

CITY OF BONITA SPRINGS FLORIDA

RESOLUTION NO. 12-054

A RESOLUTION AMENDING RESOLUTION 12-020 OF THE CITY OF BONITA SPRINGS, FLORIDA; AMENDING THE ADMINISTRATIVE CODE ESTABLISHING A POLICY FOR PROCESSING EXTENSIONS MANDATED BY THE FLORIDA LEGISLATURE OR BY EMERGENCY ORDER; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Bonita Springs City Council, as the duly elected governing body for the City of Bonita Springs, has the authority to adopt administrative codes for the operation of City business; and

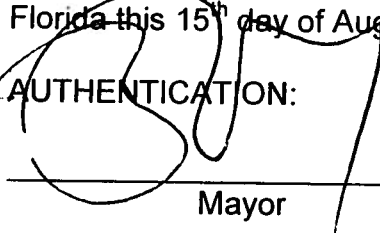
WHEREAS, City Council finds it necessary to amend its Administrative Code setting forth the policy and procedures for processing extensions mandated by the Florida legislature or by an emergency order of the Governor to reflect some applications are exempt from payment of fees.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Bonita Springs, Lee County, Florida, that:

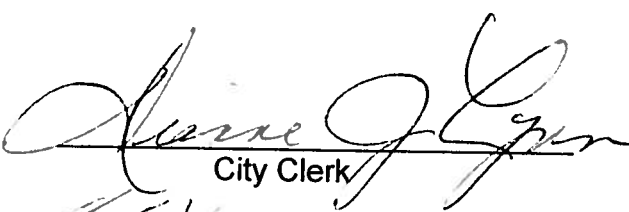
1. City Council declares that the amendment to the procedures set forth herein, attached hereto, and incorporated by reference herein by Exhibit "A", is applicable for processing extensions mandated by the Florida legislature or by an emergency order of the Governor.
2. The Resolution shall take effect immediately upon adoption.

DULY PASSED AND ENACTED by the City Council of the City of Bonita Springs, Florida this 15th day of August, 2012.

AUTHENTICATION:

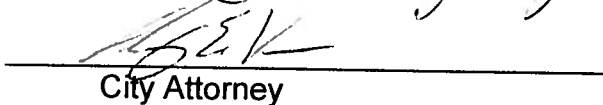


Mayor



City Clerk

APPROVED AS TO FORM:



City Attorney

Vote:

Nelson	Aye	Simmons	Aye
McIntosh	Aye	Simons	Aye
Martin	Aye	Lonkart	Nay
Slachta	Aye		

Date Filed With City Clerk: 8-17-12

EXHIBIT "A"

ADMINISTRATIVE CODE

**Processing Land Use Extensions of Local Government
Development Orders or Building Permits**

CODE NUMBER: AC- 12-020, Amended 12-054

TITLE: **PROCESSING MANDATED EXTENSIONS**

ADOPTED: April 4, 2012, Amended August 15, 2012

ORIGINATING DEPARTMENT: Community Development

PURPOSE /SCOPE: The purpose of this Administrative Code is to set forth guidelines and process for processing land use extensions of development orders or building permits when mandated by the State of Florida (external to City Council extensions).

POLICY/PROCEDURE:

Guidelines:

1. The extension form must be used to apply and obtain any extension that is permissible from a source other than the City's land development code. Entitlements are derived from either legislative acts conferring extensions, or emergency orders extending permits in accordance with Florida Statutes §252.363.
2. Use of the form is important to go with the history of each parcel, as staff needs to know the buildout or expiration date of any development orders or permits.
3. The application in and by itself does not confer any new right that is running with the land to the extension. Every application will have a response and new date provided for any approved extension.
4. A request for an extension must use the application attached as exhibit "A."
5. The application must be fully completed, with an application fee of \$200.00 for each extension request and all supporting documents included. The fee must be paid unless there is a specific statutory exemption precluding payment.

EXHIBIT A
PERMIT EXTENSION REQUEST APPLICATION
(Will be on logo form, available on line and at Community Development)

To receive the extension, the following is required:

1. **Written Notice.** The City shall be notified in writing within 90 days after the termination of the emergency declaration or prior to the date specified as a deadline in any legislative action. This notice must identify the specific permit or other authorization qualifying for the extension.
2. **Application and Ownership Affidavit.** In addition to written notice, an application and an ownership affidavit must be completed and submitted. Please submit a separate application and ownership affidavit for each request.
3. **Supporting Documents.** Please include with your application:
 - a. Copy of latest approval document(s) showing approval date and expiration
 - b. Approved Certificate of Concurrency (CNC)
4. **Fees.** The fee must be paid unless there is a specific statutory exemption precluding payment. There is a separate fee of \$200 for each approval type (i.e. Master Concept Plans, Developments of Regional Impact, Development Orders, Concurrency, etc.)

For example: Development Order Extension: \$200.00

Concurrency Extension: \$200.00

Total Amount Due: \$400.00

(Separate applications must be submitted for each request)

Please make check, money order or cashier's check payable to City of Bonita Springs.

5. **Separate.** A separate application, written request, supporting document(s) and fee must be submitted for each request.

If your request meets the qualifications, an approval letter will be issued within 15 business days showing the extended expiration date. If your request does not meet the provisions of State Statute or Emergency Order, a written response shall be provided indicating the reason(s) for the denial.

No other changes to the previously approved development orders will be reviewed or approved with this request. All conditions of the original approval will remain in effect, except if it is demonstrated that the conditions in effect at the time the development order was issued would create an immediate threat to public safety or health.

Senate/House Bill: _____ Executive Order: _____

Please check ONLY ONE application type below:			
<input type="checkbox"/> Master Concept Plan	<input type="checkbox"/> Development of Regional Impact	<input type="checkbox"/> Development Order	
<input type="checkbox"/> Concurrency	<input type="checkbox"/> Other:		
Project Name:			
Project Number:			
Current Date of Expiration:			
APPLICATION INFORMATION			
Address:			
	City:	State:	Zip:
Parcel #(s):			
	Section:	Township:	Range:
DO/LDO #:	CNC Expiration Date (current):		

OWNER INFORMATION			
Name of Owner:			
Address:			
	City:	State:	Zip:
Telephone:	Mobile:		
Email Address:			

AGENT INFORMATION			
Name of Business:			
Contact Person:			
Address:			
	City:	State:	Zip:
Telephone:			Cell:
Fax:			
Email Address:			
<p><u>Please include with your application 1 original and 2 copies of each of the following:</u></p> <ul style="list-style-type: none"> ✓ Affidavit of Ownership ✓ Written Notice - This letter must identify the specific permit or other authorization qualifying for the extension ✓ Copy of most recent Approval Documents ✓ Copy of Approved Concurrency Certificate <p style="text-align: center;">Application Fee of \$200.00 per request</p> <p style="text-align: center;"><u>The fee must be paid unless there is a specific statutory exemption precluding payment.</u></p>			
<p>NOTE: UNLESS OTHERWISE NOTED, ALL WRITTEN CORRESPONDENCE WILL BE SENT TO THE AGENT. IF THERE IS NO AGENT, CORRESPONDENCE WILL BE SENT TO THE PROPERTY OWNER.</p> <p>I hereby certify that the information in this application is true and correct. I have read this application and understand that other review processes and fees may be required prior to applying for and receiving Building Permits and/or Development Order Approval.</p> <p style="text-align: center;">_____ Signature of Property Owner or Agent</p>			