



DEPARTMENT OF DEVELOPMENT SERVICES
CITY PLANNING DIVISION

For Internal Use Only
Case _____
Date _____

Tel. (239) 574-0553
Fax (239) 574-0591
P.O. Box 150027
Cape Coral, FL 33915-0027

CONDITIONAL USE MODEL HOME APPLICATION

NOTE TO APPLICANT: The completed application must be legible, and all items must be provided at the time of submission.

CONDITIONAL USE MODEL HOME REQUIREMENTS

1. **Application Fee \$55.00 and additional recording fees.**
2. **Letter of intent stating the actual request.**
3. **Signature on the Acknowledgement Form must be notarized.**
4. **Applicants portion of request shall be typewritten, and signature notarized.**
 - If there are any deed restrictions on the property, a copy of the restrictions will be required.
5. **Certified survey done within six (6) months MAY be required.**
6. **Projected number of peak hour trips. If more than 300 peak hour trips are projected, a traffic impact study must be submitted.**
7. **Development plan drawn to scale (not less than 1" = 50') and containing the following:**
 - Site layout showing dimensions, boundary lines, North directional arrow and complete legal description of the property.
 - The location and dimensions of all existing and/or proposed buildings and structures, including additions and eaves, overhangs, porches and patios.
 - The setback distance from all buildings, additions to structure to property lines. Indicate the square footage associated with each existing and proposed use of buildings.
 - Location and dimensions of driveways. Show parking areas with layout and number of spaces and traffic flow.
8. **Landscaping:**
 - A continuous strip of landscaping shall be provided along all property lines and streets serving the development.
 - Models. The models shall comply with the single-family landscaping requirements as indicated in Section 5.2.3.B.1.
 - Identify method of irrigation and location of utility lines and easements.
9. **All other additional required supporting documents.**

Be advised that Article 5 of the Land Development Code states, that model homes are intended to facilitate the sale of the model design, or products similar in design to the model and is not intended to allow the full scope of real estate activities and shall be restricted primarily to the sale and marketing of the model, or products similar to the model. Model homes shall be permitted as a temporary, conditional use, not to exceed 10 years, in residential zoning districts (R1, RE, RML) or within a Planned Development (§ LDC 5.10.14).



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If the owner does not own the property in his/her personal name (e.g. LLC, Corporation, etc.), the owner must sign all applicable forms in his/her corporate capacity.

PROPERTY INFORMATION

Project Name: _____

Location/Address _____

Strap Number _____ Unit _____ Block _____ Lot (s) _____

Plat Book _____ Page _____ Future Land Use _____ Current Zoning _____

PROPERTY OWNER (S) INFORMATION

Owner _____ Address _____

Phone _____ City _____

Email _____ State _____ Zip _____

Owner _____ Address _____

Phone _____ City _____

Email _____ State _____ Zip _____

APPLICANT INFORMATION (If different from owner)

Applicant _____ Address _____

Phone _____ City _____

Email _____ State _____ Zip _____

AUTHORIZED REPRESENTATIVE INFORMATION (If Applicable)

Representative _____ Address _____

Phone _____ City _____

Email _____ State _____ Zip _____



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If the owner does not own the property in his/her personal name, the owner must sign all applicable forms in his/her corporate capacity.

(ALL SIGNATURE MUST BE NOTARIZED)

The owner of this property, or the applicant agrees to conform to all applicable laws of the City of Cape Coral and to all applicable Federal, State, and County laws and certifies that all information supplied is correct to the best of their knowledge.

CORPORATION/COMPANY NAME (IF APPLICABLE)

OWNER'S NAME (TYPE OR PRINT)

OWNER'S SIGNATURE

OWNER'S NAME (TYPE OR PRINT)

OWNER'S SIGNATURE

APPLICANT NAME (TYPE OR PRINT)

APPLICANT SIGNATURE

I have read and understand the above instructions. Hearing date(s) will be confirmed when I receive a copy of the Notice of Public Hearing stipulating the day and time of any applicable hearings.

STATE OF _____

COUNTY OF _____

Sworn to (or affirmed) and subscribe before me, by means of physical presence or online notarization, this _____ day of _____, 20 by _____ who is personally known to me or produced _____ as identification.

Exp Date: _____ Commission Number: _____

NOTARY STAMP HERE

Signature of notary Public: _____

Printed Name of Notary Public: _____



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AUTHORIZATION TO REPRESENT PROPERTY OWNER(S)

PLEASE BE ADVISED THAT _____
(Name of person giving presentation)

IS AUTHORIZED TO REPRESENT ME IN THE REQUEST BEFORE THE HEARING EXAMINER AND CITY COUNCIL.

UNIT _____ BLOCK _____ LOT(S) _____ SUBDIVISION _____

OR LEGAL DESCRIPTION _____

LOCATED IN THE CITY OF CAPE CORAL, COUNTY OF LEE, FLORIDA.

PROPERTY OWNER (Please Print)

PROPERTY OWNER (Signature & title)

PROPERTY OWNER (Please Print)

PROPERTY OWNER (Signature & title)

STATE OF _____

COUNTY OF _____

Sworn to (or affirmed) and subscribe before me, by means of physical presence or online notarization, this _____ day of _____, 20 by _____ who is personally known to me or produced _____ as identification.

Exp Date: _____ Commission Number: _____

NOTARY STAMP HERE

Signature of notary Public: _____

Printed Name of Notary Public: _____

Note: Please list all owners. If a corporation, please supply the City Planning Division with a copy of corporation papers.



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ACKNOWLEDGEMENT FORM

I have read and understand the above instructions. Hearing date(s) will be confirmed when I receive a copy of the Notice of Public Hearing stipulating the day and time of any applicable hearings.

I acknowledge that I, or my representative, must attend any applicable meetings scheduled for the Hearing Examiner and City Council.

I will have the opportunity at the hearing to present information pertaining to my request that may not be included in my application.

I understand any decision rendered by the CITY shall be subject to a thirty (30) day appeal period. Any work performed within the thirty (30) day time frame or during the APPEAL process will be completed at the applicant's risk.

I understand I am responsible for all fees, including advertising and recording costs. All fees are to be submitted to the City of Cape Coral with the application.

By submitting this application, I acknowledge and agree that I am authorizing the City of Cape Coral to inspect the subject property and to gain access to the subject property for inspection purposes reasonably related to this application and/or the permit for which I am applying.

I hereby acknowledge that I have read and understood the above affidavit on the _____ Day of _____, 20_____.

CORPORATION/COMPANY NAME

OWNER'S NAME (TYPE or PRINT)

OWNER'S SIGNATURE

STATE OF _____

COUNTY OF _____

Sworn to (or affirmed) and subscribe before me, by means of physical presence or online notarization, this _____ day of _____, 20 by _____ who is personally known to me or produced _____ as identification.

Exp Date: _____ Commission Number: _____

NOTARY STAMP HERE

Signature of notary Public: _____

Printed Name of Notary Public: _____



MODEL HOME SITE CONDITIONAL REGULATIONS

Model Homes shall meet the following requirements.

- A. Model homes are intended to facilitate the sale of the model design, or products similar in design to the model and is not intended to allow the full scope of real estate activities and shall be restricted primarily to the sale and marketing of the model, or products similar to the model. Model homes shall be permitted as a temporary, conditional use, not to exceed 10 years, in residential zoning districts (R1, RE, RML) or within a Planned Development.

- B. A model home must meet all of the zoning and building requirements for a residence in that zoning district as well as the following:
 - 1. Parking. Three off-street vehicular parking spaces, including the garage, shall be provided on the model site or on an adjacent vacant property.
 - 2. On-site parking. A parking space may be provided in the garage. A handicap parking space is required and shall count as one of the three required spaces.
 - 3. Off-site parking. Adjacent vacant single-family lot(s) may be used for model home parking. A plan to provide parking on an adjacent parcel shall require ownership by the same or an affidavit of authorization from the property owner as well as a surety deposit payable to the City of Cape Coral to convert the property back to a residential or other permitted use when the structure is converted or sold. The deposit shall cover the costs associated with the conversion of the parking lot. The deposit shall be based on no less than 110% of the estimated cost by a professional engineer licensed in the State of Florida which shall be signed and sealed by the engineer and found to be acceptable to the City. Funds and resulting interest shall be returned upon conversion of the site to a residential or other permitted use, the entire amount if the work is completed by the applicant, or the remaining funds if the City completes the work.
 - 4. A hedge row of at least 36 inches in height shall be planted and maintained around the vehicular parking area.
 - 5. On-site or off-site parking shall be a paved or approved impervious surface with appropriate signs and markings, including handicap parking.
 - 6. Treatment of stormwater runoff will be required for the first inch of runoff from the paved area associated with the parking lot area only.
 - 7. Model home parking lots require a Limited Site Development Plan approval prior to construction.



- B. Handicapped standards shall be met throughout the home, including access per the Florida Building Code and handrail and grab bar requirements.
- C. Garage office. For any garage being used as an office for a model home the applicant must submit the following:
 - 1. Plan of garage-office facility, including false walls, temporary electrical and plumbing.
 - 2. Plan showing how garage will be returned to its original use.
 - 3. \$10,000.00 refundable surety to ensure that the garage is converted back to the FEMA standards for single-family home usage.
- D. Sign standards as defined in Article 7 of this code.
- F. Upon completion of the construction and approval of the unit as a model home, a "temporary certificate of occupancy" will be issued to the owner of the model home to remain open for a period of five years. Extensions beyond this five-year temporary certificate of occupancy may be granted for the structure in the event an extension is approved for the model's permit by the Director of Development Services. The initial approval and maximum extension will allow the use of an individual model home to exist for a cumulative 10 years. The decision to extend the initial permit shall be pursuant to the following considerations:
 - 1. The number of existing model homes within the immediate area of the extension request and impacts of those on the neighborhood.
 - 2. The adequacy of the right(s)-of-way upon which the model home fronts.
 - 3. The character or makeup of the area surrounding the model home.
 - 4. The potential effect of the model home on adjacent and surrounding properties.
 - 5. The existence of complaints relating to that model home.
 - 6. A demonstration of good cause from the applicant why the extension request is needed.

*****Approval as a model home shall be recorded against the title*****