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Town of Lee Little but Proud

ARTICLE ONE-GENERAL PROVISIONS

SECTION 1.1 SHORT TITLE. The rules and regulations hereby adopted shall be known and cited as the "Land Development Regulations for the Town of Lee, Florida."

SECTION 1.2 AUTHORITY. These land development regulations are adopted pursuant to the authority contained in Chapter 163, Part II, Florida Statutes and Rule 9J-24, Florida Administrative Code.

Whenever any provision of these land development regulations refer to or cite a section of Florida Statutes or Florida Administrative Code and that section is later amended or superseded, these land development regulations shall be deemed amended to refer to the amended section or the section that most nearly corresponds to the superseded section.

SECTION 1.3 JURISDICTION. These land development regulations shall apply to the entire incorporated area of the Town.

SECTION 1.4 RELATIONSHIP TO EXISTING LAND DEVELOPMENT ORDINANCES. " To the extent that the provisions of these land development regulations are the same in substance as the previously adopted provisions that they replace in the various ordinances of the Town, they shall be considered as continuations thereof and not as new enactments unless otherwise specifically provided. In particular, a situation that did not constitute a lawful, nonconforming situation under the previously adopted land development regulations does not achieve lawful nonconforming status under these regulations merely by the repeal of the previous land development ordinances.

SECTION 1.5 RELATIONSHIP TO THE COMPREHENSIVE PLAN. In order to accomplish the goals objectives and policies listed within the Town's Comprehensive Plan, these land development regulations and accompanying Official Zoning Atlas are guided by, based on, related to, and a means of implementation for the Comprehensive Plan as required by the "Local Government Comprehensive Planning and Land Development Regulations Act" (Chapter 163, Part II, Florida Statutes, as amended). All regulations, districts, and the accompanying Official Zoning Atlas are consistent with the Comprehensive Plan and any amendments thereto shall be consistent with the Comprehensive Plan. The phrase "consistent with the Comprehensive Plan" means in a manner which the land development regulations are compatible with and further the Comprehensive Plan. The term "compatible with" means that the land development regulations are not in conflict with the Comprehensive Plan; and the term "further" means to take action in the direction of the Comprehensive Plan.

SECTION 1.6 CONFORMITY WITH LAND DEVELOPMENT REGULATION PROVISIONS.

- 1.6.1 Subject to Article 2.3 of these land development regulations (nonconforming situations), no person may use, occupy, or sell any land or buildings or authorize or permit the use,

occupancy, or sale of land or buildings under his or her control except in accordance with all of the applicable provisions of these land development regulations.

1.6.2 For purposes of this Article, the "use" or "occupancy" of a building or land relates to anything and everything that is done to, on, or in that building or land.

SECTION 1.7 FEES.

1.7.1 Reasonable fees sufficient to cover the costs of administration, inspection, publication of notice and similar matters may be charged to applicants for zoning permits, sign permits, special exceptions applications, subdivision plat approval, zoning amendments, variances and other administrative relief. The amount of the fees charged shall be as established by resolution of the Town Council filed in the office of the Town Clerk.

1.7.2 Fees established in accordance with section 1.7.1 shall be paid upon submission of a signed application or notice of appeal.

SECTION 1.8 SEVERABILITY. In the event any court of competent jurisdiction should hold that any section or provision of these land development regulations to be unconstitutional or invalid, the same shall not effect the validity of these land development regulations as a whole or any part thereof, other than the part so declared to be unconstitutional or invalid.

SECTION 1.9 COMPUTATION OF TIME

1.9.1 Unless otherwise specifically provided, the time within which an act is to be done shall be computed by excluding the first and including the last day. If the last day is a Saturday, Sunday, or legal holiday, that day shall be excluded. When the period of time prescribed is less than seven (7) days, intermediate Saturdays, Sundays and holidays shall be excluded.

1.9.2 Unless otherwise specifically provided, whenever a person has the right or is required to do some act within a prescribed period after the service of a notice or other paper upon him or her and the notice or paper is served by mail, three (3) days shall be added to the prescribed period.

SECTION 1.10 REPEAL OF CONFLICTING ORDINANCES. All ordinances and regulations or parts of ordinances and regulations in conflict with these land development regulations, or inconsistent with the provisions of these land development regulations, are hereby repealed to the extent necessary to give these land development regulations full force and effect.