



CITY OF SANIBEL
Planning Department
INTERPRETATION OF LANGUAGE

STAFF USE ONLY

APPLICATION No: _____ FILING DATE: _____ ACCEPTED BY: _____ FEE: _____

PART I. APPLICATION INFORMATION

NAME OF APPLICANT: _____

APPLICANT ADDRESS: _____

APPLICANT E-MAIL ADDRESS: _____

APPLICANT TELEPHONE NO: _____ BUSINESS _____ FAX _____

REPRESENTATIVE OF APPLICANT (If Any): _____

REPRESENTATIVE ADDRESS: _____

REPRESENTATIVE E-MAIL ADDRESS: _____

REPRESENTATIVE TELEPHONE NO: _____ BUSINESS _____ FAX _____

PART II. DESCRIPTION OF REQUEST

1. Pursuant to Land Development Code Chapter 82, Article III, Division 3, Subdivision III. INTERPRETATIONS application is hereby made to the Planning Commission for determination of the precise meaning of language contained in Sanibel land Development Code Section _____, which states (quote language for which interpretation is sought):

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2. An interpretation of the above language is requested because (select "A" or "B" and provide all requested information):

A. ____ The exact meaning of the language or terms therein is unclear.

(1) The specific question for which clarification is sought is:

B. ____ A competing interpretation exists which differs from Staff's interpretation and would vary the results of a pending application if one meaning were used as opposed to another.

(1) The competing interpretation is as follows:

(2) The application affected by the interpretation is:

- Application No: _____
- Filing Date: _____
- Description of proposed development:

(3) Utilizing the competing interpretation would affect the pending application as follows:

PART III. SUPPORTING DOCUMENTATION

The following attached exhibits are made a part of this application and submitted to the Planning Commission to assist in rendering its decision:

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***** **CERTIFICATION** *****

I hereby certify that the information contained in this application and the attachments hereto is 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 interpretation of language application. (Please advise the City of any restrictions or limitations on the inspections.)

SIGNATURE OF APPLICANT OR AUTHORIZED REPRESENTATIVE

DATE

NOTE TO APPLICANT: 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 applicable deed restrictions or covenants. The City does not enforce deed restrictions or act as an arbitrator between the applicant and the association.

INTERPRETATION OF LANGUAGE AUTHORIZATION

The planning commission shall determine the precise meaning of any of the language contained in the Sanibel Plan or the Land Development code when the precise meaning of any of the language or terms used therein is unclear or where competing interpretations are made which would vary the results of an application pending before the planning commission if one meaning were used as opposed to another. Any decision of the planning commission making such an interpretation shall be specifically directed to the city attorney for review in order to determine whether the language which has been in dispute required clarification.

INTERPRETATION OF LANGUAGE STANDARDS

Interpretations of language shall be made in accordance with the following standards:

- a. The planning commission shall make reference to the Sanibel Plan and, where possible, ascertain the intent and purpose of the language in dispute based on the intent and purpose expressed in the plan with respect to such subject matter.
- b. Interpretation of the language in dispute shall be based on a reading of the full sentence or paragraph in which the language is contained, and such language shall be read in pari materia with other portions of the development regulations so that the interpretation of the disputed language is consistent in meaning and purpose.
- c. The planning commission shall reject an interpretation of the disputed language which isolates the language from its subject matter and places undue strain on the language syntax in which the terminology is present.

APPLICATION AND HEARING

An application for an interpretation of language shall be made on the form provided by the city. The planning commission hearing on such application shall be conducted as for the consideration of an application for long form development permit pursuant to Sections 82-97, 82-423 of the Land Development Code.

DECISION BY PLANNING COMMISSION

The planning commission immediately or within 60 days after closing of the hearing, shall by resolution, take action on the application. A copy of the resolution shall be forwarded to the owner and the applicant within ten days following adoption of such resolution.