|--------------------------|
|         | (1) Conversion of existing dwelling/unit  | 1,100.00 +<br>Div 2 fees<br>See Div 2  | 1,128.00 +<br>Div 2 fees<br>See Div 2                | 1,151.00 +<br>Div 2 fees<br>See Div 2                | See Div 2<br>fees<br>See Div 2                      |  |  |  |                         |                          |
|         | (2) New development   | fees   | fees   | fees   | fees  |  |  |  |                         |                          |
| 90-178  | Increased-density below market rate housing<br>(1) Conversion of existing dwelling/unit         | 1,100.00 +<br>Div 2 fees<br>1,100.00 +<br>Div 2 fees   | 1,128.00 +<br>Div 2 fees<br>1,128.00 +<br>Div 2 fees | 1,151.00 +<br>Div 2 fees<br>1,151.00 +<br>Div 2 fees | See Div 2<br>fees<br>See Div 2<br>fees              |  |  |  |                         |                          |
|         | (2) New development   | Div 2 fees   | Div 2 fees   | Div 2 fees   | fees  |  |  |  |                         |                          |
| 90-179  | Residential child caring facilities/assisted living<br>(1) Conversion of existing dwelling/unit | 1,100.00 +<br>Div 2 fees<br>1,100.00 +<br>Div 2 fees   | 1,128.00 +<br>Div 2 fees<br>1,128.00 +<br>Div 2 fees | 1,151.00 +<br>Div 2 fees<br>1,151.00 +<br>Div 2 fees | See Div 2<br>fees<br>See Div 2<br>fees              |  |  |  |                         |                          |
|         | (2) New development   | Div 2 fees   | Div 2 fees   | Div 2 fees   | fees  |  |  |  |                         |                          |
| 90-180  | Combined residential & commercial development   | 1,100.00 +<br>Div 2/3 fees   | 1,128.00 +<br>Div 2/3 fees                           | 1,151.00 +<br>Div 2/3 fees                           | Combined<br>Div 2/3 fees                            |  |  |  |                         |                          |
| 90-181  | Outdoor storage   | ≤ 1,000 sq.ft.<br>each additional 1,000 sq.ft.   | 1,750.00<br>110.00                                   | 1,794.00<br>113.00                                   | 1,830.00<br>116.00                                  | 400.00<br>200.00   | 414.00<br>207.00   | 426.00<br>213.00   |                         |                          |
| 90-182  | Rehabilitation centers/social service homes   | ≤ \$1,000,000<br>next \$500,000<br>≥ \$1,500,000<br>minimum<br>total cost of project<br>base fee | N/A<br>N/A<br>N/A<br>N/A<br>1% of costs<br>1,100.00  | N/A<br>N/A<br>N/A<br>N/A<br>1% of costs<br>1,128.00  | N/A<br>N/A<br>N/A<br>N/A<br>1% of costs<br>1,151.00 | 1% of costs<br>0.50% of costs<br>0.25% of costs<br>400.00<br>N/A | 1% of costs<br>0.50% of costs<br>0.25% of costs<br>414.00<br>N/A | 1% of costs<br>0.50% of costs<br>0.25% of costs<br>426.00<br>N/A |                         |                          |
| 90-183  | Drive-in and drive-through facilities   | per station  | 1,100.00   | 1,128.00   | 1,151.00  | 400.00   | 414.00   | 426.00   |                         |                          |
| 90-184  | Restaurants, grocery stores, delis not as permitted use   | 1,100.00 +<br>Div 2 fees   | 1,128.00 +<br>Div 2 fees                             | 1,151.00 +<br>Div 2 fees                             | See Div 2<br>fees                                   |  |  |  |                         |                          |
| 90-185  | Motion picture theaters (except drive-in) and theaters for live performance                     | 1,100.00 +<br>Div 2 fees   | 1,128.00 +<br>Div 2 fees                             | 1,151.00 +<br>Div 2 fees                             | See Div 2<br>fees                                   |  |  |  |                         |                          |
| 90-186  | Gasoline stations   | 1,100.00 +<br>Div 2 fees   | 1,128.00 +<br>Div 2 fees                             | 1,151.00 +<br>Div 2 fees                             | See Div 2<br>fees                                   |  |  |  |                         |                          |
| 90-187  | Vehicle renting and leasing   | 1,100.00 +<br>Div 2 fees   | 1,128.00 +<br>Div 2 fees                             | 1,151.00 +<br>Div 2 fees                             | See Div 2<br>fees                                   |  |  |  |                         |                          |
| 90-188  | Car washes  | 1,100.00 +<br>Div 2 fees   | 1,128.00 +<br>Div 2 fees                             | 1,151.00 +<br>Div 2 fees                             | See Div 2<br>fees                                   |  |  |  |                         |                          |
| 90-189  | Docks, boat davits & lifts in the bay beach zone  | 1,500.00   | 1,538.00   | 1,569.00   | See Div 4<br>fees                                   |  |  |  |                         |                          |
| 90-190  | Automotive repair shops and marine sales and repair shops                                       | 1,100.00 +<br>Div 2 fees   | 1,128.00 +<br>Div 2 fees                             | 1,151.00 +<br>Div 2 fees                             | See Div 2<br>fees                                   |  |  |  |                         |                          |
| 90-191  | Coin operated laundries   | 1,100.00 +<br>Div 2 fees   | 1,128.00 +<br>Div 2 fees                             | 1,151.00 +<br>Div 2 fees                             | See Div 3<br>fees                                   |  |  |  |                         |                          |
| 90-192  | Erosion control structures on natural bodies of water   | ≤ \$1,000,000<br>next \$500,000<br>≥ \$1,500,000<br>minimum                                      | N/A<br>N/A<br>N/A<br>N/A                             | N/A<br>N/A<br>N/A<br>N/A                             | N/A<br>N/A<br>N/A<br>N/A                            | 1% of costs<br>0.50% of costs<br>0.25% of costs<br>400.00        | 1% of costs<br>0.50% of costs<br>0.25% of costs<br>414.00        | 1% of costs<br>0.50% of costs<br>0.25% of costs<br>426.00        |                         |                          |

**Planning Department Fee Schedule History**

**City of Sanibel Code of Ordinance (Code)**

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| Section | Description  | 7/30/2002<br>Ord. 02-015 | 9/16/2003<br>Ord. 03-012 | 10/5/2004<br>Res. 04-127 | 9/10/2005<br>Ord. 05-013 | 10/3/2006<br>Res. 06-147 | 12/4/2007<br>Ord. 07-015 | 2/19/2008<br>Ord. 08-003 | 5/1/2012<br>Ord. 12-004 | 10/2/2012<br>Ord. 12-008 |
|---------|--|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|-------------------------|--------------------------|
|         | total cost of project  | 1% of costs              | 1% of costs              | 1% of costs              | N/A                      | N/A                      | N/A                      |                          |                         |                          |
|         | base fee   | 1,100.00                 | 1,128.00                 | 1,151.00                 | N/A                      | N/A                      | N/A                      |                          |                         |                          |
| 90-193  | Accessory security guardhouses and security gates w/o setbacks |                          |                          |                          |                          |                          |                          |                          |                         |                          |
|         | ≤ \$1,000,000  | N/A                      | N/A                      | N/A                      | 1% of costs              | 1% of costs              | 1% of costs              |                          |                         |                          |
|         | next \$500,000   | N/A                      | N/A                      | N/A                      | 0.50% of costs           | 0.50% of costs           | 0.50% of costs           |                          |                         |                          |
|         | ≥ \$1,500,000  | N/A                      | N/A                      | N/A                      | 0.25% of costs           | 0.25% of costs           | 0.25% of costs           |                          |                         |                          |
|         | minimum  | N/A                      | N/A                      | N/A                      | 400.00                   | 414.00                   | 426.00                   |                          |                         |                          |
|         | total cost of project  | 1% of costs              | 1% of costs              | 1% of costs              | N/A                      | N/A                      | N/A                      |                          |                         |                          |
|         | base fee   | 1,100.00                 | 1,128.00                 | 1,151.00                 | N/A                      | N/A                      | N/A                      |                          |                         |                          |
| 90-194  | Seawalls in manmade canals                                     |                          |                          |                          |                          |                          |                          |                          |                         |                          |
|         | ≤ \$1,000,000  | N/A                      | N/A                      | N/A                      | 1% of costs              | 1% of costs              | 1% of costs              |                          |                         |                          |
|         | next \$500,000   | N/A                      | N/A                      | N/A                      | 0.50% of costs           | 0.50% of costs           | 0.50% of costs           |                          |                         |                          |
|         | ≥ \$1,500,000  | N/A                      | N/A                      | N/A                      | 0.25% of costs           | 0.25% of costs           | 0.25% of costs           |                          |                         |                          |
|         | minimum  | N/A                      | N/A                      | N/A                      | 400.00                   | 414.00                   | 426.00                   |                          |                         |                          |
|         | total cost of project  | 1% of costs              | 1% of costs              | 1% of costs              | N/A                      | N/A                      | N/A                      |                          |                         |                          |
|         | base fee   | 1,100.00                 | 1,128.00                 | 1,151.00                 | N/A                      | N/A                      | N/A                      |                          |                         |                          |
| 90-195  | Telecommunications devices                                     |                          |                          |                          |                          |                          |                          |                          |                         |                          |
|         | ≤ \$1,000,000  | N/A                      | N/A                      | N/A                      | 1% of costs              | 1% of costs              | 1% of costs              |                          |                         |                          |
|         | next \$500,000   | N/A                      | N/A                      | N/A                      | 0.50% of costs           | 0.50% of costs           | 0.50% of costs           |                          |                         |                          |
|         | ≥ \$1,500,000  | N/A                      | N/A                      | N/A                      | 0.25% of costs           | 0.25% of costs           | 0.25% of costs           |                          |                         |                          |
|         | minimum  | N/A                      | N/A                      | N/A                      | 400.00                   | 414.00                   | 426.00                   |                          |                         |                          |
|         | total cost of project  | 1% of costs              | 1% of costs              | 1% of costs              | N/A                      | N/A                      | N/A                      |                          |                         |                          |
|         | base fee   | 1,100.00                 | 1,128.00                 | 1,151.00                 | N/A                      | N/A                      | N/A                      |                          |                         |                          |

**ARTICLE II - DEVELOPMENT PERMITS**

**DIVISION 8 - TEMPORARY USES**

|        |                            |             |             |             |                |                |                |  |  |  |
|--------|----------------------------|-------------|-------------|-------------|----------------|----------------|----------------|--|--|--|
| 90-212 | Sales office in model home | 1,100.00    | 1,128.00    | 1,151.00    | 400.00         | 414.00         | 426.00         |  |  |  |
| 90-213 | Temporary structure        | 1,100.00    | 1,128.00    | 1,151.00    | 400.00         | 414.00         | 426.00         |  |  |  |
| 90-214 | Storage of heavy equipment | 1,100.00    | 1,128.00    | 1,151.00    | 400.00         | 414.00         | 426.00         |  |  |  |
| 90-215 | Other temporary uses       |             |             |             |                |                |                |  |  |  |
|        | ≤ \$1,000,000              | N/A         | N/A         | N/A         | 1% of costs    | 1% of costs    | 1% of costs    |  |  |  |
|        | next \$500,000             | N/A         | N/A         | N/A         | 0.50% of costs | 0.50% of costs | 0.50% of costs |  |  |  |
|        | ≥ \$1,500,000              | N/A         | N/A         | N/A         | 0.25% of costs | 0.25% of costs | 0.25% of costs |  |  |  |
|        | minimum                    | N/A         | N/A         | N/A         | 400.00         | 414.00         | 426.00         |  |  |  |
|        | total cost of project      | 1% of costs | 1% of costs | 1% of costs | N/A            | N/A            | N/A            |  |  |  |
|        | minimum                    | 1,100.00    | 1,128.00    | 1,151.00    | N/A            | N/A            | N/A            |  |  |  |

**ARTICLE III - WASTEWATER DISPOSAL PERMITS**

**DIVISION 2 - SEPTIC SYSTEMS**

|        |   |             |             |             |             |             |             |  |  |  |
|--------|---|-------------|-------------|-------------|-------------|-------------|-------------|--|--|--|
| 90-251 | Installation/replacement of septic system           |             |             |             |             |             |             |  |  |  |
|        | (1) Residential uses                                |             |             |             |             |             |             |  |  |  |
|        | estimated water flows ≤ 600 gallons per day         | 550.00      | 564.00      | 576.00      | 950.00      | 984.00      | 1,013.00    |  |  |  |
|        | each additional 150 gallons of flow per day         | 110.00      | 113.00      | 116.00      | 200.00      | 207.00      | 213.00      |  |  |  |
|        | (2) Nonresidential uses                             |             |             |             |             |             |             |  |  |  |
|        | estimated water flows ≤ 600 gallons per day         | 750.00      | 769.00      | 785.00      | 1,350.00    | 1,398.00    | 1,439.00    |  |  |  |
|        | each additional 200 gallons of flow per day         | 300.00      | 308.00      | 315.00      | 550.00      | 570.00      | 587.00      |  |  |  |
| 90-252 | Repairs to an existing malfunctioning septic system |             |             |             |             |             |             |  |  |  |
|        | 1% of costs   | 1% of costs | 1% of costs | 1% of costs | 1% of costs | 1% of costs | 1% of costs |  |  |  |
|        | minimum   | 150.00      | 154.00      | 158.00      | 260.00      | 270.00      | 278.00      |  |  |  |

**ARTICLE III - WASTEWATER DISPOSAL PERMITS**

**DIVISION 3 - SEWER SYSTEM**

|        |   |        |        |        |        |        |          |  |  |  |
|--------|---|--------|--------|--------|--------|--------|----------|--|--|--|
| 90-271 | New sewer connection (non-gravity system)   |        |        |        |        |        |          |  |  |  |
|        | (1) Residential uses                        |        |        |        |        |        |          |  |  |  |
|        | estimated water flows ≤ 600 gallons per day | 550.00 | 564.00 | 576.00 | 950.00 | 984.00 | 1,013.00 |  |  |  |
|        | each additional 150 gallons of flow per day | 110.00 | 113.00 | 116.00 | 200.00 | 207.00 | 213.00   |  |  |  |

**Planning Department Fee Schedule History**

**City of Sanibel Code of Ordinance (Code)**

**Subpart B - Land Development Code - Chapter 90 Fees - Articles I, II, III, IV**

(Where differences exist between this schedule and the Code, the Code overrules)

| Section  | Description  | 7/30/2002<br>Ord. 02-015 | 9/16/2003<br>Ord. 03-012 | 10/5/2004<br>Res. 04-127 | 9/10/2005<br>Ord. 05-013 | 10/3/2006<br>Res. 06-147 | 12/4/2007<br>Ord. 07-015 | 2/19/2008<br>Ord. 08-003 | 5/1/2012<br>Ord. 12-004 | 10/2/2012<br>Ord. 12-008 |
|--|--|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|-------------------------|--------------------------|
| <b>(2) Nonresidential uses</b>                   |  |                          |                          |                          |                          |                          |                          |                          |                         |                          |
|  | estimated water flows ≤ 600 gallons per day                        | 750.00                   | 769.00                   | 785.00                   | 1,350.00                 | 1,398.00                 | 1,439.00                 |                          |                         |                          |
|  | each additional 200 gallons of flow per day                        | 300.00                   | 308.00                   | 315.00                   | 550.00                   | 570.00                   | 587.00                   |                          |                         |                          |
| 90-272   | Repairs to existing malfunctioning components                      |                          |                          |                          |                          |                          |                          |                          |                         |                          |
|  | ≤ \$1,000,000  | N/A                      | N/A                      | N/A                      | 1% of costs              | 1% of costs              | 1% of costs              |                          |                         |                          |
|  | next \$500,000   | N/A                      | N/A                      | N/A                      | 0.50% of costs           | 0.50% of costs           | 0.50% of costs           |                          |                         |                          |
|  | ≥ \$1,500,000  | N/A                      | N/A                      | N/A                      | 0.25% of costs           | 0.25% of costs           | 0.25% of costs           |                          |                         |                          |
|  | minimum  | 150.00                   | 154.00                   | 158.00                   | 260.00                   | 270.00                   | 278.00                   |                          |                         |                          |
|  | total cost of project  | 1% of costs              | 1% of costs              | 1% of costs              | N/A                      | N/A                      | N/A                      |                          |                         |                          |
| 90-273   | Expansion or modification to existing functioning system           |                          |                          |                          |                          |                          |                          |                          |                         |                          |
|  | ≤ \$1,000,000  | N/A                      | N/A                      | N/A                      | 1% of costs              | 1% of costs              | 1% of costs              |                          |                         |                          |
|  | next \$500,000   | N/A                      | N/A                      | N/A                      | 0.50% of costs           | 0.50% of costs           | 0.50% of costs           |                          |                         |                          |
|  | ≥ \$1,500,000  | N/A                      | N/A                      | N/A                      | 0.25% of costs           | 0.25% of costs           | 0.25% of costs           |                          |                         |                          |
|  | minimum  | 220.00                   | 226.00                   | 231.00                   | 400.00                   | 414.00                   | 426.00                   |                          |                         |                          |
|  | total cost of project  | 1% of costs              | 1% of costs              | 1% of costs              | N/A                      | N/A                      | N/A                      |                          |                         |                          |
| <b>ARTICLE III - WASTEWATER DISPOSAL PERMITS</b> |  |                          |                          |                          |                          |                          |                          |                          |                         |                          |
| <b>DIVISION 5 - ALTERNATIVE SYSTEMS</b>          |  |                          |                          |                          |                          |                          |                          |                          |                         |                          |
| 90-311   | Alternative wastewater disposal systems not specifically addressed |                          |                          |                          |                          |                          |                          |                          |                         |                          |
|  | rate per gallon  | 1.50                     | 1.54                     | 1.60                     | 2.75                     | 2.85                     | 2.95                     |                          |                         |                          |
|  | minimum  | 750.00                   | 769.00                   | 785.00                   | 1,350.00                 | 1,398.00                 | 1,439.00                 |                          |                         |                          |
| <b>ARTICLE IV - PUBLIC HEARINGS</b>              |  |                          |                          |                          |                          |                          |                          |                          |                         |                          |
| <b>DIVISION 2 - SANIBEL PLAN AMENDMENT</b>       |  |                          |                          |                          |                          |                          |                          |                          |                         |                          |
| 90-347   | Amendments to official maps; Sanibel Plan Article 4                |                          |                          |                          |                          |                          |                          |                          |                         |                          |
| (a)  | (1) Ecological zones map   |                          |                          |                          |                          |                          |                          |                          |                         |                          |
|  | ≤ 1 acre   | 9,000.00                 | 9,225.00                 | 9,410.00                 | 15,500.00                | 16,043.00                | 16,509.00                |                          |                         |                          |
|  | each additional acre   | 650.00                   | 667.00                   | 681.00                   | 1,200.00                 | 1,242.00                 | 1,279.00                 |                          |                         |                          |
|  | (2) Commercial district map  |                          |                          |                          |                          |                          |                          |                          |                         |                          |
|  | ≤ 1 acre   | 9,000.00                 | 9,225.00                 | 9,410.00                 | 15,500.00                | 16,043.00                | 16,509.00                |                          |                         |                          |
|  | each additional acre   | 650.00                   | 667.00                   | 681.00                   | 1,200.00                 | 1,242.00                 | 1,279.00                 |                          |                         |                          |
|  | (3) Resort housing district map                                    |                          |                          |                          |                          |                          |                          |                          |                         |                          |
|  | ≤ 1 acre   | 9,000.00                 | 9,225.00                 | 9,410.00                 | 15,500.00                | 16,043.00                | 16,509.00                |                          |                         |                          |
|  | each additional acre   | 650.00                   | 667.00                   | 681.00                   | 1,200.00                 | 1,242.00                 | 1,279.00                 |                          |                         |                          |
|  | (4) Wetlands conservation lands maps                               |                          |                          |                          |                          |                          |                          |                          |                         |                          |
|  | ≤ 1 acre   | 9,000.00                 | 9,225.00                 | 9,410.00                 | 15,500.00                | 16,043.00                | 16,509.00                |                          |                         |                          |
|  | each additional acre   | 650.00                   | 667.00                   | 681.00                   | 1,200.00                 | 1,242.00                 | 1,279.00                 |                          |                         |                          |
|  | (5) Development intensity maps                                     |                          |                          |                          |                          |                          |                          |                          |                         |                          |
|  | first unit   | 9,000.00                 | 9,225.00                 | 9,410.00                 | 15,500.00                | 16,043.00                | 16,509.00                |                          |                         |                          |
|  | each additional unit   | 1,100.00                 | 1,128.00                 | 1,151.00                 | 1,900.00                 | 1,967.00                 | 2,025.00                 |                          |                         |                          |
|  | (6) Additional components of future land use maps                  |                          |                          |                          |                          |                          |                          |                          |                         |                          |
|  | each change  | 9,000.00                 | 9,225.00                 | 9,410.00                 | 15,500.00                | 16,043.00                | 16,509.00                |                          |                         |                          |
|  | (b) Future traffic circulation map series                          |                          |                          |                          |                          |                          |                          |                          |                         |                          |
|  | each change  | 9,000.00                 | 9,225.00                 | 9,410.00                 | 15,500.00                | 16,043.00                | 16,509.00                |                          |                         |                          |
| 90-348   | Amendments to text of Sanibel Plan                                 |                          |                          |                          |                          |                          |                          |                          |                         |                          |
| (a)  | Goal, objective or policy statement                                |                          |                          |                          |                          |                          |                          |                          |                         |                          |
|  | first change   | 9,000.00                 | 9,225.00                 | 9,410.00                 | 15,500.00                | 16,043.00                | 16,509.00                |                          |                         |                          |
|  | each additional  | 1,100.00                 | 1,128.00                 | 1,151.00                 | 1,900.00                 | 1,967.00                 | 2,025.00                 |                          |                         |                          |
|  | (b) All other text amendments                                      |                          |                          |                          |                          |                          |                          |                          |                         |                          |
|  | first change   | 9,000.00                 | 9,225.00                 | 9,410.00                 | 15,500.00                | 16,043.00                | 16,509.00                |                          |                         |                          |
|  | each additional  | 1,100.00                 | 1,128.00                 | 1,151.00                 | 1,900.00                 | 1,967.00                 | 2,025.00                 |                          |                         |                          |
| <b>ARTICLE IV - PUBLIC HEARINGS</b>              |  |                          |                          |                          |                          |                          |                          |                          |                         |                          |
| <b>DIVISION 3 - LAND DEVELOPMENT CODE</b>        |  |                          |                          |                          |                          |                          |                          |                          |                         |                          |
| 90-366   | Amendment to commercial zoning map                                 |                          |                          |                          |                          |                          |                          |                          |                         |                          |
|  | ≤ 1 acre   | 3,000.00                 | 3,075.00                 | 3,137.00                 | 5,200.00                 | 5,382.00                 | 5,539.00                 |                          |                         |                          |
|  | each additional acre   | 1,100.00                 | 1,128.00                 | 1,151.00                 | 1,900.00                 | 1,967.00                 | 2,025.00                 |                          |                         |                          |
| 90-367   | Application to establish special use district                      |                          |                          |                          |                          |                          |                          |                          |                         |                          |
|  | ≤ 1 acre   | 3,000.00                 | 3,075.00                 | 3,137.00                 | 5,200.00                 | 5,382.00                 | 5,539.00                 |                          |                         |                          |
|  | each additional acre   | 1,100.00                 | 1,128.00                 | 1,151.00                 | 1,900.00                 | 1,967.00                 | 2,025.00                 |                          |                         |                          |
| 90-368   | Application to amend text of Land Development Code                 |                          |                          |                          |                          |                          |                          |                          |                         |                          |
|  | first section  | 3,000.00                 | 3,075.00                 | 3,075.00                 | 5,200.00                 | 5,382.00                 | 5,539.00                 |                          |                         |                          |
|  | each additional section  | 550.00                   | 564.00                   | 576.00                   | 950.00                   | 984.00                   | 1,013.00                 |                          |                         |                          |
| <b>ARTICLE IV - PUBLIC HEARINGS</b>              |  |                          |                          |                          |                          |                          |                          |                          |                         |                          |
| <b>DIVISION 4 - CONDITIONAL USES</b>             |  |                          |                          |                          |                          |                          |                          |                          |                         |                          |

Planning Department Fee Schedule History

City of Sanibel Code of Ordinance (Code)

Subpart B - Land Development Code - Chapter 90 Fees - Articles I, II, III, IV

(Where differences exist between this schedule and the Code, the Code overrules)

| Section | Description  | 7/30/2002<br>Ord. 02-015     | 9/16/2003<br>Ord. 03-012     | 10/5/2004<br>Res. 04-127     | 9/10/2005<br>Ord. 05-013     | 10/3/2006<br>Res. 06-147     | 12/4/2007<br>Ord. 07-015     | 2/19/2008<br>Ord. 08-003 | 5/1/2012<br>Ord. 12-004 | 10/2/2012<br>Ord. 12-008 |
|---------|--|------------------------------|------------------------------|------------------------------|------------------------------|------------------------------|------------------------------|--------------------------|-------------------------|--------------------------|
| 90-387  | Public utility uses  | 1,100.00 +<br>220.00/acre    | 1,128.00 +<br>226.00/acre    | 1,151.00 +<br>231.00/acre    | 2,500.00 +<br>400.00/acre    | 2,588.00 +<br>414.00/acre    | 2,664.00 +<br>426.00/acre    |                          |                         |                          |
| 90-388  | Institutional uses   | 1,100.00 +<br>220.00/acre    | 1,128.00 +<br>226.00/acre    | 1,151.00 +<br>231.00/acre    | 2,500.00 +<br>400.00/acre    | 2,588.00 +<br>414.00/acre    | 2,664.00 +<br>426.00/acre    |                          |                         |                          |
| 90-389  | Agriculture and aquaculture  |                              |                              |                              |                              |                              |                              |                          |                         |                          |
|         | (1) Hives forkeeping of bees   |                              |                              |                              |                              | 2,588.00                     | 2,664.00                     |                          |                         |                          |
|         | (2) Agriculture/aquaculture uses with on site retail                     | 1,250.00 +<br>220.00/acre    | 1,282.00 +<br>226.00/acre    | 1,308.00 +<br>231.00/acre    | 2,500.00 +<br>400.00/acre    | 2,588.00 +<br>414.00/acre    | 2,664.00 +<br>426.00/acre    |                          |                         |                          |
|         | (3) Other uses   | 1,100.00 +<br>220.00/acre    | 1,128.00 +<br>226.00/acre    | 1,151.00 +<br>231.00/acre    | 2,500.00 +<br>400.00/acre    | 2,588.00 +<br>414.00/acre    | 2,664.00 +<br>426.00/acre    |                          |                         |                          |
| 90-390  | Recreational facilities  | 1,100.00 +<br>220.00/acre    | 1,128.00 +<br>226.00/acre    | 1,151.00 +<br>231.00/acre    | 2,500.00 +<br>400.00/acre    | 2,588.00 +<br>414.00/acre    | 2,664.00 +<br>426.00/acre    |                          |                         |                          |
| 90-391  | Resort housing accessory commercial uses                                 |                              |                              |                              |                              |                              |                              |                          |                         |                          |
|         | (1) Real estate sales and rental offices                                 | 1,100.00                     | 1,128.00                     | 1,151.00                     | 2,500.00                     | 2,588.00                     | 2,664.00                     |                          |                         |                          |
|         | (2) Retail sales of food items and sundries                              | 1,100.00                     | 1,128.00                     | 1,151.00                     | 2,500.00                     | 2,588.00                     | 2,664.00                     |                          |                         |                          |
|         | (3) Restaurants  | 1,500.00 +<br>15.00 per seat | 1,538.00 +<br>15.50 per seat | 1,569.00 +<br>16.00 per seat | 3,000.00 +<br>26.00 per seat | 3,105.00 +<br>27.00 per seat | 3,196.00 +<br>28.00 per seat |                          |                         |                          |
|         | (4) Rentals of nonmotorized equipment/lessons fee                        | 1,250.00                     | 1,282.00                     | 1,308.00                     | 2,500.00                     | 2,664.00                     | 2,664.00                     |                          |                         |                          |
|         | per item of inventory  | 45.00                        | 46.25                        | 47.25                        | 80.00                        | 85.50                        | 85.50                        |                          |                         |                          |
| 90-392  | Foster family homes  | 1,100.00                     | 1,128.00                     | 1,151.00                     | 2,500.00                     | 2,588.00                     | 2,664.00                     |                          |                         |                          |
| 90-393  | Increased density below market rate housing                              |                              |                              |                              |                              |                              |                              |                          |                         |                          |
|         | first unit   | 1,100.00                     | 1,128.00                     | 1,151.00                     | 2,500.00                     | 2,588.00                     | 2,664.00                     |                          |                         |                          |
|         | each additional unit   | 550.00                       | 564.00                       | 576.00                       | 950.00                       | 984.00                       | 1,013.00                     |                          |                         |                          |
| 90-394  | Residential child caring and assisted living facilities                  |                              |                              |                              |                              |                              |                              |                          |                         |                          |
|         | ≤ 3 bedrooms   | 1,100.00                     | 1,128.00                     | 1,151.00                     | 2,500.00                     | 2,588.00                     | 2,664.00                     |                          |                         |                          |
|         | each additional bedroom  | 220.00                       | 226.00                       | 231.00                       | 400.00                       | 414.00                       | 426.00                       |                          |                         |                          |
| 90-395  | Combined residential and commercial development                          |                              |                              |                              |                              |                              |                              |                          |                         |                          |
|         | base fee   | 1,250.00                     | 1,282.00                     | 1,308.00                     | 2,500.00                     | 2,588.00                     | 2,664.00                     |                          |                         |                          |
|         | per acre   | 220.00                       | 226.00                       | 231.00                       | 400.00                       | 414.00                       | 426.00                       |                          |                         |                          |
| 90-396  | Outdoor storage  |                              |                              |                              |                              |                              |                              |                          |                         |                          |
|         | ≤ 1,000 sq.ft.   | 1,250.00                     | 1,282.00                     | 1,308.00                     | 2,500.00                     | 2,588.00                     | 2,664.00                     |                          |                         |                          |
|         | each additional 250 sq.ft.   | 110.00                       | 113.00                       | 116.00                       | 200.00                       | 207.00                       | 213.00                       |                          |                         |                          |
| 90-397  | Rehabilitation centers and social service homes                          |                              |                              |                              |                              |                              |                              |                          |                         |                          |
|         | ≤ 2,000 sq.ft.   | 1,100.00                     | 1,128.00                     | 1,151.00                     | 2,500.00                     | 2,588.00                     | 2,664.00                     |                          |                         |                          |
|         | each additional 1,000 sq.ft.   | 550.00                       | 564.00                       | 576.00                       | 950.00                       | 984.00                       | 1,013.00                     |                          |                         |                          |
| 90-398  | Drive-in and drive through facilities                                    |                              |                              |                              |                              |                              |                              |                          |                         |                          |
|         | first station  | 1,100.00                     | 1,128.00                     | 1,151.00                     | 2,500.00                     | 2,588.00                     | 2,664.00                     |                          |                         |                          |
|         | each additional station  | 550.00                       | 564.00                       | 576.00                       | 950.00                       | 984.00                       | 1,013.00                     |                          |                         |                          |
| 90-399  | Eating places, restaurants, grocery, etc. not as permitted use           |                              |                              |                              |                              |                              |                              |                          |                         |                          |
|         | (1) Commercial use without on-site seating                               |                              |                              |                              |                              |                              |                              |                          |                         |                          |
|         | ≤ 800 sq.ft.   | N/A                          | N/A                          | N/A                          | 3,000.00                     | 3,000.00                     | 3,105.00                     |                          |                         |                          |
|         | ≤ 500 sq.ft.   | 1,500.00                     | 1,538.00                     | 1,569.00                     | N/A                          | N/A                          | N/A                          |                          |                         |                          |
|         | each additional 500 sq.ft.   | 650.00                       | 667.00                       | 681.00                       | 1,200.00                     | 1,242.00                     | 1,279.00                     |                          |                         |                          |
|         | (2) Commerical use with on-site seating                                  |                              |                              |                              |                              |                              |                              |                          |                         |                          |
|         | base fee   | 1,750.00                     | 1,794.00                     | 1,830.00                     | 3,500.00                     | 3,623.00                     | 3,729.00                     |                          |                         |                          |
|         | per seat   | 15.00                        | 15.50                        | 16.00                        | 26.00                        | 27.00                        | 28.00                        |                          |                         |                          |
| 90-400  | Motion picture theaters, except drive-in, theaters for live performances |                              |                              |                              |                              |                              |                              |                          |                         |                          |
|         | base fee   | 1,100.00                     | 1,128.00                     | 1,151.00                     | 2,500.00                     | 2,588.00                     | 2,664.00                     |                          |                         |                          |
|         | per seat   | 15.00                        | 15.50                        | 16.00                        | 26.00                        | 27.00                        | 28.00                        |                          |                         |                          |
| 90-401  | Gasoline service stations  |                              |                              |                              |                              |                              |                              |                          |                         |                          |
|         | ≤ 1,000 sq.ft.   | 1,750.00                     | 1,794.00                     | 1,830.00                     | 3,500.00                     | 3,500.00                     | 3,623.00                     |                          |                         |                          |
|         | each additional 250 sq.ft.   | 220.00                       | 226.00                       | 231.00                       | 400.00                       | 414.00                       | 426.00                       |                          |                         |                          |
| 90-402  | Vehicle rental and leasing   |                              |                              |                              |                              |                              |                              |                          |                         |                          |
|         | ≤ 500 sq.ft.   | 1,250.00                     | 1,282.00                     | 1,308.00                     | 2,500.00                     | 2,588.00                     | 2,664.00                     |                          |                         |                          |
|         | each additional 250 sq.ft.   | 220.00                       | 226.00                       | 231.00                       | 400.00                       | 414.00                       | 426.00                       |                          |                         |                          |
| 90-403  | Car washes   |                              |                              |                              |                              |                              |                              |                          |                         |                          |
|         | ≤ 1,000 sq.ft.   | 1,250.00                     | 1,282.00                     | 1,308.00                     | 2,500.00                     | 2,588.00                     | 2,664.00                     |                          |                         |                          |
|         | each additional 250 sq.ft.   | 220.00                       | 226.00                       | 231.00                       | 400.00                       | 414.00                       | 426.00                       |                          |                         |                          |
| 90-404  | Dock, boat davits and boat lifts in the bay beach zone                   |                              |                              |                              |                              |                              |                              |                          |                         |                          |
|         | ≤ 500 sq.ft.   | 1,500.00                     | 1,538.00                     | 1,569.00                     | 2,500.00                     | 2,588.00                     | 2,664.00                     |                          |                         |                          |
|         | each additional 100 sq.ft.   | 110.00                       | 113.00                       | 116.00                       | 200.00                       | 207.00                       | 213.00                       |                          |                         |                          |

**Planning Department Fee Schedule History**

**City of Sanibel Code of Ordinance (Code)**

**Subpart B - Land Development Code - Chapter 90 Fees - Articles I, II, III, IV**

(Where differences exist between this schedule and the Code, the Code overrules)

| Section  | Description  | 7/30/2002<br>Ord. 02-015  | 9/16/2003<br>Ord. 03-012                     | 10/5/2004<br>Res. 04-127                     | 9/10/2005<br>Ord. 05-013                         | 10/3/2006<br>Res. 06-147                                    | 12/4/2007<br>Ord. 07-015                                    | 2/19/2008<br>Ord. 08-003 | 5/1/2012<br>Ord. 12-004 | 10/2/2012<br>Ord. 12-008 |
|--|--|---|--|--|--|---|---|--------------------------|-------------------------|--------------------------|
| 90-405   | Automotive repair shops and marine sales/repair shops                | ≤ 1,000 sq.ft. 1,250.00<br>ditional 500 sq.ft. 220.00   | 1,282.00<br>226.00                           | 1,308.00<br>231.00                           | 2,500.00<br>400.00                               | 2,588.00<br>414.00  | 2,664.00<br>426.00  |                          |                         |                          |
| 90-406   | Coin operated laundries  | ≤ 1,000 sq.ft. 1,100.00<br>each additional 500 sq.ft. 220.00  | 1,128.00<br>226.00                           | 1,151.00<br>231.00                           | 2,500.00<br>400.00                               | 2,588.00<br>414.00  | 2,664.00<br>426.00  |                          |                         |                          |
| 90-407   | Erosion control structures on natural bodies of water                | ≤ 100 linear ft. 1,500.00<br>each additional 50 linear ft. 220.00   | 1,538.00<br>226.00                           | 1,569.00<br>231.00                           | 2,500.00<br>400.00                               | 2,588.00<br>414.00  | 2,664.00<br>426.00  |                          |                         |                          |
| 90-408   | Accessory security guardhouses and security gates without setbacks   | first structure 1,100.00<br>each additional 220.00  | 1,128.00<br>226.00                           | 1,151.00<br>231.00                           | 2,500.00<br>400.00                               | 2,588.00<br>414.00  | 2,664.00<br>426.00  |                          |                         |                          |
| 90-409   | Seawalls in manmade canals   | ≤ 200 linear ft. 1,500.00<br>each additional 100 linear ft. 110.00  | 1,538.00<br>113.00                           | 1,569.00<br>116.00                           | 2,500.00<br>200.00                               | 2,588.00<br>207.00  | 2,664.00<br>213.00  |                          |                         |                          |
| 90-410   | Telecommunications devices, including support structures             | ≤ \$1,000,000 N/A<br>next \$500,000 N/A<br>≥ \$1,500,000 N/A<br>minimum 2200<br>total cost of project 1% of costs     | N/A<br>N/A<br>N/A<br>2,255.00<br>1% of costs | N/A<br>N/A<br>N/A<br>2,300.00<br>1% of costs | 1% of costs<br>0.50% of costs<br>N/A<br>3,000.00 | 1% of costs<br>0.50% of costs<br>0.25% of costs<br>3,105.00 | 1% of costs<br>0.50% of costs<br>0.25% of costs<br>3,196.00 |                          |                         |                          |
| <b>ARTICLE IV - PUBLIC HEARINGS</b>            |  |   |  |  |  |   |   |                          |                         |                          |
| <b>DIVISION 5 - INTERPRETATION OF LANGUAGE</b> |  |   |  |  |  |   |   |                          |                         |                          |
| 90-426   | Request of planning commission to interpret language in Sanibel Plan | first request 1,100.00<br>add't request 400.00  | 1,128.00<br>410.00                           | 1,151.00<br>419.00                           | 2,500.00<br>700.00                               | 2,588.00<br>725.00  | 2,664.00<br>747.00  |                          |                         |                          |
| <b>ARTICLE IV - PUBLIC HEARINGS</b>            |  |   |  |  |  |   |   |                          |                         |                          |
| <b>DIVISION 6 - NONCONFORMING USES</b>         |  |   |  |  |  |   |   |                          |                         |                          |
| 90-446   | Re-establishment or change   |   |  |  |  |   |   |                          |                         |                          |
|  | (a) Re-establishment   | 1,250.00  | 1,282.00                                     | 1,308.00                                     | 2,500.00   | 2,588.00  | 2,664.00  |                          |                         |                          |
|  | (b) Change   | 1,250.00  | 1,282.00                                     | 1,308.00                                     | 2,500.00   | 2,588.00  | 2,664.00  |                          |                         |                          |
| 90-447   | Relief from reconstruction limitations                               | ≤ \$1,000,000 N/A<br>next \$500,000 N/A<br>≥ \$1,500,000 N/A<br>minimum 1,100.00<br>total cost of project 1% of costs | N/A<br>N/A<br>N/A<br>1,128.00<br>1% of costs | N/A<br>N/A<br>N/A<br>1,151.00<br>1% of costs | 1% of costs<br>0.50% of costs<br>N/A<br>2,500.00 | 1% of costs<br>0.50% of costs<br>0.25% of costs<br>2,588.00 | 1% of costs<br>0.50% of costs<br>0.25% of costs<br>2,664.00 |                          |                         |                          |
| <b>ARTICLE IV - PUBLIC HEARINGS</b>            |  |   |  |  |  |   |   |                          |                         |                          |
| <b>DIVISION 7 - TEMPORARY USES</b>             |  |   |  |  |  |   |   |                          |                         |                          |
| 90-467   | Sales office in a model home   | 1,100.00  | 1,128.00                                     | 1,151.00                                     | 2,500.00   | 2,588.00  | 2,664.00  |                          |                         |                          |
| 90-468   | Temporary Structure  | 1,100.00  | 1,128.00                                     | 1,151.00                                     | 2,500.00   | 2,588.00  | 2,664.00  |                          |                         |                          |
| 90-469   | Storage of heavy equipment   | 1,100.00  | 1,128.00                                     | 1,151.00                                     | 2,500.00   | 2,588.00  | 2,664.00  |                          |                         |                          |
| 90-470   | Other temporary uses   | 1,100.00  | 1,128.00                                     | 1,151.00                                     | 2,500.00   | 2,588.00  | 2,664.00  |                          |                         |                          |
| <b>ARTICLE IV - PUBLIC HEARINGS</b>            |  |   |  |  |  |   |   |                          |                         |                          |
| <b>DIVISION 8 - VARIANCES</b>                  |  |   |  |  |  |   |   |                          |                         |                          |
| 90-486   | Variance request from Land Development Code                          | one variance 1,500.00<br>each additional variance 400.00  | 1,538.00<br>410.00                           | 1,569.00<br>419.00                           | 2,675.00<br>700.00                               | 2,769.00<br>725.00  | 2,850.00<br>747.00  |                          | 2,000.00<br>560.00      |                          |
| 90-487   | Zone boundary interpretation   | ≤ 1 acre 1,500.00<br>each additional acre 220.00  | 1,538.00<br>226.00                           | 1,569.00<br>231.00                           | 2,675.00<br>400.00                               | 2,769.00<br>414.00  | 2,850.00<br>426.00  |                          |                         |                          |

CITY OF SANIBEL  
Application Inquiry - Fees

Application number: 13 00044318

Property . . . . : 1198 2A HARBOUR COTTAGE COURT

**Fee**

| Class/Type/Description        | Trans amt | Amt due | Struct Permit Insp |
|-------------------------------|-----------|---------|--------------------|
| A NC N.O.C. OVER \$2,500.00   | 5.00      | .00     |                    |
| P PF PERMIT FEES              | 186.00    | .00     | 000000 BLDG00      |
| A RV RESIDENTIAL REVIEW FEE   | 80.00     | .00     |                    |
| A 1S FL DCA PERMIT SURCHARGE  | 3.99      | .00     | Dock               |
| A 3S FL DBPR PERMIT SURCHARGE | 3.99      | .00     |                    |

278.98

Bottom

|                   |     |
|-------------------|-----|
| Credit fees due:  | .00 |
| Revenue fees due: | .00 |
| Total due:        | .00 |

Press Enter to continue.

F3=Exit    F11=Change view    F12=Cancel    F10=Amt billed

CITY OF SANIBEL PLANNING DEPARTMENT  
Project Fees Inquiry

Project number . . . : 13 00007402  
Project description . : GIESE - VARIANCE FOR DOCK TO EXTEND  
Deposit balance . . . : .00

| Description            | Amt Charged | Credited | Paid    | Bal Due |
|------------------------|-------------|----------|---------|---------|
| DEVELOPMENT PERMIT FEE | 2000.00     | .00      | 2000.00 | .00     |
| Fee Totals . . . . :   | 2000.00     | .00      | 2000.00 | .00     |

*Planning*

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Press Enter to continue.

F3=Exit    F7=Receipts display    F8=Credit transaction display    F12=Cancel

CITY OF SANIBEL PLANNING DEPARTMENT  
Project Fees Inquiry

Project number . . . : 13 00007465  
Project description . : GIESE - MODIFY EXISTING DOCK; REPAIR  
Deposit balance . . . : .00

| Description            | Amt Charged | Credited | Paid   | Bal Due |
|------------------------|-------------|----------|--------|---------|
| DEVELOPMENT PERMIT FEE | 213.00      | .00      | 213.00 | .00     |
| Fee Totals . . . . :   | 213.00      | .00      | 213.00 | .00     |

*Planning*

+

Press Enter to continue.

F3=Exit    F7=Receipts display    F8=Credit transaction display    F12=Cancel

CITY OF SANIBEL  
Application Inquiry - Fees

Application number: 13 00044318

Property . . . . : 1198 2A HARBOUR COTTAGE COURT

**Fee**

| Class/Type/Description        | Trans amt | Amt due | Struct Permit Insp |
|-------------------------------|-----------|---------|--------------------|
| A NC N.O.C. OVER \$2,500.00   | 5.00      | .00     |                    |
| P PF PERMIT FEES              | 186.00    | .00     | 000000 BLDG00      |
| A RV RESIDENTIAL REVIEW FEE   | 80.00     | .00     |                    |
| A 1S FL DCA PERMIT SURCHARGE  | 3.99      | .00     | Dock               |
| A 3S FL DBPR PERMIT SURCHARGE | 3.99      | .00     |                    |

278.98

Bottom

|                   |     |
|-------------------|-----|
| Credit fees due:  | .00 |
| Revenue fees due: | .00 |
| Total due:        | .00 |

Press Enter to continue.

F3=Exit    F11=Change view    F12=Cancel    F10=Amt billed

CITY OF SANIBEL PLANNING DEPARTMENT  
Project Fees Inquiry

Project number . . . : 13 00007402  
Project description . : GIESE - VARIANCE FOR DOCK TO EXTEND  
Deposit balance . . . : .00

| Description            | Amt Charged | Credited | Paid    | Bal Due |
|------------------------|-------------|----------|---------|---------|
| DEVELOPMENT PERMIT FEE | 2000.00     | .00      | 2000.00 | .00     |
| Fee Totals . . . . :   | 2000.00     | .00      | 2000.00 | .00     |

*Planning*

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Press Enter to continue.

F3=Exit F7=Receipts display F8=Credit transaction display F12=Cancel

CITY OF SANIBEL PLANNING DEPARTMENT  
Project Fees Inquiry

Project number . . . : 13 00007465  
Project description . : GIESE - MODIFY EXISTING DOCK; REPAIR  
Deposit balance . . . : .00

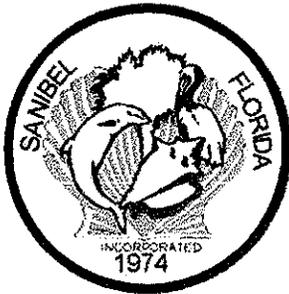
| Description            | Amt Charged | Credited | Paid   | Bal Due |
|------------------------|-------------|----------|--------|---------|
| DEVELOPMENT PERMIT FEE | 213.00      | .00      | 213.00 | .00     |
| Fee Totals . . . . :   | 213.00      | .00      | 213.00 | .00     |

*Planning*

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Press Enter to continue.

F3=Exit    F7=Receipts display    F8=Credit transaction display    F12=Cancel



# City of Sanibel

Planning Commission

## PLANNING DEPARTMENT STAFF REPORT

**Planning Commission Meeting:** July 9, 2013

**Planning Commission Agenda Item:** No. 6 b.

**Application Number:** 13-7402V

**RE** Consideration of an application for **variances** to Land Development Code Sections 126-877 Size standards, and 126-894 Location from lot lines, to permit the reconstruction of a boat dock to be greater than eight feet in width and within the 15' minimum required setback from the side property line. The subject parcel is located at 1198 Harbour Cottage Court, Unit 2-A, (tax parcel no. 20-46-23-T1-01202.00A0). The application is submitted by Ralph Cimato for property owners, **Cary William & Patricia Lee Giese. Application No. 13-7402V.**

A copy of the subject variance application and the applicant's responses to the seven variance standards is being provided for the Planning Commission with this report as **Attachment A.**

### **ISSUES**

In considering this application to vary from dock size limitations and side yard setbacks, the following issues should be addressed:

Does the application meet all seven variance standards listed in Section 82-140 of the *Sanibel Code* and required to be considered by the Planning Commission?

If the variances are approved, what conditions, if any, should be placed on the development?

### **PROPOSAL**

The applicant proposes to replace an existing dock and boat lift with a new re-configured dock and boat lift in conjunction with a seawall repair.

A copy of the applicant's survey showing the existing dock and boat lift is provided with this report as **Attachment B.**

A copy of the proposed site plan showing the new dock (and existing boat lift) is provided with this report as **Attachment C.**

## **ANALYSIS**

The existing dock and boat lift setback approximately 10.7' in lieu of the minimum 15' required from the northerly side property line. These structures are lawfully existing nonconforming structures because only a 10' side yard setback was required at the time they were constructed. Note: no setback is required from the southerly side lot line because that lot line is a common zero-lot line for the associated duplex on the subject property.

The applicant proposes to replace the existing dock and boat lift essentially in the same footprint but redesigned and reconfigured to make it easier and, in the applicant's opinion, safer to access the boat lift. Part of the redesign will result in an increase of the width of the dock in excess of the maximum 8' allowed.

Because the proposed dock and boat lift will be new or substantially improved structures, they are subject to current standards for accessory marine structures, including the minimum 15' setback and maximum 8' width limitation. The applicant has made extensive efforts to redesign the proposed dock and boat lift without need for variances, however due to restricted access and limited frontage (the parcel has only 40' of access along the canal) conditions exist where the applicant finds it impracticable to comply with the current minimum setback and maximum dock width standards.

## **SUMMARY**

The subject property has limited canal frontage and the area where any new accessory marine improvement could be permitted under the current standards is severely limited.

The Planning Commission may approve variances to certain requirements of the Land Development Code pursuant to Sanibel Code Section 82-140, which states that the Planning Commission may grant variances upon finding all of the following:

- (1) A literal enforcement of the particular regulation would result in undue and unnecessary hardship to a property owner because the particular shape, size, location or topography of a lot or parcel, or of a structure thereon, would cause practical difficulties that would deprive the owner of reasonable use and enjoyment of such lot or parcel in the same manner as other properties similarly situated.
- (2) That the special conditions relate to unusual conditions peculiar to the specific lot or parcel or relate to special conditions of the structure involved, and are not generally applicable to other lands or structures similarly situated.
- (3) That the special conditions and circumstances do not result from actions taken by the applicant or proposed by the applicant, and are not otherwise self-imposed.
- (4) That the applicant has taken all reasonable steps to mitigate or eliminate the requested variance by the acquisition of adjacent lands or the relocation or redesign of the structure involved.
- (5) That the development or use of the subject parcel in some other manner than that proposed, in accordance with the applicable requirements, is not feasible.
- (6) That the requested variance will not be adverse to the developed neighborhood scheme and will not adversely affect the plan and scheme set forth in this land development code, and will not cause the proposed development to be inconsistent with the Sanibel Plan nor adverse to the health, safety and general welfare of the community.
- (7) That the variance granted is the minimum necessary to mitigate the hardship demonstrated.

## **RECOMMENDATION**

If the Planning Commission find that the requested variances merits approval, then the Planning Department recommends that the following conditions are attached:

1. The dock and boat lift shall be installed in general conformance with the site plan provided with Attachment C of the Planning Department Staff Report dated July 9, 2013. A minimum 10' setback shall be maintained from the northerly side lot line, as extended waterward.
2. An as-built survey shall be submitted to the City demonstrating compliance with the approved plans including, but not limited to, the waterward extension and setbacks limitations prior to the issuance of a completion certificate.
3. The size of any boat to be placed on the lift shall be such that the boat does not project past the property lines as extended waterward and will not pose an impediment to navigation nor access.
4. Conical piling caps shall not be placed on the dock and lift pilings.
5. Any proposed outdoor lighting shall be in compliance with the standards and requirements of the Land Development Code, Division 4.
6. All other standard requirements for accessory marine structures contained in Land Development Code shall be met including, but not limited to, the following:
  - a. No fill or dredging is authorized by the approved variance or permit.
  - b. The height of the dock surface and pilings shall be no more than three feet and ten feet, respectively, above mean high water level.
  - c. Materials used in the dock and lift construction shall comply with the standards in Land Development Code section 126-885.
  - d. No double berthing of vessels shall be permitted.
7. The applicant shall obtain all applicable development and building permits and any approvals required from other governmental agencies, including the Florida Department of Environmental Protection and United States Army Corp of Engineers.

### **INDEX TO STAFF REPORT ATTACHMENTS**

**Attachment A** – Variance application

**Attachment B** – Survey of existing dock and boat lift

**Attachment C** – Site Plan of proposed dock and boat lift

JUN 17 2013  
my

**VARIANCE APPLICATION**  
**CITY OF SANIBEL DEVELOPMENT PERMIT APPLICATION**

\*\*\*\*\*  
APPLICATION NO. 13-7402 V FILING DATE: JUN 17 2013 ACCEPTED BY: Roy FEE PAID 2000-

OTHER APPLICATIONS FILED WITH THIS REQUEST: \_\_\_\_\_

**PART I. PARCEL IDENTIFICATION**

TAX STRAP NUMBER: 20-46-23-T1-01202.0040

STREET ADDRESS OF PROPERTY: 1198 Harbour Cottage Ct 2A

**PART II. OWNER/APPLICANT INFORMATION**

NAME OF OWNER: Cary Giese

OWNER ADDRESS: 1198 Harbour Cottage Ct

OWNER E-MAIL ADDRESS: CWGiese@Comcast.net

OWNER PHONE NO: Home 612-940-8789 Business \_\_\_\_\_ Fax \_\_\_\_\_

NAME OF APPLICANT: Rolpl Cimato

APPLICANT ADDRESS: 15421 River by Rd

APPLICANT E-MAIL ADDRESS: RV Cimato@gmail.com

APPLICANT PHONE NO: Home \_\_\_\_\_ Business 841-0155 Fax 472-0904

APPLICANT'S INTEREST IN PROPERTY: Contracting

**PART III. PROVIDE A BRIEF DESCRIPTION OF THE PROPOSED DEVELOPMENT:**

New Boat Dock & Seawall Cap & Tie Buoys

IDENTIFY THE LAND DEVELOPMENT CODE SECTION(S) FROM WHICH VARIANCE IS REQUESTED:

Sec. 126-894 - 126-877

**PART IV. ATTACHMENTS CHECKLIST:**

The information and attachments requested as part of this application are the minimum necessary to determine compliance with the requirements of the Sanibel Plan and the Land Development Code (LDC). The city may require additional information, or waive certain requirements, at any time during the application process depending upon the nature of the variance request. (Ref. Land Development Code Section 82-133). For a complete explanation of each item, refer to the Planning Department handout entitled "Instructions For Permits And Other Applications Of The Sanibel Land Development Code".

VARAPP/REV 10/06 Sanibel Code

SIDE ONE OF TWO

**PART IV. ATTACHMENTS CHECKLIST**

- DESCRIPTION OF HOW THIS APPLICATION MEETS THE SEVEN VARIANCE STANDARDS (Complete Attachment A, "Variance Standards").
- DEED
- OWNER'S AUTHORIZATION (Certified-Form available in City Planning Department)
- OTHER AGENCY PERMITS (Certified Statement RE: Required Permits and Copy of Applications/Permits)
- VERIFICATION OF PERMITTED RESIDENTIAL DENSITY (See LDC Sections 86-91 and 86-92)
- LOCATION MAP
- SITE DEVELOPMENT PLAN (1"=20')
- DRAINAGE PLAN OR VERIFICATION OF EXISTING DRAINAGE IMPROVEMENTS
- EXTERIOR LIGHTING PLAN
- VEGETATION PLAN
- WILDLIFE HABITAT IDENTIFICATION AND PLAN FOR PRESERVATION
- VERIFY GOPHER TORTOISES ARE PROTECTED ON SITE OR HAVE BEEN REMOVED (if applicable)
- IWA WATER AVAILABILITY LETTER
- BUILDING PERMIT APPLICATION
- FLOOR PLANS (1/4"=1')
- TYPICAL WALL SECTION (1/4"=1')
- BUILDING ELEVATIONS (Front, Back and Side, Showing Height and Setback Compliance)
- FLOODPROOFING CERTIFICATION (For Coastal High Hazard Areas Only)
- OTHER INFORMATION REQUIRED FOR COMPLIANCE WITH THE LAND DEVELOPMENT CODE:

**PART V. PUBLIC HEARING NOTIFICATION REQUIREMENT**

Provide name and address labels for all property owners within a radius of 300 feet of the extreme limit to the parcel proposed for development (to be obtained from Lee County Geographic Information System Department). Refer to the "Adjacent Property Owners" section of the "Instructions for Permits and Other Applications of the Sanibel Land Development Code" for details on obtaining this information.

\*\*\* CERTIFICATION \*\*\*

I hereby certify that the information contained in this application and the attachments hereto are true and correct to the best of my knowledge and belief. Furthermore, I acknowledge that the City has the right to inspect the subject property in conjunction with this variance application. (Please advise the City of any restrictions or limitations on the inspections.)

[Signature] 6/17/13  
SIGNATURE OF OWNER OR OWNER'S AUTHORIZED REPRESENTATIVE DATE

NOTE TO OWNER/APPLICANT: A development permit is required in addition to this variance request in order to implement the use and may be filed concurrently or subsequently to this application. If filed subsequently to this application, the development permit must be obtained within a period of twelve (12) months after variance approval. The proposed development may be subject to private deed restrictions or covenants. It is the applicant's responsibility to verify with the appropriate property owners association whether the proposed development complies with the applicable deed restrictions or covenants. The City does not enforce deed restrictions or act as an arbitrator between the applicant and the association.

VARIAPP/REV 10/06 SANIBEL CODE

SIDE TWO OF TWO

**ATTACHMENT A**  
PLANNING DEPARTMENT STAFF REPORT  
GIESE (1198 HARBOUR COTTAGE CT.)  
APPLICATION NO. 13-7402V

## VARIANCE APPLICATION-ATTACHMENT A

### VARIANCE STANDARDS

The Planning Commission may grant variances only upon finding that the request meets the seven standards set forth in the land development code section 82-140. Describe how your request meets each requirement:

1. A literal enforcement of the particular regulation would result in undue and unnecessary hardship to a property owner because the particular shape, size, location or topography of a lot or parcel, or structure thereon, would cause practical difficulties that would deprive the owner of reasonable use and enjoyment of said lot or parcel in the same manner as other properties similarly situated.

There are two regulations for which we are asking regulatory relief. (A) Our existing and previously approved (2002) dock and lift has a lot line setback of 10 feet that is less than the 15 foot setback required by the regulations. No other configuration of the dock or the boatlift can be installed which would allow us deck access to our boat without interfering with the navigation of one neighbor or the others dock. (B) The current dock configuration contains a hazardous gap in the dock that could easily result in a severe accidental fall. We are asking for limited relief from the requirement of not more than an 8-foot board in order to eliminate that hazard. (See drawing)

2. That the special conditions relate to unusual conditions peculiar to the specific lot or parcel or relate to special conditions of the structure involved, and are not generally applicable to other lands or structures similarly situated.

Our home is on the left side of a duplex in Harbour Cottages development. Our neighbors on both sides of us are on the right sides of the duplexes. In both cases their boats are angled into their lifts. Because they have a zero lot line at the back of their boat they have no set back issue. They can easily comply with the 15-foot setback; and they have. For us to properly navigate our boat we must angle-in also. Our boatlift is placed at the only position that will work. We studied pivoting the angle in towards the wall but that would cause our 26-foot boat to back into our neighbor's boatlift 20 feet away. We studied moving the front of our lift to the forward 5 feet to meet the 15-foot setback requirement but that resulted in an unacceptable overhang of our boat over my neighbors dock space. We studied pivoting the angle away from the wall but that put our lift too far into the canal. These limiting factors completely constrains our ability to maintain a 15' setback and align our lift and dock such that we can have access to our boat from our existing, previously approved dock. It also limits our ability to eliminate the safety hazard and remain within the 8' board length rule. It is not possible to solve the existing safety hazard in any manner other than that suggested. Regarding the

safety hazard, there are two rules meant to minimize coverage over the water. One is a maximum allowed coverage of 320 square feet. We are well within this limit with our proposal. The other is a limit of an 8-foot board length. This restriction causes the hazard. (See diagram). We are asking for a variance to allow 5 feet of the dock to be constructed with board lengths of up to 12 feet.

3. That the special conditions and circumstances do not result from actions taken by the applicant or proposed by the applicant and are not otherwise self imposed.

We neither caused nor can correct the relevant causative circumstance. The safety hazard is the result of a design limited by the maximum 8-foot board length regulation.

4. That the applicant has taken all reasonable steps to mitigate or eliminate the requested variance by acquisition of adjacent lands or relocation or redesign of structures involved.

No acquisition of land or rearrangement of any of the infrastructure can be curative. The safety hazard can only be solved by relaxation of the 8-foot rule.

5. That the development or use of the subject parcel in some other manner than proposed in accordance with applicable requirements is not feasible:

It is not feasible to solve either problem in any other manner.

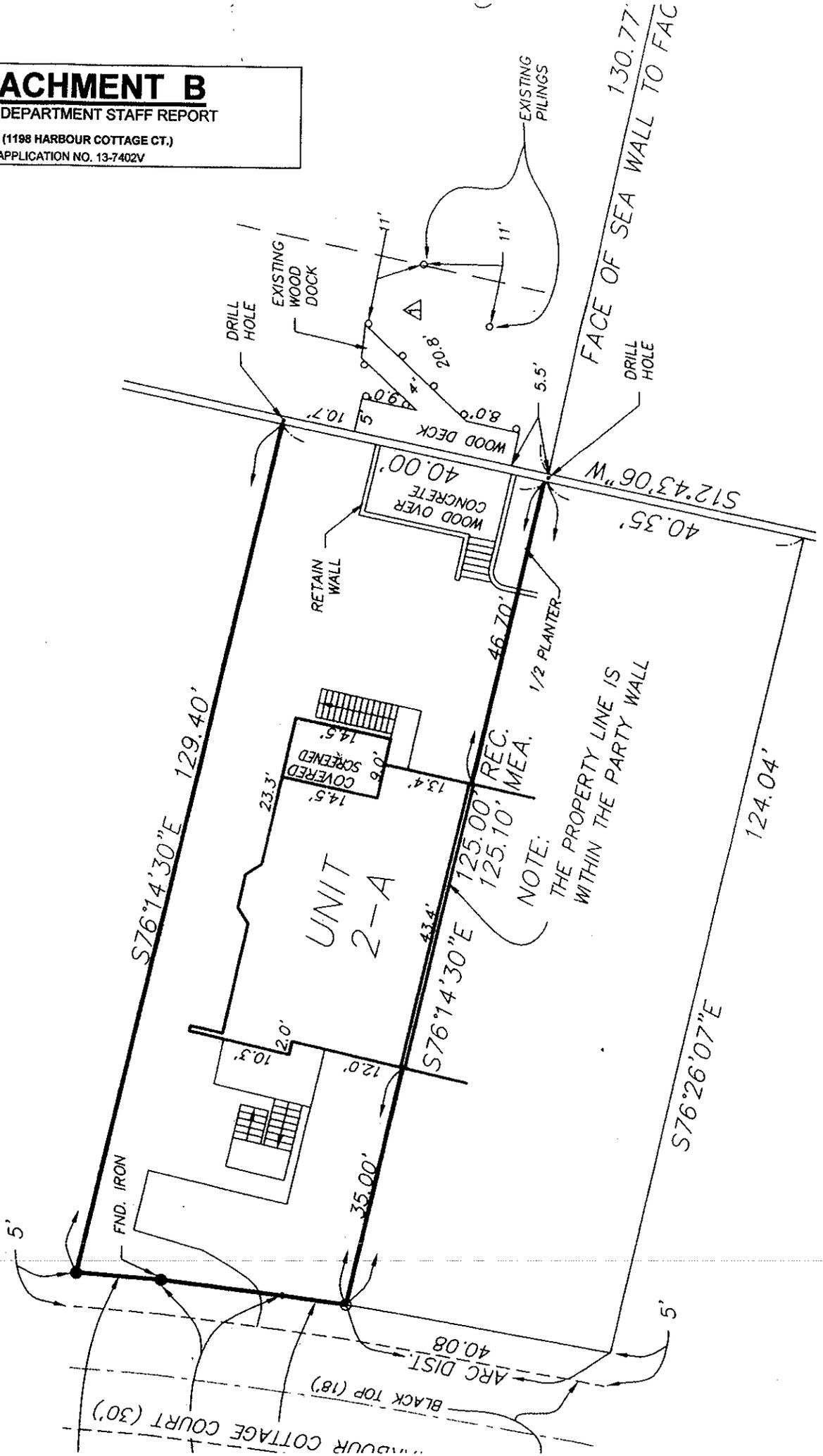
6. That the requested variance will not be adverse to the developed neighborhood scheme and will not adversely affect the plan and scheme set for the in the land development code, and will not cause the proposed development to be inconsistent with the Sanibel Plan nor adverse to the health, safety and general welfare of the community.

No Hardship will be caused to any neighbors' ability to navigate their boats, or adversely affect the neighbors in any way. Conversely the plan repairs our common seawall to strengthen it against storm caused tide surges, a major benefit to the neighborhood. And our proposal to remove the safety hazard will have a salutary affect on community safety.

7. That the variance granted is the minimum necessary to mitigate the hardship demonstrated:

Yes, the proposed solutions to the setback and hazard problems are the minimum necessary to meet the requirements.

**ATTACHMENT B**  
 PLANNING DEPARTMENT STAFF REPORT  
 GIESE (1198 HARBOUR COTTAGE CT.)  
 APPLICATION NO. 13-7402V



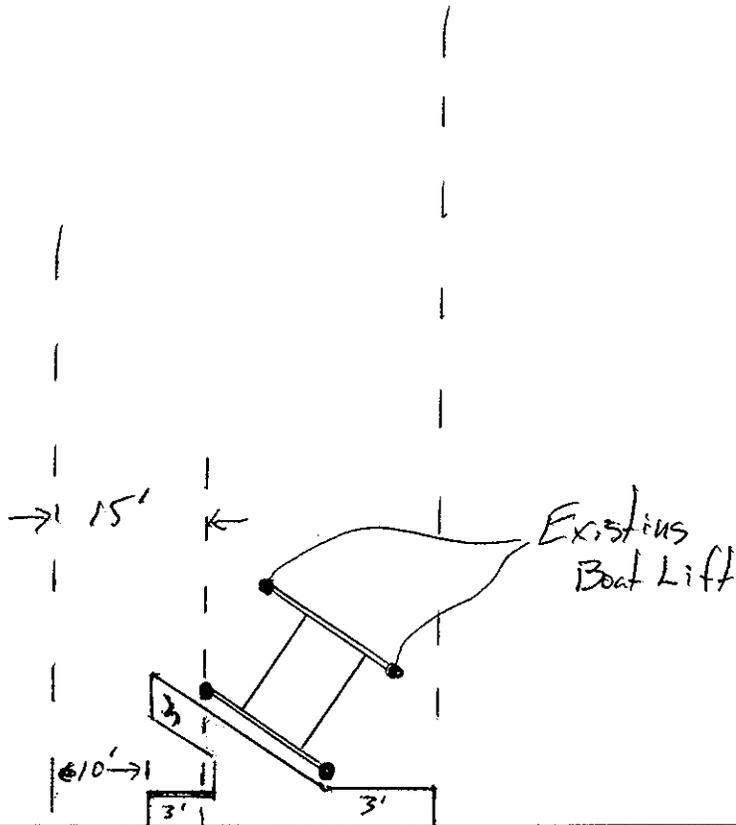
1198 Harbour Cottages ZA

New Dock Sqft 176.00'

1" = 20'

**SITE PLAN**

FOR NEW DOCK & BOAT LIFT  
1198 HARBOUR COTTAGE COURT



Existing Boat Lift

Rever's Deck Existing

1/2 planter

← 40.00' →

**ATTACHMENT C**

PLANNING DEPARTMENT STAFF REPORT

GIESE (1198 HARBOUR COTTAGE CT.)

APPLICATION NO. 13-7402V

## Meg A. Veraldi

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**From:** Roy Gibson  
**Sent:** Friday, July 05, 2013 1:34 PM  
**To:** Jimmy Jordan  
**Cc:** Meg A. Veraldi  
**Subject:** Fwd: Variance Application No. 13-7402 -- Giese, 1198 Harbour Cottage Court

7/5/13

FYI only...

Begin forwarded message:

**From:** Cary Giese <[cwgiese@comcast.net](mailto:cwgiese@comcast.net)>  
**Date:** July 4, 2013, 11:58:32 AM EDT  
**To:** Roy Gibson <[Roy.Gibson@mysanibel.com](mailto:Roy.Gibson@mysanibel.com)>  
**Subject: Re: Variance Application No. 13-7402 -- Giese, 1198 Harbour Cottage Court**

Roy, Thank you for sending me this summary. It is a very clear depiction of my request! I appreciate your support.

If I may, I'd point out that the increase in coverage as a result of our waiver request is only 10 square feet. Five feet running from where eight feet length is exceeded to twelve feet length on an angle creates a triangle the area of which is 10 square feet. ( $5' \times 4' / 2' = 10'$ )

I know that this is obvious to you but may be helpful to commission members should a question be asked.

Sincerely,

Cary Giese

On Jul 3, 2013, at 1:55 PM, Roy Gibson <[Roy.Gibson@mysanibel.com](mailto:Roy.Gibson@mysanibel.com)> wrote:

7/3/13

Dear Ralph,

I am providing you with a copy of the Planning Department staff report for the subject application.

The application is scheduled to be considered by the Planning Commission on Tuesday, July 9, 2013.

Let me know if you have any questions.

Sincerely,

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**Roy L. Gibson, AICP**  
**Senior Planner**