



CITY OF SANIBEL  
Planning Department  
APPLICATION FOR DEVELOPMENT PERMIT

**ADDITION - REMODEL  
CONFORMING\***

(\*WITH CURRENT FLOOD REGULATIONS)  
(WITH APPLICATION INFORMATION)

**STAFF USE ONLY**

Application No: \_\_\_\_\_ Filing Date: \_\_\_\_\_ Accepted By: \_\_\_\_\_ Fee: \_\_\_\_\_

**PART I. Parcel Identification**

Tax Strap No: \_\_\_\_\_ - 46 - \_\_\_\_\_ - T \_\_\_\_\_ - \_\_\_\_\_ . \_\_\_\_\_

Street Address of Property: \_\_\_\_\_

**PART II. Owner/Applicant Information**

Name of Owner: \_\_\_\_\_

Owner Address: \_\_\_\_\_

Owner Phone: \_\_\_\_\_ Business \_\_\_\_\_ Fax \_\_\_\_\_

Owner Email Address: \_\_\_\_\_

Name of Applicant: \_\_\_\_\_

Applicant Address: \_\_\_\_\_

Applicant Phone: \_\_\_\_\_ Business \_\_\_\_\_ Fax \_\_\_\_\_

Applicant Email Address: \_\_\_\_\_

Applicant's Interest in the Property: \_\_\_\_\_

Name of Contractor (if Different from Applicant): \_\_\_\_\_

**PART III. Provide a Brief Description of the Proposed Development**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
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**PART IV.**

Was the "start of construction" for the existing structure commenced on or after April 16, 1979?

\_\_\_\_\_  
\_\_\_\_\_

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**PART V. 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, at any time during the application process, to determine compliance with the requirements of the Sanibel Plan and the LDC. Provide 3 copies of all surveys and plans. 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".

- DEED (Copy) 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 Applications/Permits)
- VARIANCE REPORT WITH LIST/LABELS OF ALL PROPERTY OWNERS WITHIN 300 FT OF SUBJECT PROPERTY (Obtain from Lee County Property Appraiser's Office)
- COMPLETED BUILDING PERMIT APPLICATION
- SURVEY (1" = 20', with Raised Seal and Signature of Florida Registered Surveyor or Engineer)
- LOCATION MAP
- SITE DEVELOPMENT PLAN (1" = 20')
- DRAINAGE PLAN OR VERIFICATION OF EXISTING DRAINAGE IMPROVEMENTS
- DRIVEWAY PERMIT APPLICATION AND RESPONSIBILITY ACKNOWLEDGEMENT FORM (**FOR PUBLIC R.O.W.**)
- ENGINEERING REPORT OR COMPETENT EVIDENCE OF PERMEABLE SURFACES
- PLANS FOR STORMWATER & DEWATERING EROSION CONTROL (Forms Available in the Planning Department)
- REFUSE AND GARBAGE DISPOSAL PLAN (Size, Location, Screening, Pollution Control, & Weather Protection)
- 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
- WASTEWATER TREATMENT STATEMENT (Sewer Availability Letter or Wastewater Permit for Septic System)
- FLOOR PLANS (with Square Footage for Existing and Proposed Floor Area)
- SECTION DRAWINGS OF THE EXISTING STRUCTURE AND PROPOSED ADDITION
- DEMOLITION DRAWINGS OF EXISTING STRUCTURE
- TYPICAL WALL SECTION (1/4" = 1')
- BUILDING ELEVATIONS (Show All Sides of the Building Where the Exterior Appearance is Being Changed. Show Existing and Proposed Elevations. Dimension Drawings to Show Height and Setback Compliance.)
- PHOTOGRAPH (One Photo of Each of Four Principle Elevations of Existing Structure)
- FLOODPROOFING CERTIFICATION (For Coastal High Hazard Areas Only)
- INFORMATION DEMONSTRATING COMPLIANCE WITH LAND DEVELOPMENT CODE SECTION 86-43 APPEARANCE OF STRUCTURES, SIZE AND MASS OF STRUCTURES
- OTHER INFORMATION REQUIRED FOR COMPLIANCE WITH THE LAND DEVELOPMENT CODE:

\*\*\*\*\* **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 / Authorized Representative **Date**

**Note to Owner/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 the applicable deed restrictions or covenants. **The City does not enforce deed restrictions or act as an arbitrator between the applicant and association.**

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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.)

Anchors Aweigh\*  
Beachview Country Club  
Belle Meade  
Betts  
Bright Water  
Bryant Michigan\*  
Caloosa Shores  
Cardinal Ridge  
Castaways  
Chateau Sur Mer\*  
Del Sega  
Dinkin's Bayou  
Dunes - Phase I  
Dunes - Phase II  
East Rocks\*  
Gulf Pines  
Gulf Shores\*

Gumbo Limbo  
Kearn's\*  
Lagoon Estates\*  
Lake Murex\*  
Leisure Acres  
Little Lake Murex  
Los Conchas  
Palm Lake\*  
Periwinkle Properties  
Poinciana Circle  
Ranchos Way  
O.L. Richardson's\*  
Sanibel Center  
Sanibel Estates\*  
Sanibel Harbours\*  
Sanibel Isles\*  
Sanibel Lake Estates\*

Sanibel Pines  
Sanibel River Estates\*  
Sanibel Shores  
Sanibel Woodlands  
Sawyer's  
Seaside\*  
Sedgemoor  
Shell Basket\*  
Shell Harbor\*  
Southwinds\*  
Terrill Ridge  
Tradewinds\*  
Water Shadows\*  
West Rocks\*  
Windrow  
S.B. Woodring's\*

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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.

\_\_\_\_\_ **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.

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\_\_\_\_\_ **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 94-2 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.

\_\_\_\_\_ **FLOOR PLANS OF EXISTING BUILDING** Floor plans of the existing building, clearly dimensioned showing all exterior and interior walls and identifying the use of all rooms; indicate all window and door openings. Provide square footage calculations for existing floor area. A scale of one quarter (1/4) inch equals on (1) foot is preferred.

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\_\_\_\_\_ **FLOOR PLANS OF PROPOSED REMODELING, IMPROVEMENTS AND ADDITIONS:**

**For Minor Remodeling Not Involving Floor Plan Changes** Submit a clearly dimensioned floor plan and a clearly written description of the proposed work.

**For Minor Remodeling Involving Floor Plan Changes** Submit a clearly dimensioned floor plan indicating the existing structure and new improvements, including doors, windows, openings, new bearing walls, columns, beams, floor and roof framing. Identify plumbing fixtures and electrical outlets, where appropriate to accurately document total scope of improvements, along with a written description of the proposed work. Provide square footage calculations for proposed floor area.

**For Major Remodeling And Additions** Submit a complete, detailed set of plans and specifications (Preferably at a scales of 1/4" = 1'0") clearly indicating the existing structure and new improvements, including doors, windows, openings, new bearing walls, columns, beams, floor and roof framing. Identify plumbing fixtures and electrical outlets where appropriate to accurately document total scope of improvements, along with a written description of the proposed work. Provide square footage calculations for proposed floor area.

\_\_\_\_\_ **SECTION DRAWINGS OF EXISTING STRUCTURE** Two building sections, one front to back, one side to side, indicating primary rooms, basic structure (i.e., concrete block, tie beams, roof trusses, wood framing, and finish materials).

\_\_\_\_\_ **SECTION DRAWINGS OF PROPOSED REMODELING, IMPROVEMENTS AND ADDITIONS** Two building sections, one front to back, one side to side, indicating primary rooms and basic existing structure (i.e., concrete block, tie beams, roof trusses, wood framing, and finish materials). Identify new structural connections, primary structure, columns, roof trusses, beams, floor joist, and additional sections as required to clearly locate all structural components of the building.

\_\_\_\_\_ **DEMOLITION DRAWINGS OF THE EXISTING STRUCTURE** This information may be incorporated into the required drawings submitted for documentation of the existing structure provided they do not prevent a clear, concise evaluation of the existing building. The demolition drawings are to indicate all areas required for removal or modification, including those areas required for sanitary, vent and water piping.

\_\_\_\_\_ **PHOTOGRAPHS** Photographs of the principal structure as it exists at the time the application is filed. Three photos of four principal elevations; label as noted 1A, 1B, etc.

Front	1A Left Corner	1B Center	1C Right Corner
Rear	2A Left Corner	2B Center	2C Right Corner
Right	3A Left Corner	3B Center	3C Right Corner
Left	4A Left Corner	4B Center	4C Right Corner

\_\_\_\_\_ **COST ESTIMATE FORM** For residential construction, attach a completed copy of the City of Sanibel "Form For Estimating the Cost of Residential Additions and Remodeling" (two copies). For all other construction, attach a completed copy of the City of Sanibel "Form for Cost Estimates for Additions, Extensions, Alterations, Reconstructions, Remodeling, Repairs and Improvements" (two copies). Blank forms are available from the Planning Department.

\_\_\_\_\_ **APPRAISAL REPORT** An appraisal report directed to the City from the appraiser containing an opinion as to market value of the structure before the remodeling or addition is started. Refer to Land Development Code Chapter 94 for requirements.

\_\_\_\_\_ **MARKET VALUE CERTIFICATION** A letter from an appraiser certifying familiarity with Flood Regulations and giving opinion as to the market value of the structure. Refer to the "Sample Letter" attached to the

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application form. This may be included with the appraisal report.

**DEFINITIONS FROM LAND DEVELOPMENT CODE CHAPTER 94-1:**

**LOWEST FLOOR** means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirement of Volume 44 of the Code of Federal Regulations, Section 60.3, or the Land Development Code, whichever is more restrictive. Any floor containing:

- (a) A toilet, or similar sanitary plumbing fixture; or
- (b) A floor drain; or
- (c) A sink or stationary tub equipped with a floor drain below the base flood elevation; shall be deemed a lowest floor.

Any floor equipped for such uses as kitchen, bathroom, office, dining room, living room, family or recreation room, bedroom, professional studio or commercial occupancy shall be deemed a lowest floor.

**NEW CONSTRUCTION** means, for the purposes of determining insurance rates, structures for which the "start of construction" commenced on or after April 16, 1979 and includes any subsequent improvements to such structures. For floodplain management purposes, "new construction" means structures for which the "start of construction" commenced on or after April 16, 1979 and includes any subsequent improvements to such structures.

**START OF CONSTRUCTION** (for other than new construction or substantial improvements under the Coastal Barrier Resources Act [Pub. L. 97-348]) includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement or improvement was within one hundred eighty (180) days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slabs or footings, installation of piles, construction of columns, or any work beyond the stage of excavation, or the placement of the manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of street, and or walkways; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages, or sheds not occupied as dwelling units or not as part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

**SUBSTANTIAL IMPROVEMENT** means any repair, reconstruction, rehabilitation, addition or other improvement, or combination or accumulation of same, of a structure, taking place since February 16, 1988 in which the cumulative cost of the improvements equals or exceeds fifty (50) percent of the market value of the structure at the time of application. Accumulation of costs shall be for the five year period immediately preceding the date of the application or February 16, 1988, whichever is the most recent. For structures which have sustained damage, including substantial damage, the value shall be determined as of the time immediately before the damage occurred.

**As a further limitation**, "substantial improvement" means and includes any addition, or combination or accumulation of same, to a structure, taking place since September 18, 1990, which increases the floor area of a structure by fifty (50) percent of more over the floor area of the structure on September 18, 1990, regardless of cost.

**Notwithstanding anything to the contrary**, however, where the start of construction has preceded the filing of the application, the date for determining accumulation of costs and for determining value shall be the date

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immediately preceding the start of construction.

**The term does not, however, include either:**

- (a) Any project for improvement of a structure to correct existing violation of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or
- (b) Any alteration of a "historic structure" provided that the alteration will not preclude the structure's continued designation as a "historic structure".

**In determining the market value of a structure**, recognized standards and methods of appraisals shall be used. For purposes of determining the cost of the improvement, the greater of the following shall be used:

- (a) Good faith estimates of costs certified by a licensed professional;
- (b) Actual costs as evidenced by a contract or group of contracts, certified by a licensed professional; or
- (c) An estimate of costs based upon the prevailing costs in the city of similar construction.

**In any event**, the costs shall include, without limitation, labor, materials, overhead, profit and demolition costs.

**The city manager shall have the authority** to verify and to determine the costs.

**Further, for purposes of this section**, market value shall be determined as follows:

- (a) The city manager shall have the authority to require the owner or applicant to provide an appraisal report containing an opinion as to market value of the structure, as defined above, in any case where the reconstruction, rehabilitation, addition or other improvements exceed five thousand dollars (\$5,000.00) and where he determines that a good faith question exists as to whether the proposed reconstruction, rehabilitation, addition, or combination or accumulation of same or other improvement qualify as a substantial improvement as defined herein. Cost of the appraisal shall be borne by the owner or applicant.
- (b) Where an appraisal report is required, it shall be prepared by a qualified appraiser, holding membership in a recognized appraisal organization, or certified under state law, conducting the appraisal within his area of designation, and conducting the appraisal in accordance with generally recognized standards and methods or appraisal. The appraisal report shall exhibit that the above requirements have been met.
- (c) Upon submittal by the owner or applicant of the appraisal report, the city manager shall have the authority to have the appraisal report reviewed by a qualified appraiser or to have an appraisal conducted by a qualified appraiser. Cost of this appraisal review or appraisal shall be borne by the city.