



# APPLICATION FOR A LIMITED REVIEW DEVELOPMENT ORDER BONITA SPRINGS

Applicant's Name: \_\_\_\_\_ Phone # \_\_\_\_\_

E-mail: \_\_\_\_\_

Project Name: \_\_\_\_\_

STRAP Number: \_\_\_\_\_

Brief description of proposed development project:

Application for \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Utility Franchise Provider:  Bonita Springs Utilities  Other

Future Land Use Category: \_\_\_\_\_

\*\*\*\*\*

CITY OF BONITA SPRINGS, BUILDING DEPARTMENT  
9220 BONITA BEACH ROAD, SUITE 111  
BONITA SPRINGS, FL 34135  
P: 239.444.6150 F: 239.444.6140

**PART I: OWNER\APPLICANT\DEVELOPER INFORMATION**

A. Name of the proposed development: \_\_\_\_\_

B. Name of Applicant/Owner's Representative\*: \_\_\_\_\_

Mailing Address: Street: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Fax: \_\_\_\_\_

E-mail address: \_\_\_\_\_

**\*A Development Order Covenant of Unified Control must be submitted, signed by the Owner, documenting that the Applicant is the authorized representative of the owner [see PART V].**

C. Relationship of applicant to property:

\_\_\_\_\_ Owner \_\_\_\_\_ Trustee \_\_\_\_\_ Option holder \_\_\_\_\_ Lessee

\_\_\_\_\_ Contract Purchaser \_\_\_\_\_ Other (indicate) \_\_\_\_\_

D. Name of Developer: \_\_\_\_\_

Mailing Address: Street: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Fax: \_\_\_\_\_

E-mail address: \_\_\_\_\_

E. Name of Property Owner\*\* \*\*\*: \_\_\_\_\_

Mailing Address: Street: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Fax: \_\_\_\_\_

E-mail address: \_\_\_\_\_

**\*\* A Disclosure of Ownership Interest Form listing the name of all persons or entities having an ownership interest in the property is required [see Exhibit I-E (attached)].**

**\*\*\* A Development Order Covenant of Unified Control (and authorization of the Applicant to bind the Owner) of the entire development is required to be completed by the Owner. [see PART V].**

F. Authorized Agent(s): List names of authorized agents (attach extra page if more space is needed).

Name: \_\_\_\_\_

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

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

G. E-mail address: \_\_\_\_\_

Vehicular route to the site from the nearest arterial road: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

PART II GENERAL INFORMATION

A. Legal Description: Is property within a platted subdivision recorded in the official Plat Books of Lee County?

NO. Attach a legible copy of the legal description and boundary survey.

YES. Property is identified as: Subdivision Name: \_\_\_\_\_

Plat Book: \_\_\_\_\_ Page: \_\_\_\_\_ Unit: \_\_\_\_\_ Block: \_\_\_\_\_ Lot: \_\_\_\_\_

B. Date the property was purchased: \_\_\_\_\_

C. Property Dimensions:

- 1. Width (average if regular parcel): \_\_\_\_\_ feet
2. Depth (average if irregular parcel): \_\_\_\_\_ feet
3. Frontage on road or street: \_\_\_\_\_ feet
4. Width along waterbody (If applicable): \_\_\_\_\_ feet
5. Total land area: \_\_\_\_\_ acres or square feet

D. Current Zoning: \_\_\_\_\_

If a Communication Tower, was an ADD, Zoning Ordinance or Special Exception granted?

NO

YES

If YES, please provide Case #: \_\_\_\_\_

E. Existing Use: \_\_\_\_\_

F. Are there any zoning actions (district boundary change, special exceptions, variances) currently pending or contemplated on this property?  NO  YES

If YES, please provide: Case/Hearing Number: \_\_\_\_\_

Type of action requested (use addition pages if needed): \_\_\_\_\_

G. Have any variances/deviations been granted or requested on this property?

NO

YES

If YES, please provide :Case/Hearing/Ordinance #: \_\_\_\_\_

Type of action requested (use addition pages if needed): \_\_\_\_\_

H. Has a Development Order/LDO Application been previously filed

NO

YES

If YES, please provide: Case Number #: \_\_\_\_\_

Date of Approval/Denial: \_\_\_\_\_ Type of DO/LDO: \_\_\_\_\_

I. Are there any Federal, state or local permits or stipulations affecting this DO application:

NO

YES

If YES, please indicate what they are: \_\_\_\_\_

**PART III REQUESTED ACTION**

A. NATURE OF REQUEST:(Check applicable answer) New Wireless Communications Facilities/Communication Towers: Refer to opposite page for explanation of review type required.

- \_\_\_\_\_ TYPE A A cumulative addition or enlargement of an existing impervious area, provided that the addition or enlargement does not increase the total impervious cover area by more than 1,000 square feet and there is no increase in the rate of runoff from the project site. NOTE: If any new commercial/industrial/multi-family/non-residential buildings, building additions, or certain renovations to buildings or site are proposed as described in BSLDR Section 3-601, a Limited review may not be utilized; a Development order Application is required.
- \_\_\_\_\_ TYPE B Any out-of-door type recreational facilities, such as swimming pools, tennis courts, tot lots and other similar facilities, provided the total cumulative additional impervious area does not exceed 8,000 square feet.
- \_\_\_\_\_ TYPE C Any one-time subdivision of land into four or less lots for single-family detached dwelling units or two-family detached dwelling units, where zoning district regulations permit such subdivision; subject to certain limitations (see opposite page for limitations).
- \_\_\_\_\_ TYPE D Any subdivision of land for a use other than single-family detached dwelling units, two-family detached dwelling units or agricultural subject to certain limitations (see opposite page for limitations).
- \_\_\_\_\_ TYPE E Any single building of two dwelling units or less and any accessory improvements thereto on a single lot as defined in BSLDR Chapter 9.
- \_\_\_\_\_ TYPE F Any city-initiated improvements for public water access purposes in city-owned or city-maintained rights-of-way.
- \_\_\_\_\_ TYPE G Any development for a fenced or screened enclosed storage yard as defined in BSLDR Chapter 9, provided that the yard consists solely of stabilized grassed surface, a surface water management system, buffers and fencing; and provided further that site access complies with the provisions of Chapters 3 and 4 of the Bonita Springs Land Development Regulations.
- \_\_\_\_\_ TYPE H The installation of new utility lines in existing rights-of-way or easements.
- \_\_\_\_\_ TYPE I Any other improvement to land determined by the director to have insignificant impacts on public facilities in accordance with applicable standards of measurement in BSLDR Chapter 3 (vehicular trips, amount of impervious surface, gallons per day, etc.). NOTE: If any new commercial/industrial/multi-family/non-residential buildings, building additions, or certain renovations to buildings or site are proposed as described in BSLDR Section 3-601, a Limited review may not be utilized; a Development order Application is required.
- \_\_\_\_\_ TYPE X Notice of Intent to Commence Water Retention Excavation - For AG use or as an amenity to a single-family residence where spoil is retained on-site.

B. Please explain the proposed improvement (use additional sheets if needed):

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**PART IV**  
**SUBMITTAL REQUIREMENTS for ALL LIMITED REVIEW REQUESTS**

COPIES	SUBMITTAL DOCUMENT
<b>SUB'D</b>	<b>REQ'D ITEMS REQUIRED FOR SUBMITTAL [Bonita Springs Land Development Code Ord. 05-03]</b>
1	Completed application [Section 3-175.A.]
1	Owner's Covenant of Unified Control and Authorization of Applicant [Section 3-154.B]
1	Disclosure of Ownership Interest [3-153.A.3.]
1*	Legal Description [Section 3-154.C.] *
1*	Boundary Sketch (if applicable) [Section 3-154.E.] *
1*	Area Location Map, drawn to scale, which indicates where the property is located in relation to major roads.[Sec. 3-175.C.] *
1*	Aerial Photograph: A copy of an aerial photograph (most current available from the County) at a scale of one inch = 300 feet. [Sec. 3-175.D.] <b>See note A.</b> *
1	Written Description of Proposed Development and the reasons why it should be approved. [Sec. 3-175.E.]
1	Copy of Approved Building Permits/Site Plans (if applicable). A copy of any current building permit and approved site plan, if applicable. [Sec. 3-175.F.]
	NOTE: Additional information may be required such as copies of deeds, sealed surveys, calculations, SFWMD permits, and other state, federal or local permits. [Sec. 3-175.G.]
* These items will <u>not</u> be required for a <u>TYPE X</u> Notice of Intent Application.	

<b>ADDITIONAL SUBMITTAL REQUIREMENTS FOR SPECIFIC TYPES</b>	
<b>NEW WIRELESS COMMUNICATION FACILITIES::</b> In addition to the requirements listed above for specific types of reviews, all applications for wireless communication facilities must submit:	
1	Copy of Approved Administrative Action (ADD), City of Bonita Springs Ordinance, or Lee County Hearing Examiner's Decision for Special Exception.
1	Certificate of insurance as required by BSLDR.
1	Proof the wireless communication facility has been designed to withstand sustained winds in accordance with the Florida Building Code.
1	Proof the antenna-supporting structure has been designed so that, in the event of structural failure, it will collapse within the boundaries of the leased area of the lot.
1	Stamped or sealed structural analysis of the wireless communication facility prepared by a Professional Engineer indicating the proposed and future loading capacity of the facility and specifying the design structural failure modes of the facility.
1	Stamped or sealed structural analysis prepared by a Professional Engineer where the wireless communication facility is to be mounted on an existing building or structure showing the ability of the building or structure to carry the load of the facility.
7	A landscape plan prepared by and bearing the seal of a landscape architect, including a narrative and calculations to ensure that the landscaping will be in compliance with the LDC. Not required for roof-mounted, surface-mounted, or stealth antennas.
1	A financial surety or other form of financial guarantee, payable to the City, to ensure timely removal of the facility in the event of abandonment, non-use or cessation of use. The surety must be posted prior to the issuance of a building permit or development order.
1	Certified cost estimate prepared by a Professional Engineer estimating the cost of removing and properly disposing the antenna-supporting structure from the site.
1	A balloon test must be conducted within 35 calendar days after an application for an antenna supporting structure has been deemed complete.

	1	A fence or wall not less than 8 feet and not more than 10 feet in height from finished grade must be installed. Not more than 3 strands of barbed wire, spaced 6 inches apart is allowed. The fence must be constructed in accordance with all applicable regulations.
	1	Access to the antenna-supporting structure must be controlled by a locked gate.
<b>TYPES A and B</b>		
	7	A site plan, drawn to scale, which shows the site and location of all buildings, structures, and other impervious areas on the property. <b>See note B.</b>
	1	Calculations showing total area of impervious cover before and after the improvement (including any additional parking areas required by the zoning regulations). <b>See note C.</b>
<b>TYPE C and D</b>		
	1	A sealed survey or boundary sketch of the property, legal description and dimensions of the parent parcel and the location of the proposed split(s). If structures exist on the parent parcel, show all sizes, locations, and setbacks from existing and proposed property lines. Include information on existing adjacent roads (dimensions, elevations, gravel and paved width, etc.).
	7	The subdivision plan, drawn on 8.5 x 11 or 8.5 x 14 inch paper, sealed by the surveyor, and ready for recording.
	7	The legal descriptions, written on 8.5 x 11 or 8.5 x 14 inch paper, sealed by the surveyor, of each lot in the subdivision, and ready for recording.
	7	A site plan, drawn to scale, which shows the site and location of all buildings, structures, and other impervious areas on the property. <b>See note B.</b>
<b>TYPE E</b>		
	5	A sealed survey or sealed boundary sketch of the boundary, legal description and dimensions of the property to be developed.
<b>TYPE F and G</b>		
	7	A site plan, drawn to scale, which shows the site and location of all buildings, structures, and other impervious areas on the property. <b>See note B.</b>
	1	Calculations showing total area of impervious cover before and after the improvement (including any additional parking areas required by the zoning regulations). <b>See note C.</b>
	1	A copy of any plat or recorded deeds or easements for the property.
<b>TYPE H</b>		
	7	Copies of the utility plans, prepared as prescribed in BSLDR Section 3-151 and Section 3-154.I.10. showing, as appropriate, the location, type, and size of all existing & proposed water mains and services, fire hydrants, sewer mains and services, pumping stations, together with plan and profile drawings showing the depth of utility lines and points where utility lines cross one another or cross storm drain or water management facilities. The location of all existing and proposed services shall be shown.
	1	Copy of State Permits
<b>TYPE I</b>		
	7	A site plan, drawn to scale, which shows the site and location of all buildings, structures, and other impervious areas on the property. [Sec. 10-175.B.] <b>See note B.</b>
	1	Calculations showing total area of impervious cover before and after the improvement (including any additional parking areas required by the zoning regulations). <b>See note C.</b>
		Additional submittal documents, if required, will be determined on the basis of the nature of the proposed improvement.
<b>TYPE X</b>		
	7	A site plan showing the proposed location of the excavation relative to all property lines, easements, rights-of-way, and existing and proposed structures; the proposed slopes, maximum depth and the controlled water depth of the excavation; and the location, distribution and method of stabilization of the excavated spoil.

1	The proposed date of commencement, which may not be less than ten days from the date of submittal.
1	Documentation that the excavation will be in compliance with the setback, depth, and bank slope requirements set forth in BSLDR Section 3-329.C.2.

**PART V COVENANT A  
DEVELOPMENT ORDER COVENANT OF UNIFIED CONTROL  
WHERE OWNER IS AN INDIVIDUAL**

The undersigned do hereby swear or affirm that they are the fee simple title holders and owners of record property of commonly known as \_\_\_\_\_ and legally described in Exhibit I-A-1 attached hereto. (street address)

The property described herein is the subject of an application for a Development Order. We hereby designate \_\_\_\_\_ as the legal representative of the property and as such, this individual is authorized to legally bind all owners of the property in the course of seeking the necessary approvals to develop. This authority includes but is not limited to the hiring and authorization of agents to assist in the preparation of applications, plans, surveys, and studies necessary to obtain zoning and development approval on the site. This representative will remain the only entity to authorize development activity on the property until such time as a new or amended covenant of unified control is delivered to the City of Bonita Springs or their designee.

The undersigned recognize the following and will be guided accordingly in the pursuit of development of the project:

1. The property will be developed and used in conformity with the approved development order including all conditions placed on the development and all commitments agreed to by the applicant in connection with the development order.
2. The legal representative identified herein is responsible for compliance with all terms, conditions, safeguards, and stipulations made at the time of approval of the development order, even if the property is subsequently sold in whole or in part, unless and until a new or amended covenant of unified control is delivered to and recorded by the City of Bonita Springs or their designee.
3. A departure from the provisions of the approved plans or a failure to comply with any requirements, conditions, or safeguards provided for in the development order will constitute a violation of the City of Bonita Springs Land Development Regulations.
4. All terms and conditions of the development order will be incorporated into covenants and restrictions which run with the land so as to provide notice to subsequent owners that all development activity within the development must be consistent with those terms and conditions.
5. So long as this covenant is in force, the City of Bonita Springs or their designee, can, upon the discovery of noncompliance with the terms, safeguards, and conditions of the development order, seek equitable relief as necessary to compel compliance. The City or their designee will not issue permits, certificates, or licenses to occupy or use any part of the development and may stop ongoing construction activity until the project is brought into compliance with all terms, conditions and safeguards of the development order.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Typed or printed name

State \_\_\_\_\_, County of \_\_\_\_\_

The foregoing instrument was sworn to (or affirmed) and subscribe before me this \_\_\_\_\_(date) by \_\_\_\_\_ (name of person providing oath or affirmation) who is personally known to me or who has produced \_\_\_\_\_ (type of identification) as identification.

\_\_\_\_\_  
Signature of person taking oath or affirmation

\_\_\_\_\_  
Name typed, printed, or stamped

\_\_\_\_\_  
Title or Rank

\_\_\_\_\_  
Serial number, if any

**PART V COVENANT B**

**DEVELOPMENT ORDER COVENANT OF UNIFIED CONTROL  
WHERE THE OWNER IS A CORPORATION, LIMITED LIABILITY COMPANY (L.L.C.),  
LIMITED COMPANY (L.C.), PARTNERSHIP, LIMITED PARTNERSHIP, OR TRUSTEE**

The undersigned do hereby swear or affirm that they are the fee simple title holders and owners of record of property commonly known as \_\_\_\_\_ and legally described in Exhibit I-A-1 attached hereto. (street address)

The property described herein is the subject of an application for a Development Order. We hereby designate \_\_\_\_\_ as the legal representative of the property and as such, this individual is authorized to legally bind all owners of the property in the course of seeking the necessary approvals to develop. This authority includes but is not limited to the hiring and authorization of agents to assist in the preparation of applications, plans, surveys, and studies necessary to obtain zoning and development approval on the site. This representative will remain the only entity to authorize development activity on the property until such time as a new or amended covenant of unified control is delivered to the City of Bonita Springs or their designee.

The undersigned recognize the following and will be guided accordingly in the pursuit of development of the project:

1. The property will be developed and used in conformity with the approved development order including all conditions placed on the development and all commitments agreed to by the applicant in connection with the development order.
2. The legal representative identified herein is responsible for compliance with all terms, conditions, safeguards, and stipulations made at the time of approval of the development order, even if the property is subsequently sold in whole or in part, unless and until a new or amended covenant of unified control is delivered to and recorded by the City of Bonita Springs or their designee.
3. A departure from the provisions of the approved plans or a failure to comply with any requirements, conditions, or safeguards provided for in the development order will constitute a violation of the City of Bonita Springs Land Development Regulations.
4. All terms and conditions of the development order will be incorporated into covenants and restrictions which run with the land so as to provide notice to subsequent owners that all development activity within the development must be consistent with those terms and conditions.
5. So long as this covenant is in force, the City of Bonita Springs or their designee can, upon the discovery of noncompliance with the terms, safeguards, and conditions of the development order, seek equitable relief as necessary to compel compliance. The City of Bonita Springs or their designee will not issue permits, certificates, or licenses to occupy or use any part of the development and may stop ongoing construction activity until the project is brought into compliance with all terms, conditions and safeguards of the development order.

\_\_\_\_\_  
Name of Entity (corporation, partnership, LLP, LC, etc)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Typed or printed name

\_\_\_\_\_  
(Title of signatory)

State \_\_\_\_\_, County of \_\_\_\_\_

The foregoing instrument was sworn to (or affirmed) and subscribe before me this \_\_\_\_\_ (date) by \_\_\_\_\_ (name of person providing oath or affirmation) who is personally known to me or who has produced \_\_\_\_\_ (type of identification) as identification.

\_\_\_\_\_  
Signature of person taking oath or affirmation

\_\_\_\_\_  
Name typed, printed, or stamped

\_\_\_\_\_  
Title or Rank

\_\_\_\_\_  
Serial number, if any

\*Notes:

- *If the owner is a corporation, then it is usually executed by the corp. pres. or v. pres.*
- *If the owner is a Limited Liability Company (L.L.C.) or Limited Company (L.C.), then the documents should typically be signed by the Company's "Managing Member."*
- *If the owner is a partnership, then typically a partner can sign on behalf of the partnership.*
- *If the owner is a limited partnership, then the general partner must sign and be identified as the "general partner" of the named partnership.*
- *If the owner is a trustee, then they must include their title of "trustee."*
- *In each instance, first determine the owner's status, e.g., individual, corporation, trust, partnership, estate, etc., and then use the appropriate format for that ownership.*

**PART VI**

**APPLICANT'S SIGNATURE AND CERTIFICATION**

I, \_\_\_\_\_, certify that I am the owner or owner's authorized representative of the property described herein, and that all answers to the questions in this application and any sketches, data or other supplementary matter attached to and made a part of this application, are honest and true to the best of my knowledge and belief. I also authorize the staff of the City of Bonita Springs Community Development Department to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made through this application.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Typed or Printed Name

STATE OF FLORIDA  
COUNTY OF

The foregoing instrument was sworn to (or affirmed) and subscribed before me this \_\_\_\_\_ (date) by \_\_\_\_\_ (name of person providing oath or affirmation), who is personally known to me or who has produced \_\_\_\_\_ (type of identification) as identification.

\_\_\_\_\_  
Signature of person taking oath or affirmation

Name typed, printed or stamped

\_\_\_\_\_  
Title or rank

\_\_\_\_\_

Serial number, if any

**EXHIBIT I-E**

**DISCLOSURE OF OWNERSHIP INTEREST FORM FOR:**

STRAP NO. \_\_\_\_\_ Case No. \_\_\_\_\_

1. If the property is owned in fee simple by an INDIVIDUAL, tenancy by the entirety, tenancy in common, or joint tenancy, list all parties with an ownership interest as well as the percentage of such interest.

Name and Address	Percentage of Ownership
_____	_____
_____	_____
_____	_____
_____	_____

E-mail: \_\_\_\_\_

2. If the property is owned by a CORPORATION, list the officers and stockholders and the percentage of stock owned by each.

Name, Address, and Office	Percentage of Stock
_____	_____
_____	_____
_____	_____
_____	_____

E-mail: \_\_\_\_\_

3. If the property is in the name of a TRUSTEE, list the beneficiaries of the trust with percentage of interest.

Name and Address	Percentage of Interest
_____	_____
_____	_____
_____	_____
_____	_____

4. If the property is in the name of a GENERAL PARTNERSHIP OR LIMITED PARTNERSHIP, list the names of the general and limited partners.

Name and Address	Percentage of Ownership
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

E-mail: \_\_\_\_\_

5. If there is a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the officers, stockholders, beneficiaries, or partners.

Name, Address, & Office (if applicable)	Percentage of Stock
_____	_____
_____	_____
_____	_____
_____	_____

E-mail: \_\_\_\_\_

Date of Contract: \_\_\_\_\_

6. If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust.

Name and Address	
_____	_____
_____	_____
_____	_____
_____	_____

E-mail: \_\_\_\_\_

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of final certificate of compliance, a supplemental disclosure of interest must be filed.

The above is a full disclosure of all parties of interest in this application, to the best of my knowledge and belief.

Signature: \_\_\_\_\_  
(Applicant)

\_\_\_\_\_  
(Printed or typed name of applicant)

STATE OF FLORIDA  
COUNTY OF LEE

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 200\_, by \_\_\_\_\_, who is personally known to me or who has produced \_\_\_\_\_ as identification.

(SEAL)

\_\_\_\_\_  
Signature of Notary Public

\_\_\_\_\_  
Printed Name of Notary Public

## EXPLANATORY NOTES FOR PART I

- A. Name of development. The name is limited to 30 characters and spaces. If the name exceeds this limit, the name will be adjusted to fit within that limit. **[Sec. 3-153.A.1.]**
- B. &
- C. Name of Applicant, Owner's Representative. All legal and equitable owners of the property must jointly authorize the filing of an application for a development order and any subsequent amendments thereto. The owners shall designate a representative who shall have full power and authority to represent and bind all legal and equitable owners of the property. Legal and equitable owners of the property include but are not limited to the heirs, successors and assigns of the legal and equitable owners, all mortgagees, purchasers of all or any portion of the property under a sales contract or an agreement for deed, and all trustees. The authority of the duly authorized representative for the applicant shall continue should an amendment to the development plan be sought if all new legal or equitable owners have joined in the application and that authority has not been expressly revoked by any of the legal or equitable owners. See **PART V** for form of required **Development Order Covenant of Unified Control** (and authorization of Applicant's Representative) where the Covenant is signed by either an individual owner or applicant (Covenant A), or is signed by a corporation, limited liability company (L.L.C.), limited company (L.C.), partnership, limited partnership, or trustee (Covenant B). **[Sec. 3-107 & 3-153.A.2.]**
- E. Name of owner(s). The name of all persons or entities having an ownership interest in the property, including the names of all stockholders and beneficiaries of trusts must be provided. Disclosure with respect to a beneficial ownership interest in any entity registered with the federal securities exchange commission or registered pursuant to Chapter 517, whose interest is for sale to the general public, is exempt from the provision of this subsection. See **Exhibit I-E** (attached) for form to be completed and attached to the application. **[Sec. 3-153(2)e]**

Designation of Owner's Representative; Covenant of Unified Control. A notarized statement of ownership or unified control document must be provided. All legal and equitable owners of the property must jointly authorize the filing of an application for a development order and any subsequent amendments thereto. The applicants shall designate a representative who shall have full power and authority to represent and bind all legal and equitable owners of the property. Legal and equitable owners of the property include but are not limited to the heirs, successors and assigns of the legal and equitable owners, all mortgagees, purchasers of all or any portion of the property under a sales contract or an agreement for deed, and all trustees. The authority of the duly authorized representative for the applicant shall continue should an amendment to the development plan be sought if all new legal or equitable owners have joined in the application and that authority has not been expressly revoked by any of the legal or equitable owners. **See PART V for suggested form to be used for the required Covenant Of Unified Control and authorization of Applicant's Representative. [Sec. 3-107, 3-153.A., 3-154.A., & 3-154.B.]**

- F. Authorized Agents: If the owner or applicant has authorized agents to act on his/her behalf, list the agent(s) name, mailing address and phone number. **[Sec. 3-153.A.6.]**
- G. Describe briefly how to get to the property from the nearest arterial road.

## EXPLANATORY NOTES FOR PART II

- A. Legal Description: If the property is not within a platted subdivision recorded in the official plat books of Lee County, a complete legal description must be attached which is sufficiently detailed and legible so as to be able to locate said property on county maps or aerial photographs. Also include the Section, Township, Range, and parcel number(s). **[Sec. 3-154.C.]** Label the legal description as **Exhibit II-A-1**.

If the application includes multiple contiguous parcels, the legal description may describe the perimeter boundary of the total area, and need not describe each individual parcel, except where different development requests are made on individual parcels.

A boundary sketch, drawn to scale must also be submitted unless the subject property is vacant and consists of one or more undivided platted lots. The boundary sketch must include the location of any existing structures on the property. Label the Boundary Sketch as **Exhibit II-A-2**.

STRAP Number(s); If the STRAP Number is unknown, it may be obtained from the Lee County Property Appraiser at 339-6150.

NOTE: The City or its designee has the right to reject any legal description which is not sufficiently detailed or legible so as to locate said property, and may require a certified survey or boundary sketch to be submitted.

- C. Property Dimensions: If the parcel is irregularly shaped, indicate the average width and depth of the property. Indicate the length of property abutting any existing street rights-of-way or easements. If property abuts more than one street, indicate frontage on each street.

### **EXPLANATORY NOTES FOR PART III**

#### WIRELESS COMMUNICATION FACILITIES

All wireless communication facilities must apply for a development order as follows:

- a. If the facility and all accessory buildings, pads, and other impervious areas will not increase the total impervious area by more than 1,000 square feet, or increase the rate of runoff from the project site, a Limited Review TYPE A may be used.
- b. If the facility and all accessory buildings, pads, and other impervious areas will increase the total impervious area by more than 1,000 square feet, but do not result in any significant impacts, a Limited Review TYPE I may be used.
- c. If the facility and all accessory buildings, pads, and other impervious areas will increase the total impervious area by more than 1,000 square feet and result in significant impacts, a regular Development Order application must be used.

#### TYPES A, & B LIMITATIONS:

If any new commercial/industrial/multi-family/non-residential buildings, building additions, or certain renovations to buildings or site are proposed as described in BSLDR Section 3-601, a Limited Review may not be utilized; a Development Order Application is required.

#### TYPE C LIMITATIONS:

- a. Each lot must meet or exceed all width, depth and area requirements of the zoning district in which located;
- b. Each lot abuts and has access to an existing improved road right-of-way or easement meeting at least the minimum construction standards required by BSLDR Section 3. This provision requires that each lot abut and have access to a road complying with the requirements of BSLDR Section 3-296. The maximum allowable density for a proposed lot that will abut and have access to any unpaved rock/shell road (a category D road) is 0.4 units per acre per sections 10-296.C. Compliance with maximum density requirements of the City of Bonita Springs Comprehensive Plan is also required. Compliance with the roadway right-of-way width and wearing surface requirements of BSLDR Section 3-296 is required;
- c. No alteration of existing utility installations is involved;
- d. No change in drainage will occur which affects the surrounding properties; and

- e. No new road rights-of-way or road easements or upgrading of road rights-of-way or road easements to minimum standards contained in Chapter 3 of the Bonita Springs Land Development Regulations is required. This provision requires that a Development Order be obtained in order to establish or upgrade a road right-of-way or a road easement or to construct or upgrade a road. **[Sec. 3-174.C.]**

TYPE D LIMITATIONS:

- a. Each lot must meet or exceed all width, depth and area requirements of the zoning district in which located or the subdivision is approved by the Director of Community Development pursuant to the City of Bonita Springs applicable regulations and the overall development complies with all other requirements of Chapter 3 of the Bonita Springs Land Development Regulations;
- b. No development may occur on any of the lots without first obtaining a Development Order for the proposed improvement(s);
- c. If the parent parcel is ten acres or greater, a protected species survey may be required as specified in Section 3-473 of the Bonita Springs Land Development Regulations;
- d. Each lot shall abut and have access to to an existing improved road right-of-way or easement meeting at least the minimum construction standards required by BSLDR Section 3. This provision requires that each lot abut and have access to a road complying with the requirements of BSLDR Section 3-296;
- e. No alteration of existing utility installations is involved;
- f. No change in drainage will occur which negatively impacts the surrounding properties;
- g. No new road rights-of-way or road easements or upgrading of road rights-of-way or road easements to minimum standards contained in Chapter 3 of the Bonita Springs Land Development Regulations is required. This provision requires that a Development Order be obtained in order to establish or upgrade a road right-of-way or a road easement or to construct or upgrade a road; and
- h. Reasonable conditions may be attached to the approval so that any development on all of the lots will comply with all City of Bonita Springs Land Development Regulations. **[Sec. 3-174.D.]**

TYPE I LIMITATIONS:

If any new commercial/industrial/multi-family/non-residential buildings, building additions, or certain renovations to buildings or site are proposed as described in BSLDR Section 3-601, a Limited Review may not be utilized; a Development Order Application is required.

**EXPLANATORY NOTES FOR PART IV**

- a. The applicant is responsible for the accuracy and completeness of this application. Delays or additional expenses necessitated by the submittal of inaccurate or incomplete information are the responsibility of the applicant.
- b. All information submitted with the application becomes a part of the public record and will be a permanent part of the file.
- c. All applications must be submitted in person. Applications received through the mail will not be processed.
- d. All attachments and exhibits submitted must be of a size that will fit or conveniently fold to fit into a letter size (8 ½" x 11") folder.
- e. The Department staff will review this application for compliance with requirements of the Bonita Springs Land Development Regulations. If any deficiencies are noted, the applicant will be notified.

NOTE A: Aerial photographs may be obtained at the Property Appraisers office at 2480 Thompson Street, Constitutional Complex, Fort Myers.

NOTE B: If the site plan is insufficient for the type of review requested, an engineered drawing may be required.

NOTE C: If the changes the applicant is proposing are over existing impervious ground (i.e. asphalt or concrete), and do not propose a new building or building addition, then a Limited Review Development Order may not be required.

#### EXPLANATORY NOTES FOR PART V

A. & B.:

Designation of Owner's Representative; Covenant of Unified Control. A notarized statement of ownership or unified control document must be provided. All legal and equitable owners of the property must jointly authorize the filing of an application for a development order and any subsequent amendments thereto. The applicants shall designate a representative who shall have full power and authority to represent and bind all legal and equitable owners of the property. Legal and equitable owners of the property include but are not limited to the heirs, successors and assigns of the legal and equitable owners, all mortgagees, purchasers of all or any portion of the property under a sales contract or an agreement for deed, and all trustees. The authority of the duly authorized representative for the applicant shall continue should an amendment to the development plan be sought if all new legal or equitable owners have joined in the application and that authority has not been expressly revoked by any of the legal or equitable owners. **See PART V for suggested form to be used for the required Covenant Of Unified Control and authorization of Applicant's Representative. [Sec. 3-107, 3-153.A., 3-154.A., & 3-154.B.]**

#### EXPLANATORY NOTES FOR PART VI

The application form must be signed by the Applicant/Owner's Representative who is the authorized individual listed in the Covenant of Unified Control (See PART V).