



Fort Myers Beach Town Council

**Diamondhead Beach Resort
2000 Estero Blvd.
Fort Myers Beach, FL 33931**

Agenda

Tuesday, February 21, 2023

9:00 AM

ORDER OF BUSINESS

- I. CALL TO ORDER**
- II. INVOCATION**
- III. PLEDGE OF ALLEGIANCE**
- IV. APPROVAL OF FINAL AGENDA**
- V. PUBLIC COMMENT**
- VI. LOCAL ACHIEVEMENTS AND RECOGNITIONS**
- VII. ADVISORY COMMITTEES ITEMS / REPORTS / APPOINTMENTS**
- VIII. APPROVAL OF MINUTES**

- A. Town Council - February 6, 2023
- B. Management & Planning Session - February 9, 2023
- C. Town Council Special Meeting - February 9, 2023

IX. CONSENT AGENDA

- A. International Fine Arts Studio Inc.
Approve the construction contract between the Town of Fort Myers Beach and International Fine Arts Studio Inc. for repair services to the Mound House historic buildings and to authorize the Town Manager to execute the contract on behalf of the Town and waive the bond requirement per Code 2-484.c.(2) .
- B. Scotts® Field Refurbishment Program Application
Approve staff to apply for the Scotts® Field Refurbishment Program Application for enhancements to the ball fields at Bay Oaks Recreations Campus.

X. PUBLIC HEARINGS

- A. Ordinance 23-04; Pink Shell CPD Amendment
1st Reading and Public Hearing on proposed Ordinance 23-04 entitled: AN ORDINANCE OF THE TOWN OF FORT MYERS BEACH, FLORIDA REPLACING TOWN OF FORT MYERS BEACH RESOLUTION NO. 13-23, AND AMENDING THE SCHEDULE OF USES FOR THE COMMERCIAL PLANNED DEVELOPMENT ZONING FOR THE PROPERTY LOCATED AT 200 AND 275 ESTERO BLVD., FORT MYERS BEACH; PROVIDING FOR REVISIONS TO CONDITIONS OF APPROVAL, AND OTHER CLARIFICATIONS AS NECESSARY; PROVIDING FOR CONFLICTS OF LAW, SCRIVENER'S ERRORS, SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE. Open the first public hearing and schedule for second reading and final adoption on March 6, 2023 at 9:00 AM.
- B. Ordinance 23-02; Corner Lot and Setback Regulations
Second and Final reading, Public Hearing and adoption of proposed Ordinance 23-02 entitled: AN ORDINANCE OF THE TOWN OF FORT MYERS BEACH, FLORIDA AMENDING CHAPTER 34, ARTICLE III., DIVISION 3, SECTION 34-638 MINIMUM SETBACKS, SECTION 34-2 DEFINITIONS, AND TABLE 34-3 DIMENSIONAL REGULATIONS IN CONVENTIONAL ZONING DISTRICTS; PROVIDING FOR SEVERABILITY; CODIFICATION; SCRIVENER'S ERRORS; CONFLICTS OF LAW AND AN EFFECTIVE DATE. Open second public hearing and then vote to approve the Ordinance.
- C. Ordinance 23-03; Nonconforming Lots, Minimum Use Determinations and Administrative Variances
Second reading and Public Hearing of proposed Ordinance 23-03 entitled: AN ORDINANCE OF THE TOWN OF FORT MYERS BEACH, FLORIDA AMENDING CHAPTER 34, ARTICLE V., DIVISION 4, SECTIONS 34-3273 GENERAL REQUIREMENTS FOR RESIDENTIAL USES ON NONCONFORMING LOTS, SECTION 34-3274 MINIMUM USE DETERMINATIONS, AND CHAPTER 34, ARTICLE II., DIVISION 6, SECTION 34-268 ADMINISTRATIVE SETBACK VARIANCES; PROVIDING FOR SEVERABILITY; CODIFICATION; SCRIVENER'S ERRORS; CONFLICTS OF LAW AND AN EFFECTIVE DATE. Final adoption of ordinance 23-03
- D. Resolution 23-17;237 Old San Carlos, SEZ20220095 for a permanent shared parking lot and VAR20220094 variance from landscape, design and location requirements
A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH FLORIDA APPROVING/DENYING SPECIAL EXCEPTION SEZ20220095 AND VARIANCE VAR20220094 TO ALLOW THE USE OF PERMANENT SHARE PARKING WITH DIMENSIONAL AND DESIGN VARIANCES FOR THE PROPERTY LOCATED AT 237 OLD SAN CARLOS BOULEVARD; AND PROVIDING FOR AN EFFECTIVE DATE

XI. ADMINISTRATIVE AGENDA**A. Resolution 23-16: Estero Island Emergency Berm**

Approve Resolution 23-16 entitled: A Resolution of the Town Council of the Town of Fort Myers Beach, Florida, Accepting the Ranking of Grubbs Emergency Services, LLC (“Grubbs”) as the Top Ranked Responsible and Responsive Bidder to ITB-23-08-CD “Estero Island Emergency Berm”; Approving an Agreement Between the Town and Grubbs for the Construction of the Estero Island Beach Emergency Berm; Authorizing the Execution of the Agreement and Expenditure of Budgeted, Emergency, and/or Grant Funds by the Town Manager; and Providing an Effective Date

XII. FINAL PUBLIC COMMENT**XIII. TOWN MANAGER'S ITEMS****XIV. TOWN ATTORNEY'S ITEMS****XV. COUNCILMEMBERS ITEMS AND REPORTS****XVI. ADJOURNMENT**

NOTE: THIS MEETING IS STEAMED LIVE ON YOUTUBE.

IF A PERSON DECIDES TO APPEAL A DECISION MADE BY THE COUNCIL IN ANY MATTER CONSIDERED AT THIS MEETING/HEARING, SUCH PERSONS MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDING IS MADE, TO INCLUDE THE TESTIMONY AND EVIDENCE UPON WHICH ANY SUCH APPEAL IS TO BE BASED.



For special accommodations, please notify the Town Clerk's Office at least 72 hours in advance. (239) 765-0202

In accordance with the Americans with Disabilities Act (ADA), persons needing a special accommodation to participate in the Board's proceedings should contact the Town Clerk's Office not later than three days prior to the proceedings.