



*The City of Fort Myers, Florida*  
Community Development Department  
**Building Division**  
1825 Hendry Street, Suite 101  
Fort Myers, FL 33901  
(239) 321-7925

### Right-Of-Way Application & Checklist

- Utility Connection                       Driveway/Sidewalk  
 Other (for Bonding Purposes)

**NOTE: A COPY OF THE INSPECTION RECORD & APPROVED DRAWINGS MUST BE LOCATED ON THE JOB SITE FOR INSPECTORS USE**

**Application Date:** \_\_\_\_\_  
**Job Name:** \_\_\_\_\_  
**Job Address:** \_\_\_\_\_  
STRAP (tax folio) number: \_\_\_\_\_

**Valuation \$** \_\_\_\_\_ **dollars** (all work including fair market value of design fees, site prep, labor, materials, sub-trades, overhead and profit)

#### **Permit Application and Supporting Documents**

1. \_\_\_ Permit Application completed in its entirety including original, notarized signatures. If the owner is acting as his or her own contractor, Florida Statute 489.103(7) requires the owner to **personally appear** to sign the application.
2. \_\_\_ Proof of ownership in the public records of Lee County or A recorded deed is acceptable proof of ownership.
3. \_\_\_ Recorded "Notice of Commencement" for all jobs in excess of \$2,500 as required per Florida Statute 713.135(d).
4. \_\_\_ Current Contractor registration with the City of Fort Myers

*All Forms and Fee Information are available at our website at [www.cityftmyers.com](http://www.cityftmyers.com) or in the lobby.*

Construction Plan Attached:     Yes     No    **(Plans Must be Submitted)**  
Sidewalk Closure:                 Yes     No  
Road Pavement Work:             Yes     No  
MOT Plan Attached:               Yes     No

**The MOT plan is to include background data such as job nature, duration, time of day, etc. The MOT plan shall be either a FDOT design index plan, or a non-standard but engineered plan.**

#### **Underground Utility Construction:**

Sewer Lateral                                       Sewer Main  
 Water Service                                       Water Main  
 Jack & Bore                                         Directional Bore  
 Open Cut (Justification Required)  
 Other \_\_\_\_\_

- Utility Connection:  
Part of SIT \_\_\_\_\_ site permit
- Stand Alone     Water     Sewer

**Driveway/Sidewalk/Road Pavement:**

- Accel/Decel Lane
- Catch Basin
- Curb & Gutter
- Drainage Culvert:  
Size \_\_\_\_\_  
Material \_\_\_\_\_
- Driveway Apron:  
Width \_\_\_\_\_  
Depth \_\_\_\_\_
- Sidewalk:  
Width \_\_\_\_\_  
Depth \_\_\_\_\_
- Turn Lane
- Pavement Widening
- Other \_\_\_\_\_

**INSPECTIONS REQUIRED: CALL 24 Hours Prior to Inspection (239) 321-7210**

**NOTE: FINALS MUST BE CALLED IN PRIOR TO EXPIRATION DATE ON PERMIT. FAILURE TO DO SO WILL RESULT IN A \$100 FINE & AN ADDITIONAL BPI PERMIT FEE AS A NEW EXECUTED PERMIT APPLICATION WILL BE REQUIRED.**

**NOTE: All electrical work requires a separate trade permit from the Building Department/CDD**

**This Permit is subject to the following conditions:**

(In compliance with The City of Fort Myers Land Development Code)

1. All new structures installed or repairs of existing structures within any public street or alley, including driveways, curb or sidewalk, require that an application for construction and maintenance of traffic plan be submitted to and written permit be obtained from the Community Development Department prior to work.
2. Contractors are required to dig test pits to determine the location of all existing utilities within any public street or alley affected by the proposed work. Any conflicts with existing utilities shall be resolved with the affected utility prior to construction. Utility locates are required for any type of excavation and City locations are done through Sunshine State One Call, telephone 1-800-432-4770
3. The permit will not be effective and work cannot proceed unless the Pubic Works Department is notified not less than 48 hours, or more than five working days prior to construction. The notification requirement is waived when it is established that the excavation work is of emergency nature. Call (239) 321-7608
4. Failure or neglect on the part of the applicant to carry out all work in conformance with the conditions set forth in the permit shall be grounds for revocation of the permit by the Public Works Director.
5. The maintenance of traffic plan and all signs, barricades and markings shall be in accordance with Federal, State and City guidelines.
6. All plans submitted for approval shall be in accordance with "The City of Fort Myers, Department of Public Works, Standard Details and Specifications" (available upon request) or online at the following

address located within the Details & Specs. folder:

[www.cityftmyers.com/Departments/PublicWorks/Divisions/Engineering/Documents](http://www.cityftmyers.com/Departments/PublicWorks/Divisions/Engineering/Documents)

7. Permittee shall make necessary arrangements for:

- a. Use of metered parking spaces
- b. Construction and detour signs, barricades, marking.
- c. Notification of adjacent property owners
- d. Temporary access.
- e. Protection of public and private property
- f. Employment of off-duty police officers to direct traffic (vehicles and pedestrian), as required by the Public Works Director.

8. Permittee shall maintain during the period of the permit, an original Commercial General Liability insurance with minimum limits of \$1,000,000 per occurrence combined single limit for bodily injury liability and property damage liability. The City of Fort Myers shall be listed as an "additional insured" on said policy. This requirement is waived for the owner of a personal dwelling; the City, the State, the County, or other governmental body, board or authority that are self-insured; provided further, however that this waiver shall not be applicable to any contractor employed by any of them. This waiver does not waive liability, only the insurance requirement. Each government entity shall file either an insurance certificate or a letter of self-insurance.

9. Contractors and Commercial Projects require a Cash/Check or Surety Bond equal to 100% of the estimated construction costs (minimum of \$5,000) prior to the issuance of a right-of-way/driveway permit.

The undersigned agrees to indemnify, hold harmless and defend The City of Fort Myers from any and all actions, causes of action, claims, suits, or judgments whatsoever, in connection with any loss of, or damage to property caused by, resulting from, or in any way associated with the proposed work within the right-of-way above referenced and the closure of that street.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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

### Right-of-Way Checklist

Residential sites require three, (3), copies of plans including all requirements listed below

Commercial sites require four, (4), copies of plans including all requirements listed below

**Please initial or N/A each line item**

1. Current site plan showing:

- a. \_\_\_\_\_ All adjacent property lines and applicable easements
- b. \_\_\_\_\_ Location of existing driveway indicating dimensions and material
- c. \_\_\_\_\_ Setbacks of driveway to property lines
- d. \_\_\_\_\_ Location of existing culverts and swales
- e. \_\_\_\_\_ All streets bounding the property
- f. \_\_\_\_\_ Location of all buildings on the property
- g. \_\_\_\_\_ Location of existing water meter
- h. \_\_\_\_\_ Location of existing sewer cleanout
- i. \_\_\_\_\_ Arrows depicting existing water flow patterns covering entire property
- j. \_\_\_\_\_ Location of existing sidewalk indicating dimensions and material

2. Construction drawing showing:

- a. \_\_\_\_\_ Driveway dimensions, location and material
- b. \_\_\_\_\_ Backout width and distance (commercial only)
- c. \_\_\_\_\_ Handicap access (commercial only)
- d. \_\_\_\_\_ Striping and number of spaces (commercial only)

- e. \_\_\_\_\_ Culvert size and type
- f. \_\_\_\_\_ Invert elevations
- g. \_\_\_\_\_ Sewer main & lateral material type and location
- h. \_\_\_\_\_ Water main & service material type and location
- i. \_\_\_\_\_ Sidewalk dimensions, location and material
- j. \_\_\_\_\_ Roadway pavement dimensions, location and material

**Contractors and Commercial Projects require a Cash/Check or Surety Bond Equal to 100% of the estimated construction cost (minimum of \$5,000) prior to the issuance of a Right-Of-Way/Driveway permit.**

Bonding Provided By:	<input type="checkbox"/> Owner	<input type="checkbox"/> Contractor
Type of Bond:	<input type="checkbox"/> Cash/Check(Attach Check)	<input type="checkbox"/> Surety (Single/Multiple Permit)

**YOU MUST CONTACT PUBLIC WORKS DEPARTMENT FOR ANY BREAKS IN PIPES. PUBLIC WORKS CENTER CAN BE REACHED AT 239-321-7608.**

<p><b>Contractor</b> (license holder's real name): _____</p> <p>Doing Business As (Name of Company) _____</p> <p>Mailing address: _____</p> <p>City _____ State _____ Zip _____</p> <p>Telephone ( ____ ) _____ fax ( ____ ) _____</p> <p>E-mail _____</p> <p>Contractor's State Certification or Registration No. _____ or,</p> <p>Contractor's Lee County Certificate of Competency # _____</p>
<p><b>Owner's Name</b> _____</p> <p>Owner's Address _____</p> <p>City _____ State _____ Zip _____</p> <p>Telephone ( ____ ) _____ fax ( ____ ) _____</p> <p>E-mail _____</p>
<p><b>Person to whom Plan Review comments should be delivered:</b></p> <p>Name: _____</p> <p>Address: _____ Suite: _____</p> <p>City: _____ State: _____ Zip: _____</p> <p>Telephone: ( ____ ) _____ Cell: ( ____ ) _____ Fax: ( ____ ) _____</p> <p>E-mail: _____</p>

Application is hereby made to obtain a permit to do the work and installations as indicated. **I certify that no work has commenced prior to the issuance of a permit** and that all work will be performed to meet the standards of all construction laws in this jurisdiction. I understand that a **separate permit must be secured for ELECTRICAL WORK, PLUMBING, SIGNS, WELLS, POOLS, FURNACES, BOILERS, HEATERS, TANKS, and AIR CONDITIONERS, etc.**

**OWNER'S AFFIDAVIT:** I certify that all the foregoing information is accurate and that all work will be done in compliance with all applicable laws regulating construction and zoning. **WARNING TO OWNER: YOUR**

**FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY RESULT IN YOUR PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE RECORDING YOUR NOTICE OF COMMENCEMENT.**

If the owner is acting as his or her own contractor, Florida Statute 489.103(7) requires the owner to **personally appear** to sign the application.

**Owner's Signature** \_\_\_\_\_ **Date** \_\_\_\_\_

STATE OF FLORIDA, COUNTY OF \_\_\_\_\_ Sworn to (or affirmed) and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by \_\_\_\_\_ (name of person making statement), Personally known \_\_\_ OR Produced identification \_\_, Type of Identification \_\_\_\_\_  
\_\_\_\_\_  
(Signature of Notary Public) (Print, Type, or Stamp Commissioned Name of Notary Public)

**OR**

**\*\*\*Sign only in the presence of a Notary Public \*\*\***

**Contractor's signature** \_\_\_\_\_ **Date** \_\_\_\_\_,  
STATE OF FLORIDA, COUNTY OF \_\_\_\_\_ Sworn to (or affirmed) and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by \_\_\_\_\_ (name of person making statement), Personally known \_\_\_ OR Produced identification \_\_, type of identification \_\_\_\_\_  
\_\_\_\_\_  
(Signature of Notary Public) (Print, Type or Stamp Commissioned Name of Notary Public)

**Applicable codes:**

2007 Edition Florida Building Code, *Building, Plumbing, Mechanical, Fuel Gas or Residential or Existing*  
2007 Edition Florida Fire Prevention Code if applicable  
2008 Edition National Electric Code as published by NFPA or NFPA 70A; 2008 Edition NEC Code, effective 6/1/2009  
The City of Fort Myers, Code of Ordinances  
Florida Department of State, Administrative Code  
The 2008 Florida Statutes

**Office Use Only**

**Application received by:**

Permit Representative \_\_\_\_\_ **Date Received** \_\_\_\_\_

Application scanned into system