



**APPLICATION FOR VARIANCE**  
**(From Floodproofing/Stormproofing)**  
(WITH APPLICATION INFORMATION)

**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 82-138). For a complete explanation of each item, refer to the Planning Department handout entitled "Instructions for Permits and Other Applications of the Sanibel Island Development Code".

- \_\_\_\_\_ DESCRIBE HOW THIS APPLICATION MEETS THE SEVEN (7) VARIANCE STANDARDS
  - \_\_\_\_\_ VERIFICATION OF PERMITTED RESIDENTIAL DENSITY (See LDC Section 86-91 and 86-92)
  - \_\_\_\_\_ DEED OR LEE COUNTY OWNER OF RECORD
  - \_\_\_\_\_ OWNER'S AUTHORIZATION (Certified Form Available in the Planning Department)
  - \_\_\_\_\_ OTHER AGENCY PERMITS (Certified Statement - Required permits - Copy of Application/Form)
  - \_\_\_\_\_ 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
  - \_\_\_\_\_ 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 Coast High Hazard Areas)
  - \_\_\_\_\_ OTHER INFORMATION REQUIRED FOR COMPLIANCE WITH THE LAND DEVELOPMENT CODE:
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**PART V. PUBLIC HEARING NOTIFICATION REQUIREMENT**

\_\_\_\_\_ PROVIDE NAME AND ADDRESS LABELS FOR ALL PROPERTY OWNERS WITHIN A RADIUS OF 300 FEET OF THE EXTREME LIMITS 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 development permit application. (Please advise the City of any restrictions or limitations on the inspections.)

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**SIGNATURE OF OWNER / OWNER'S AUTHORIZED REPRESENTATIVE** **DATE**

**NOTE TO THE 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.**

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The Planning Commission may grant variances from the requirements of chapter 94 only upon finding that the request meets the seven standards set forth in Land Development Code Section 82-141(b) and considering the factors set forth in Section 181-141(a). Describe how your request meets each requirement:

1. The variance sought is the minimum necessary to afford relief, considering the flood hazard:  

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2. That the failure to permit the variance would result in an exceptional hardship:  

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3. That the granting of the variance will not result in an increased flood height, additional threats to the public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing laws or ordinances:  

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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:  

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5. That the exceptional hardship which would result if the variance were denied does not result from actions taken by or proposed by the applicant and are not otherwise self-imposed:  

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6. That the applicant has demonstrated good and sufficient cause for the grant of the variance.  

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7. If the parcel is within any area designated as a floodway by the Federal Insurance Administration, that no increase in flood levels during the base flood discharge would result:  

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**Sec. 82-141. – Same [Standards]—Variances from the requirements of floodproofing and stormproofing.** When considering a variance from the requirements of chapter 94, the planning commission shall consider the following:

1. The danger that materials may be swept onto other lands to the injury of others.  
\_\_\_\_\_
2. The danger to life and property due to the flooding or erosion damage.  
\_\_\_\_\_
3. Susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner.  
\_\_\_\_\_
4. The importance of the service provided by the proposed facility to the community.  
\_\_\_\_\_
5. The necessity to the facility of a waterfront location, where applicable.  
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6. The availability of alternative locations for the proposed use which are less subject to flooding or erosion damage.  
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7. The compatibility of the proposed use with existing and anticipated development.  
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8. The relationship of the proposed use to the Sanibel Plan and flood management program of that area.  
\_\_\_\_\_
9. The safety of access to the property in times of flood for ordinary and emergency vehicles.  
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10. The expected heights, velocity, duration, rate of rise, and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site.  
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11. The public cost of providing services during and after flood conditions, including maintenance and repair of public utilities and facilities such as: sewer, gas, electrical, water systems, and streets and bridges.  
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**INSTRUCTIONS FOR PERMITS AND OTHER APPLICATIONS OF THE SANIBEL LAND DEVELOPMENT CODE**

**EXPLANATION OF CHECKLIST ATTACHMENTS TO BE PROVIDED WITH APPLICATION FORMS  
FOR RESIDENTIAL STRUCTURES AND NON-RESIDENTIAL STRUCTURES**

\_\_\_ **DEED** Copy of the owner's deed to the property included within this application as recorded in public records; and if the applicant is not the owner of record, a certified authorization from all the owners of record to the applicant to apply for permits on behalf of the owner.

\_\_\_ **OWNER'S AUTHORIZATION** If someone other than the owner will serve as the applicant in connection with the permitting process, a certified statement which authorizes that person to represent the owner and to bind the owner.

\_\_\_ **OTHER AGENCY PERMITS** A certified statement by the applicant setting forth all other permits that are required by any other governmental agencies in connection with the proposed development. If no other permits are required, the statement shall clearly indicate none are required. If any other such permits are required, the applicant shall submit, along with the application, a copy of the application submitted, or to be submitted, for each other required permit or, if available, a copy of the permit received.

\_\_\_ **VERIFICATION OF PERMITTED RESIDENTIAL DENSITY** NOTE: Recorded deeds and other historical property records which may be required for verification of permitted residential density are available at the Official Records Department in the Lee County Courthouse.

**For any vacant, unplatted parcel (not in a modern platted subdivision),** provide a certified statement identifying any contiguous lands which were under common ownership with the subject parcel on December 1, 1975.

**For any vacant parcel in a modern platted subdivision (listed below),** provide a certified statement identifying any contiguous lands which were in common ownership with the subject parcel on July 8, 1976. (**Note:** Any lot in a subdivision marked by an asterisk [\*] having 10,000 net square feet or more is exempt from this requirement.)

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|------------------------|-----------------------|------------------------|
| Anchors Aweigh*        | Gumbo Limbo           | Sanibel Pines          |
| Beachview Country Club | Kearn's*              | Sanibel River Estates* |
| Belle Meade            | Lagoon Estates*       | Sanibel Shores         |
| Betts                  | Lake Murex*           | Sanibel Woodlands      |
| Bright Water           | Leisure Acres         | Sawyer's               |
| Bryant Michigan*       | Little Lake Murex     | Seaside*               |
| Caloosa Shores         | Los Conchas           | Sedgemoor              |
| Cardinal Ridge         | Palm Lake*            | Shell Basket*          |
| Castaways              | Periwinkle Properties | Shell Harbor*          |
| Chateau Sur Mer*       | Poinciana Circle      | Southwinds*            |
| Del Sega               | Ranchos Way           | Terrill Ridge          |
| Dinkin's Bayou         | O.L. Richardson's*    | Tradewinds*            |
| Dunes - Phase I        | Sanibel Center        | Water Shadows*         |
| Dunes - Phase II       | Sanibel Estates*      | West Rocks*            |
| East Rocks*            | Sanibel Harbours*     | Windrow                |
| Gulf Pines             | Sanibel Isles*        | S.B. Woodring's*       |
| Gulf Shores*           | Sanibel Lake Estates* |                        |

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**For any vacant parcel in the following subdivisions approved by the City,** each platted lot is entitled to a dwelling unit.

Anhinga Estates	Heron's Landing	Sea Gate
Butterknife	Huschka	Sea Oats
Dunes - Phase III	Island Woods	Seagull Estates
Eastwood Landings	Kinzie Island	Seaspray
Foley	Lane-Cochran	South Capers
Gopher Walk	Long Acre Lake	Whisperwood Cove
Gulf Ridge	Sanctuary at Wulfert	
Gulf Ridge East	Sanibel Bayous	

**For any other vacant parcel in a subdivision approved by the City,** identify a development permit issued after July 19, 1976, which approved a subdivision establishing the subject parcel as a lot.

**For all subdivision, duplex, and multifamily applications,** provide actual calculations determining the number of dwelling units permitted on the parcel, carried to the hundredths place.

\_\_\_\_\_ **SURVEY** An up-to-date (accurately reflecting present conditions), certified survey of the subject parcel bearing the signature and raised seal of a Florida registered land surveyor or professional engineer. If the land borders or contains an open body of water, the survey must be dated within six months prior to the date the application is filed. The survey must indicate or comply with the following: **(3 copies)**

- a) Scale must be 1" = 20'.
- b) Property lines, bearings and dimensions.
- c) Area of parcel in square feet.
- d) Coastal Construction Control Line (if applicable).
- e) Legal description of the property.
- f) North arrow, which shall be the same orientation on all pages.
- g) Abutting streets, indicating width of right-of-way, edge and width of pavement or traveled way, and whether public or private.
- h) Existing structures.
- i) Location of the percolation test and soil log (if applicable).
- j) Ground elevations (sufficient in number to accurately depict the site contours), referenced to NAVD of 1988.
- k) Easements, with use and dimensions noted, and whether public or private.
- l) Location and description of on-site well (if applicable), and whether active or inactive, public or private, and used for potable water, irrigation, or other purpose.
- m) If the parcel contains open bodies of water, roads or road rights-of-way or easements, the area (in square feet) of each, indicated separately. The surface area of an open body of water shall be calculated to the contour of the average elevation of the groundwater of the water table aquifer. The edge of an open body of water shall be represented by the mean high water line.
- n) Survey purporting to establish the local tidal datum or determination of the location of mean-high or mean-low water line shall provide certification by Florida registered land surveyor or professional engineer that such document was prepared in compliance with Florida Statutes, Chapter 177, Part II.
- o) Information on or accompanying the survey identifying the existing uses of all land and buildings shown thereon and indicating any structures to be removed.
- p) The delineation of all local drainage areas, open bodies of water, drainage ways, and any other area in which the seasonal high water table is at or above the ground surface.
- q) A note or statement the property is located in a special flood hazard area on the National Flood Insurance Program's Flood Insurance Rate Maps.

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\_\_\_\_ **LOCATION MAP** A location plan indicating the relation of the development site to streets and well-known landmarks, existing zoning district(s) of the development site, and zoning districts within 200 feet of the development site.

\_\_\_\_ **SITE PLAN** Site development plan (**3 copies required**), indicating or complying with the following:

- a) Scale must be 1" = 20'.
- b) North arrow, which shall have the same orientation on all pages.
- c) Property lines, with dimensions.
- d) Coastal Construction Control Line (if applicable).
- e) Abutting road rights-of-way and easements, with dimensions.
- f) Proposed structures and existing structures which are to remain on the site, showing elevations of lowest floors.
- g) Proposed driveway, parking, loading, and turn-around areas, with dimensions, including any loading docks or platforms, and all other developed areas.
- h) Existing and proposed ground elevations, referenced to NGVD of 1929.
- i) Detailed specifications and location of proposed drainage swales or retention areas (including cross-sections and method of soil stabilization on all slopes).
- j) A plan view of all wastewater facilities. (The development permit application must be accompanied by the completed application for a wastewater disposal permit, where applicable).
- k) Total square footage of lot.
- l) Total square footage of impermeable coverage proposed (excluding up to a 4 foot-wide roof overhang).
- m) Total square footage of developed area proposed.
- n) Total square footage of areas to be cleared of vegetation.
- o) All existing and proposed utility structures and lines, such as, but not limited to, telephone lines, electric lines, water lines, sewer lines, gas lines, cable television lines, and fire hydrants, with locations and dimensions.
- p) All proposed easements.
- q) All means of vehicular access to adjoining streets.
- r) Any necessary improvements to adjoining streets, including acceleration and deceleration lanes, paving, traffic control markings, and land dedication for street purposes.

\_\_\_\_ **USE IDENTIFICATION** Identify all proposed uses of all land and structures on the development site.

\_\_\_\_ **REFUSE/GARBAGE DISPOSAL PLAN** A plan for refuse and garbage disposal, including location and size of receptacles and provisions for visual screening, pollution control, and protection from weather.

\_\_\_\_ **DRAINAGE PLAN** A drainage plan and map, demonstrating compliance with Land Development Code Chapter 126, Article XIII. Environmental Performance Standards and Chapter 118, Article IV. Standards for Stormwater Control.

\_\_\_\_ **EROSION/SEDIMENT CONTROL PLAN** A plan for erosion and sediment control, which shall use good development techniques to prevent soil erosion and water pollution.

\_\_\_\_ **EXTERIOR LIGHTING PLAN** A plan for exterior lighting, including the size, nature of construction, height, area and direction of illumination, and wattage to be used or foot-candles produced, if exterior lighting is proposed. The plan shall demonstrate compliance with Land Development Code Chapter 126, Article XIV. Division 4. Outdoor Lighting.

\_\_\_\_ **VEGETATION PLAN** A vegetation plan (**2 copies**) demonstrating compliance with the Land Development Code, including verification that the site has been prepared for vegetation inspection in accordance with the City's adopted vegetation standards. The vegetation plan shall generally describe all vegetation within the area to be disturbed by the proposed development, and shall:

- a) Include an inventory of all native vegetation or native plants, as defined in this code, (number and species) within the area to be disturbed. Native vegetation or native plants, as defined in this code, outside areas to be disturbed must be preserved in place;

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- b) Locate and identify on a site plan all native vegetation or native plants, as defined in this code, within the area to be disturbed that is either two (2) inches or greater in diameter at any point more than two (2) feet above ground level or six (6) feet or more in height; locate and identify all native shrub-like plants (such as wild olive, wild coffee, white indigo berry and ferns, etc.) that are more than two (2) feet in height, and locate and identify any threatened or endangered species listed by the Florida Game and Freshwater Fish Commission, regardless of size;
- c) Provide a description of native trees within the area to be disturbed that are two (2) feet or more in height, by species, estimated number and general location;
- d) Describe the proposed treatment of the native vegetation or native plants, as defined in this code, within the area to be disturbed, i.e., transplant on- or off-site or destroy.
- e) State whether there exists upon the parcel any Brazilian pepper, Melaleuca, Earleaf Acacia, Lead Tree, Java Plum, Air Potato, Exotic Inkberry or Mother-in-Law's Tongue/Bowstring Hemp. If so, the vegetation plan shall include a plan for removal of these exotics, and for keeping the parcel permanently free of these exotics. The developer may omit from such a plan provisions for exotic removal and maintenance on any portions of a parcel which are donated to a bona fide organization dedicated to conservation, and which has a management plan for exotic removal; or to the city.

\_\_\_\_\_ **WILDLIFE PLAN** Identification and location of wildlife habitats of gopher tortoises, eastern indigo snakes, eagles, ospreys, loggerhead turtles, alligators, pileated woodpeckers, and river otters on the lot or parcel to be developed, to be verified through a field inspection by the City. In the case of the development of a single-family dwelling, the City, upon request of the owner, shall conduct the field inspection;

**AND**

A plan to preserve a portion of any existing indigenous wildlife habitat or to provide evidence of additional sanctuary area on or off the property to mitigate unavoidable destruction. Such plan, sanctuary, or mitigation is to be at the applicant's expense.

\_\_\_\_\_ **GOPHER TORTOISE PROTECTION** Verification that gopher tortoises have been protected on the site or have been removed from the proposed area of construction by a city authorized handler according to a plan approved by the City.

\_\_\_\_\_ **WATER AVAILABILITY** Documentation establishing the availability of water for the proposed development from the Island Water Association, Inc.

\_\_\_\_\_ **WASTEWATER TREATMENT** If connection to an existing package plant or to the Sanibel Sewer System is proposed, documentation of the availability of service from the owner of the wastewater facility. If a septic system or alternative system is proposed, submit a separate application for a City of Sanibel Wastewater Disposal Permit pursuant to Land Development Code Chapter 118, Article III.

\_\_\_\_\_ **FLOOR PLANS** Floor plans at a scale of one-quarter inch equals one foot, showing interior walls, identifying the use of all rooms, and showing all window and door openings and points of ingress and egress.

\_\_\_\_\_ **TYPICAL WALL SECTION** A typical wall section, at a scale of one-quarter inch equals one foot, showing compliance with Land Development Code, Chapter 94, Flood and Storm Proofing.

\_\_\_\_\_ **BUILDING ELEVATIONS** Elevations of all buildings, front, back and side, showing compliance with height restrictions and applicable setbacks, including "angle of light" restrictions.

\_\_\_\_\_ **FLOODPROOFING CERTIFICATION** Flood-proofing certification, by a Florida registered professional engineer or architect, of compliance with Land Development Code, Section 94-53., if applicable.

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\*\*\*\*\*OTHER ITEMS APPLICABLE TO MULTIFAMILY AND NONRESIDENTIAL DEVELOPMENT\*\*\*\*\*

\_\_\_\_\_ **ECONOMIC AND TRAFFIC IMPACT STATEMENTS** Any commercial development proposal which includes more than twelve thousand (12,000) square feet of retail floor area shall require, as part of the development permit application, the submission of an impact statement which shall include the following information:

**Economic Impact:** Based on the supply and demand analysis provided in the commercial market study prepared for the city in 1981 (and any subsequent update reports prepared by or for the city), the applicant shall demonstrate that there is sufficient demand for the proposed development, without the necessity of any increase in traffic from outside of the city, and that the proposed development will not have a significant adverse impact on the economy of the city as a whole.

**Traffic Impact:** The applicant shall provide a professional traffic analysis that estimates the number of trips expected to be generated to and from the development, on an average day and a peak day during the peak season. This analysis of the impacts on traffic flow shall be quantified. Opportunities to mitigate potential traffic problems shall be identified. Estimates of the cost to implement these opportunities shall also be identified and a plan presented to implement them.

\_\_\_\_\_ **FLOOR AREA** Commercial structures - All the area of the floor surfaces in a structure, under roof, exclusive of overhangs and walkways, measured to the inside of the exterior walls, plus any area within a screened enclosure utilized for commercial activity, excluding the area contained below the lowest floor, as defined in Section 94-1. and any screened area used solely as an entryway or corridor.

\_\_\_\_\_ **FLOOR AREA RATIO (FAR)** Commercial structures - The ratio of total permitted floor area on the parcel to the total area of the commercially designated portion of the parcel.

\_\_\_\_\_ **VEGETATION BUFFERS FOR COMMERCIAL AND INSTITUTIONAL USES** All commercial and institutional development and uses (including special uses not exempted from compliance with this requirement) shall include strips of vegetation (i.e., vegetation buffers) to provide a barrier to both light and sound created by such uses and for the purpose of maintaining a rural, natural environment along city streets. Refer to Land Development Code Chapter 122, Article II, Division 2, for standards regarding the location, planting and maintenance of such vegetation buffers.

\_\_\_\_\_ **VEGETATION BUFFERS FOR RESIDENTIAL DEVELOPMENT ALONG ARTERIAL AND COLLECTOR ROADS** In approving a development permit for major subdivisions or residential development of more than five (5) dwelling units, a vegetation buffer shall be required along rural arterial and rural collector roads (See Land Development Code Section 78-1 for road classifications). Refer to Land Development Code Chapter 122, Article II, Division 3, for standards for location and size of buffers, as well as types, varieties and numbers of plants required in the buffer.

\_\_\_\_\_ **INTERIOR LANDSCAPING FOR OFF-STREET PARKING AREAS** Off-street parking areas shall have at least twenty (20) square feet of interior landscaping for each parking space. Such landscaped areas shall be located in such a manner as to divide and break up the expanse of the parking lot at strategic points to guide traffic flow and direction. Landscaped areas shall not be separated by more than ten (10) continuous parking spaces. Refer to Land Development Code Section 126-1405. for standards for the location and size of interior landscaping areas, as well as the types, varies and numbers of plants required in these areas.