



Fort Myers Beach Local Planning Agency

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

Agenda

Tuesday, August 8, 2023

9:00 AM

ORDER OF BUSINESS

I. CALL TO ORDER

II. INVOCATION

III. PLEDGE OF ALLEGIANCE

IV. APPROVAL OF MINUTES

- A. Approval of June 27th draft minutes

V. PUBLIC COMMENT

VI. PUBLIC HEARINGS

- A. VAR20230088, 125 Strandview Ave, front and rear setback variance.
Approve/Approve with Conditions/Deny VAR20230088, 125 Strandview Ave, A variance of 6 feet for the front setback and a variance of 7.5 feet from the rear setback.
- B. VAR20230070 - 434 Estero Blvd
Approve/Approve with Conditions/Deny VAR20230070, 434 Estero Blvd, a variance for front and rear setbacks, variance to switch the side and rear setback location, and a variance for mechanical equipment encroachment.
- C. SEZ20230126, 163 Old San Carlos
SEZ20230126 a request to amend SEZ20210050 to temporarily move the 2COP from 185 Old San Carlos Blvd to 163 Old San Carlos Blvd and to amend conditions of approval.

VII. ADMINISTRATIVE AGENDA

VIII. LPA MEMBERS ITEMS/REPORTS

IX. LPA ATTORNEY ITEMS/REPORTS

X. COMMUNITY DEVELOPMENT ITEMS/REPORTS

XI. ITEMS FOR NEXT MONTHS AGENDA
XII. ADJOURNMENT

NOTE: THIS MEETING IS TELEVISED LIVE ON COMCAST CHANNEL 98.

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		Help for the hearing impaired is available through the Assistive Listening System. Receivers can be obtained from the Town Clerk's Office.
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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.

**Town of Fort Myers Beach
Agenda Item Summary**

Yellow Sheet Number: **2023-1137**

1. **Requested Motion:**

Approval of June 27th draft minutes

Meeting Date: August 8, 2023

Why the action is necessary:

What the action accomplishes:

2. **Agenda:**

APPROVAL OF MINUTES

3. **Requirement/Purpose:**

5. **Background:**

Attachments:

1. June 27 draft minutes

Financial Impact:

6. **Alternative Action**

7. **Staff Recommendations:**

8. **Recommended Approval:**



Fort Myers Beach Local Planning Agency

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

Minutes

Tuesday, June 27, 2023

9:00 AM

ORDER OF BUSINESS

I. CALL TO ORDER

Members present: Chair Cereceda, LPA Member Boan, LPA Member Eckmann, LPA Member Plummer, LPA Member Safford, LPA Member Sudduth and LPA Member Vanasse.

II. INVOCATION

Chair Cereceda.

III. PLEDGE OF ALLEGIANCE

IV. APPROVAL OF MINUTES

- A. Approval of June 13, 2023 draft minutes
No recording.
- B. Voting conflict form
No recording.

V. PUBLIC COMMENT

Tom Torgerson, resident and business owner, discussed rebuilding Fort Myers Beach after Ian and following the comp plan (Comprehensive Plan) and LDC (Land Development Code). He noted that raising FAR to base flood elevation would help small, medium and large developments and help with parking issues. Steve Johnson, resident, discussed the culture of granting variances to almost everyone who requests them, which will increase the density and intensity on the beach. He felt that increasing the FAR circumvented the current comp plan and LDC without community involvement. He wanted to ensure that all entities wanting to build back have a straightforward footprint. He thanked members for their service.

Nancy Stuparich from the Vose Law Firm introduced herself and noted that the Vose Law Firm was the new firm representing the Town. LPA members introduced

themselves to Attorney Stuparich.

VI. PUBLIC HEARINGS

- A. 4830 Coral Rd, requesting relief/variance from LDC Table 34-3 which requires that lots in the RS zoning district have minimum dimensions of 75'x100'

Approve/ Approve with Conditions/ Deny Variance Request VAR 20230057 for the property located at 4830 Coral Rd requesting relief/variance from LDC Table 34-3 which requires that lots in the RS zoning district have minimum dimensions of 75'x100'

Attorney Stuparich swore in those providing testimony for all hearings. Ex parte communications: LPA Member Sudduth - email; LPA Member Vanasse - spoke with the applicant on the property and phone conversation; LPA Member Eckmann - email; LPA Member Plummer - site visit and two phone calls; LPA Member Boan - email; LPA Member Safford - site visit with the applicant, email, texts and phone calls and Chair Cereceda - spoke to the applicant and received several emails.

Community Development Planner Sarah Propst reviewed the background of the variance request as stated on the yellow sheet. She noted that staff recommended approval and clarified the sizes of the lots in the subdivision. LPA Member Vanasse did not think the application was right and would deny the request. He explained why it was inconsistent with the comp plan and stated it did not meet density requirements. Planner Propst addressed his concerns. LPA Member Vanasse noted that they would be creating two nonconforming lots where they had one, so they would be exacerbating the issue. Planner Propst revealed that all three lots were owned by the same family and 13 feet was taken from lot eight and granted to lot seven to build a wider house. She was told that an easement might have existed at one point, but she did not find records to indicate that. The post-disaster build-back would allow the applicant to rebuild two units on the property. Planner Propst stated they would not be creating a precedence because there were two existing units and additional density would not be created. She noted the two units were not internally accessible and the applicant could not expand the footprint beyond what they had per the post-disaster build-back.

LPA Member Sudduth commented that one lot would be nonconforming and asked whether there was a hardship.

LPA Member Eckmann appreciated the side setbacks but wondered whether the applicants would request side setback variances so the applicant could build a more normal-shaped house. Planner Propst responded that conditions could include requiring the applicant to meet side setbacks and all other LDC requirements.

Lonne Letteri, applicant and business owner, provided packets for members and reviewed the history of his property. He described the exhibits in the

packet of information. He stated that the property was more than 80% concrete and flooding was a problem after rainstorms. He bought the

property with six bedrooms and five bathrooms and that is what he was trying to get back. He included emails of support from neighbors. Mr. Letteri described exhibit 2A and noted a graphic designer prepared the rendering. He reviewed the homes built by the Affinity Group and noted his plans gave the neighbors more space. He discussed other options and why they were not as feasible. He indicated he was okay with the conditions mentioned by LPA Member Eckmann.

Chair Cereceda indicated that the applicant could build back what they had by conforming to the rules. She cautioned Mr. Letteri that support from his neighbors was not relevant to his presentation nor part of the criteria.

LPA Member Vanasse stated that the post-disaster build-back allowed an increase in hallways and bathrooms for ADA accessibility rules. He noted he had to follow the code and criteria and wished staff or the applicant could present a solution that would meet the code allowances. Mr. Letteri responded that he was trying to follow LDC 34-642 to provide stable neighborhoods for single-family detached homes in an RS zone.

LPA Member Vanasse questioned why the applicant could not build two units back on one lot. He addressed subdivisions, density and consistency.

Planner Propst questioned whether the RS zoning district allowed two units on a single-family lot since the intent of the zoning district was one single-family home on a single-family lot. LPA Member Eckmann questioned whether the applicant could build the depicted houses on the existing lot without subdividing. LPA Member Plummer felt that granting the variance would make them less nonconforming than they were now if the applicant built back with the pre-disaster build-back. She noted that the staff recommended approval. LPA Sudduth pointed out that the applicant could make one of the lots 53 feet so it would conform to the RS district and make the other lot 39 feet, which would be a nonconforming lot that a 24-foot house would fit with the setbacks. Technically, he could have one conforming lot and there would be a variance for the nonconforming lot. LPA Member Vanasse liked the option but did not think the application submitted was correct. LPA Member Boan questioned density and minimum square footage. Planner Propst did not believe the applicant was creating a non-conformity with density.

LPA Member Vanasse commented there was no variance for a minimum lot area and they had to meet all standards for subdivisions. Planner Propst responded that they were not asking for a variance from the subdivision section but from the specific requirements for the lot size. LPA Member Vanasse addressed complying with specific code sections, including minimum use determination. Chair Cereceda noted their motion could be to deny with suggestions to Council. LPA Member Plummer pointed out that putting one lot into conformity would bring the neighborhood up to the standards and better than what they had.

No public comment.

LPA Member Sudduth moved to approve the request with the following

conditions: one lot conforms to the 53-foot width and the other lot will be 39.5 feet, conditions for square footage, setbacks for each structure and impervious surfaces be compliant with code and the criteria for the variance; second by LPA Member Plummer.

The motion failed 4-3 due to failure to satisfy the criteria.

Chair Cereceda stated that a motion to continue until August would allow the applicant to correct their application, or the applicant could take the denial to the Council with his changes.

LPA Member Vanasse moved to reconsider; second by Chair Cereceda. Chair Cereceda felt the applicant could accomplish what he needed by taking the LPA vote to Council. LPA Member Safford agreed that the application was not correct.

Motion to reconsider passed.

Mr. Letteri did not want to continue the matter.

LPA Member Sudduth moved to approve the variance as requested under LDC Table 34-3 with conditions that they meet setbacks, impervious surface and density and it satisfied the LDC criteria; second by LPA Member Boan. Motion approved 4-3 with Chair Cereceda and LPA Members Eckmann and Vanasse dissenting.

- B. 432/434 Harbor Court, Relief from LDC Table 34-3 for rear setback
Approve/Approve with Conditions/Deny **variance request VAR20230078 for the property located at 432/434 Harbor Court.** The applicant/property owner is requesting **a variance of 5 feet from the rear setback.**

Ex parte communications: LPA Member Plummer - drive by; Chair Cereceda - drive by and LPA Member Safford - spoke to Samir Malviya and knew the property. No disclosures from other members.

Planner Propst reviewed the request.

Chair Cereceda noted that staff recommended denial of the request because it was a design choice and could be made smaller.

Samir Malviya, applicant, distributed information to members. Drew Whiting from Homebound participated via phone and described a map and survey of the property.

LPA Member Boan questioned whether Mr. Malviya would request variances for each model if the footprint did not meet the town's criteria. Mr. Malviya replied that their floor plans were designed to fit on a standard lot on the beach. By changing the floor plan by a few feet, the homeowners would incur significant costs for structural engineering. LPA Member Sudduth questioned whether they had a model 30 feet deep. Mr. Malviya replied negatively, stating that the minimum conforming lot size on the beach was 80 feet. LPA Member Boan noted that Mr. Malviya was creating his hardship by not reducing the size of his floor plans. LPA Member Eckmann clarified that the structure was 35' x 30' with two stories.

Mr. Whiting discussed why he requested variances on some properties but not others.

No public comment.

LPA Member Plummer felt that reducing two units to one was a benefit. She noted that the surrounding lots were vacant and if the request was approved, those property owners may decide to request variances too. LPA Member Safford agreed that those lots were a challenge and reducing density was a big plus. LPA Member Vanasse reviewed the criteria and noted a 30-foot house was not a standard home. He suggested that the town look at subdivisions with substandard lots and adjust the setbacks in those areas. Chair Cereceda pointed out that it would be recurring for the entire neighborhood. LPA Member Vanasse responded that each lot would be slightly different, which made them unique. LPA Member Plummer agreed it would be a recurring request in the neighborhood. LPA Member Eckmann commented that it was a two-story home with over 2,000 square feet. Chair Cereceda did not think the request met criteria number five because it would be recurring. LPA Member Sudduth agreed that property owners faced a hardship regarding custom homes. LPA Member Vanasse mentioned that if the applicant did not ask for more footage, they could get administratively approved with lesser setbacks. He felt they were penalizing the applicant for asking for more square footage when they were willing to provide greater setbacks.

LPA Member Vanasse moved to approve the requested variance with the finding that it meets the variance criteria; second by LPA Member Sudduth. Motion carried unanimously by roll call vote.

C. 405 Harbor Court, Relief from LDC Table 34-3 for front street setback and waterbody setback

Approve/Approve with Conditions/Deny **variance request VAR20230062 for the property located at 405 HARBOR COURT. The applicant is requesting a variance of 17 feet for the street setback, and a variance of 4 inches from the water body setback.**

Ex parte communications: LPA Member Vanasse - spoke to Mr. Malviya; LPA Member Plummer - drive by; Chair Cereceda - drive by and LPA Member Safford - spoke to Mr. Malviya and is familiar with the lot. No disclosures from other members.

Planner Propst reviewed the request and noted that the applicant would not request a four-inch variance from the water body setback. She clarified that the cul-de-sac cutout was not paved, but utilities used the area and drainage was installed.

Mr. Malviya distributed a packet of information. Mr. Whiting described the street, property and neighborhood. He stated that due to the recessed property line, they could only fit a 35-foot wide by 33-foot-deep home on the lot. The house will remain greater than 25 feet set back from the applied property line. Mr. Whiting noted parking would be open below and one parking space was provided within the lot line.

No public comment.

LPA Member Plummer had difficulty acknowledging the cul-de-sac since it was not used as a cul-de-sac. LPA Member Vanasse suggested rotating the house to minimize the variance.

Chair Cereceda moved to deny the request because it did not meet LDC Sec. 34-87 criteria, specifically number 1 and number 5; second by LPA Member Boan.

LPA Member Vanasse felt there was enough leeway to say it was a different lot with different conditions regarding a recurring nature.

Motion failed 2-5, with LPA members Safford, Plummer, Eckmann, Vanasse and Sudduth dissenting.

LPA Member Safford moved to approve the variance request and found that based on the lot configuration and the cul-de-sac, the variance met the criteria for approval with the conditions set forth by staff on page 115 concerning open parking, relocation of the driveway, encroachment to the street setback is limited to the front staircase and all other LDC requirements shall be met; second by LPA Member Sudduth.

Motion passed 5-2 with LPA Member Boan and Chair Cereceda dissenting.

D. 810 Third St; requesting a variance for the street setback in the RC zoning district

Approve/Approve with Conditions/Deny variance request for VAR20230063 for the property located at 810 Third St. The applicant is requesting a variance of 14 feet, 11 inches from the street setback for a front setback of 10 feet, 1 inch to build a new single family.

Mr. Malviya, applicant, distributed a packet of information.

Community Development Senior Planner Jason Smalley reviewed the request. He noted that staff recommended denial because the applicant could select a different design that fits the lot.

Mr. Whiting, Homebound, stated that the cul-de-sac extended deeper into the lot, making for a 35-foot wide by 31.5 feet buildable depth at the most constrained portion. One parking space was available in front of the house and two were available below the footprint of the house.

No public comment.

LPA Member Eckmann moved to approve the request subject to the conditions of approval recommended by staff; second by LPA Member Safford.

Motion carried 5-2, with LPA Member Boan and Chair Cereceda dissenting.

E. 800 Third St; requesting a variance from the street, side and rear setbacks in the RC zoning district.

Approve/Approve with Conditions/Deny variance request VAR20230061 for the property located at 800 Third St. The applicant is requesting a variance of 2 feet, 6 inches from the street setback for a front setback of 22 feet, 6 inches, another variance of 2 feet, 6 inches from the side setback for a

side setback of 5 feet and an additional variance of 7 feet, 6 inches from the rear setback for a rear setback of 17 feet, 6 inches to build a new single family home.

Senior Planner Smalley reviewed the requested variances and noted that the staff was concerned regarding the proposed parking plan.

Mr. Malviya, applicant, distributed information.

Mr. Whiting, Homebound, noted the footprint was constrained with a depth of 81 feet for the lot itself due to the cul-de-sac. Reducing the front setback would maximize the house's depth and range from 23.5 to 35.3 inches from the water's edge. He explained the reasons for the requests and described how he would adjust the parking if needed.

LPA Member Boan questioned the size of the two parking spaces. Senior Planner Smalley did not have the measurements, but it seemed to be 10 to 12 feet and would accommodate most sedans, but not a larger vehicle.

LPA Member Vanasse asked for an explanation of the survey and lot.

Planner Propst replied that there were several of those and was unsure how they were created. LPA Member Eckmann felt the lot was so unique that it needed a custom home and parking was an issue.

No public comment.

LPA Member Eckmann moved to deny the requests due to the side setbacks; second by Chair Cereceda.

Motion failed 4-3, with LPA Members Safford, Plummer, Vanasse and Sudduth dissenting.

LPA Member Sudduth moved to approve the requests with conditions of approval set forth by staff; second by LPA Member Safford.

Motion carried 4-3 with LPA Members Eckmann, Boan and Chair Cereceda dissenting.

F. 4601 Estero Boulevard; construction of pool closer to street than the principal building in RC zoning district

Approve/Approve with Conditions/Deny **variance request VAR20220027 for the property located at 4601 Estero Blvd. The request is for a variance from LDC 34-1174(b), to allow construction of a pool in the front yard of the single-family residence in the RC zoning district.**

Planner Propst reviewed the variance request. No ex parte communications. Tony Vuksinic, applicant, noted that staff recommended denial because he could install a pool of 180 square feet in the backyard. He requested a 322-square-foot pool due to his wife's medical condition and the number of people using the pool. LPA Member Boan questioned whether the applicant had heard from his neighbors. Mr. Vuksinic replied negatively and Chair Cereceda gave him an email to read. Mr. Vuksinic responded to the email. No public comment.

LPA Member Sudduth stated the pool was within the street setbacks, but he knew what it was like to live on a rental street with people in the pool at 4:00

a.m. LPA Member Safford felt the pool in the front would be less intrusive to the neighborhood than in the rear. He did not support parking in the rear as a condition. LPA Member Vanasse noted that pools in the front yards were only on the Gulf side of Estero Blvd. and the applicant knew what he was buying when he purchased the property. LPA Member Sudduth questioned whether there was room for a fence and Planner Propst replied affirmatively and added it could not be taller than four feet. Senior Planner Smalley explained that the parking was an issue earlier due to people parking in the front right-of-way, although no parking complaints were logged. LPA Member Plummer agreed that the pool was less intrusive in the front and she felt it met the criteria.

LPA Member Plummer moved to approve the request with the four conditions in the staff report on packet page 223, except the Type B buffer will be a maximum of six feet tall between the pool and Estero Blvd.; second by LPA Member Sudduth.

Motion carried unanimously.

G. Floor Area Ratio Calculation Discussion

Provide input to the way Floor Area Ratio is calculated

Planner Propst clarified that the Floor Area Ratio (FAR) does not increase the height of the building and only applies to commercial zoning districts. She distributed the presentation and noted the discussion was about whether they should include the lower level and what FAR looks like. She displayed examples of setbacks within a commercial zoning district or a CPD (Commercial Planned Development). She read the code section to address whether they count parking below or not. Currently, FAR includes all under-building parking or interior-building parking. Lee County and the City of Fort Myers do not count FAR and Collier County does not include parking in FAR. The next slide included a downtown zoning example. (Recording skipped.) Planner Propst noted the parking area could be excluded from the FAR count, or they could exclude parking below when the first living level was built three feet above base flood elevation.

LPA Member Vanasse discussed what a CPD allowed and noted there was a lot of leeway. He felt that property owners who did not want to go through the CPD process would get some relief if parking below were not included. It would be calculated if a business used the bottom floor and dry floodproofed it. Chair Cereceda questioned where a base flood elevation started on beachfront property. LPA Member Eckmann replied that the base flood elevation in the V zone on the Gulf side was 22 feet. Senior Planner Smalley agreed that 19.5 feet was common and varied by two feet in any direction. He remarked they were the DEP (Department of Environmental Protection) heights, not the flood map heights.

LPA Member Sudduth supported removing parking from FAR if it would allow people to move forward without a CPD or variances. LPA Member Vanasse supported not calculating parking under the building. He mentioned that the conflicts between the allowed height, number of stories and FAR should be

corrected. Chair Cereceda suggested reaching out to Bill Spikowski regarding the inconsistency. LPA Member Safford pointed out the discrepancy between height and the number of floors. Chair Cereceda summarized that a consensus was reached not to count parking below flood elevation. Planner Propst questioned whether a higher FAR should be allowed for proposed activity nodes. Chair Cereceda stated that the LPA needed to discuss a comprehensive post-lan redevelopment plan for the whole island, not just specific areas.

VII. ADMINISTRATIVE AGENDA

No items.

VIII. LPA MEMBERS ITEMS/REPORTS

LPA Member Safford noted that Let's Go FMB was meeting tomorrow between 1-3 p.m. and invited people to join one of their committees.

LPA Member Plummer brought up lot splits and questioned how structures were built on non-conforming lots without going through the LPA. Senior Planner Smalley addressed her question.

No items from other members.

IX. LPA ATTORNEY ITEMS/REPORTS

No items.

X. COMMUNITY DEVELOPMENT ITEMS/REPORTS

No items.

XI. ITEMS FOR NEXT MONTHS AGENDA

No July meeting.

XII. ADJOURNMENT

Chair Cereceda adjourned the meeting at 2:03 p.m.

**Town of Fort Myers Beach
Agenda Item Summary**

Yellow Sheet Number: **2023-1135**

1. Requested Motion:

Meeting Date: August 8, 2023

Approve/Approve with Conditions/Deny VAR20230088, 125 Strandview Ave, A variance of 6 feet for the front setback and a variance of 7.5 feet from the rear setback.

Why the action is necessary:

The LPA makes recommendation to the Council on variance requests

What the action accomplishes:

Approval would allow the customer's proposed house design to extend further towards the front/rear of the triangular lot.

2. Agenda:

PUBLIC HEARINGS

3. Requirement/Purpose:

Resolution

5. Background:

Jorge and Arlina Mendoza, the applicants for 125 Strandview Ave., are requesting a variance from the Town's Land Development Code (LDC) Table 34-3 which requires a single-family home in the RS zoning district to provide a minimum street setback of 25 feet from the front property line, and 20-foot setback from the rear property line. The applicant is requesting a variance of 6-feet from the street setback for a front setback of 19-feet, and 7-feet 6-inches from the rear setbacks and providing a setback of 12-feet 6-inches to build a new single family.

Prior to Hurricane Ian the primary structure was non-conforming for setbacks and the lot's dimensions were non-conforming for minimum area within the Single-family zone. An Administrative Variance was approved in 2017 to construct an in-ground pool.

Attachments:

1. LPA Staff Report
2. Exhibit A - Site Plan
3. Exhibit B - Setback Descriptions
4. Exhibit C - ADM17-0011-Pool Admin Variance Resolution
5. Exhibit D - LPA postcards
6. Exhibit E - Public Hearing Application
7. Exhibit E - Amended Supplement Application

Financial Impact:

unknown

6. Alternative Action

Approve or approve with conditions

7. Staff Recommendations:

Denial

8. Recommended Approval:

Date: August 02, 2023

Steve Poposki, Community Development Director

Date: August 04, 2023

Gretchen R.H. Vose, Town Attorney

Date: August 04, 2023

Amy Baker, Town Clerk



Town of Fort Myers Beach
COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT

TYPE OF CASE: Variance

CASE NUMBER: VAR20230088

CASE NAME: 125 Strandview Ave; requesting a variance from LDC Section 34-638 Table 34-3 Dimensional Regulations in Conventional Zoning Districts for the street and rear setbacks in the RS zoning district.

LPA

HEARING DATE: August 8, 2023, at 9 AM

STAFF

RECOMMENDATION: DENIAL

**PREPARED/
SUBMITTED BY:** Jason Smalley- Senior Planner

I. APPLICATION SUMMARY

Applicant/Owner: Jorge L. Mendoza and Arlina I. Mendoza

Request: The applicant is requesting two setback variances:
Variance of 6-feet from the 25-foot LDC required street setback, for a setback of 19-feet; and
Variance of 7.5feet from the 20-foot, LDC required rear setback for a rear setback of 12.5feet to build a new single-family home.

Subject property: See attached site plan

Physical Address: 125 Strandview Avenue

STRAP #: 29-46-24-W3-0080F.0150

FLU: Low Density

Zoning: Residential Single-family (RS)

Adjacent zoning and land uses:

North:	RESIDENTIAL SINGLE-FAMILY (RS) Single-Family Residence
South:	RESIDENTIAL MULTI-FAMILY (RS) Single-Family Residences
East:	RESIDENTIAL MULTI-FAMILY (RM) Condominiums
West:	RESIDENTIAL SINGLE-FAMILY (RS) Single-Family Residence

II. BACKGROUND AND ANALYSIS

Background:

Jorge and Arlina Mendoza, the applicants for 125 Strandview Ave., are requesting a variance from the Town's Land Development Code (LDC) Table 34-3 which requires a single-family home in the RS zoning district to provide a minimum street setback of 25 feet from the front property line, and 20-foot setback from the rear property line. The applicant is requesting a variance of 6-feet from the street setback for a front setback of 19-feet, and 7-feet 6-inches from the rear setbacks and providing a setback of 12-feet 6-inches to build a new single family.

Prior to Hurricane Ian the primary structure was non-conforming for setbacks and the lot's dimensions were non-conforming for minimum area within the Single-family zone. An Administrative Variance was approved in 2017 to construct an in-ground pool.

Analysis:

The purpose of the RS zoning district is to provide stable neighborhoods where single-family detached homes are the predominant land use. The subject property is an interior lot that is triangle-shaped and is adjacent to a Town-held 20-foot-wide stormwater retention area to the east of the applicant's lot. The lot has a depth of approximately 92-feet and an average width of 75.63-feet, requiring street setbacks of 25-feet, side setbacks of 10-feet, and rear setbacks of 20-feet. The property previously had a single-family home, which was destroyed by Hurricane Ian.

Staff determined that the side setbacks of the property are 10-feet based on the average width of the property (75.63-feet). Exhibit B, attached, indicates how the setbacks are applied for this particular property.

Neighborhood Compatibility:

This scenario is not unique in nature. There are three other properties within 500-feet which have roughly triangular lot shapes which would be affected by the same setback requirements. Based on a visual review of the Lee Property Appraiser's

aerials the other triangular lots in the area don't appear to have compliant setbacks per the current LDC.

In 2017 the homeowners obtained an Administrative Variance (ADM17-0011) for their pool, they were granted a 10-foot reduction of the 25-foot front setback. The location of the pool has no bearing on the variances requested.

Per LEEPA aerials staff noted that the previous home didn't have a paved driveway, if the homeowners choose to develop one they should consult with the Town's Public Works Dept. to ensure that the design and placement do not interfere with the stormwater drainage area directly to the South of this lot.

Findings and Conclusions:

LDC Sec. 34-87 sets forth the required findings and conclusions for the approval of a variance:

- a. That there **are**/are not exceptional or extraordinary conditions or circumstances that are inherent to the property in question, or that the request **is**/is not for a de minimis variance under circumstances or conditions where rigid compliance is not essential to protect public policy.*

The subject property is triangular and would require a fully custom build to fully utilize the approx. 1,550-square feet buildable area, creating a generally triangular home. The request is generally the minimum ask necessary to accomplish a home of similar size to what existed pre-storm.

- b. That the conditions justifying the variance are/**are not** the result of actions of the applicant taken after the adoption of the regulation in question.*

The conditions justifying the variance are the result of the destruction of the previous non-conforming structure which now requires setbacks which are more stringent than the regulations it was originally developed under in 1972.

- c. That the variance granted is/**is not** the minimum variance that will relieve that applicant of an unreasonable burden caused by the application of the regulation in question to this property.*

The triangular lots created in the original plats of this neighborhood may be more expensive or difficult to develop, but it's possible to create a home of sufficient area to be livable, however the need for this variance is a result of a design choice and is subjective in nature.

- d. That the granting of the variance will/**will not** be injurious to the neighborhood or otherwise detrimental to the public welfare; and*

While the homeowner and their contractor must be mindful to avoid disturbing or damaging the Town's stormwater area directly adjacent to this lot, the house variances would not be injurious to the wider community and will provide sufficient setbacks to the homes directly North and West of the proposed structure, in the opinion of staff.

- e. That the conditions or circumstances on the specific piece of property for which the variance is sought are **are not** of so general or recurrent a nature as to make it more reasonable and practical to amend the regulation in question.*

The conditions or circumstances on this specific property for which a variance is sought are not general in nature and do not warrant a code change.

III. RECOMMENDATION

Staff has reviewed the request for a variance from LDC Table 34-3 which requires that a lot in the RS zoning district have minimum 25-foot street setback and 20-foot rear setbacks and found that the variance request does not meet the requirements set forth in sec. 34-87.

Therefore, staff recommends **DENIAL** of VAR20230088, a request for variances of 6-feet from the street setback and 7.5 feet from the rear setback.

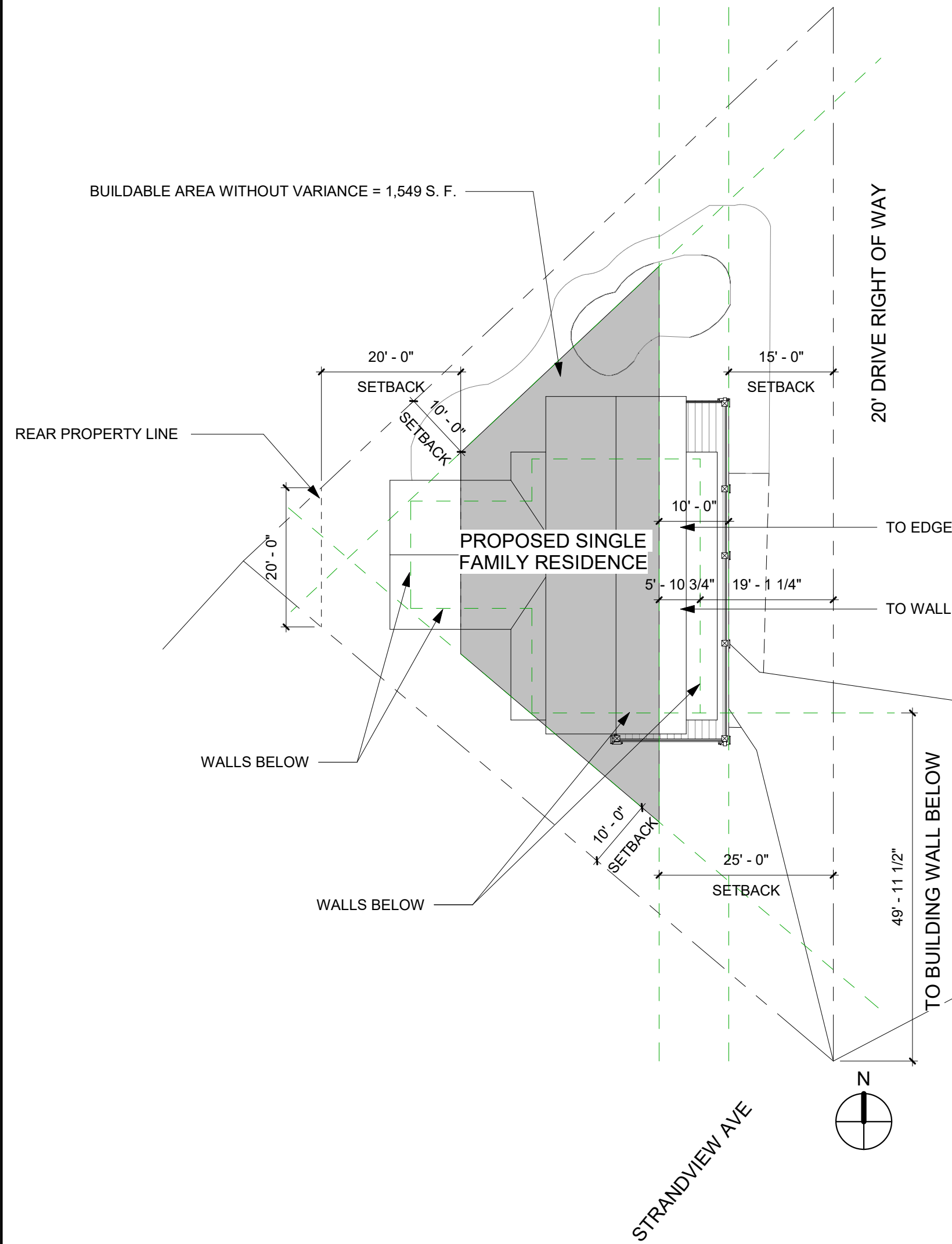
IV. CONDITIONS FOR APPROVAL

If the Town's LPA recommends approval for the variance, town's staff recommends the following conditions of approval.

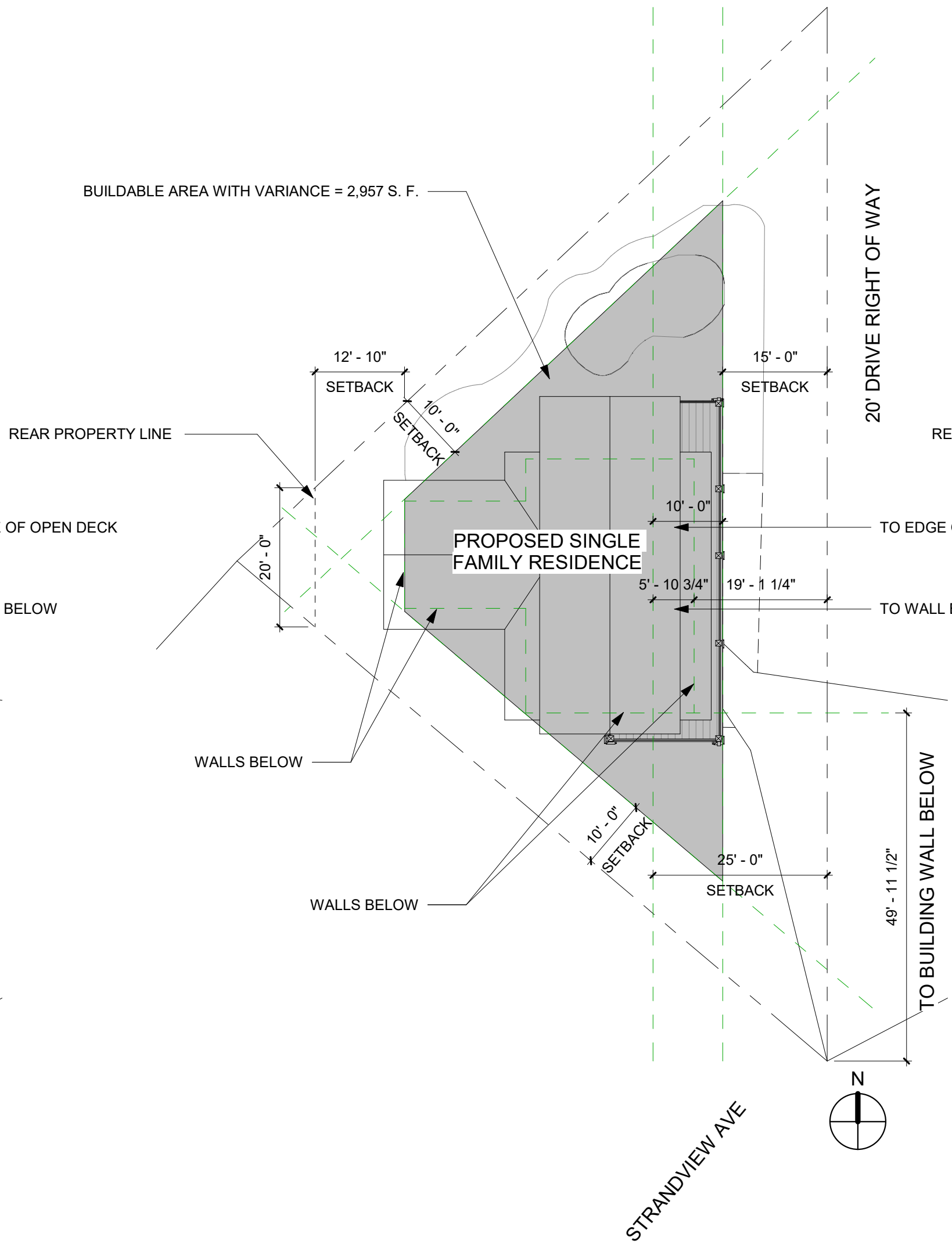
- 1) If the homeowners choose to develop an impervious driveway they must coordinate with Town staff to ensure that it does not interfere or otherwise inhibit the functioning of the adjacent stormwater area.
- 2) The variance shall only apply to the single-family home as shown on the provided site plan. Alterations or substantial damage to the residential structure shall render the variance to be null and void.
- 3) Approval of this variance does not give the Applicant an undeniable right to permit approval. Development or redevelopment of the Property must comply with all applicable requirements of the Fort Myers Beach Comprehensive Plan and LDC in effect at the time of permit approval, except as specifically modified herein.

V. EXHIBITS

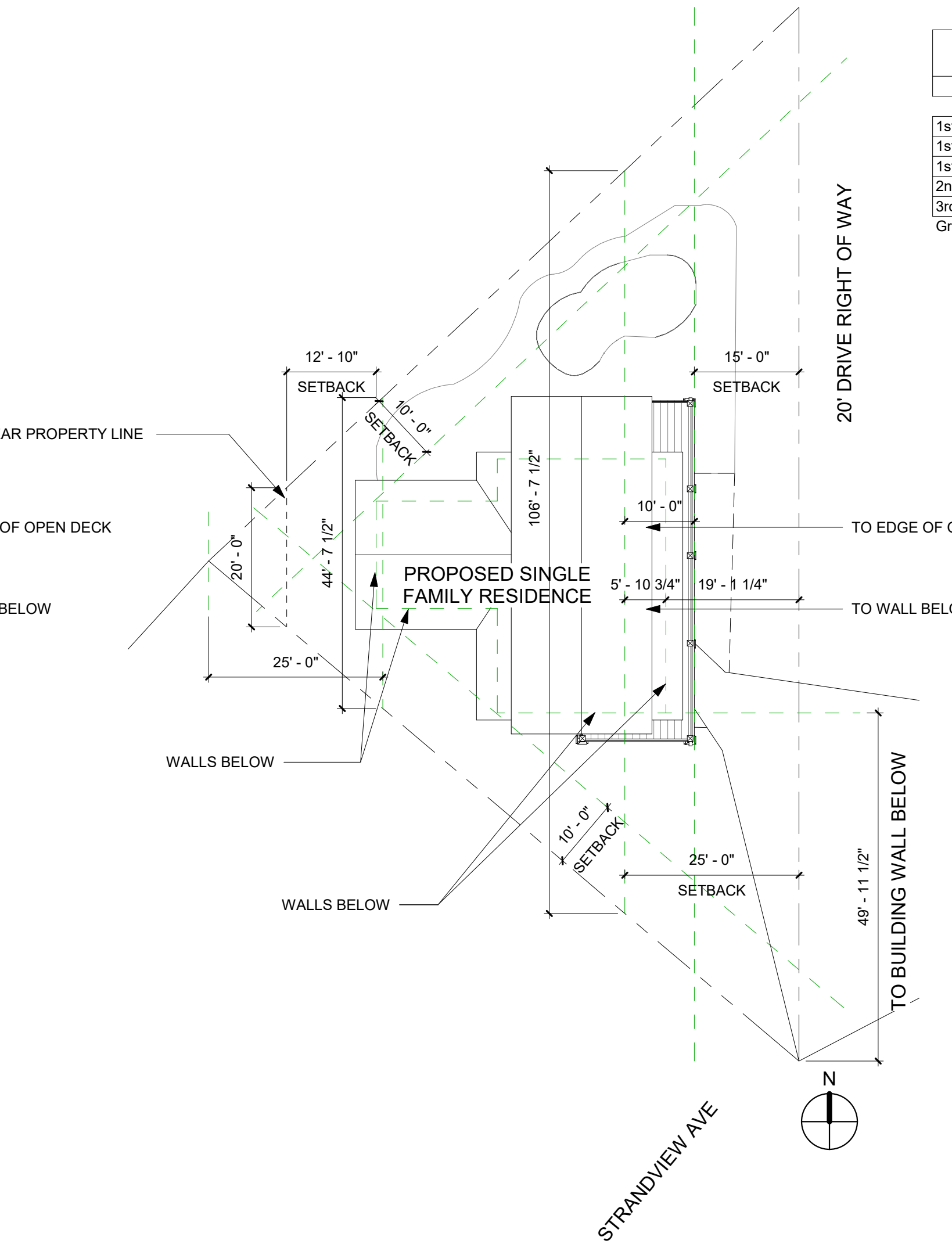
- A. Site Plan
- B. Setback Description
- C. ADM17-0011 Administrative Pool Variance
- D. Post Cards
- E. Complete application



6 Site Plan Buildable Area
1/16" = 1'-0"

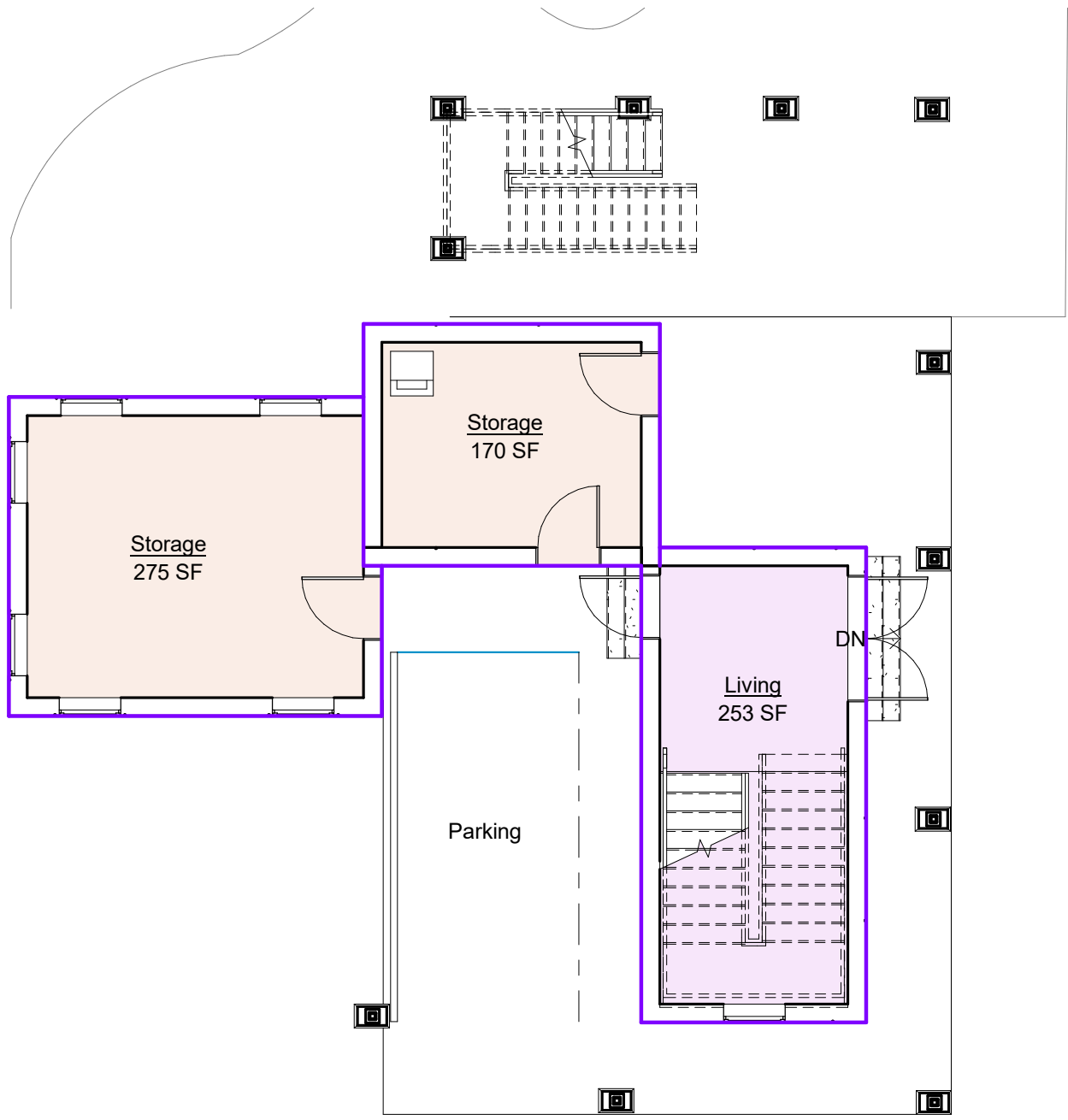


5 Site Plan Buildable Area With Variance
1/16" = 1'-0"



2 Site Plan
1/16" = 1'-0"

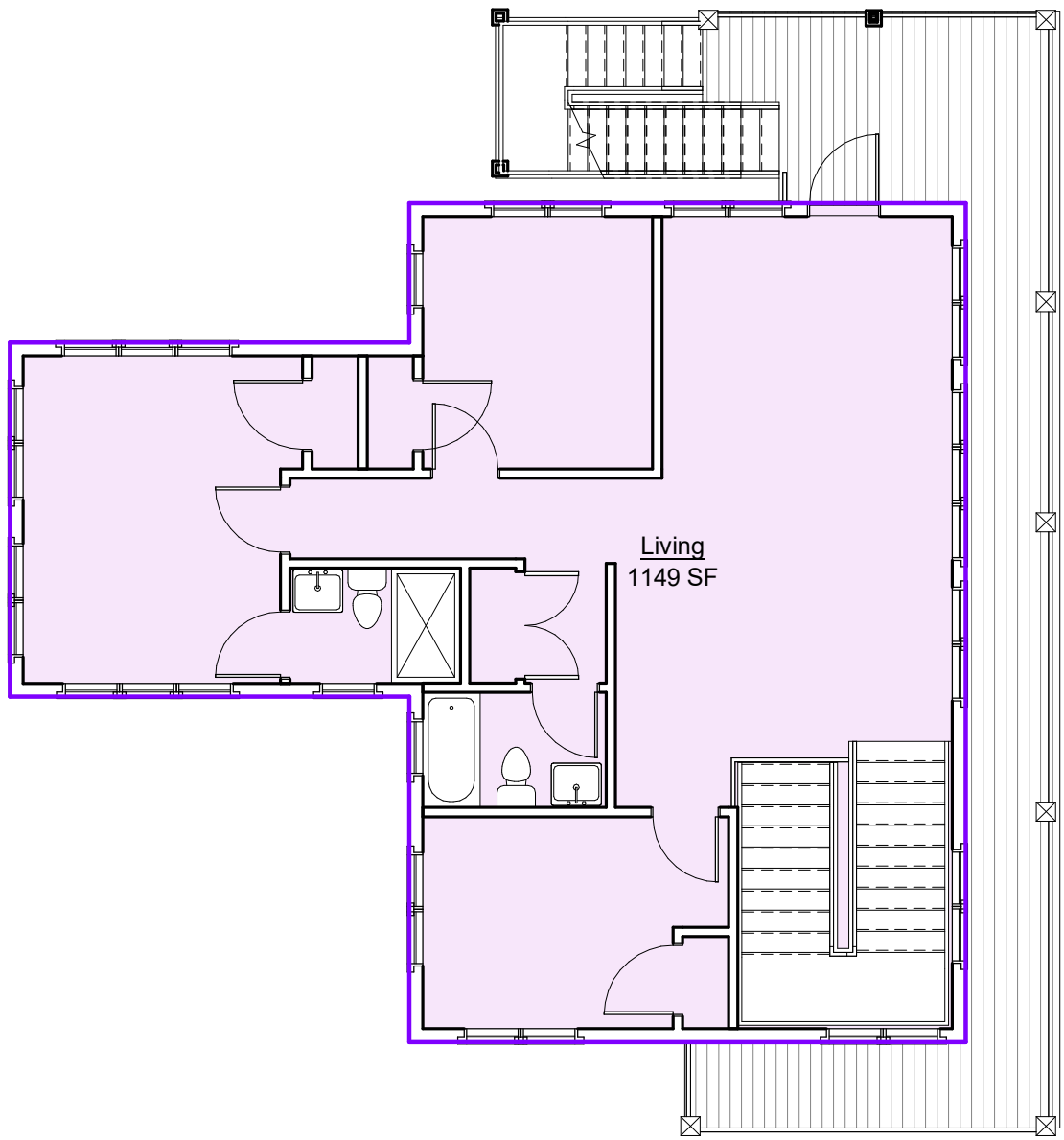
Area Schedule Proposed		
Level	Name	Area
1st Floor	Storage	170 SF
1st Floor	Living	253 SF
1st Floor	Storage	275 SF
2nd Floor	Living	1149 SF
3rd Floor	Living	517 SF
Grand total		2365 SF



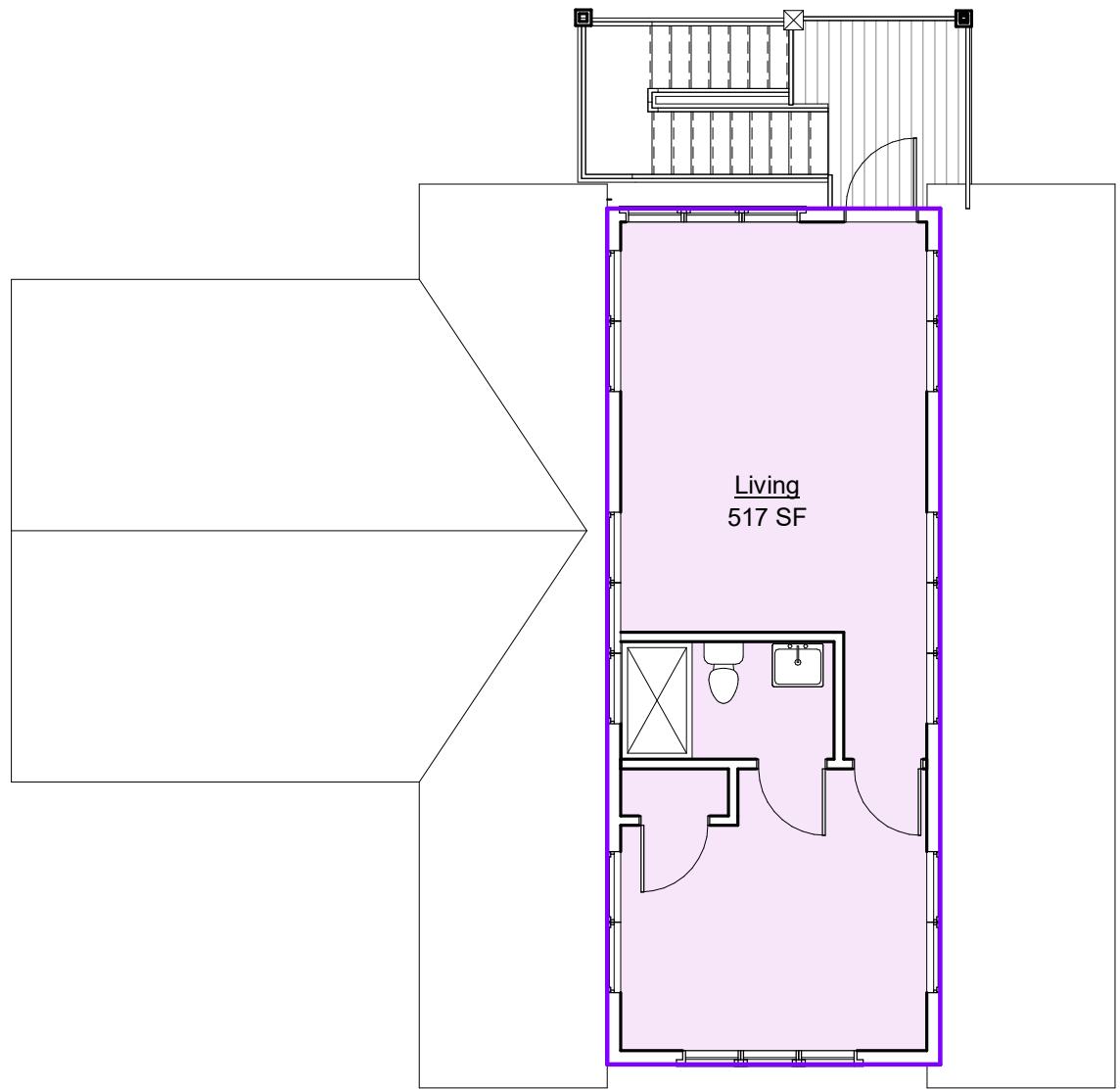
1 1st Floor
1/8" = 1'-0"

Building Area Legend

- Living
- Storage



3 2nd Floor
1/8" = 1'-0"



4 3rd Floor
1/8" = 1'-0"

PROJECT NAME

Mendoza Residence

PROJECT ADDRESS

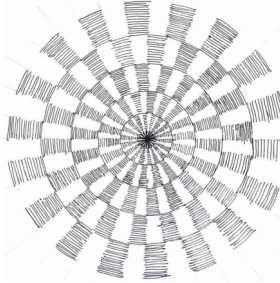
125 Strandview Ave
Ft. Myers, FL 33931

CLIENT

Jorge and Arlina
Mendoza

ARCHITECT

SOL AND ASSOCIATES INC
523 MEDFORD ST
CHARLESTOWN, MA 02129
TELEPHONE: 617-869-6806



CONSULTANTS:

COPYRIGHT SOL AND ASSOCIATES INC ©
2023
THESE DRAWINGS ARE NOW AND DO
REMAIN THE SOLE PROPERTY OF SOL AND
ASSOCIATES INC. USE OF THESE PLANS
OR ANY FORM OF REPRODUCTION OF THIS
DESIGN IN WHOLE OR IN PART WITHOUT
EXPRESS WRITTEN CONSENT IS
PROHIBITED AND SHALL RESULT IN THE
FULLEST EXTENT OF PROSECUTION
UNDER LAW

REGISTRATION

Project number JJM - 2023-001
Date 04/17/2023
Drawn by ars
Checked by sa
Scale As indicated

REVISIONS

No.	Description	Date

Area Floor Plans and Site Plan

A-001

Mendoza Residence

Rear Lot Line

(Triangular):

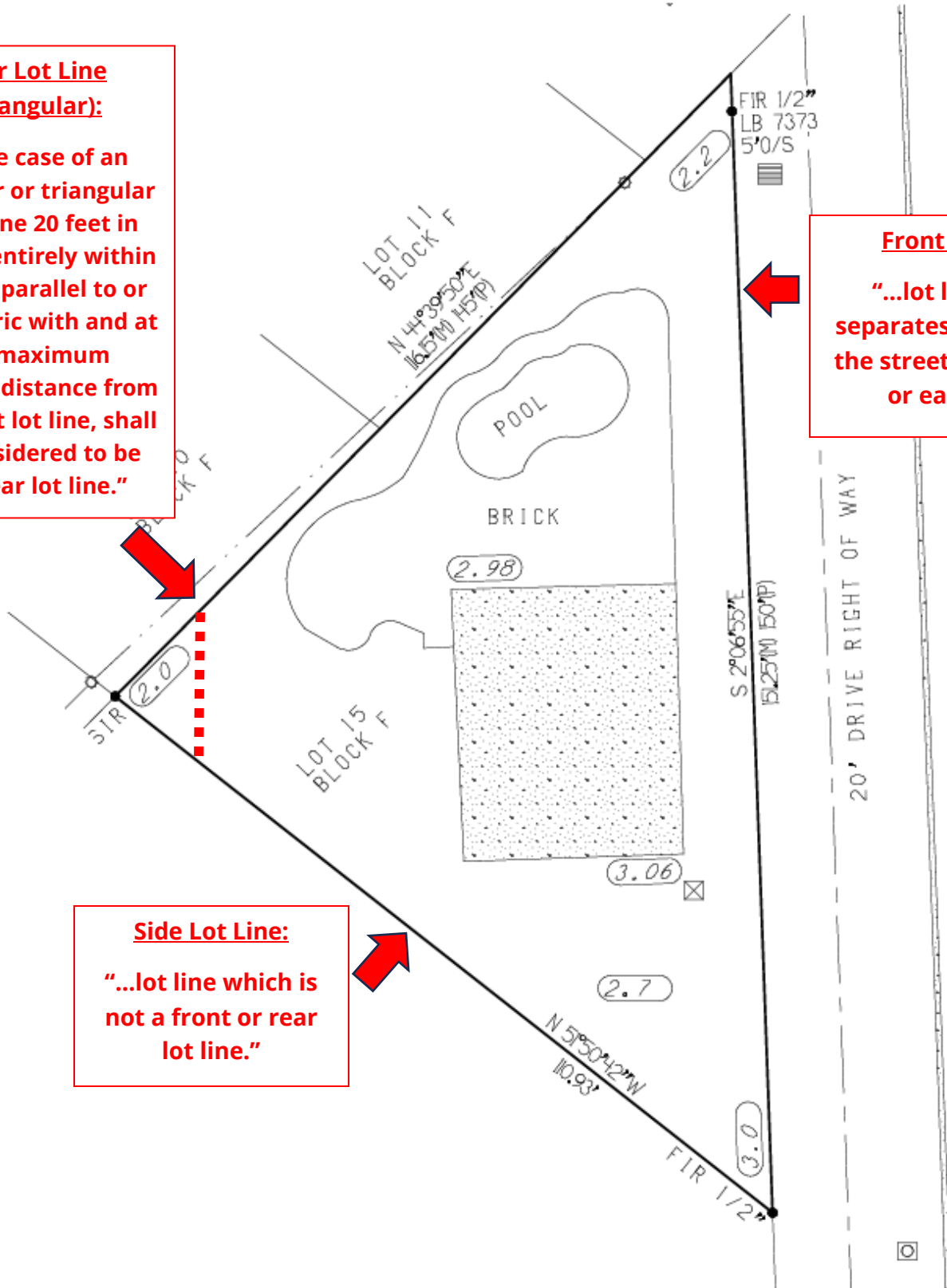
"In the case of an irregular or triangular lot, a line 20 feet in length, entirely within the lot, parallel to or concentric with and at the maximum possible distance from the front lot line, shall be considered to be the rear lot line."

Front Lot Line:

"...lot line which separates the lot from the street right-of-way or easement"

Side Lot Line:

"...lot line which is not a front or rear lot line."



**ADMINISTRATIVE APPROVAL
TOWN OF FORT MYERS BEACH FLORIDA
ADM17-0011**

WHEREAS, Katie Barnes (hereinafter "Applicant") is the authorized agent of Jorge Mendoza, owner of real property located at 125 Strandview Avenue, Fort Myers Beach, Florida (hereinafter "subject property"); and

WHEREAS, the application lists STRAP Number 29-46-24-W3-0080F.0150, which is legally described in the Hyde Park subdivision recorded in the Public Records of Lee County, Florida, in Plat Book 7, at Page 20, Blk F Lot 15 (see Exhibit A); and

WHEREAS, the Applicant filed a request with the Town to issue an administrative setback variance pursuant to Fort Myers Beach Land Development Code (LDC) Section 34-268(a)(5) to allow the construction of a pool on the property 15 feet from the 20 foot Drive located on the eastern property line; and

WHEREAS, the subject property is located in the Residential Single-family (RS) zoning district and is in the Low Density Future Land Use Map category; and

WHEREAS, the RS zoning district requires a minimum lot width of 75 feet and a minimum lot depth of 100 feet, with a total lot area of at least 7,500 square feet; and

WHEREAS, the subject property is triangular in shape and a total lot area of approximately 6,401 square feet; and

WHEREAS, the lot is non-conforming lot, the property is subject to the setback standards of LDC Sec. 34-3273; and

WHEREAS, the subject property has an unusual shape being triangular in shape with frontage on a 20 foot wide platted Drive to the east which accesses Strandview Avenue to the south; and

WHEREAS, LDC Sec. 34-3273(3)a. provides that street setbacks shall be as set forth in the regulations for the applicable zoning district; and

WHEREAS, Table 34-3 requires a minimum street setback of 25 feet in the RS zoning district; and

WHEREAS compliance with a 25 foot street setback on the 20 foot Drive side of the lot limits the placement of accessory structures on the triangular subject property; and

WHEREAS, the applicant has presented plans to construct a pool in the “rear yard” adjacent to the eastern property line abutting the 20 foot Drive (see Exhibit B) and;

WHEREAS, LDC Sec. 34-368(d) allows administrative setback variances to be granted under certain limited circumstances as provided in LDC Sec. 34-268; and

WHEREAS, LDC Sec. 34-268(a)(5) provides for an administrative setback variance for “a residential lot with an unusual shape or orientation . . .;” and

WHEREAS, the subject lot is an unusual shape and orientation, that being a triangular lot with the existing house oriented toward Strandview Avenue not oriented to the 20 foot Drive on the eastern side of the property; and;

WHEREAS:

1. All of the preceding “whereas” clauses are incorporated herein as findings of fact; and
2. There are not apparent deleterious effects upon the adjoining property owners; and
3. The modifications will not have an adverse impact on the public health, safety and welfare; and
4. The modifications will be the minimum required.

NOW, THEREFORE, IT IS HEREBY DETERMINED that street setback required for the eastern street frontage of the subject property by LDC Table 34-3 is modified from the requirement of 25 feet to allow a 15 foot setback for the construction of an in-ground pool, pool deck and fencing as required by LDC Sec. 34-1176(c).

SUBJECT TO the following conditions:

1. The variance is limited to the subject property as a lot of record consistent with the legal description described herein.
2. This variance applies to the 20 foot Drive street setback along the eastern property boundary as shown on Exhibit “B” only.
3. No structure may be placed in any drainage easement present on the subject property.

4. No portion of the proposed accessory structure, the pool, with the exception of a fence, may be placed closer than 15 feet to the eastern boundary of the subject property. The proposed fence must be placed a minimum of 5 feet from the property line.
5. Nothing in this administrative approval provides a variance from any other provision of the Fort Myers Beach Comprehensive Plan or LDC, including but not limited to the 40 percent building coverage maximum for lots in the RS zoning district required by LDC Table 34-3.

DULY ADOPTED this 23rd day of August 2017.

By: 
Roger Hernstadt
Town Manager
Town of Fort Myers Beach

HYDE PARK

A RESUBDIVISION OF LOTS 62 TO 77 BOTH
INCLUSIVE OF THE CASE SUBDIVISION OF GOV'T.
LOTS 1 2 & 3 OF SEC. 29 TWP. 46S. RANGE 24 E.

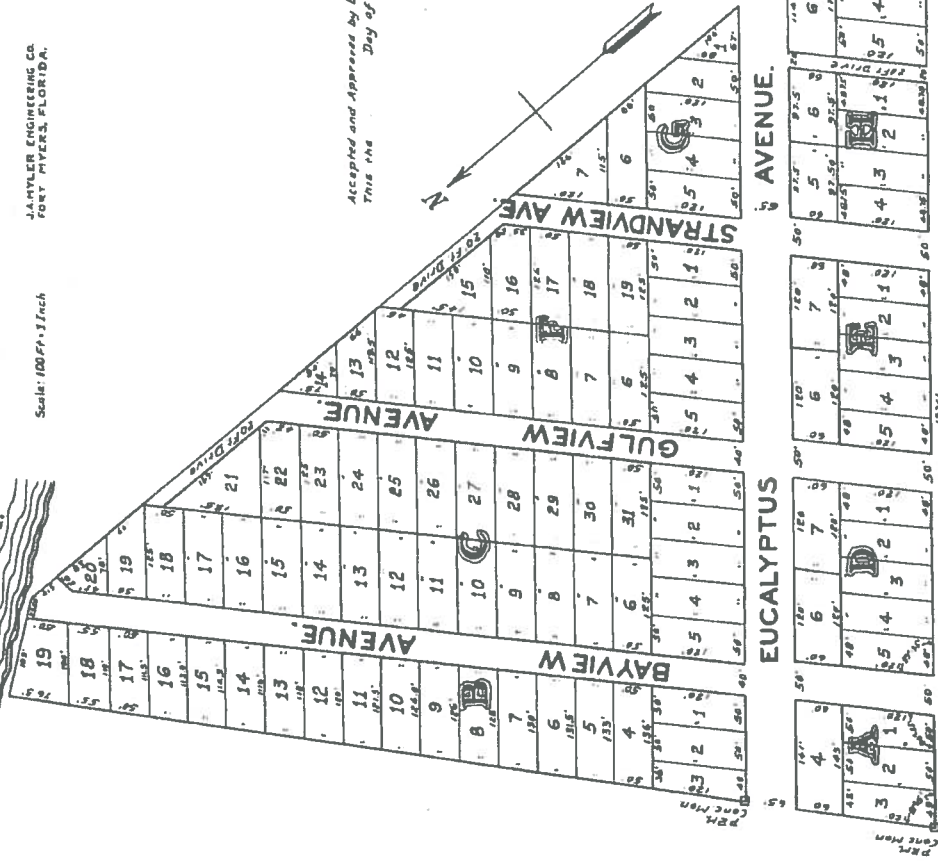
ESTERO ISLAND
LEE COUNTY, FLORIDA.



Scale: 100 Feet = 1 Inch
JANLEY ENGINEERING CO.
FORT MYERS, FLORIDA.

December 1925

Accepted and Approved by Board of County Commissioners
This 10th Day of December 1925



GULF OF MEXICO.

1. The undersigned hereby certifies that the foregoing plat is a true and correct copy of the original plat on file in the office of the Clerk of the County of Lee, Florida, and that the same has been duly recorded in the public records of said county.

CERTIFICATE OF RECORDING.
This is to certify that the undersigned, Clerk of the County of Lee, Florida, has received and recorded the foregoing plat, and that the same has been duly recorded in the public records of said county.

STATE OF South Dakota
COUNTY OF H. H. H. H.
I hereby certify that on this day personally appeared before me, the undersigned, a Notary Public in and for the State of South Dakota, the following named persons, to-wit: Charles E. Hyde and John E. Hyde, who being duly sworn, depose and say that the foregoing plat is a true and correct copy of the original plat on file in the office of the Clerk of the County of Lee, Florida, and that the same has been duly recorded in the public records of said county.

STATE OF South Dakota
COUNTY OF H. H. H. H.
I the undersigned authority do hereby certify that when it may be seen, that Charles E. Hyde and John E. Hyde are the persons who have executed the foregoing plat, and that the same is a true and correct copy of the original plat on file in the office of the Clerk of the County of Lee, Florida, and that the same has been duly recorded in the public records of said county.

My commission expires 12th Dec 1926
Notary Public



Town of Fort Myers Beach
Community Development Services - Planning Division
2525 Estero Blvd,
Fort Myers Beach, FL 33931

NOTICE TO PROPERTY OWNERS WITHIN 500 FEET

Notice is hereby given that the Local Planning Agency of the Town of Fort Myers Beach will hold a public hearing which will take place at DiamondHead Beach Resort, 2000 Estero Boulevard, Fort Myers Beach, Florida, 33931.

TIME: 9 AM

DATE: August 8, 2023

CASE: VAR20230088

ADDRESS: 125 Strandview Ave

APPLICANT: Arlina Mendoza (owner)

REQUEST: The applicant is requesting two variances of 6-feet from the 25-foot street setbacks and providing a setback of 19-foot; and 7-feet 6-inches from the rear setbacks and providing a setback of 12-feet 6-inches to build a new single family home.

TOWN CONTACT: SARAH PROPST SARAH.PROPST@FMBGOV.COM

You may appear in person, through counsel, or through an authorized agent and provide testimony, legal argument, or other evidence. At this hearing the **Local Planning Agency** will review the application materials and hear testimony to make a **recommendation**. Complete records or transcripts of the proceedings are not provided by the Town.

Copies of the application and staff report are available for viewing at Fort Myers Beach Town Hall. Call 239-765-0202 for more information. Town Hall is open between the hours of 8:30 AM and 4:30 PM. Reasonable accommodations will be made in accordance with the Americans with Disabilities Act. If you need reasonable accommodation, contact Town Hall at 239-765-0202.



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Community Development Services - Planning Division
2525 Estero Blvd,
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Town of Fort Myers Beach
2525 Estero Blvd,
Fort Myers Beach, FL 33931

Town of Fort Myers Beach
2525 Estero Blvd,
Fort Myers Beach, FL 33931

«OwnerName»
«MailAddress»
«MailCity», «MailState», «MailZip»«Next Record»

«OwnerName»
«MailAddress»
«MailCity», «MailState», «MailZip»«Next Record»

Town of Fort Myers Beach
2525 Estero Blvd,
Fort Myers Beach, FL 33931

Town of Fort Myers Beach
2525 Estero Blvd,
Fort Myers Beach, FL 33931

«OwnerName»
«MailAddress»
«MailCity», «MailState», «MailZip»«Next Record»

«OwnerName»
«MailAddress»
«MailCity», «MailState», «MailZip»



COMMUNITY DEVELOPMENT DEPARTMENT APPLICATION for PUBLIC HEARING

This is a first part of a two-part application. Please be sure to fill out this form, which requires general information, as well as the Supplemental Form application specific to action requested for the subject property. Please submit a complete Public Hearing application with required, supplemental information, exhibits and documents to zoningpermits@fmbgov.com. Please do not submit the instructions at the end of the application.

Site Address: 125 Strandview Ave, Ft Myers Beach
STRAP Number: 29-46-24-W-3-008 OF 0150
Applicant: Arlina Mendoza Phone: 305-431-4901
Contact Name: Arlina Mendoza Phone: 305-492-2898
Email: jeannielimones@yahoo.com Fax: -
Current Zoning District: 10 a.
Future Land Use Map (FLUM) Category: _____
FLUM Density Range: _____ Platted Overlay: ☐ YES ☐ NO

ACTION REQUESTED

- ☐ Special Exception
☒ Variance
☐ Conventional Rezoning
☐ Planned Development ☐ Commercial ☐ Residential
☐ Master Concept Plan Extension
☐ Appeal of Administrative Action
☒ Vacation of Platted Right-of-way and Easement
☐ Other - cite LDC Section: _____

SUPPLEMENTAL FORM REQUIRED

PH-A
PH-B
PH-C
PH-D
PH-E
PH-F
PH-G
attach on separate sheet

PART I - General Information

A. Applicant*: Arlina Mendoza Phone: 305-431-4901

*Applicant must submit a statement under oath that he/she is the authorized representative of the property owner.
Please see PART III to complete the appropriate Affidavit form for the type of applicant.

Applicant Mailing Address: 14390 SW 192 street Miami - FL 33177
Email: jeannielimones@yahoo.com Fax: -
Contact Name: Arlina Mendoza Phone: 305-431-4901



COMMUNITY DEVELOPMENT DEPARTMENT APPLICATION for PUBLIC HEARING

B. Relationship of Applicant to subject property:

- | | | |
|---|---|--|
| ☒ Owner* | ☐ Land Trust* | ☐ Partnership* |
| ☐ Corporation* | ☐ Association* | ☐ Condominium* |
| ☐ Subdivision* | ☐ Timeshare Condo* | ☐ Contract Purchaser* |
| ☐ Authorized Representative* | ☐ Other* (please indicate) _____ | |

**Applicant must submit a statement under oath that he/she is the authorized representative of the property owner.
Please see PART III to complete the appropriate Affidavit form for the type of applicant.*

C. Authorized Agent(s). Please list the name of Agent authorized to receive correspondence Agents

Name: N/A Phone: _____
Address: _____
Email: _____ Fax: _____

D. Other Agent(s). Please list the names of all Authorized Agents (attach extra sheets if necessary)

Name: N/A Phone: _____
Address: _____
Email: _____ Fax: _____

Name: N/A Phone: _____
Address: _____
Email: _____ Fax: _____

PART II - Nature of Request

Requested Action (each request requires a separate application)

- ☐ Special Exception
- ☒ Variance from LDC Section _____ - _____
- ☐ Conventional Rezoning from _____ to _____
- ☐ Planned Development
- ☐ Rezoning from _____ to ☐ Commercial PD ☐ Residential PD
- ☐ Amendment. List the project number: _____
- ☐ Extension/reinstatement of Master Concept Plan. List project number: _____

4/30/2021

Town of Fort Myers Beach 2525 Estero Blvd Fort Myers Beach, Florida 33931
Phone: 239-765-0202 zoningpermits@fmbgov.com Fax: 239-765-0909

Page 2 of 11



COMMUNITY DEVELOPMENT DEPARTMENT APPLICATION for PUBLIC HEARING

☐ Appeal of Administrative Action

☐ Vacation

☐ Right-of-Way

☐ Easement

☐ Other. Please Explain: _____

PART III - Waivers

Please indicate any specific submittal items that have been waived by the Director for the request. Attach a copy of the signed approval as Exhibit 3-1. (Use additional sheets if necessary)

Code Section: _____ Description: _____

Code Section: _____ Description: _____

Code Section: _____ Description: _____

PART IV - Property Ownership (Single Owner)

☒ Single Owner (individual or husband and wife)

Name: Arlina and Jorge Mendoza Phone: 305-431-4901

Mailing Address: 14390 SW 192 street Miami FL 33177

Email: jeannie limones@yahoo.com Fax: None

AFFIDAVIT

APPLICATION IS SIGNED BY AN INDIVIDUAL OWNER OR APPLICANT

I, Arlina Mendoza swear or affirm under oath, that I am the owner or the authorized representative of the owner(s) of the property and that:

I have full authority to secure the approval(s) requested and to impose covenants and restrictions on the referenced property as a result of any action approved by the Town of Fort Myers Beach in accordance with this application and the Land Development Code;

All answers to the questions in this application and any sketches, data or other supplementary matter attached hereto and made a part of this application are honest and true;



COMMUNITY DEVELOPMENT DEPARTMENT

APPLICATION for PUBLIC HEARING

I have authorized the staff of the Town of Fort Myers Beach Community Development to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made thru this application; and that
The property will not be transferred, conveyed, sold or subdivided unencumbered by the conditions and restrictions imposed by the approved action.

[Signature]
Signature

Arlina Mendoza
Printed Name

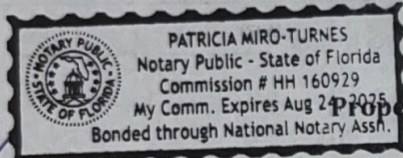
STATE OF Florida COUNTY OF Dade

The foregoing instrument was certified and subscribed before me by means of X physical presence OR _____ online notarization, this 31 day of January, 2023, by

Arlina Mendoza ☒ who is personally known to me OR ☐ who has produced

_____ as identification.

[Signature]
Notary Public Signature



PART V

Property Ownership (Multiple Owners)

☒ Multiple Owners (including corporation, partnership, trust, association, condominium, timeshare, or subdivision)

- ☐ Complete Disclosure of Interest Form (see below)
- ☐ Attach list of property owners as Exhibit 5-1
- ☐ Attach map showing property owners interests as Exhibit 5-2 (for multiple parcels)
- ☐ For condominiums and timeshares see Explanatory Notes Part V - Exhibit 5-3
- ☐ Letter of Opinion - Exhibit 5-4

DISCLOSURE OF OWNERSHIP INTEREST

If the property is owned in fee simple by an INDIVIDUAL, tenancy by the entirety, tenancy in common, or joint tenancy, list all parties with an ownership interest as well as the percentage of such interest.

Name and Address

Percentage Ownership

4/30/2021

Town of Fort Myers Beach 2525 Estero Blvd Fort Myers Beach, Florida 33931
Phone: 239-765-0202 zoningpermits@fmbgov.com Fax: 239-765-0909

Page 4 of 11



COMMUNITY DEVELOPMENT DEPARTMENT APPLICATION for PUBLIC HEARING

If the property is owned by a CORPORATION, list the officers and stockholders and the percentage of stock owned by each.

Name, Address and Office

Percentage of Stock

N/A	

If the property is in the name of a TRUSTEE, list the beneficiaries of the trust with percentage of interest.

Name and Address

Percentage of Interest

N/A	

If the property is in the name of a GENERAL PARTNERSHIP OR LIMITED PARTNERSHIP, list the names of the general and limited partners.

Name and Address

Percentage of Ownership

N/A	

If there is a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the officers, stockholders, beneficiaries, or partners.

Name, Address and Office

Percentage of Stock

N/A	



COMMUNITY DEVELOPMENT DEPARTMENT
APPLICATION for PUBLIC HEARING

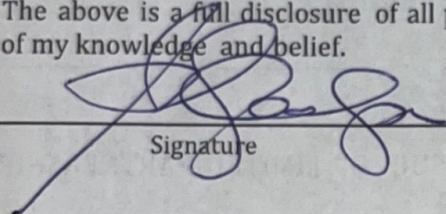
Date of Contract: _____

If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust.

Name	Address
N/A	

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of final certificate of compliance, a supplemental disclosure of interest must be filed.

The above is a full disclosure of all parties of interest in this application, to the best of my knowledge and belief.


Signature

Arlina Mondora
Printed Name

AFFIDAVIT

APPLICATION IS SIGNED BY A CORPORATION, LIMITED LIABILITY COMPANY (L.L.C.), LIMITED COMPANY (L.C.), PARTNERSHIP, LIMITED PARTNERSHIP, OR TRUSTEE

I, N/A (name), as N/A (title)
of N/A (company), swear or affirm under oath, that I am the
owner or the authorized representative of the owner(s) of the property and that:

1. I have full authority to secure the approval(s) requested and to impose covenants and restrictions on the referenced property as a result of any action approved by the Town of Fort Myers Beach in accordance with this application and the Land Development Code;
2. All answers to the questions in this application and any sketches, data or other supplementary matter attached hereto and made a part of this application are honest and true;
3. I have authorized the staff of Fort Myers Beach Community Development to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made thru this application; and that
4. The property will not be transferred, conveyed, sold or subdivided unencumbered by the conditions and restrictions imposed by the approved action.

4/30/2021

Town of Fort Myers Beach 2525 Estero Blvd Fort Myers Beach, Florida 33931
Phone: 239-765-0202 zoningpermits@fmbgov.com Fax: 239-765-0909

Page 6 of 11



COMMUNITY DEVELOPMENT DEPARTMENT
APPLICATION for PUBLIC HEARING

Name of Entity (corporation, partnership, LLP, LLC, etc)

Signature

Title

Typed or Printed Name

Date

STATE OF _____ COUNTY OF _____

The foregoing instrument was certified and subscribed before me by means of _____ physical presence OR ☐ online notarization, this _____ day of _____, 20____, by _____ ☐ who is personally known to me OR ☐ who has produced _____ as identification.

Seal

Notary Public Signature

PART VI- Property Information

A. Legal Description:

STRAP: 29-46-24-W-3-008 OF 0150

Property Address: 125 Strandview Ave, Ft. Myers Beach

Is the subject property within a platted subdivision recorded in the official Plat Books of Lee

County? ☐ No. Attach a legible copy of the legal description as Exhibit 6-1.

☒ Yes. Property identified in subdivision: Hyde Park

Book: 7 Page: 20 Unit: _____ Block: F Lot(s): 15

B. Boundary Survey:

☒ Attach a Boundary Survey of the property meeting the minimum standards of Chapter 61G17-6 of the Florida Administrative Code. A Boundary Survey must bear the raised seal and original signature of a Professional Surveyor and Mapper licensed to practice Surveying and Mapping by the State of Florida. Attach and label as Exhibit 6-2.

4/30/2021

Town of Fort Myers Beach 2525 Estero Blvd Fort Myers Beach, Florida 33931
Phone: 239-765-0202 zoningpermits@fmbgov.com Fax: 239-765-0909

Page 7 of 11



COMMUNITY DEVELOPMENT DEPARTMENT
APPLICATION for PUBLIC HEARING

C. Property Dimensions:

Width (please provide an average width if irregular in shape) 25 feet
Depth (please provide an average width if irregular in shape) 100 feet
Frontage on street: 25 feet. Frontage on waterbody: — feet
Total land area: _____ ☐ acres ☐ square feet

D. General Location of Subject Property (from Sky Bridge or Big Carlos Pass Bridge):

Location approximately 4 miles from
Big Carlos Pass Bridge

☒ Attach Area Location Map as Exhibit 6-3

E. Property Restrictions (check applicable):

- ☒ There are no deed restrictions and/or covenants on the subject property.
☐ A list of deed restrictions and/or covenants affecting the subject property is attached as Exhibit 6-4.
☐ A narrative statement detailing how the restrictions/covenants may or may not affect the request is attached as Exhibit 6-5.

F. Surrounding Property Owners (these items can be obtained from the Lee County Property Appraiser):

- ☒ Attach a list of surrounding property owners within 500 feet as Exhibit 6-6.
☒ Attach a map showing the surrounding property owners as Exhibit 6-7.
☐ Provide Staff with two (2) sets of surrounding property owner mailing labels.

G. Future Land Use Category (see Future Land Use Map):

- | | |
|--|--|
| ☐ Low Density | ☐ Marina |
| ☐ Mixed Residential | ☐ Recreation |
| ☐ Boulevard | ☐ Wetlands |
| ☐ Pedestrian Commercial | ☐ Platted Overlay |

File Number: 01206-59125
 Print Date & Time: 9/1/2016 8:23 AM
 Escrow Officer: Maria D. Perez
 Settlement Location: 4450 Bonita Beach Road, Suite 6
 Bonita Springs, FL 34134

Stewart Title Company

4450 Bonita Beach Road, Suite 6
 Bonita Springs, FL 34134

Property Address: 125 Strandview Ave. Fort Myers Beach, Florida 33931

Lot 15, Block F, HYDE PARK, Book 7, Page 20, Lee County, Florida

29-46-24-W3-0080F.0150

Buyer: Jorge L. Mendoza - 15133 SW 62nd St, Miami, FL 33913
 Arlina I. Mendoza - 15133 SW 62nd St, Miami, FL 33913
 Seller: William H. Curtis - 1300 E. Beach, Brigantine, NJ 08203
 Joan D'abruzzo - 1300 E. Beach, Brigantine, NJ 08203
 Lender: Quicken Loans - 27555 Farmington Rd, Farmington Hills, MI 48334

Settlement Date: 9/02/2016

Disbursement Date: 9/02/2016

Additional dates per state requirements: 9/02/2016

Description	Borrower/Buyer	
	Debit	Credit
Financial		
Sales Price of Property	\$355,000.00	
Deposit		\$71,000.00
Loan Amount		\$284,000.00
Prorations/Adjustments		
City/Town Taxes 1/1/2016 to 9/2/2016		\$2,578.52
Solid Waste 9/2/2016 to 9/30/2016	\$14.34	
Loan Charges to Quicken Loans		
Loan Origination Fee 1.625 to Quicken Loans	\$4,615.00	
Prepaid Interest (\$29.58 per day from 9/2/2016 to 10/1/2016)	\$857.82	
Processing Fee to Quicken Loans POCT \$799.00		
Underwriting Fee to Quicken Loans POCB \$201.00	\$49.00	
Other Loan Charges		
Appraisal Fee to TSI Appraisal Services	\$485.00	
Credit Monitoring Fee to Equifax Information S	\$8.25	
Credit Report Fee to Equifax Mortgage Solutions	\$38.76	
Flood Certification to Corelogic Flood Services	\$10.50	
Flood Life of Loan Coverage to Corelogic Flood Services	\$5.00	

EXHIBIT 6-2

- 1) Parcel was surveyed from information supplied by the client or the clients agent.
- 2) Easements as shown hereon are from the recorded plat, any other easement (s) pertaining to the hereon described parcel not furnished to the surveyor by the client or the clients agent per Florida Administrative code 54-11.052(2)(a).
- 3) This certification is only for the parcel described. It is not a certification of title, zoning, easement, freedom of encumbrance, ownership, or rights-of-ways.
- 4) Parcel subject to easements, restrictions, reservations, and rights-of-ways of record.
- 5) Abstract not reviewed.
- 6) Access to and/or egress to survey maps or reports by other than the signing party or parties is prohibited without the written consent of the signing party or parties.
- 7) The survey depicted hereon is not valid without the signature and original raised seal of a Florida Licensed surveyor and tapper.
- 8) Well locations, when shown, are approximate and based on field observed surface evidence, unless otherwise noted.
- 9) Septic and/or drain field locations, when shown, are approximate and based on surface evidence, subsurface probes, or a combination thereof.
- 10) Underground utilities, structures and/or improvements other than those shown, if any, were not located.
- 11) The survey depicted hereon may not be communicated or relied on by any party to which it has not been certified without the prior written consent of the signing party.

- WATER METER
- STORM DRAIN
- UTILITY BOX/RISER
- LIGHT POLE
- POWER POLE
- FIRE HYDRANT
- WATER VALVE
- FENCE LINE

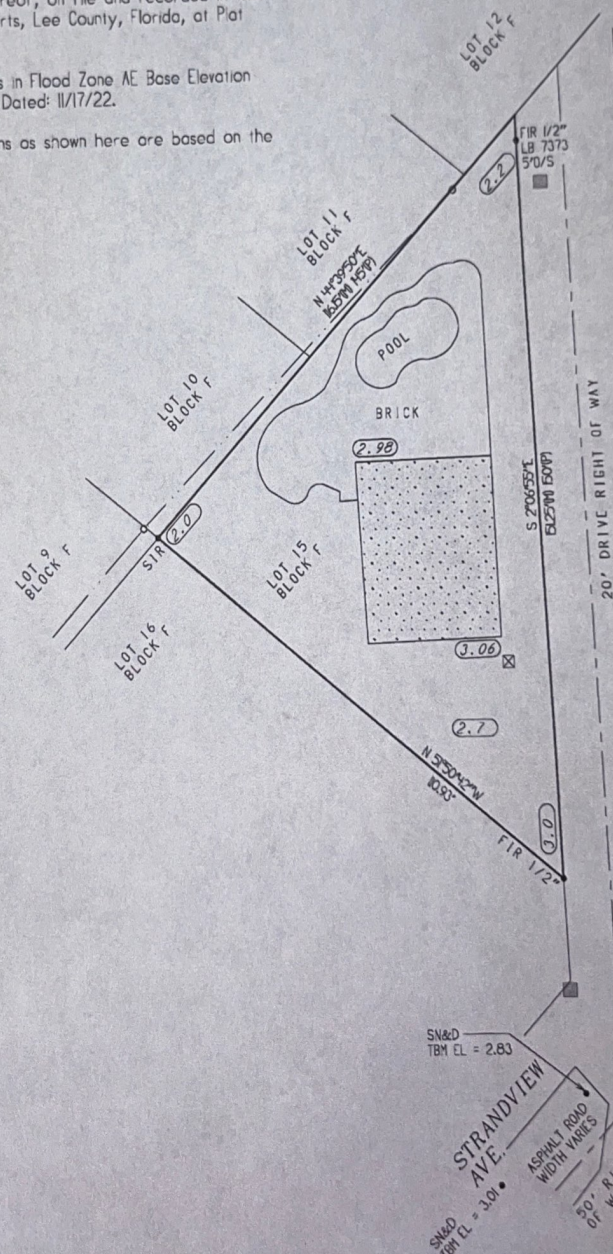
 = CONCRETE
 = OVERHEAD LINE
 = ELEVATION

EXHIBIT 6-2

1	LOCATION
2	FOUND CONCRETE MONUMENT
3	FOUND CONCRETE MONUMENT
4	FOUND CONCRETE MONUMENT
5	FOUND IRON PIPE
6	FOUND IRON PIPE
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100	FOUND IRON PIPE

Boundary Survey
W.O.# 16-2559
Date: 24 AUG 2016
DRAWN BY: DMK

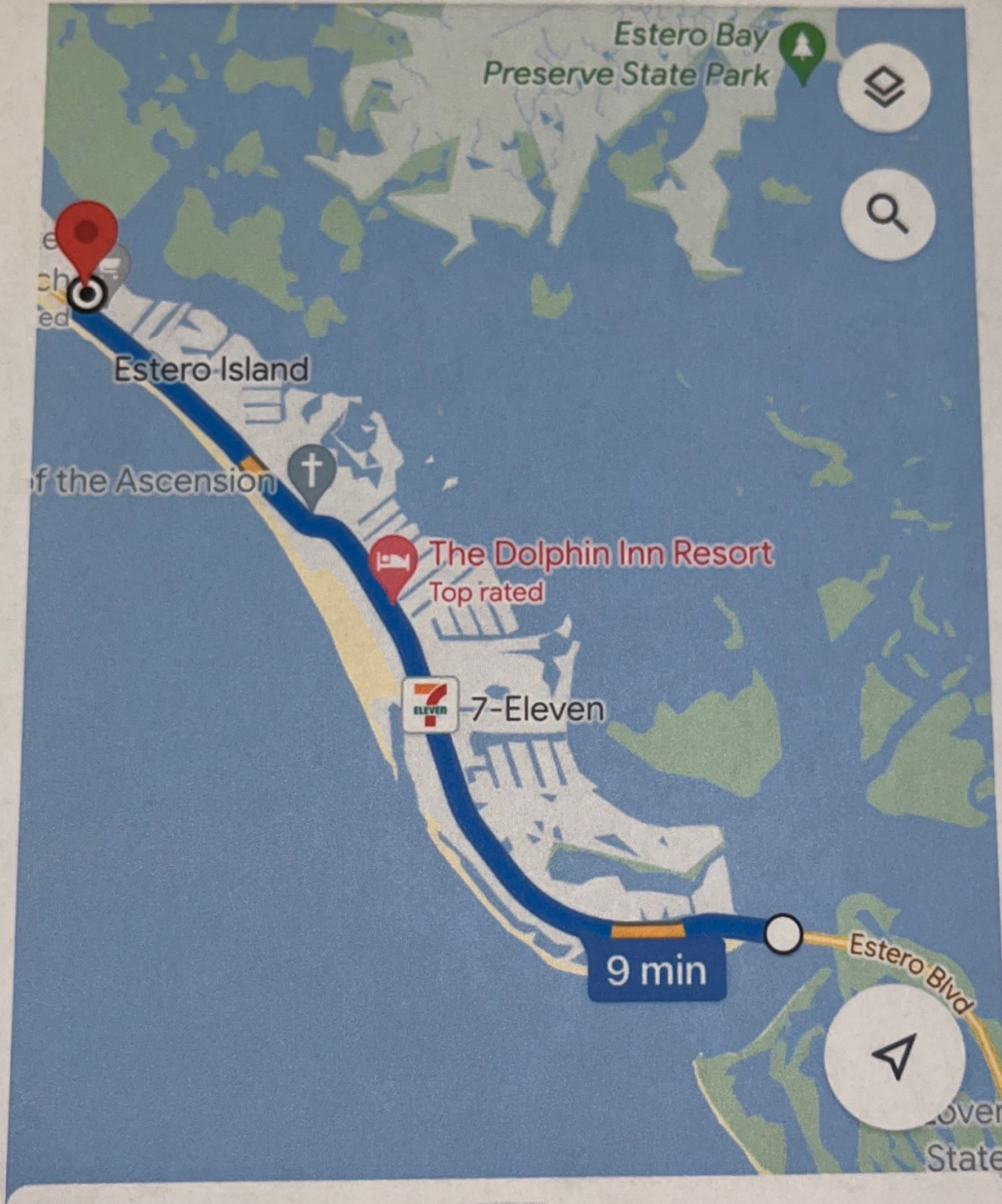
Elevation Information: The Elevations as shown here are based on the NAVD 88 Datum.



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Big Carlos Pass Bridge, County R...
125 Strandview Ave, Fort Myers B...

9 min — 1 hr 14 18 min



9 min (3.8 mi)

Fastest route now due to traffic conditions

Steps

Preview >>

Traffic



Date of Report: January 30, 2023

Buffer Distance: feet

Parcels Affected: 280

Subject Parcel: 29-46-24-W3-0080F.0150

[Click here to download the map image, mailing labels \(Avery 5161\) and CSV formatted information.](#)

To change, add or remove subject parcels please change the parcel selection in [GeoView](#)

OWNER NAME AND ADDRESS	STRAP AND LOCATION	LEGAL DESCRIPTION	MAP INDEX
ST SNOOK BIGHT LLC 17330 PRESTON RD STE 220A DALLAS TX 75252	28-46-24-W4-00001.0030 4761/4765 ESTERO BLVD FORT MYERS BEACH FL 33931	PARL IN SW 1/4 DESC OR 3280 PG 2023	1
PUBLIX SUPER MARKETS INC EXPENSE PAYABLES LEASE TEAM PO BOX 32018 LAKELAND FL 33802	28-46-24-W4-00001.0040 4791 ESTERO BLVD FORT MYERS BEACH FL 33931	PAR IN SW 1/4 DESC OR 3181 PG 2220	2
OCEAN HARBOR YACHT CLUB INC 4753 ESTERO BLVD STE 100 FORT MYERS BEACH FL 33931	28-46-24-W4-00001.0060 4745 ESTERO BLVD FORT MYERS BEACH FL 33931	PARL LOC IN SW 1/4 OF SEC AS DESC IN OR 2297 PG 4720 + OR 2265 PG 538	3
OCEAN HARBOR CONDO OF CONTINENTAL GROUP 6300 PARK OF COMMERCE BLVD	28-46-24-W4-02600.00CE 4741 ESTERO BLVD FORT MYERS BEACH FL 33931	OCEAN HARBOR CONDO PH I + II DESC OR 2265 PG 0538 C/E POOL-TENNIS	4

BOCA RATON FL 33487			
HUTSON GEORGE ALLEN & 726 LEHIGH DR NEWPORT TN 37821	29-46-24-W3-0080B.0010 4359/4361 ESTERO BLVD FORT MYERS BEACH FL 33931	HYDE PARK BLK B PB 7 PG 20 LOTS 1 2 LESS BEG AT W COR	5
CARTEAUX JEFFREY F 9009 COLDWATER RD FORT WAYNE IN 46835	29-46-24-W3-0080B.0040 113 BAYVIEW AVE FORT MYERS BEACH FL 33931	HYDE PARK BLK B PB 7 PG 20 LOTS 4 + 5	6
OREILLY TERENCE 91 R ANAWAN AVE WEST ROXBURY MA 02132	29-46-24-W3-0080B.0060 123 BAYVIEW AVE FORT MYERS BEACH FL 33931	HYDE PARK BLK B PB 7 PG 20 LOTS 6 + 7.	7
NACARATO FRANCA & CARMELO 3220 PINE CONE CT MILFORD MI 48381	29-46-24-W3-0080B.0080 131 BAYVIEW AVE FORT MYERS BEACH FL 33931	HYDE PARK BLK B PB 7 PG 20 LOTS 8 + 9 LESS N 19 FT OF LOT 8	8
TIRENDI LEWIS & 627 GUILFORD RD CHERRY HILL NJ 08003	29-46-24-W3-0080B.0100 155 BAYVIEW AVE FORT MYERS BEACH FL 33931	HYDE PARK BLK B PB 7 PG 20 LOTS 10 + SWLY 1/2 LOT 11	9
CANEDY DENISE 165 BAYVIEW AVE FORT MYERS BEACH FL 33931	29-46-24-W3-0080B.0120 165 BAYVIEW AVE FORT MYERS BEACH FL 33931	HYDE PARK BLK.B PB 7 PG 20 LOT 12 + NELY 1/2 LT 11	10
PINTO ANTONIO C JR 175 BAYVIEW AVE FORT MYERS BEACH FL 33931	29-46-24-W3-0080B.0130 175 BAYVIEW AVE FORT MYERS BEACH FL 33931	HYDE PARK BLK.B PB 7 PG 20 LOT 13 + PT LOT 14	11
BROWN EDWIN L & JAMIE L 185 BAYVIEW AVE FORT MYERS BEACH FL 33931	29-46-24-W3-0080B.0150 185 BAYVIEW AVE FORT MYERS BEACH FL 33931	HYDE PARK BLK.B PB 7 PG 20 LOTS 15 + PT.LOT 14	12
SHELLY JOHN E JR & JEANETTE 76 HORSE SHOE DR MOSCOW PA 18444	29-46-24-W3-0080B.0160 191 BAYVIEW AVE FORT MYERS BEACH FL 33931	HYDE PARK BLK.B PB 7 PG 20 LOT 16	13
ALBERTA PROPERTIES LLC 6130 WIELIF ST NE N CANTON OH 44721	29-46-24-W3-0080C.0010 4451 ESTERO BLVD FORT MYERS BEACH FL 33931	HYDE PARK BLK C PB 7 PG 20 LOT 1 + PT 2	14
4431 ESTERO LLC ESTATE 17513 E PONDILLY DR PARKER CO 80134	29-46-24-W3-0080C.0030 4431/4433 ESTERO BLVD FORT MYERS BEACH FL 33931	HYDE PARK BLK C PB 7 PG 20 LOT 3 + WLY 35 FT LOT 2	15
ORTTEL STEVEN D PO BOX 2417 FORT MYERS BEACH FL 33932	29-46-24-W3-0080C.0040 4421 ESTERO BLVD FORT MYERS BEACH FL 33931	HYDE PARK BLK C PB 7 PG 20 LOT 4	16
MAIOLINI ROBERT P & IRENE W 4401 ESTERO BLVD FORT MYERS BEACH FL 33931	29-46-24-W3-0080C.0050 4401 ESTERO BLVD FORT MYERS BEACH FL 33931	HYDE PARK BLK C PB 7 PG 20 LOT 5	17
MARY D ELLIOTT TRUST + 110 BAYVIEW AVE FORT MYERS BEACH FL 33931	29-46-24-W3-0080C.0060 110 BAYVIEW AVE FORT MYERS BEACH FL 33931	HYDE PARK BLK C PG 7 PG 20 LOTS 6 + 7	18
BERNER JEROME H TR 1424 FOREST DR PORTAGE MI 49002	29-46-24-W3-0080C.0080 120 BAYVIEW AVE FORT MYERS BEACH FL 33931	HYDE PARK BLK.C PB 7 PG 20 LOT 8	19
OWEN JULIE H TR 1610 FOUR MILE RD RACINE WI 53402	29-46-24-W3-0080C.0090 128 BAYVIEW AVE FORT MYERS BEACH FL 33931	HYDE PARK BLK C PB 7 PG 20 LOT 9	20
BERRY JANIE G	29-46-24-W3-0080C.0100	HYDE PARK BLK C	21

134 BAYVIEW AVE FORT MYERS BEACH FL 33931	134 BAYVIEW AVE FORT MYERS BEACH FL 33931	PB 7 PG 20 LOT 10 + SWLY 1/2 OF LOT 11	
TIPPMANN RENTALS LLC 9937 SCHWARTZ RD FORT WAYNE IN 46835	29-46-24-W3-0080C.0120 170 BAYVIEW AVE FORT MYERS BEACH FL 33931	HYDE PARK BLK C PB 7 PG 20 LOT 12 + THE N E 1/2 OF 11 + SW 1/2 LT 13	22
MILLER ROBERT J & LYNNE A 1431 RUNABOUT DR OSAGE BEACH MO 65065	29-46-24-W3-0080C.0140 180 BAYVIEW AVE FORT MYERS BEACH FL 33931	HYDE PARK BLK C PB 7 PG 20 LOTS 14 + 15 + PT LOT 13	23
BATTAGLIA CHRISTOPHER KYLE TR 2911 E 20TH ST PITTSBURG KS 66762	29-46-24-W3-0080C.0160 184 BAYVIEW AVE FORT MYERS BEACH FL 33931	HYDE PARK BLK C PB 7 PG 20 LOT 16	24
THOMAS BETTY L TR 186 BAYVIEW AVE FORT MYERS BEACH FL 33931	29-46-24-W3-0080C.0170 186 BAYVIEW AVE FORT MYERS BEACH FL 33931	HYDE PARK BLK C PB 7 PG 20 LOT 17	25
DELORME ROBERT A & LINDA F TR 188 BAYVIEW AVE FORT MYERS BEACH FL 33931	29-46-24-W3-0080C.0180 188 BAYVIEW AVE FORT MYERS BEACH FL 33931	HYDE PARK BLK C PB 7 PG 20 LOT 18	26
SCHEEL IRENE + BEUSSWEG 10 LUNEBURG 21339 GERMANY	29-46-24-W3-0080C.0190 190 BAYVIEW AVE FORT MYERS BEACH FL 33931	HYDE PARK BLK C PB 7 PG 20 LOTS 19 + 20	27
BURKE E MANLEY TRUST + 4509 YENDER AVE LISLE IL 60532	29-46-24-W3-0080C.0210 135 GULFVIEW AVE FORT MYERS BEACH FL 33931	HYDE PARK BLK C PB 7 PG 20 LOT 21	28
MYERS INGRIDA I 109-65 SHELDRAKE BLVD TORONTO ON M4P 2B1 CANADA	29-46-24-W3-0080C.0220 125 GULFVIEW AVE FORT MYERS BEACH FL 33931	HYDE PARK BLK C PB 7 PG 20 LOT 22	29
FEICK JAMES A & TERESA A PO BOX 2488 MUNCIE IN 47307	29-46-24-W3-0080C.0230 123 GULFVIEW AVE FORT MYERS BEACH FL 33931	HYDE PARK BLK C PB 7 PG 20 LOT 23	30
ANTONACCI STEVEN & JERILYN 121 GULFVIEW AVE FORT MYERS BEACH FL 33931	29-46-24-W3-0080C.0240 121 GULFVIEW AVE FORT MYERS BEACH FL 33931	HYDE PARK BLK C PB 7 PG 20 LOT 24	31
MOORE PAMELA A 12082 MOON SHELL DR MATLACHA ISLE FL 33991	29-46-24-W3-0080C.0250 119 GULFVIEW AVE FORT MYERS BEACH FL 33931	HYDE PARK BLK C PB 7 PG 20 LOT 25	32
ODONALD A J & 95 MULCAHY DR WEST SPRINGFIELD MA 01089	29-46-24-W3-0080C.0260 117 GULFVIEW AVE FORT MYERS BEACH FL 33931	HYDE PARK BLK C PB 7 PG 20 LOT 26	33
WIDNER MEAGAN A + 115 GULFVIEW AVE FORT MYERS BEACH FL 33931	29-46-24-W3-0080C.0270 115 GULFVIEW AVE FORT MYERS BEACH FL 33931	HYDE PARK BLK C PB 7 PG 20 LOT 27	34
CASADISERA LLC 16030 NW 83RD AVE MIAMI LAKES FL 33016	29-46-24-W3-0080C.0280 113 GULFVIEW AVE FORT MYERS BEACH FL 33931	HYDE PARK BLK C PB 7 PG 20 LOT 28	35
DELGADO BROOK A 1237 DARTMOUTH DR WAUNAKEE WI 53597	29-46-24-W3-0080C.0290 111 GULFVIEW AVE FORT MYERS BEACH FL 33931	HYDE PARK BLK.C PB 7 PG 20 LOT 29	36
NKWFL LLC	29-46-24-W3-0080C.0300	HYDE PARK	37

PO BOX 21861 OKLAHOMA CITY OK 73156	109 GULFVIEW AVE FORT MYERS BEACH FL 33931	BLK.C PB 7 PG 20 LOT 30	
NEWELL WARREN L & 134 PULASKI RD CALUMET CITY IL 60409	29-46-24-W3-0080C.0310 107 GULFVIEW AVE FORT MYERS BEACH FL 33931	HYDE PARK BLK C PB 7 PG 20 LOT 31	38
BOCKER JEFFREY G & 16952 W STATE ROUTE 72 SHANNON IL 61078	29-46-24-W3-0080E.0050 100 GULFVIEW AVE FORT MYERS BEACH FL 33931	HYDE PARK BLK E PB 7 PG 20 LT 5 LES N 20FT + W1/2 LT 4 LES N 20 FT	39
DOCBONE PROPERTIES 4502 LLC 15941 NELSONS CT FORT MYERS FL 33908	29-46-24-W3-0080E.0060 4502 ESTERO BLVD FORT MYERS BEACH FL 33931	N 20 FT OF LT 5 + W 72 FT LT 6 + N 20 FT OF W 1/2 LT 4	40
FUNK MICHAEL T & 1214 SUMMIT AVENUE LOUISVILLE KY 40204	29-46-24-W3-0080F.0010 4545 ESTERO BLVD FORT MYERS BEACH FL 33931	HYDE PARK BLK F PB 7 PG 20 LOT 1 LESS BEG SE	41
COOPER & COMPANY LLC PO BOX 501 HOWELL MI 48844	29-46-24-W3-0080F.0020 4543 ESTERO BLVD FORT MYERS BEACH FL 33931	HYDE PARK BLK F PB 7 PG 20 LOT 2 LESS BEG SE	42
HUTSON GEORGE ALLEN & 726 E LEHIGH DR NEWPORT TN 37821	29-46-24-W3-0080F.0030 4541 ESTERO BLVD FORT MYERS BEACH FL 33931	HYDE PARK BLK F PB 7 PG 20 LOT 3 LESS BEG SE	43
OCEANIC BLUE RETREATS LLC 3431 PINE RIDGE RD STE 101 NAPLES FL 34109	29-46-24-W3-0080F.0040 4501 ESTERO BLVD FORT MYERS BEACH FL 33931	HYDE PARK BLK F PB 7 PG 20 LOTS 4 + 5	44
JP ADVANTA INVESTMENTS LLC 5780 SPANISH OAKS LN NAPLES FL 34119	29-46-24-W3-0080F.0060 114 GULFVIEW AVE FORT MYERS BEACH FL 33931	HYDE PARK BLK F PB 7 PG 20 LOTS 6 + 7	45
LOUDERMILK JAMES D & 15788 SILVERADO CT FORT MYERS FL 33908	29-46-24-W3-0080F.0080 116 GULFVIEW AVE FORT MYERS BEACH FL 33931	HYDE PARK BLK F PB 7 PG 20 LOT 8	46
BOURASSA OLGA K TR 247 MIRAMAR ST FORT MYERS BEACH FL 33931	29-46-24-W3-0080F.0090 118 GULFVIEW AVE FORT MYERS BEACH FL 33931	HYDE PARK BLK F PB 7 PG 20 LOT 9	47
KIBLER RYAN A 6301 BALLENTINE PIKE SPRINGFIELD OH 45502	29-46-24-W3-0080F.0100 120 GULFVIEW AVE FORT MYERS BEACH FL 33931	HYDE PARK BLK F PB 7 PG 20 LOT 10	48
SCHEFFLER WILLIAM & JOANN 122 GULFVIEW AVE FORT MYERS BEACH FL 33931	29-46-24-W3-0080F.0110 122 GULFVIEW AVE FORT MYERS BEACH FL 33931	HYDE PARK BLK F PB 7 PG 20 LOT 11	49
GARY CURT BIEDEMKAPP TRUST + 695 SHORE RD SEVERNA PARK MD 21146	29-46-24-W3-0080F.0120 126 GULFVIEW AVE FORT MYERS BEACH FL 33931	HYDE PARK BLK F PB 7 PG 20 LOT 12	50
SEEGER ANTHONY & JUDY L TR 128 GULFVIEW AVE FORT MYERS BEACH FL 33931	29-46-24-W3-0080F.0130 128 GULFVIEW AVE FORT MYERS BEACH FL 33931	HYDE PARK BLK F PB 7 PG 20 LOTS 13 + 14.	51
ANDERSON CAROL A + 4202 PRAIRIEWEST DR CHAMPAIGN IL 61822	29-46-24-W3-0080F.0160 121 STRANDVIEW AVE FORT MYERS BEACH FL 33931	HYDE PARK BLK F PB 7 PG 20 LOTS 16 + 17	52
FUNK MICHAEL T + 1214 SUMMIT AVE LOUISVILLE KY 40204	29-46-24-W3-0080F.0180 115 STRANDVIEW AVE FORT MYERS BEACH FL 33931	HYDE PARK BLK F PB 7 PG 20 LOTS 18 + 19 + BEG SE COR	53

4601 ESTERO BLVD LLC 3864 SILVER CREEK CT NAPERVILLE IL 60564	29-46-24-W3-0080G.0050 4601 ESTERO BLVD FORT MYERS BEACH FL 33931	HYDE PARK BLK G PB 7 PG 20 LOT 5	54
DIGENIS HELEN L 3908 ZARING MILL CT LOUISVILLE KY 40241	29-46-24-W3-0080G.0060 112 STRANDVIEW AVE FORT MYERS BEACH FL 33931	HYDE PARK BLK G PB 7 PG 20 LOT 6 + SWLY 5 FT OF LOT 7	55
LONG STEVEN & MARCIA 6171 S VICKERYVILLE RD SHERIDAN MI 48884	29-46-24-W3-0080G.0070 128 STRANDVIEW AVE FORT MYERS BEACH FL 33931	HYDE PARK BLK G PB 7 PG 20 LOT 7 LESS SWLY 5 FT	56
TOWN OF FORT MYERS BEACH FINANCE DEPT 2525 ESTERO BLVD FORT MYERS BEACH FL 33931	29-46-24-W3-0080H.0010 4650 ESTERO BLVD FORT MYERS BEACH FL 33931	HYDE PARK BLK H PB 7 PG 20 LOTS 1 THRU 6	57
METCALFE NICK & CLAUDIA SAARBURGSTR 2 GRAEFELFING 82166 GERMANY	29-46-24-W3-008J0.0030 4690/4700 ESTERO BLVD FORT MYERS BEACH FL 33931	HYDE PARK BLK J PB 7 PG 20 LOTS 3 4 + 6	58
STRANDVIEW TOWER CONDO SENTRY MGMT INC 2180 W STATE ROAD 434 STE 5000 LONGWOOD FL 32779	29-46-24-W3-02100.00CE 4562 ESTERO BLVD FORT MYERS BEACH FL 33931	STRANDVIEW TOWER CONDO COMMON AREA RECORDED OR 1171 PG 211	59
VILLA DEL MAR CONDO BOBACK COMMERCIAL GROUP STE 203 10491 SIX MILE CYPRESS PKWY FORT MYERS FL 33966	29-46-24-W3-02200.00CE 4452 ESTERO BLVD FORT MYERS BEACH FL 33931	VILLA DEL MAR CONDO COMMON AREA OR 1237 PG 1279 + OR 2922 PG 2420	60
CASCADES CONDO ASSN 4400 ESTERO BLVD FORT MYERS BEACH FL 33931	29-46-24-W3-02300.00CE 4402 ESTERO BLVD FORT MYERS BEACH FL 33931	CASCADES CONDO DESC OR BK 1485 PG 228 CE:POOL	61
WHITE CAP CONDOMINIUM ASSN INC 12230 CHATEAU CT FISHERS IN 46037	29-46-24-W3-03000.00CE WHITE CAP CONDOMINIUM C/E FORT MYERS BEACH FL 33931	WHITE CAP CONDOMINIUM DESC IN INST#2007-216342 COMMON ELEMENT	62
RUSS GERADETTE TR 16151 S RANKIN DR LOCKPORT IL 60441	28-46-24-W4-0260A.0101 4745 ESTERO BLVD #101 FORT MYERS BEACH FL 33931	OCEAN HARBOR OR 2265 PG 0538 BLDG A UNIT 101	63
SPENCER THOMAS R & 28241 ISLET TRAIL BONITA SPRINGS FL 34135	28-46-24-W4-0260A.0102 4745 ESTERO BLVD #102 FORT MYERS BEACH FL 33931	OCEAN HARBOR OR 2265 PG 0538 BLDG A UNIT 102	63
LEATHERMAN JERRY M TR 21863 E HERITAGE PKWY AURORA CO 80016	28-46-24-W4-0260A.0103 4745 ESTERO BLVD #103 FORT MYERS BEACH FL 33931	OCEAN HARBOR OR 2265 PG 0538 BLDG A UNIT 103	63
COPPOLA RON & KARIN 4350 WATERFORD LANDING DR LUTZ FL 33558	28-46-24-W4-0260A.0104 4745 ESTERO BLVD #104 FORT MYERS BEACH FL 33931	OCEAN HARBOR OR 2265 PG 0538 BLDG A UNIT 104	63
LEITCH FRANK M & ANN M L/E 3172 WOODLAND CT N N TONAWANDA NY 14120	28-46-24-W4-0260A.0105 4745 ESTERO BLVD #105 FORT MYERS BEACH FL 33931	OCEAN HARBOR OR 2265 PG 0538 BLDG A UNIT 105	63
SILVER KENNETH + 4745 ESTERO BLVD #201 FORT MYERS BEACH FL 33931	28-46-24-W4-0260A.0201 4745 ESTERO BLVD #201 FORT MYERS BEACH FL 33931	OCEAN HARBOR OR 2265 PG 0538 BLDG A UNIT 201	63

MAHONEY TIMOTHY J & 600 ROOKERY LN JOLIET IL 60431	28-46-24-W4-0260A.0202 4745 ESTERO BLVD #202 FORT MYERS BEACH FL 33931	OCEAN HARBOR OR 2265 PG 0538 BLDG A UNIT 202	63
MACAU CAROLINE M PO BOX 787 GRANGER IN 46530	28-46-24-W4-0260A.0203 4745 ESTERO BLVD #203 FORT MYERS BEACH FL 33931	OCEAN HARBOR OR 2265 PG 0538 BLDG A UNIT 203	63
LAPINSKY ANDREA JO & 4745 ESTERO BLVD #204 FORT MYERS BEACH FL 33931	28-46-24-W4-0260A.0204 4745 ESTERO BLVD #204 FORT MYERS BEACH FL 33931	OCEAN HARBOR OR 2265 PG 0538 BLDG A UNIT 204	63
ISLAND VIEW FLORIDA LLC N93W25255 BITTERSWEET DR SUSSEX WI 53089	28-46-24-W4-0260A.0205 4745 ESTERO BLVD #205 FORT MYERS BEACH FL 33931	OCEAN HARBOR OR 2265 PG 0538 BLDG A UNIT 205	63
HENNIG WILLIAM R JR & 4745 ESTERO BLVD # 301 FORT MYERS BEACH FL 33931	28-46-24-W4-0260A.0301 4745 ESTERO BLVD #301 FORT MYERS BEACH FL 33931	OCEAN HARBOR OR 2265 PG 0538 BLDG A UNIT 301	63
PERETTO MICHAEL & BRENDA 4745 ESTERO BLVD #302 FORT MYERS BEACH FL 33931	28-46-24-W4-0260A.0302 4745 ESTERO BLVD #302 FORT MYERS BEACH FL 33931	OCEAN HARBOR OR 2265 PG 0538 BLDG A UNIT 302	63
SADLER ROBERT M & DOROTHY J 4745 ESTERO BLVD # 303 FORT MYERS BEACH FL 33931	28-46-24-W4-0260A.0303 4745 ESTERO BLVD #303 FORT MYERS BEACH FL 33931	OCEAN HARBOR OR 2265 PG 0538 BLDG A UNIT 303	63
CHRISTIE KENNETH A & 5609 E SOUTHEASTERN AVE INDIANAPOLIS IN 46203	28-46-24-W4-0260A.0304 4745 ESTERO BLVD #304 FORT MYERS BEACH FL 33931	OCEAN HARBOR OR 2265 PG 0538 BLDG A UNIT 304	63
MILLER MYRA L/E 4745 ESTERO BLVD #305 FORT MYERS BEACH FL 33931	28-46-24-W4-0260A.0305 4745 ESTERO BLVD #305 FORT MYERS BEACH FL 33931	OCEAN HARBOR OR 2265 PG 0538 BLDG A UNIT 305	63
TRELEASE DAVID J & 4745 ESTERO BLVD #401 FORT MYERS BEACH FL 33931	28-46-24-W4-0260A.0401 4745 ESTERO BLVD #401 FORT MYERS BEACH FL 33931	OCEAN HARBOR OR 2265 PG 0538 BLDG A UNIT 401	63
DIGENIS GEORGE A & HELEN A 3908 ZARING MILL CT LOUISVILLE KY 40241	28-46-24-W4-0260A.0402 4745 ESTERO BLVD #402 FORT MYERS BEACH FL 33931	OCEAN HARBOR OR 2265 PG 0538 BLDG A UNIT 402	63
NELSON LEONARD W JR & 124 W 5TH ST OSWEGO NY 13126	28-46-24-W4-0260A.0403 4745 ESTERO BLVD #403 FORT MYERS BEACH FL 33931	OCEAN HARBOR OR 2265 PG 0538 BLDG A UNIT 403	63
MEEHAN GREGORY JOHN & 4745 ESTERO BLVD UNIT 404 FORT MYERS BEACH FL 33931	28-46-24-W4-0260A.0404 4745 ESTERO BLVD #404 FORT MYERS BEACH FL 33931	OCEAN HARBOR OR 2265 PG 0538 BLDG A UNIT 404	63
FUHR MARK & JANE 4745 ESTERO BLVD #405 FORT MYERS BEACH FL 33931	28-46-24-W4-0260A.0405 4745 ESTERO BLVD #405 FORT MYERS BEACH FL 33931	OCEAN HARBOR OR 2265 PG 0538 BLDG A UNIT 405/CCPT #48	63
SLOMER PAUL JR & NICOLE J 7034 FORREST TRAIL BUTLER PA 16002	28-46-24-W4-0260A.0501 4745 ESTERO BLVD #501 FORT MYERS BEACH FL 33931	OCEAN HARBOR OR 2265 PG 0538 BLDG A UNIT 501	63
BONITO RAYMOND J & BETTY J 4745 ESTERO BLVD #502 FORT MYERS BEACH FL 33931	28-46-24-W4-0260A.0502 4745 ESTERO BLVD #502 FORT MYERS BEACH FL 33931	OCEAN HARBOR OR 2265 PG 0538 BLDG A UNIT 502/CCPT #41	63
JANIS L BOERMAN TRUST + 613 BERKSHIRE CT DOWNERS GROVE IL 60516	28-46-24-W4-0260A.0503 4745 ESTERO BLVD #503 FORT MYERS BEACH FL 33931	OCEAN HARBOR OR 2265 PG 0538 BLDG A UNIT 503/CCPT #45	63

FOGELSON BEVERLY KAY TR 4745 ESTERO BLVD #504 FORT MYERS BEACH FL 33931	28-46-24-W4-0260A.0504 4745 ESTERO BLVD #504 FORT MYERS BEACH FL 33931	OCEAN HARBOR OR 2265 PG 0538 BLDG A UNIT 504	63
DELISLE JEFFREY T & 1615 CHATHAM AVE ARDEN HILLS MN 55112	28-46-24-W4-0260A.0505 4745 ESTERO BLVD #505 FORT MYERS BEACH FL 33931	OCEAN HARBOR OR 2265 PG 0538 BLDG A UNIT 505	63
SPECTRUM JANITORIAL PO BOX 336 INDIANAPOLIS IN 46206	28-46-24-W4-0260A.0601 4745 ESTERO BLVD #601 FORT MYERS BEACH FL 33931	OCEAN HARBOR OR 2265 PG 0538 BLDG A UNIT 601	63
BANDY LYNN L & ANNE MARIE 4745 ESTERO BLVD # 602 FORT MYERS BEACH FL 33931	28-46-24-W4-0260A.0602 4745 ESTERO BLVD #602 FORT MYERS BEACH FL 33931	OCEAN HARBOR OR 2265 PG 0538 BLDG A UNIT 602	63
ABBS SCOTT E & KATHY L 713 E NORTHSHORE DR SYRACUSE IN 46567	28-46-24-W4-0260A.0603 4745 ESTERO BLVD #603 FORT MYERS BEACH FL 33931	OCEAN HARBOR OR 2265 PG 0538 BLDG A UNIT 603	63
RAHM DONALD C TR 4745 ESTERO BLVD #604 FORT MYERS BEACH FL 33931	28-46-24-W4-0260A.0604 4745 ESTERO BLVD #604 FORT MYERS BEACH FL 33931	OCEAN HARBOR OR 2265 PG 0538 BLDG A UNIT 604/CCPT #40	63
HEENEY PATRICK R & LYNN A 448 MATSON RD LIGONIER PA 15658	28-46-24-W4-0260A.0605 4745 ESTERO BLVD #605 FORT MYERS BEACH FL 33931	OCEAN HARBOR OR 2265 PG 0538 BLDG A UNIT 605	63
WELLS THOMAS C & JANICE B 4745 ESTERO BLVD #701 FORT MYERS BEACH FL 33931	28-46-24-W4-0260A.0701 4745 ESTERO BLVD #701 FORT MYERS BEACH FL 33931	OCEAN HARBOR OR 2265 PG 0538 BLDG A UNIT 701 + GAR	63
MANZKE MICHAEL S & WENDY L TR N29 W26611 PETERSON DR PEWAUKEE WI 53072	28-46-24-W4-0260A.0702 4745 ESTERO BLVD #702 FORT MYERS BEACH FL 33931	OCEAN HARBOR OR 2265 PG 0538 BLDG A UNIT 702/CCPT #43	63
BROWN JOSEPH SCOTT + LELA M 12524 RIVENDELL RD KNOXVILLE TN 37922	28-46-24-W4-0260A.0703 4745 ESTERO BLVD #703 FORT MYERS BEACH FL 33931	OCEAN HARBOR OR 2265 PG 0538 BLDG A UNIT 703/CCPT #29	63
JACKSON JAY R & PATRICIA S 2827 WOODHOLLOW TRL FORT WAYNE IN 46825	28-46-24-W4-0260A.0704 4745 ESTERO BLVD #704 FORT MYERS BEACH FL 33931	OCEAN HARBOR OR 2265 PG 0538 BLDG A UNIT 704	63
STILLWAGON DENNIS & 4745 ESTERO BLVD #705 FORT MYERS BEACH FL 33931	28-46-24-W4-0260A.0705 4745 ESTERO BLVD #705 FORT MYERS BEACH FL 33931	OCEAN HARBOR OR 2265 PG 0538 BLDG A UNIT 705	63
MESSINEO JAMES JOSEPH TR 1812 ALTA DR VOLO IL 60020	28-46-24-W4-0260A.0801 4745 ESTERO BLVD #801 FORT MYERS BEACH FL 33931	OCEAN HARBOR OR 2265 PG 0538 BLDG A UNIT 801	63
BAACK GERALD & REBECCA 3229 NORCREST AVENUE NORTH STILLWATER MN 55082	28-46-24-W4-0260A.0802 4745 ESTERO BLVD #802 FORT MYERS BEACH FL 33931	OCEAN HARBOR OR 2265 PG 0538 BLDG A UNIT 802	63
NORCIA GERARDO & JOSEPHINE 4745 ESTERO BLVD #803 FORT MYERS BEACH FL 33931	28-46-24-W4-0260A.0803 4745 ESTERO BLVD #803 FORT MYERS BEACH FL 33931	OCEAN HARBOR OR 2265 PG 0538 BLDG A UNIT 803	63
RYND DANNY JAMES & 9446 E SHORE DR PORTAGE MI 49002	28-46-24-W4-0260A.0804 4745 ESTERO BLVD #804 FORT MYERS BEACH FL 33931	OCEAN HARBOR OR 2265 PG 0538 BLDG A UNIT 804/CCPT #44	63
ROLLEY NANCY V 617 LAKE MUREX CIR	28-46-24-W4-0260A.0805 4745 ESTERO BLVD #805	OCEAN HARBOR OR 2265 PG 0538	63

SANIBEL FL 33957	FORT MYERS BEACH FL 33931	BLDG A UNIT 805	
HALLBERG JOSEPH W & 9 WHITE PINE RD NORTH OAKS MN 55127	28-46-24-W4-0260A.0901 4745 ESTERO BLVD #901 FORT MYERS BEACH FL 33931	OCEAN HARBOR OR 2265 PG 0538 BLDG A UNIT 901	63
CIOCCA CHRISTOPHER & 7801 YOUNG RD FORT WAYNE IN 46835	28-46-24-W4-0260A.0902 4745 ESTERO BLVD #902 FORT MYERS BEACH FL 33931	OCEAN HARBOR OR 2265 PG 0538 BLDG A UNIT 902	63
FLOR A DAVID TR 4745 ESTERO BLVD # 903 FORT MYERS BEACH FL 33931	28-46-24-W4-0260A.0903 4745 ESTERO BLVD #903 FORT MYERS BEACH FL 33931	OCEAN HARBOR OR 2265 PG 0538 BLDG A UNIT 903	63
HUEY SUSAN R TR 190 PEACHTREE LN WEST CHICAGO IL 60185	28-46-24-W4-0260A.0904 4745 ESTERO BLVD #904 FORT MYERS BEACH FL 33931	OCEAN HARBOR OR 2265 PG 0538 BLDG A UNIT 904	63
KRONENBERGER DALE L + DENISE M 4745 ESTERO BLVD #905 FORT MYERS BEACH FL 33931	28-46-24-W4-0260A.0905 4745 ESTERO BLVD #905 FORT MYERS BEACH FL 33931	OCEAN HARBOR OR 2265 PG 0538 BLDG A UNIT 905	63
CMIEL DAVID F & DIANE C L/E 12901 MCGREGOR BLVD STE 20-154 FORT MYERS FL 33919	28-46-24-W4-0260A.1001 4745 ESTERO BLVD #1001 FORT MYERS BEACH FL 33931	OCEAN HARBOR OR 2265 PG 0538 BLDG A UNIT 1001/CCPT #84	63
BRYAR LAURENCE J TR 4745 ESTERO BLVD #1002 FORT MYERS BEACH FL 33931	28-46-24-W4-0260A.1002 4745 ESTERO BLVD #1002 FORT MYERS BEACH FL 33931	OCEAN HARBOR OR 2265 PG 0538 BLDG A UNIT 1002	63
HAMILTON ALETA F TR 1504 STONY CREEK DR ROCHESTER MI 48307	28-46-24-W4-0260A.1003 4745 ESTERO BLVD #1003 FORT MYERS BEACH FL 33931	OCEAN HARBOR OR 2265 PG 0538 BLDG A UNIT 1003	63
SORICE MICHAEL T & SYLVIA E 36 SECATOGUE LN E WEST ISLIP NY 11795	28-46-24-W4-0260A.1004 4745 ESTERO BLVD #1004 FORT MYERS BEACH FL 33931	OCEAN HARBOR OR 2265 PG 0538 BLDG A UNIT 1004	63
APRUZZESE MARIO D & 2248 SOUTH SHORE CT ROCHESTER HILLS MI 48307	28-46-24-W4-0260A.1005 4745 ESTERO BLVD #1005 FORT MYERS BEACH FL 33931	OCEAN HARBOR OR 2265 PG 0538 BLDG A UNIT 1005	63
FUHR MICHAEL A 1525 14TH AVE NW SAINT PAUL MN 55112	28-46-24-W4-0260A.1101 4745 ESTERO BLVD #1101 FORT MYERS BEACH FL 33931	OCEAN HARBOR OR 2265 PG 0538 BLDG A UNIT 1101	63
HARDER CYNTHIA A TR 4745 ESTERO BLVD #1102 FORT MYERS BEACH FL 33931	28-46-24-W4-0260A.1102 4745 ESTERO BLVD #1102 FORT MYERS BEACH FL 33931	OCEAN HARBOR OR 2265 PG 0538 BLDG A UNIT 1102	63
CAPUA RONALD TR 4745 ESTERO BLVD #1103 FORT MYERS BEACH FL 33931	28-46-24-W4-0260A.1103 4745 ESTERO BLVD #1103 FORT MYERS BEACH FL 33931	OCEAN HARBOR OR 2265 PG 0538 BLDG A UNIT 1103	63
ARNTSEN SHARON M & GENE R TR 4745 ESTERO BLVD #1104 FORT MYERS BEACH FL 33931	28-46-24-W4-0260A.1104 4745 ESTERO BLVD #1104 FORT MYERS BEACH FL 33931	OCEAN HARBOR OR 2265 PG 0538 BLDG A UNIT 1104	63
ALLSHOUSE BRUCE A & 4745 ESTERO BLVD # 1105 FORT MYERS BEACH FL 33931	28-46-24-W4-0260A.1105 4745 ESTERO BLVD #1105 FORT MYERS BEACH FL 33931	OCEAN HARBOR OR 2265 PG 0538 BLDG A UNIT 1105/CCPT #76	63
LEWIS DAVID C + 4745 ESTERO BLVD #1201 FORT MYERS BEACH FL 33931	28-46-24-W4-0260A.1201 4745 ESTERO BLVD #1201 FORT MYERS BEACH FL 33931	OCEAN HARBOR OR 2265 PG 0538 BLDG A UNIT 1201	63

DAVIS MARK E & MARY A PO BOX 558 SAINT PETER MN 56082	28-46-24-W4-0260A.1202 4745 ESTERO BLVD #1202 FORT MYERS BEACH FL 33931	OCEAN HARBOR OR 2265 PG 0538 BLDG A UNIT 1202 + CCPT#42	63
ROMANSKI ROGER TR 512 BRENTWOOD WISCONSIN RAPIDS WI 54494	28-46-24-W4-0260A.1203 4745 ESTERO BLVD #1203 FORT MYERS BEACH FL 33931	OCEAN HARBOR OR 2265 PG 0538 BLDG A UNIT 1203	63
PARKER ROBERT M TR 1102 DAVIDSON WALK SPRING HILL TN 37174	28-46-24-W4-0260A.1204 4745 ESTERO BLVD #1204 FORT MYERS BEACH FL 33931	OCEAN HARBOR OR 2265 PG 0538 BLDG A UNIT 1204/CCPT #38	63
PROPERTIES OF FLORIDA INC 2281 SANDLEWOOD WAY SHELBY TOWNSHIP MI 48316	28-46-24-W4-0260A.1205 4745 ESTERO BLVD #1205 FORT MYERS BEACH FL 33931	OCEAN HARBOR OR 2265 PG 0538 BLDG A UNIT 1205	63
ROSITZKE MARILYN J TR 4745 ESTERO BLVD APT 1401 FORT MYERS BEACH FL 33931	28-46-24-W4-0260A.1401 4745 ESTERO BLVD #1401 FORT MYERS BEACH FL 33931	OCEAN HARBOR OR 2265 PG 0538 BLDG A UNIT 1401/CCPT #74	63
HALL BRINLEY M & ANN E 4745 ESTERO BLVD #1402 FORT MYERS BEACH FL 33931	28-46-24-W4-0260A.1402 4745 ESTERO BLVD #1402 FORT MYERS BEACH FL 33931	OCEAN HARBOR OR 2265 PG 0538 BLDG A UNIT 1402	63
VAN ERT WAYNE R TR 4745 ESTERO BLVD #1403 FORT MYERS BEACH FL 33931	28-46-24-W4-0260A.1403 4745 ESTERO BLVD #1403 FORT MYERS BEACH FL 33931	OCEAN HARBOR OR 2265 PG 0538 BLDG A UNIT 1403	63
MORGAN RONALD A TR 4753 ESTERO BLVD # 903 FORT MYERS BEACH FL 33931	28-46-24-W4-0260A.1404 4745 ESTERO BLVD #1404 FORT MYERS BEACH FL 33931	OCEAN HARBOR OR 2265 PG 0538 BLDG A UNIT 1404	63
WILLIAMS CHARLES A & 3015 WOOD DUCK LN SE ADA MI 49301	28-46-24-W4-0260A.1405 4745 ESTERO BLVD #1405 FORT MYERS BEACH FL 33931	OCEAN HARBOR OR 2265 PG 0538 BLDG A UNIT 1405	63
LOOMIS CLIFFORD R TR 1840 CANDLEWOOD LN RICHFIELD WI 53076	28-46-24-W4-0260A.1501 4745 ESTERO BLVD #1501 FORT MYERS BEACH FL 33931	OCEAN HARBOR OR 2265 PG 0538 BLDG A UNIT 1501	63
LOOMIS CLIFFORD R + LINDA TR 1840 CANDLEWOOD LN RICHFIELD WI 53076	28-46-24-W4-0260A.1502 4745 ESTERO BLVD #1502 FORT MYERS BEACH FL 33931	OCEAN HARBOR OR 2265 PG 0538 BLDG A UNIT 1502	63
HMURA MICHAEL F TR 4745 ESTERO BLVD #1503 FORT MYERS BEACH FL 33931	28-46-24-W4-0260A.1503 4745 ESTERO BLVD #1503 FORT MYERS BEACH FL 33931	OCEAN HARBOR OR 2265 PG 0538 BLDG A UNIT 1503	63
COYLE MARIANNE TR 4745 ESTERO BLVD # 1504A FORT MYERS BEACH FL 33931	28-46-24-W4-0260A.1504 4745 ESTERO BLVD #1504 FORT MYERS BEACH FL 33931	OCEAN HARBOR OR 2265 PG 0538 BLDG A UNIT 1504	63
CARLING-KELLY TERRY 4745 ESTERO BLVD #1505 FORT MYERS BEACH FL 33931	28-46-24-W4-0260A.1505 4745 ESTERO BLVD #1505 FORT MYERS BEACH FL 33931	OCEAN HARBOR OR 2265 PG 0538 BLDG A UNIT 1505	63
HUCK JOSEPH A & DONNA F 10890 FLORIDA RD FORTVILLE IN 46040	28-46-24-W4-0260A.1601 4745 ESTERO BLVD #1601 FORT MYERS BEACH FL 33931	OCEAN HARBOR OR 2265 PG 0538 BLDG A UNIT 1601/GAR #99	63
BIDLEMAN GEORGE DONALD JR 1405 S MAIN ST MEDINA NY 14103	28-46-24-W4-0260A.1602 4745 ESTERO BLVD #1602 FORT MYERS BEACH FL 33931	OCEAN HARBOR OR 2265 PG 0538 BLDG A UNIT 1602	63
PAT TIPPMANN PROPERTIES LLC 9009 COLDWATER RD FORT WAYNE IN 46825	28-46-24-W4-0260A.1603 4745 ESTERO BLVD #1603 FORT MYERS BEACH FL 33931	OCEAN HARBOR OR 2265 PG 0538 BLDG A UNIT 1603/GAR #102	63

ATHANASIOU DEMITRIOS E & 17993 MISSION POINTE NORTHVILLE MI 48168	28-46-24-W4-0260A.1604 4745 ESTERO BLVD #1604 FORT MYERS BEACH FL 33931	OCEAN HARBOR OR 2265 PG 0538 BLDG A UNIT 1604	63
STEIN NANCY G + 7550 WHISPERING FARM TRAIL CLEVES OH 45002	28-46-24-W4-0260A.1605 4745 ESTERO BLVD #1605 FORT MYERS BEACH FL 33931	OCEAN HARBOR OR 2265 PG 0538 BLDG A UNIT 1605/GAR #112	63
HAUKEBO ELIZABETH & JEFFREY 29111 JOLIET DR PARK RAPIDS MN 56470	28-46-24-W4-0260B.0101 4753 ESTERO BLVD #101 FORT MYERS BEACH FL 33931	OCEAN HARBOR PH II OR 2265 PG 0538 BLDG B UNIT 101/CCPT #129	64
CUTLER HELEN 43 ALEXIS RD THORNHILL ON L3T 6Z9 CANADA	28-46-24-W4-0260B.0102 4753 ESTERO BLVD #102 FORT MYERS BEACH FL 33931	OCEAN HARBOR PH II OR 2265 PG 0538 BLDG B UNIT 102/CCPT #130	64
GEROGE JOHN & GEORGE SANDRA L/ 1132 E ROBINSON ST NORTH TONAWANDA NY 14120	28-46-24-W4-0260B.0103 4753 ESTERO BLVD #103 FORT MYERS BEACH FL 33931	OCEAN HARBOR PH II OR 2265 PG 0538 BLDG B UNIT 103	64
KESSLER GEORGE & MARY KAY 283 S SUNSET DR MINA SD 57451	28-46-24-W4-0260B.0104 4753 ESTERO BLVD #104 FORT MYERS BEACH FL 33931	OCEAN HARBOR PH II OR 2265 PG 0538 BLDG B UNIT 104	64
MEFFE DOMENIC A 6 THORNCREST RD TORONTO ON M9A 1R9 CANADA	28-46-24-W4-0260B.0105 4753 ESTERO BLVD #105 FORT MYERS BEACH FL 33931	OCEAN HARBOR PH II OR 2265 PG 0538 BLDG B UNIT 105/CCPT #133	64
BRAND JEFFREY & IDELLE 330 3RD AVE # 3C NEW YORK NY 10010	28-46-24-W4-0260B.0201 4753 ESTERO BLVD #201 FORT MYERS BEACH FL 33931	OCEAN HARBOR PH II OR 2265 PG 0538 BLDG B UNIT 201/CCPT #40	64
STOUDT JAMIE M 105 CHESTNUT ST W #2 STILLWATER MN 55082	28-46-24-W4-0260B.0202 4753 ESTERO BLVD #202 FORT MYERS BEACH FL 33931	OCEAN HARBOR PH II OR 2265 PG 0538 BLDG B UNIT 202	64
PEARSON SCOTT A & CATHY J 4753 ESTERO BLVD #203 FORT MYERS BEACH FL 33931	28-46-24-W4-0260B.0203 4753 ESTERO BLVD #203 FORT MYERS BEACH FL 33931	OCEAN HARBOR PH II OR 2265 PG 0538 BLDG B UNIT 203/CCPT #66 + #67	64
DL MANAGEMENT LLC 2770 BLACK CANYON RD COLORADO SPRINGS CO 80904	28-46-24-W4-0260B.0204 4753 ESTERO BLVD #204 FORT MYERS BEACH FL 33931	OCEAN HARBOR PH II OR 2265 PG 0538 BLDG B UNIT 204/CCPT #58	64
FIKE RODNEY & GLENDA 4753 ESTERO BLVD #205 FORT MYERS BEACH FL 33931	28-46-24-W4-0260B.0205 4753 ESTERO BLVD #205 FORT MYERS BEACH FL 33931	OCEAN HARBOR PH II OR 2265 PG 0538 BLDG B UNIT 205/CCPT #74	64
DUNWOODIE BEATRICE M & 79 OLD POST ROAD LANCASTER NY 14086	28-46-24-W4-0260B.0301 4753 ESTERO BLVD #301 FORT MYERS BEACH FL 33931	OCEAN HARBOR PH II OR 2265 PG 0538 BLDG B UNIT 301/CCPT #33 + #57	64
REID GARRY D + SHARON E 424 THE THICKET MISSISSAUGA ON L5G 4P6 CANADA	28-46-24-W4-0260B.0302 4753 ESTERO BLVD #302 FORT MYERS BEACH FL 33931	OCEAN HARBOR PH II OR 2265 PG 0538 BLDG B UNIT 302	64
HAUSER MICHAEL LLOYD & 912 NORTH BALLAS RD SAINT LOUIS MO 63131	28-46-24-W4-0260B.0303 4753 ESTERO BLVD #303 FORT MYERS BEACH FL 33931	OCEAN HARBOR PH II OR 2265 PG 0538 BLDG B UNIT 303/CCPT #49 + #50	64
PACK JERRY & REGENIA	28-46-24-W4-0260B.0304	OCEAN HARBOR PH II	64

4753 ESTERO BLVD #304 FORT MYERS BEACH FL 33931	4753 ESTERO BLVD #304 FORT MYERS BEACH FL 33931	OR 2265 PG 0538 BLDG B UNIT 304	
WIMMER RICHARD G JR & 4656 OAKHURST RIDGE RD CLARKSTON MI 48348	28-46-24-W4-0260B.0305 4753 ESTERO BLVD #305 FORT MYERS BEACH FL 33931	OCEAN HARBOR PH II OR 2265 PG 0538 BLDG B UNIT305/CCPT #36	64
JENKINS RICHARD 4753 ESTERO BLVD #401 FORT MYERS BEACH FL 33931	28-46-24-W4-0260B.0401 4753 ESTERO BLVD #401 FORT MYERS BEACH FL 33931	OCEAN HARBOR PH II OR 2265 PG 0538 BLDG B UNIT 401/GAR #121	64
AMOS DON & JOAN 4753 ESTERO BLVD #402 FORT MYERS BEACH FL 33931	28-46-24-W4-0260B.0402 4753 ESTERO BLVD #402 FORT MYERS BEACH FL 33931	OCEAN HARBOR PH II OR 2265 PG 0538 BLDG B UNIT 402	64
SPINDLER GEORG & ROSA TIERGARTEN STR 7 BREITENQUSSBACH 96149 GERMANY	28-46-24-W4-0260B.0403 4753 ESTERO BLVD #403 FORT MYERS BEACH FL 33931	OCEAN HARBOR PH II OR 2265 PG 0538 BLDG B UNIT 403	64
DEGIULI WINGERT ANN MARIE 684 FAIRMONT AVE NORTH TONAWANDA NY 14120	28-46-24-W4-0260B.0404 4753 ESTERO BLVD #404 FORT MYERS BEACH FL 33931	OCEAN HARBOR PH II OR 2265 PG 0538 BLDG B UNIT 404/CCPT #38	64
ZIEGLER DONALD D & DORIS D 4753 ESTERO BLVD #405 FORT MYERS BEACH FL 33931	28-46-24-W4-0260B.0405 4753 ESTERO BLVD #405 FORT MYERS BEACH FL 33931	OCEAN HARBOR PH II OR 2265 PG 0538 BLDG B UNIT 405/GAR #106	64
WYATT VICKI L 4753 ESTERO BLVD APT 501 FORT MYERS BEACH FL 33931	28-46-24-W4-0260B.0501 4753 ESTERO BLVD #501 FORT MYERS BEACH FL 33931	OCEAN HARBOR PH II OR 2265 PG 0538 BLDG B UNIT 501/GAR #100 + CCPT #32	64
HARGRAVE LAURA A 615 WHISKEY JACK CIR SANDPOINT ID 83864	28-46-24-W4-0260B.0502 4753 ESTERO BLVD #502 FORT MYERS BEACH FL 33931	OCEAN HARBOR PH II OR 2265 PG 0538 BLDG B UNIT 502	64
POLIZZE MICHAEL P & 6 PARK CT CAPE MAY COURT HOUSE NJ 08210	28-46-24-W4-0260B.0503 4753 ESTERO BLVD #503 FORT MYERS BEACH FL 33931	OCEAN HARBOR PH II OR 2265 PG 0538 BLDG B UNIT 503	64
WALLRAB SUSAN P TR 2920 KNOLLCREST DR BURLINGTON WI 53105	28-46-24-W4-0260B.0504 4753 ESTERO BLVD #504 FORT MYERS BEACH FL 33931	OCEAN HARBOR PH II OR 2265 PG 0538 BLDG B UNIT 504	64
BARKER STEPHEN D & 4753 ESTERO BLVD APT 505 FORT MYERS BEACH FL 33931	28-46-24-W4-0260B.0505 4753 ESTERO BLVD #505 FORT MYERS BEACH FL 33931	OCEAN HARBOR PH II OR 2265 PG 0538 BLDG B UNIT 505	64
DELISLE JOSEPH C 4753 ESTERO BLVD APT 601 FORT MYERS BEACH FL 33931	28-46-24-W4-0260B.0601 4753 ESTERO BLVD #601 FORT MYERS BEACH FL 33931	OCEAN HARBOR PH II OR 2265 PG 0538 BLDG B UNIT 601	64
DELISLE JEFFREY T TR 4753 ESTERO BLVD #602 FORT MYERS BEACH FL 33931	28-46-24-W4-0260B.0602 4753 ESTERO BLVD #602 FORT MYERS BEACH FL 33931	OCEAN HARBOR PH II OR 2265 PG 0538 BLDG B UNIT 602	64
LARIMI CORP 4753 ESTERO BLVD APT 603 FORT MYERS BEACH FL 33931	28-46-24-W4-0260B.0603 4753 ESTERO BLVD #603 FORT MYERS BEACH FL 33931	OCEAN HARBOR PH II OR 2265 PG 0538 BLDG B UNIT 603	64
DECHRISTOFORO DENISE L TR 4745 ESTERO BLVD APT 502 FORT MYERS BEACH FL 33931	28-46-24-W4-0260B.0604 4753 ESTERO BLVD #604 FORT MYERS BEACH FL 33931	OCEAN HARBOR PH II OR 2265 PG 0538 BLDG B UNIT 604	64
ROGER C SHULZE TRUST +	28-46-24-W4-0260B.0605	OCEAN HARBOR PH II	64

2258 PEBBLE CREEK OAKLAND MI 48363	4753 ESTERO BLVD #605 FORT MYERS BEACH FL 33931	OR 2265 PG 0538 BLDG B UNIT 605	
BONNICE DAVID WILLIAM & 1038 FAIR HILL RD MONTROSE PA 18801	28-46-24-W4-0260B.0701 4753 ESTERO BLVD #701 FORT MYERS BEACH FL 33931	OCEAN HARBOR PH II OR 2265 PG 0538 BLDG B UNIT 701	64
FMB 702B LLC 6001 N OCEAN DR APT 1505 HOLLYWOOD FL 33019	28-46-24-W4-0260B.0702 4753 ESTERO BLVD #702 FORT MYERS BEACH FL 33931	OCEAN HARBOR PH II OR 2265 PG 0538 BLDG B UNIT 702	64
WILSON DIANE R 4753 ESTERO BLVD # 703 FORT MYERS BEACH FL 33931	28-46-24-W4-0260B.0703 4753 ESTERO BLVD #703 FORT MYERS BEACH FL 33931	OCEAN HARBOR PH II OR 2265 PG 0538 BLDG B UNIT 703	64
GHRIST ALBERT S & JANET M 303 CHRISNER RD LIGONIER PA 15658	28-46-24-W4-0260B.0704 4753 ESTERO BLVD #704 FORT MYERS BEACH FL 33931	OCEAN HARBOR PH II OR 2265 PG 0538 BLDG B UNIT 704	64
HANSEN NANCY FRANK TR 4753 ESTERO BLVD #705 FORT MYERS BEACH FL 33931	28-46-24-W4-0260B.0705 4753 ESTERO BLVD #705 FORT MYERS BEACH FL 33931	OCEAN HARBOR PH-II OR 2265 PG 0538 BLDG B UNIT 705	64
BURRELL GREGG & REBECCA 16619 EAST LAKE DR LAKEVILLE MN 55044	28-46-24-W4-0260B.0801 4753 ESTERO BLVD #801 FORT MYERS BEACH FL 33931	OCEAN HARBOR PH II OR 2265 PG 0538 BLDG B UNIT 801	64
BURRELL JACK L TR LISA LAIR 10763 RAVENNA WAY FORT MYERS FL 33913	28-46-24-W4-0260B.0802 4753 ESTERO BLVD #802 FORT MYERS BEACH FL 33931	OCEAN HARBOR PH II OR 2265 PG 0538 BLDG B UNIT 802	64
LUTZ SHARON L TR 21216 LILAC LN CLINTON TWP MI 48036	28-46-24-W4-0260B.0803 4753 ESTERO BLVD #803 FORT MYERS BEACH FL 33931	OCEAN HARBOR PH II OR 2265 PG 0538 BLDG B UNIT 803/CCPT #34 + #35	64
DICARLO GIUSEPPE & MARIA 4168 ROSELAND DR W WINDSOR ON N9G 1Z9 CANADA	28-46-24-W4-0260B.0804 4753 ESTERO BLVD #804 FORT MYERS BEACH FL 33931	OCEAN HARBOR PH II OR 2265 PG 0538 BLDG B UNIT 804/CCPT #44	64
HAARMANN PETER TR 116 SACKVILLE RD GARDEN CITY NY 11530	28-46-24-W4-0260B.0805 4753 ESTERO BLVD #805 FORT MYERS BEACH FL 33931	OCEAN HARBOR PH II OR 2265 PG 0538 BLDG B UNIT 805/GAR #110	64
HAMILTON MARSHA C TR 22559 MERLIN CT JOLIET IL 60404	28-46-24-W4-0260B.0901 4753 ESTERO BLVD #901 FORT MYERS BEACH FL 33931	OCEAN HARBOR PH II OR 2265 PG 0538 BLDG B UNIT 901	64
SMITH TIMOTHY & ELAINE 9513 E VISTA DR HILLSBORO MO 63050	28-46-24-W4-0260B.0902 4753 ESTERO BLVD #902 FORT MYERS BEACH FL 33931	OCEAN HARBOR PH II OR 2265 PG 0538 BLDG B UNIT 902/CCPT #69	64
MORGAN RONALD TR 4753 ESTERO BLVD #903 FORT MYERS BEACH FL 33931	28-46-24-W4-0260B.0903 4753 ESTERO BLVD #903 FORT MYERS BEACH FL 33931	OCEAN HARBOR PH II OR 2265 PG 0538 BLDG B UNIT 903/CCPT #41	64
HANSEN PATRICIA C TR 5533 S 30TH ST GREENFIELD WI 53221	28-46-24-W4-0260B.0904 4753 ESTERO BLVD #904 FORT MYERS BEACH FL 33931	OCEAN HARBOR PH II OR 2265 PG 0538 BLDG B UNIT 904	64
MUSTO DONALD J JR TR 4753 ESTERO BLVD # 905 FORT MYERS BEACH FL 33931	28-46-24-W4-0260B.0905 4753 ESTERO BLVD #905 FORT MYERS BEACH FL 33931	OCEAN HARBOR PH II OR 2265 PG 0538 BLDG B UNIT 905/GAR #109	64
KNUEPPEL BODO H & CAROL L TR	28-46-24-W4-0260B.1001	OCEAN HARBOR PH II	64

4422 DARNLEY CT FORT WAYNE IN 46814	4753 ESTERO BLVD #1001 FORT MYERS BEACH FL 33931	OR 2265 PG 0538 BLDG B UNIT 1001/CCPT #52	
TENNEY ROBERT E & AUDREY M TR 4753 ESTERO BLVD #1002 FORT MYERS BEACH FL 33931	28-46-24-W4-0260B.1002 4753 ESTERO BLVD #1002 FORT MYERS BEACH FL 33931	OCEAN HARBOR PH II OR 2265 PG 0538 BLDG B UNIT 1002	64
MARTIN DONNA M 4753 ESTERO BLVD #1003 FORT MYERS BEACH FL 33931	28-46-24-W4-0260B.1003 4753 ESTERO BLVD #1003 FORT MYERS BEACH FL 33931	OCEAN HARBOR PH II OR 2265 PG 0538 BLDG B UNIT 1003/CCPT #65	64
WILSHER GEORGE T TR 2823 MUIR WOODS DR WEST COVINA CA 91791	28-46-24-W4-0260B.1004 4753 ESTERO BLVD #1004 FORT MYERS BEACH FL 33931	OCEAN HARBOR PH II OR 2265 PG 0538 BLDG B UNIT 1004/CCPT #70	64
SIMOR CORPORATION WRIGHT LAW FIRM PA 923 DEL PRADO BLVD STE 205 CAPE CORAL FL 33990	28-46-24-W4-0260B.1005 4753 ESTERO BLVD #1005 FORT MYERS BEACH FL 33931	OCEAN HARBOR PH II OR 2265 PG 0538 BLDG B UNIT 1005/GAR #115 + CCPT #37	64
PETTERSEN SHEILA E TR 4753 ESTERO BLVD #1101 FORT MYERS BEACH FL 33931	28-46-24-W4-0260B.1101 4753 ESTERO BLVD #1101 FORT MYERS BEACH FL 33931	OCEAN HARBOR PH II OR 2265 PG 0538 BLDG B UNIT 1101	64
MCCORMICK THOMAS J & 902 BLUFFS DR N BAITING HOLLOW NY 11933	28-46-24-W4-0260B.1102 4753 ESTERO BLVD #1102 FORT MYERS BEACH FL 33931	OCEAN HARBOR PH II OR 2265 PG 0538 BLDG B UNIT 1102/CCPT #72	64
SWANBECK KAREN D & THOMAS E TR 4753 ESTERO BLVD #1103 FORT MYERS BEACH FL 33931	28-46-24-W4-0260B.1103 4753 ESTERO BLVD #1103 FORT MYERS BEACH FL 33931	OCEAN HARBOR PH II OR 2265 PG 0538 BLDG B UNIT 1103/GAR #104	64
OASIS HOLDING COMPANY LIMITED SUNNETALSTR 23 FALLANDEN 8117 SWITZERLAND	28-46-24-W4-0260B.1104 4753 ESTERO BLVD #1104 FORT MYERS BEACH FL 33931	OCEAN HARBOR PH II OR 2265 PG 0538 BLDG B UNIT 1104	64
OASIS HOLDING COMPANY LIMITED SUNNETALSTR 23 8117 FALLANDEN SWITZERLAND	28-46-24-W4-0260B.1105 4753 ESTERO BLVD #1105 FORT MYERS BEACH FL 33931	OCEAN HARBOR PH II OR 2265 PG 0538 BLDG B UNIT 1105	64
CIDER MILL PROPERTIES LLC 1140 SILVERTON RD TOMS RIVER NJ 08755	28-46-24-W4-0260B.1201 4753 ESTERO BLVD #1201 FORT MYERS BEACH FL 33931	OCEAN HARBOR PH II OR 2265 PG 0538 BLDG B UNIT 1201/CCPT #73	64
ENGLEBERT MICHAEL J & 4753 ESTERO BLVD #1202 FORT MYERS BEACH FL 33931	28-46-24-W4-0260B.1202 4753 ESTERO BLVD #1202 FORT MYERS BEACH FL 33931	OCEAN HARBOR PH II OR 2265 PG 0538 BLDG B UNIT 1202/CCPT #61	64
RICHART MARK & JODI L 4753 ESTERO BLVD #1203 FORT MYERS BEACH FL 33931	28-46-24-W4-0260B.1203 4753 ESTERO BLVD #1203 FORT MYERS BEACH FL 33931	OCEAN HARBOR PH II OR 2265 PG 0538 BLDG B UNIT 1203	64
PLETCHER JERI A 1530 CLOVER CREEK LN GOSHEN IN 46526	28-46-24-W4-0260B.1204 4753 ESTERO BLVD #1204 FORT MYERS BEACH FL 33931	OCEAN HARBOR PH-II OR 2265 PG 0538 BLDG B UNIT 1204/GAR 114	64
ROSANIA JOHN C TR JANICE ROSANIA 520 WILLOW OAK DR MAYS LANDING NJ 08330	28-46-24-W4-0260B.1205 4753 ESTERO BLVD #1205 FORT MYERS BEACH FL 33931	OCEAN HARBOR PH II OR 2265 PG 0538 BLDG B UNIT 1205/GAR #118	64
OERTER CATHY JO TR	28-46-24-W4-0260B.1401	OCEAN HARBOR PH II	64

4753 ESTERO BLVD # 1401 FORT MYERS BEACH FL 33931	4753 ESTERO BLVD #1401 FORT MYERS BEACH FL 33931	OR 2265 PG 0538 BLDG B UNIT 1401 + CCPT A75	
HESTER STEPHEN DONALD & 4753 ESTERO BLVD #1402 FORT MYERS BEACH FL 33931	28-46-24-W4-0260B.1402 4753 ESTERO BLVD #1402 FORT MYERS BEACH FL 33931	OCEAN HARBOR PH II OR 2265 PG 0538 BLDG B UNIT 1402/CCPT #128	64
KARL RENNER TRUST + 28128 GRAY BARN LN LAKE BARRINGTON IL 60010	28-46-24-W4-0260B.1403 4753 ESTERO BLVD #1403 FORT MYERS BEACH FL 33931	OCEAN HARBOR PH II OR 2265 PG 0538 BLDG B UNIT 1403/GAR #112	64
WALLACE CLIFTON O JR TR 16970 SAN CARLOS BLVD #160-189 FORT MYERS FL 33908	28-46-24-W4-0260B.1404 4753 ESTERO BLVD #1404 FORT MYERS BEACH FL 33931	OCEAN HARBOR PH II OR 2265 PG 0538 BLDG B UNIT 1404	64
MACDONALD PHYLLIS P TR 24131 W OAK LN SHOREWOOD IL 60404	28-46-24-W4-0260B.1405 4753 ESTERO BLVD #1405 FORT MYERS BEACH FL 33931	OCEAN HARBOR PH II OR 2265 PG 0538 BLDG B UNIT 1405 + CCPT 131	64
MOYER DENNIS KELLY & MARY J 23994 S SHORE DR EDWARDSBURG MI 49112	28-46-24-W4-0260B.1501 4753 ESTERO BLVD #1501 FORT MYERS BEACH FL 33931	OCEAN HARBOR PH II OR 2265 PG 0538 BLDG B UNIT 1501+ GAR 118	64
MKB REAL ESTATE LLC 3903 19TH AVE STERLING IL 61081	28-46-24-W4-0260B.1502 4753 ESTERO BLVD #1502 FORT MYERS BEACH FL 33931	OCEAN HARBOR PH II OR 2265 PG 0538 BLDG B UNIT 1502/CCPT #127	64
DOWNEY DOUGLAS H & M SANDRA 37 ELLEN ST UNIT 1308 BARRIE ON L4N 6G2 CANADA	28-46-24-W4-0260B.1503 4753 ESTERO BLVD #1503 FORT MYERS BEACH FL 33931	OCEAN HARBOR PH II OR 2265 PG 0538 BLDG B UNIT 1503	64
CHRISTOPHER JAMES III & 223 HOOD AVE SYRACUSE NY 13208	28-46-24-W4-0260B.1504 4753 ESTERO BLVD #1504 FORT MYERS BEACH FL 33931	OCEAN HARBOR PH II OR 2265 PG 0538 BLDG B UNIT 1504/GAR #116	64
CUMMINGS ROBERT CHARLES & 9903 ADAMS AVE INVER GROVE HEIGHTS MN 55077	28-46-24-W4-0260B.1505 4753 ESTERO BLVD #1505 FORT MYERS BEACH FL 33931	OCEAN HARBOR PH II OR 2265 PG 0538 BLDG B UNIT 1505/CCPT #48	64
BARKER MELODY TR 1951 CHAPMAN LAKE DR WARSAW IN 46582	28-46-24-W4-0260B.1601 4753 ESTERO BLVD #1601 FORT MYERS BEACH FL 33931	OCEAN HARBOR PH II OR 2265 PG 0538 BLDG B UNIT 1601/CCPT #71	64
SOENKE JOSEPHINE TR 4753 ESTERO BLVD # 1602 FORT MYERS BEACH FL 33931	28-46-24-W4-0260B.1602 4753 ESTERO BLVD #1602 FORT MYERS BEACH FL 33931	OCEAN HARBOR PH II OR 2265 PG 0538 BLDG B UNIT 1602/GAR #117	64
JANET R TOWNSEND TRUST + 1015 W JACKSON ST MUNCIE IN 47305	28-46-24-W4-0260B.1603 4753 ESTERO BLVD #1603 FORT MYERS BEACH FL 33931	OCEAN HARBOR PH II OR 2265 PG 0538 BLDG B UNIT 1603/GAR #120 + GAR #119	64
MITCHELL JACK S & PO BOX 708 ANGOLA IN 46703	28-46-24-W4-0260B.1604 4753 ESTERO BLVD #1604 FORT MYERS BEACH FL 33931	OCEAN HARBOR PH II OR 2265 PG 0538 BLDG B UNIT 1604/GAR #107	64
NIELSEN DENNIS E TR 6958 STILLWATER CV WESTERVILLE OH 43082	28-46-24-W4-0260B.1605 4753 ESTERO BLVD #1605 FORT MYERS BEACH FL 33931	OCEAN HARBOR PH II OR 2265 PG 0538 BLDG B UNIT 1605/GAR #111	64
Q T HOLDINGS LLC 6909 WINNETKA AVE N BROOKLYN PARK MN 55428	28-46-24-W4-03000.0105 4765 ESTERO BLVD #105 FORT MYERS BEACH FL 33931	SNOOK BIGHT MARINA DRY RACK CONDO AS DESC IN INST# <u>2008000219575</u> AIRSPACE PH 5 UNIT 105	65

BOAT MASTERS MARINE INC 5290 MANCHESTER RD AKRON OH 44319	28-46-24-W4-03000.0106 4765 ESTERO BLVD #106 FORT MYERS BEACH FL 33931	SNOOK BIGHT MARINA DRY RACK CONDO AS DESC IN INST# 2008000219575 AIRSPACE PH 6 UNIT 106	65
MARTINELLI LAWRENCE A JR 6221 COMPART ISLE DR NAPLES FL 34113	28-46-24-W4-03000.0107 4765 ESTERO BLVD #107 FORT MYERS BEACH FL 33931	SNOOK BIGHT MARINA DRY RACK CONDO AS DESC IN INST# 2008000219575 AIRSPACE PH 7 UNIT 107	65
ST SNOOK BIGHT LLC 17330 PRESTON RD STE 220A DALLAS TX 75252	28-46-24-W4-03000.0108 4765 ESTERO BLVD #108 FORT MYERS BEACH FL 33931	SNOOK BIGHT MARINA DRY RACK CONDO AS DESC IN INST# 2008000219575 AIRSPACE PH 8 UNIT 108	65
COYLE MARIANNE TR 4765 ESTERO BLVD # 1504A FORT MYERS BEACH FL 33931	28-46-24-W4-03000.0109 4765 ESTERO BLVD #109 FORT MYERS BEACH FL 33931	SNOOK BIGHT MARINA DRY RACK CONDO AS DESC IN INST# 2008000219575 AIRSPACE PH 9 UNIT 109	65
JCPI HOLDINGS LLC 153 SEVILLA AVE CORAL GABLES FL 33134	28-46-24-W4-03000.0110 4765 ESTERO BLVD #110 FORT MYERS BEACH FL 33931	SNOOK BIGHT MARINA DRY RACK CONDO AS DESC IN INST# 2008000219575 AIRSPACE PH 10 UNIT 110	65
PRESLEY STEVEN W TR 16 OXMOOR COURT BRENTWOOD TN 37027	28-46-24-W4-03000.0111 4765 ESTERO BLVD #111 FORT MYERS BEACH FL 33931	SNOOK BIGHT MARINA DRY RACK CONDO AS DESC IN INST# 2008000219575 AIRSPACE PH 11 UNIT 111	65
OMDOLL PAUL A 13925 OLD COAST RD UNIT 1901 NAPLES FL 34110	28-46-24-W4-03000.0112 4765 ESTERO BLVD #112 FORT MYERS BEACH FL 33931	SNOOK BIGHT MARINA DRY RACK CONDO AS DESC IN INST# 2008000219575 AIRSPACE PH 12 UNIT 112	65
KANTER GARY J + KIMBERLY J 3061 LYNDALE CT EDGEWOOD KY 41017	28-46-24-W4-03000.0113 4765 ESTERO BLVD #113 FORT MYERS BEACH FL 33931	SNOOK BIGHT MARINA DRY RACK CONDO AS DESC IN INST# 2014000030511 AIRSPACE PH 13 UNIT 113	65
HOGAN MIKE 506 QUAM CIR AMES IA 50010	28-46-24-W4-03000.0205 4765 ESTERO BLVD #205 FORT MYERS BEACH FL 33931	SNOOK BIGHT MARINA DRY RACK CONDO AS DESC IN INST# 2008000219575 AIRSPACE PH 21 UNIT 205	65
SUSKO DAVID ANTHONY 38000 VILLA MAR HARRISON TOWNSHIP MI 48045	28-46-24-W4-03000.0206 4765 ESTERO BLVD #206 FORT MYERS BEACH FL 33931	SNOOK BIGHT MARINA DRY RACK CONDO AS DESC IN INST# 2008000219575 AIRSPACE PH 22 UNIT 206	65
RAYMOND DONNA M 18020 SAN CARLOS BLVD #62 FORT MYERS BEACH FL 33931	28-46-24-W4-03000.0304 4765 ESTERO BLVD #304 FORT MYERS BEACH FL 33931	SNOOK BIGHT MARINA DRY RACK CONDO AS DESC IN INST# 2008000219575 AIRSPACE PH 36 UNIT 304	65
TUYLS JOSHUA J & BETH ANN 23257 E EL DORADO AVE BONITA SPRINGS FL 34134	28-46-24-W4-03000.0305 4765 ESTERO BLVD #305 FORT MYERS BEACH FL 33931	SNOOK BIGHT MARINA DRY RACK CONDO AS DESC IN INST# 2008000219575 AIRSPACE PH 37 UNIT 305	65
MOHR RICHARD & SHERRY 12328 LITCHFIELD LN FORT MYERS FL 33913	28-46-24-W4-03000.0307 4765 ESTERO BLVD #307 FORT MYERS BEACH FL 33931	SNOOK BIGHT MARINA DRY RACK CONDO AS DESC IN INST# 2008000219575 AIRSPACE PH 39 UNIT 307	65

CHRONISTER TOM & MARYLOU 1400 GULF SHORE BLVD N #305 NAPLES FL 34102	28-46-24-W4-03000.0308 4765 ESTERO BLVD #308 FORT MYERS BEACH FL 33931	SNOOK BIGHT MARINA DRY RACK CONDO AS DESC IN INST# <u>2008000219575</u> AIRSPACE PH 40 UNIT 308	65
MILLER PHILIP G & SANDRA A 833 CHERRYWOOD JACKSON MI 49203	28-46-24-W4-03000.0310 4765 ESTERO BLVD #310 FORT MYERS BEACH FL 33931	SNOOK BIGHT MARINA DRY RACK CONDO AS DESC IN INST# <u>2008000219575</u> AIRSPACE PH 42 UNIT 310	65
WE OWN A BOAT DOCK INC 1256 SW 5TH ST BOCA RATON FL 33486	28-46-24-W4-03000.0405 4765 ESTERO BLVD #405 FORT MYERS BEACH FL 33931	SNOOK BIGHT MARINA DRY RACK CONDO AS DESC IN INST# <u>2008000219575</u> AIRSPACE PH 61 UNIT 405	65
WOITYNEK NATASCHA & 3541 QUILL LEAF CT BONITA SPRINGS FL 34134	28-46-24-W4-03000.0407 4765 ESTERO BLVD #407 FORT MYERS BEACH FL 33931	SNOOK BIGHT MARINA DRY RACK CONDO AS DESC IN INST# <u>2008000219575</u> AIRSPACE PH 63 UNIT 407	65
ST SNOOK BIGHT LLC 17330 PRESTON RD STE 220A DALLAS TX 75252	28-46-24-W4-03000.0411 4765 ESTERO BLVD #411 FORT MYERS BEACH FL 33931	SNOOK BIGHT MARINA DRY RACK CONDO AS DESC IN INST# 2008000316726 AIRSPACE PH 67 UNIT 411	65
THEISEN EILEEN M 2127 FOREST DR SAINT CLOUD MN 56303	28-46-24-W4-03000.0504 4765 ESTERO BLVD #504 FORT MYERS BEACH FL 33931	SNOOK BIGHT MARINA DRY RACK CONDO AS DESC IN INST# <u>2008000219575</u> AIRSPACE PH 84 UNIT 504	65
STOTTS LYNN & KEITH + 4192 BAY BEACH LN UNIT PH 1 FORT MYERS BEACH FL 33931	28-46-24-W4-03000.0506 4765 ESTERO BLVD #506 FORT MYERS BEACH FL 33931	SNOOK BIGHT MARINA DRY RACK CONDO AS DESC IN INST# <u>2008000219575</u> AIRSPACE PH 86 UNIT 506	65
ST SNOOK BIGHT LLC 17330 PRESTON RD STE 220A DALLAS TX 75252	28-46-24-W4-03000.0722 4765 ESTERO BLVD #722 FORT MYERS BEACH FL 33931	SNOOK BIGHT MARINA DRY RACK CONDO AS DESC IN INST# <u>200900009146</u> AIRSPACE PH 134 UNIT 722	65
ST SNOOK BIGHT LLC 17330 PRESTON RD STE 220A DALLAS TX 75252	28-46-24-W4-0300A.0000 DRY RACK CONDO FORT MYERS BEACH FL 33931	SNOOK BIGHT MARINA DRY RACK CONDO AS DESC IN INST# <u>2008000219575</u> RESERVE FOR FUTURE AIRSPACE UNITS	66
RUTH ANN BLANCO TRUST + 958 RYAN CT CROWN POINT IN 46307	29-46-24-W3-02100.2010 4560 ESTERO BLVD #201 FORT MYERS BEACH FL 33931	STRANDVIEW TOWER CONDO OR 1171 PG 211 UNIT 201	67
DAVIS THOMAS F 4560 ESTERO BLVD #202 FORT MYERS BEACH FL 33931	29-46-24-W3-02100.2020 4560 ESTERO BLVD #202 FORT MYERS BEACH FL 33931	STRANDVIEW TOWER CONDO OR 1171 PG 211 UNIT 202	67
ESPINOLA DAVID M & LUCIA M 15 RINZEE RD DRACUT MA 01826	29-46-24-W3-02100.2030 4560 ESTERO BLVD #203 FORT MYERS BEACH FL 33931	STRANDVIEW TOWER CONDO OR 1171 PG 211 UNIT 203	67
VIRGINIA A SCHOCK TRUST + 806 BANNOCK DR DUNDEE IL 60118	29-46-24-W3-02100.2040 4560 ESTERO BLVD #204 FORT MYERS BEACH FL 33931	STRANDVIEW TOWER CONDO OR 1171 PG 211 UNIT 204	67
MARLOW JULIE MARIE TR 4560 ESTERO BLVD #301	29-46-24-W3-02100.3010 4560 ESTERO BLVD #301	STRANDVIEW TOWER CONDO OR 1171 PG 211	67

FORT MYERS BEACH FL 33931	FORT MYERS BEACH FL 33931	UNIT 301	
KEITH STEVEN R & KIMBRA A 4749 FONTANA RD WEST BEND WI 53095	29-46-24-W3-02100.3020 4560 ESTERO BLVD #302 FORT MYERS BEACH FL 33931	STRANDVIEW TOWER CONDO OR 1171 PG 211 UNIT 302	67
DAVIS DENNIS 4560 ESTERO BLVD #303 FORT MYERS BEACH FL 33931	29-46-24-W3-02100.3030 4560 ESTERO BLVD #303 FORT MYERS BEACH FL 33931	STRANDVIEW TOWER CONDO OR 1171 PG 211 UNIT 303	67
WILSON SUSAN 1655 PLACE DES RAVINS ORLEANS ON K1C 6H3 CANADA	29-46-24-W3-02100.3040 4560 ESTERO BLVD #304 FORT MYERS BEACH FL 33931	STRANDVIEW TOWER CONDO OR 1171 PG 211 UNIT 304	67
PREFERRED ASSETS INC 121 MOHR DRIVE MANKATO MN 56001	29-46-24-W3-02100.4010 4560 ESTERO BLVD #401 FORT MYERS BEACH FL 33931	STRANDVIEW TOWER CONDO OR 1171 PG 211 UNIT 401	67
STEVENS JAMES B & BARBARA P 4560 ESTERO BLVD #402 FORT MYERS BEACH FL 33931	29-46-24-W3-02100.4020 4560 ESTERO BLVD #402 FORT MYERS BEACH FL 33931	STRANDVIEW TOWER CONDO OR 1171 PG 211 UNIT 402	67
BYERLE BRUCE A & ANNE E 4560 ESTERO BLVD #403 FORT MYERS BEACH FL 33931	29-46-24-W3-02100.4030 4560 ESTERO BLVD #403 FORT MYERS BEACH FL 33931	STRANDVIEW TOWER CONDO OR 1171 PG 211 UNIT 403	67
MINERS MARGARET A TR PO BOX 130 LABELLE FL 33975	29-46-24-W3-02100.4040 4560 ESTERO BLVD #404 FORT MYERS BEACH FL 33931	STRANDVIEW TOWER CONDO OR 1171 PG 211 UNIT 404	67
CHAMBRE DIANE D TR 4560 ESTERO BLVD #501 FORT MYERS BEACH FL 33931	29-46-24-W3-02100.5010 4560 ESTERO BLVD #501 FORT MYERS BEACH FL 33931	STRANDVIEW TOWER CONDO OR 1171 PG 211 UNIT 501	67
TIEZZI DANIEL TR 608 FOOT HILLS RD HIGGANUM CT 06441	29-46-24-W3-02100.5020 4560 ESTERO BLVD #502 FORT MYERS BEACH FL 33931	STRANDVIEW TOWER CONDO OR 1171 PG 211 UNIT 502	67
BURWINKEL WILLIAM J & 710 MT HOPE AVE #4 CINCINNATI OH 45204	29-46-24-W3-02100.5040 4560 ESTERO BLVD #504 FORT MYERS BEACH FL 33931	STRANDVIEW TOWER CONDO OR 1171 PG 211 UNITS 503 + 504	67
DANGELO DANIEL A & JUNE E 677 ERIE AVE N TONAWANDA NY 14120	29-46-24-W3-02100.6010 4560 ESTERO BLVD #601 FORT MYERS BEACH FL 33931	STRANDVIEW TOWER CONDO OR 1171 PG 211 UNIT 601	67
BONFIGLIO FRANK L TR 4560 ESTERO BLVD #602 FORT MYERS BEACH FL 33931	29-46-24-W3-02100.6020 4560 ESTERO BLVD #602 FORT MYERS BEACH FL 33931	STRANDVIEW TOWER CONDO OR 1171 PG 211 UNIT 602	67
KOMENDAREK EDWIN & MARILYN 30 NEWTON AVE NORWICH NY 13815	29-46-24-W3-02100.6030 4560 ESTERO BLVD #603 FORT MYERS BEACH FL 33931	STRANDVIEW TOWER CONDO OR 1171 PG 211 UNIT 603	67
MARSHALL + ILSLEY TRUST CO TR PO BOX 2980 MILWAUKEE WI 53201	29-46-24-W3-02100.6040 4560 ESTERO BLVD #604 FORT MYERS BEACH FL 33931	STRANDVIEW TOWER CONDO OR 1171 PG 211 UNIT 604	67
MAMCK VENTURES LLC 4560 ESTERO BLVD UNIT 701 FORT MYERS BEACH FL 33931	29-46-24-W3-02100.7010 4560 ESTERO BLVD #701 FORT MYERS BEACH FL 33931	STRANDVIEW TOWER CONDO OR 1171 PG 211 UNIT 701	67
BERECZ VICTOR G + 4560 ESTERO BLVD #702 FORT MYERS BEACH FL 33931	29-46-24-W3-02100.7020 4560 ESTERO BLVD #702 FORT MYERS BEACH FL 33931	STRANDVIEW TOWER CONDO OR 1171 PG 211 UNIT 702	67

BURWINKEL WILLIAM & BETH A 710 MOUNT HOPE AVE APT 4 CINCINNATI OH 45204	29-46-24-W3-02100.7030 4560 ESTERO BLVD #703 FORT MYERS BEACH FL 33931	STRANDVIEW TOWER CONDO OR 1171 PG 211 UNIT 703	67
BERGMANN MARY B TR 6315 GOLFVIEW DR BLOOMFIELD HILLS MI 48301	29-46-24-W3-02100.7040 4560 ESTERO BLVD #704 FORT MYERS BEACH FL 33931	STRANDVIEW TOWER CONDO OR 1171 PG 211 UNIT 704	67
HARRISON TIMOTHY E & 8118 MESSMORE SHELBY TOWNSHIP MI 48317	29-46-24-W3-02200.2010 4450 ESTERO BLVD #201 FORT MYERS BEACH FL 33931	VILLA DEL MAR CONDO OR 1237 PG 1279 UNIT 201	68
MARINI MICHAEL M & 13814 HOUK RD MONROEVILLE IN 46773	29-46-24-W3-02200.2020 4450 ESTERO BLVD #202 FORT MYERS BEACH FL 33931	VILLA DEL MAR CONDO OR 1237 PG 1279 UNIT 202	68
SUSAN A HUGHES TRUST + 365 GLENGROVE AVE W TORONTO ON M5N 1W4 CANADA	29-46-24-W3-02200.2030 4450 ESTERO BLVD #203 FORT MYERS BEACH FL 33931	VILLA DEL MAR CONDO OR 1237 PG 1279 UNIT 203	68
KLARA BOGUSLAW & 1088 DIAMOND CT MISSISSAUGA ON L5V 1J5 CANADA	29-46-24-W3-02200.3010 4450 ESTERO BLVD #301 FORT MYERS BEACH FL 33931	VILLA DEL MAR CONDO OR 1237 PG 1279 UNIT 301	68
FERNANDEZ MAITIN FAMILY 10705 SW 88TH AVE MIAMI FL 33176	29-46-24-W3-02200.3020 4450 ESTERO BLVD #302 FORT MYERS BEACH FL 33931	VILLA DEL MAR CONDO OR 1237 PG 1279 UNIT 302	68
MEIRITZ WOLFRAM E & ANDREA WILDSTRASSE 17 HEIDENHELM 89522 GERMANY	29-46-24-W3-02200.3030 4450 ESTERO BLVD #303 FORT MYERS BEACH FL 33931	VILLA DEL MAR CONDO OR 1237 PG 1279 UNIT 303	68
HOGAN FRANCIS X & MARY C 1331 BRISTOL AVE DAVIE FL 33325	29-46-24-W3-02200.4010 4450 ESTERO BLVD #401 FORT MYERS BEACH FL 33931	VILLA DEL MAR CONDO OR 1237 PG 1279 UNIT 401	68
KASCAR LLC 4229 N CLAREMONT AVE CHICAGO IL 60618	29-46-24-W3-02200.4020 4450 ESTERO BLVD #402 FORT MYERS BEACH FL 33931	VILLA DEL MAR CONDO OR 1237 PG 1279 UNIT 402	68
REID MARIA J TR 5600 QUEENS KEW BONITA SPRINGS FL 34134	29-46-24-W3-02200.4030 4450 ESTERO BLVD #403 FORT MYERS BEACH FL 33931	VILLA DEL MAR CONDO OR 1237 PG 1279 UNIT 403	68
GRILLO VINCENZIA TR 53717 CHERRYWOOD DR SHELBY TWP MI 48315	29-46-24-W3-02200.5010 4450 ESTERO BLVD #501 FORT MYERS BEACH FL 33931	VILLA DEL MAR CONDO OR 1237 PG 1279 UNIT 501	68
OAK LOT FUTURE LLC 4450 ESTERO BLVD #502 FORT MYERS BEACH FL 33931	29-46-24-W3-02200.5020 4450 ESTERO BLVD #502 FORT MYERS BEACH FL 33931	VILLA DEL MAR CONDO OR 1237 PG 1279 UNIT 502	68
DUMETT DANIEL W & KIMBERLY 2357 FENWICK CT MARIETTA GA 30064	29-46-24-W3-02200.5030 4450 ESTERO BLVD #503 FORT MYERS BEACH FL 33931	VILLA DEL MAR CONDO OR 1237 PG 1279 UNIT 503	68
AYRES OLIVER MADISON & 21565 SHOREVISTA LN NOBLESVILLE IN 46062	29-46-24-W3-0300A.0201 4631 ESTERO BLVD #201 FORT MYERS BEACH FL 33931	WHITE CAP CONDOMINIUM DESC IN INST#2007-216342 BLDG A UNIT 201	69
WARNER H JACK TR 12344 N LEDGES DR	29-46-24-W3-0300A.0202 4631 ESTERO BLVD #202	WHITE CAP CONDOMINIUM DESC IN INST#2007-216342	69

ROSCOE IL 61073	FORT MYERS BEACH FL 33931	BLDG A UNIT 202	
KETRING ENTERPRISES LLC 10473 S 50W PENDLETON IN 46064	29-46-24-W3-0300A.0303 4631 ESTERO BLVD #303 FORT MYERS BEACH FL 33931	WHITE CAP CONDOMINIUM DESC IN INST#2007-216342 BLDG A UNIT 303	69
RAY HAROLD L & APRIL L 2620 S 1000 W LAPEL IN 46051	29-46-24-W3-0300A.0304 4631 ESTERO BLVD #304 FORT MYERS BEACH FL 33931	WHITE CAP CONDOMINIUM DESC IN INST#2007-216342 BLDG A UNIT 304	69
ZINK DAVID C TR 14 MELROSE CT JACKSONVILLE IL 62650	29-46-24-W3-0300B.0201 4633 ESTERO BLVD #201 FORT MYERS BEACH FL 33931	WHITE CAP CONDOMINIUM DESC IN INST#2007-216342 BLDG B UNIT 201	70
PRASSE MARJORIE J TR 4633 ESTERO BLVD #202 FORT MYERS BEACH FL 33931	29-46-24-W3-0300B.0202 4633 ESTERO BLVD #202 FORT MYERS BEACH FL 33931	WHITE CAP CONDOMINIUM DESC IN INST#2007-216342 BLDG B UNIT 202	70
EROSHEVICH RICHARD & TAWNIA 3191 SHELL MOUND BLVD FORT MYERS BEACH FL 33931	29-46-24-W3-0300B.0203 4633 ESTERO BLVD #203 FORT MYERS BEACH FL 33931	WHITE CAP CONDOMINIUM DESC IN INST#2007-216342 BLDG B UNIT 203	70
LST & KEES LLC 812 CREEKSIDE TRAIL ALPHARETTA GA 30004	29-46-24-W3-0300B.0204 4633 ESTERO BLVD #204 FORT MYERS BEACH FL 33931	WHITE CAP CONDOMINIUM DESC IN INST#2007-216342 BLDG B UNIT 204	70
HENDERSON JAMES & KERRIE 10738 S 575 W PENDLETON IN 46064	29-46-24-W3-0300B.0305 4633 ESTERO BLVD #305 FORT MYERS BEACH FL 33931	WHITE CAP CONDOMINIUM DESC IN INST#2007-216342 BLDG B UNIT 305	70
ZINK DAVID C TR 14 MELROSE COURT JACKSONVILLE IL 62650	29-46-24-W3-0300B.0306 4633 ESTERO BLVD #306 FORT MYERS BEACH FL 33931	WHITE CAP CONDOMINIUM DESC IN INST#2007-216342 BLDG B UNIT 306	70

Town of Fort Myers Beach

COMMUNITY DEVELOPMENT DEPARTMENT

Supplement PH-B

Additional Required Information for a Variance Application

This is the second part of a two-part application. This part requests specific information for a variance. Include this form with the Request for Public Hearing form.

Case Number:
Project Name:
Authorized Applicant: Arlina Mendoza
LeePA STRAP Number: 29-46-24-W-3-008OF 0150

Current Property Status: Vacant Lot Due to Hurricane Ian	
Current Zoning: 10 a	
Future Land Use Map (FLUM) Category:	
Comp Plan Density:	Platted Overlay? ☐ Yes ☐ No

Variance is requested from:

LDC Section Number

Title of Section or Subsection

Ordinance No 23-02	Section 2

Complete the narrative statements below for EACH variance requested.

PART I Narrative Statements

Request for variance from _____ (LDC Section number)

Explain the specific regulation contained in this section from which relief is sought:

Regulations/Ordinance require 25 feet set back. Due to our irregular lot size (triangular) six (6) feet of the 25 feet, set back is being requested in order to rebuild our home.

Our original home was built in 1972, we are basically seeking the same footprint where the original house stood prior to the Hurricane Ian.

Reasons for request

Explain why the variance is needed:

For the approval of the attached design to rebuild of our single family home on a irregular small lot, using almost the same original footprint of our home prior to hurricane Ian .

Attachement # 1

Explain the possible effect the variance, if granted, would have on surrounding properties:

Granting the variance will have no effect on any surrounding properties.

The request of the six feet will be on the adjacent right a way, that does not provide a right-of-way for any vehicles, or pedestrians, as it ends perpenicular to the backyard of a residence and is used for storm drainage. No impediment or obstructions will effected this area. We are seeking the clearance of 6 feet of the required 25 feet set backs to be granted.

Explain the hardship (what is unique about the property) that justifies relief from the regulation:

The property is a triangle lot size with minium square footage , relief or granting the 6 feet of the required 25 feet set back will allow us to reconstruct our home.

Explain how the property qualifies for a variance. Direct this explanation to the guidelines for decision-making in LDC Section 34-87.

The ordinance/regulation requires a 25 feet set back off the right-a-way.

The original house built in 1972 had approximately a 20 feet set back. Due to the irregular small lot size and using basically the same original footprint, and the fact that the six feet approval will not impede any surrounding properties, this variance to rebuild in accordance to the design plans provided, should qualify for such variance.

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BELOW IS A REVISED APPLICATION REQUESTING AN ADDITIONAL REAR
SETBACK VARIANCE, SENT AFTER INITIAL REVIEW

Town of Fort Myers Beach

COMMUNITY DEVELOPMENT DEPARTMENT

Supplement PH-B

Additional Required Information for a Variance Application

This is the second part of a two-part application. This part requests specific information for a variance. Include this form with the Request for Public Hearing form.

Case Number:
Project Name:
Authorized Applicant: Arlina Mendoza
LeePA STRAP Number: 29-46-24-W-3-008OF 0150

Current Property Status: Vacant Lot Due to Hurricane Ian	
Current Zoning: 10 a	
Future Land Use Map (FLUM) Category:	
Comp Plan Density:	Platted Overlay? ☐ Yes ☐ No

Variance is requested from:

LDC Section Number

Title of Section or Subsection

Ordinance No 23-02

Section 2

Complete the narrative statements below for EACH variance requested.

PART I
Narrative Statements

Request for variance from _____ (LDC Section number)

Explain the specific regulation contained in this section from which relief is sought:

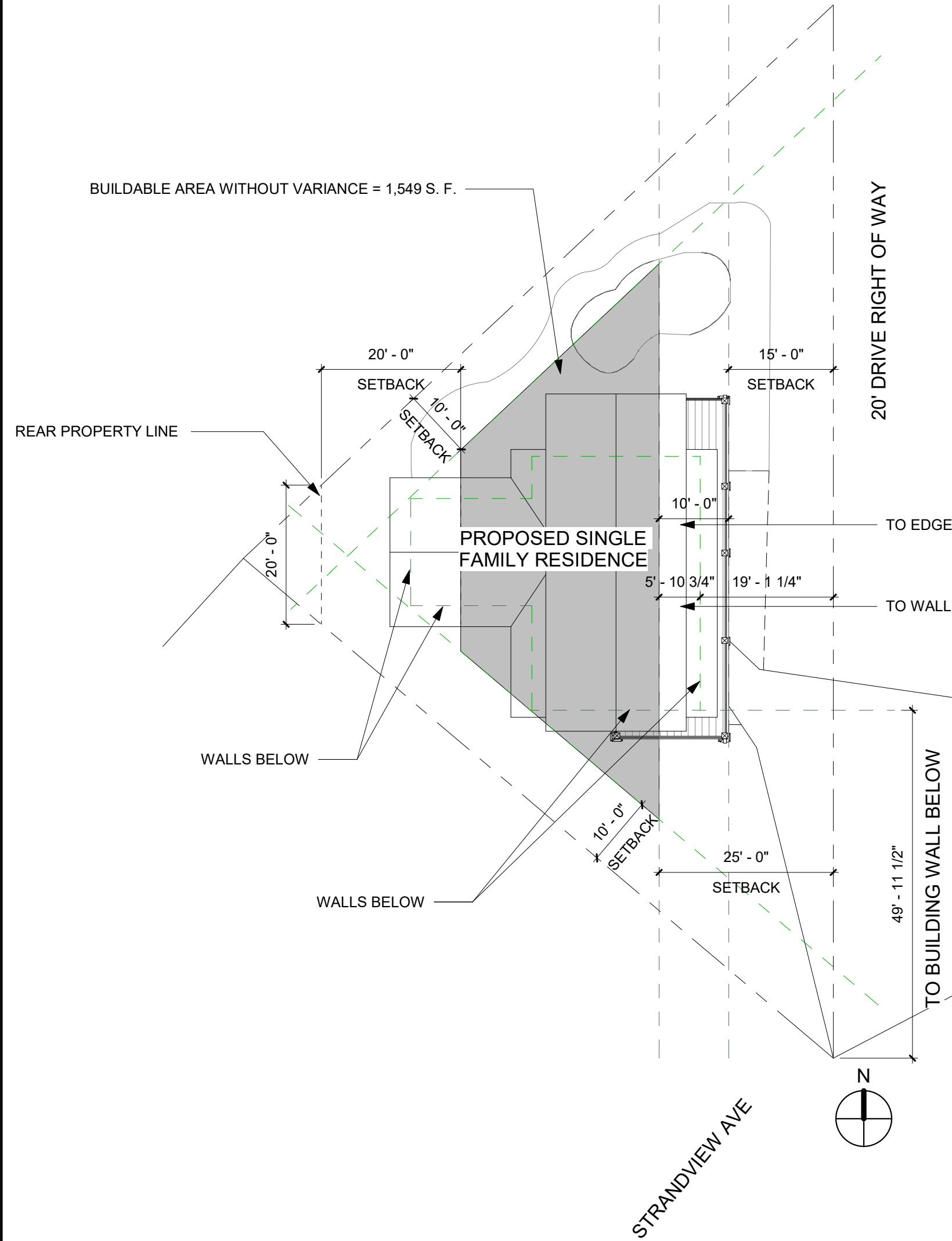
Regulations require 20 feet set back from the REAR of the property. Due to our irregular lot size (triangular) 7 1/2 feet set back is being requested in order to rebuilt our home. Our original home was built in 1972, we are basically seeking the same foot print where the original house stood prior to the Hurricane.

Reasons for request

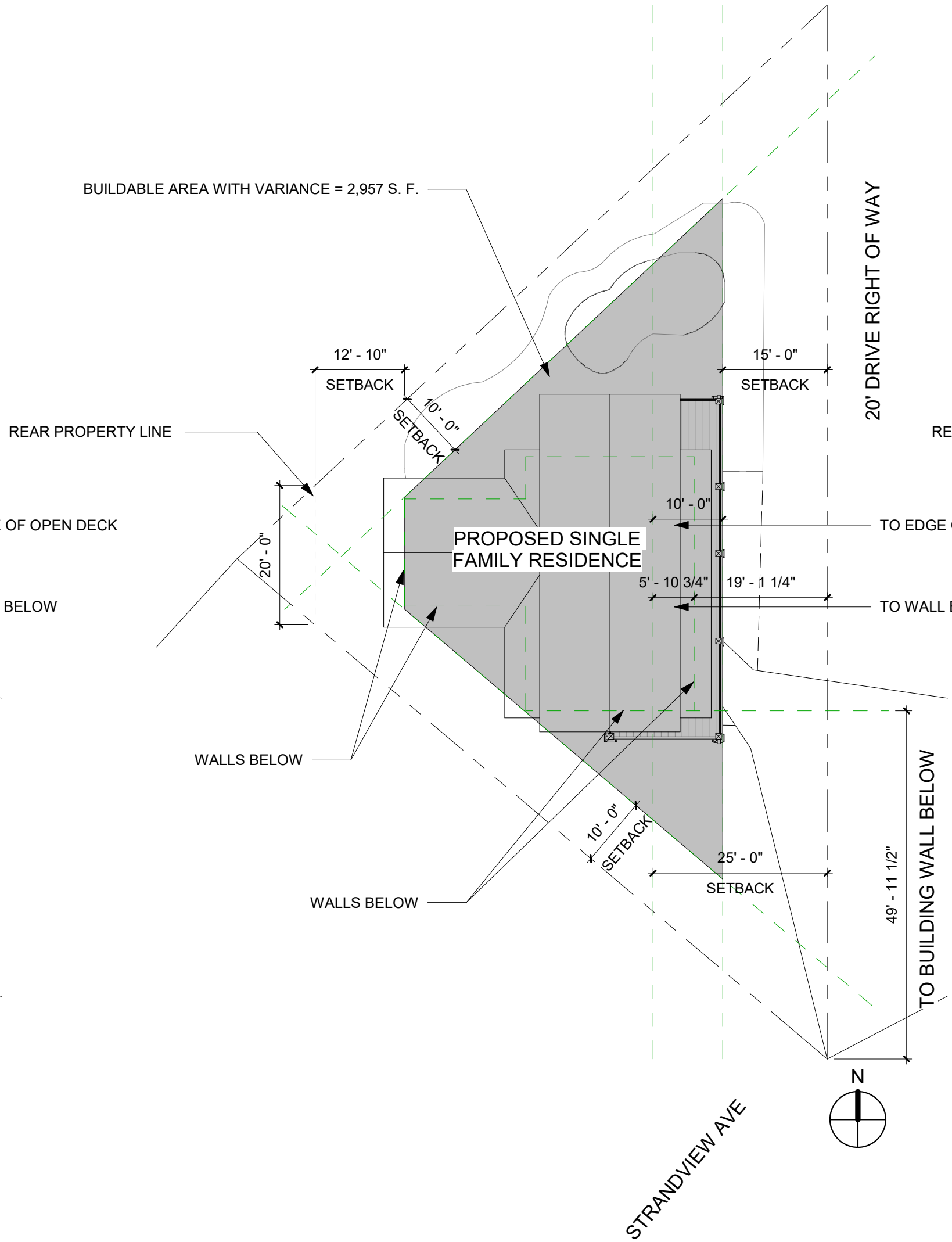
Explain why the variance is needed:

For the approval of the attached design to rebuild our single family home on a irregular small lot, using almost the same original footprint of our home prior to Hurricane Ian.

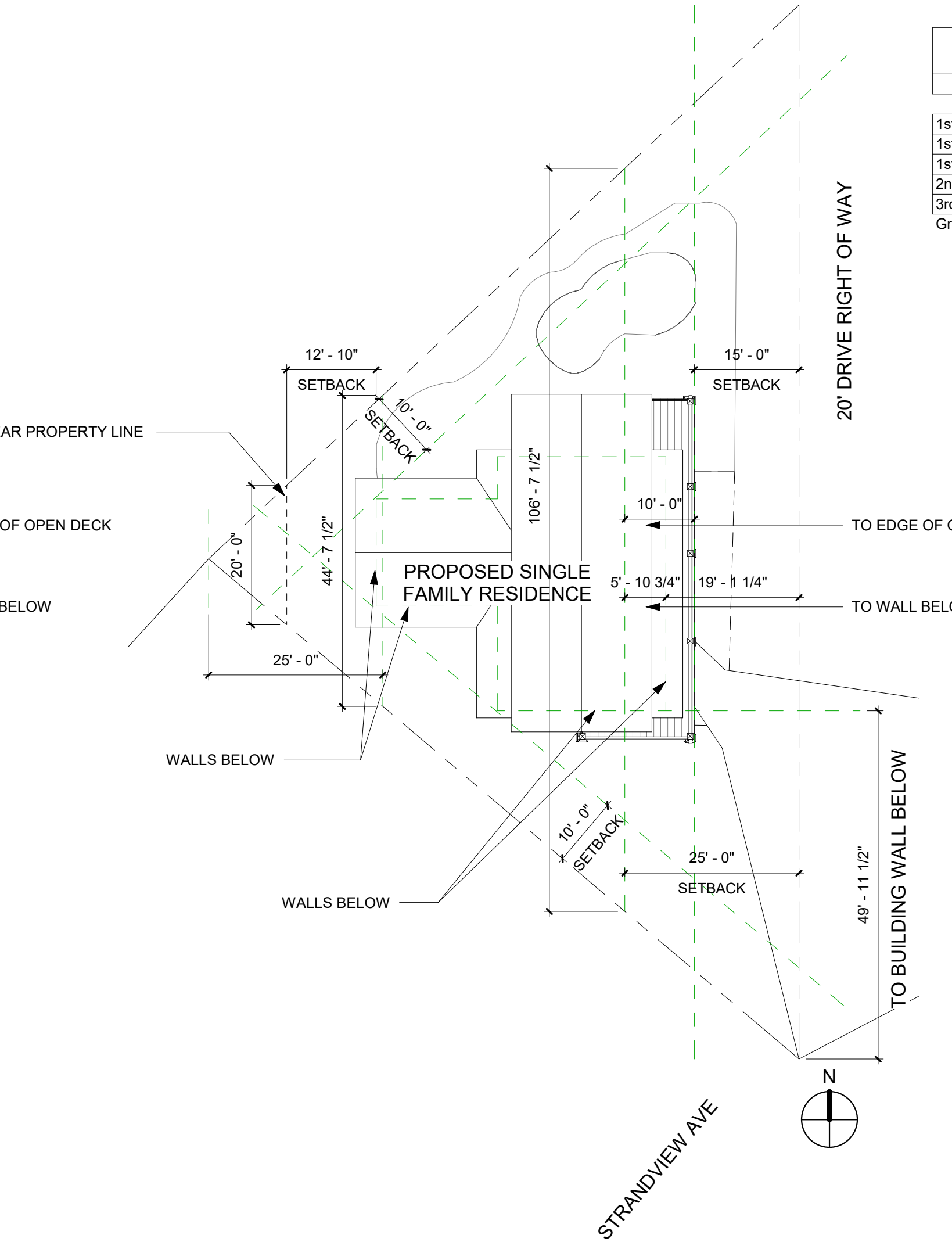
Attachment



6 Site Plan Buildable Area
1/16" = 1'-0"

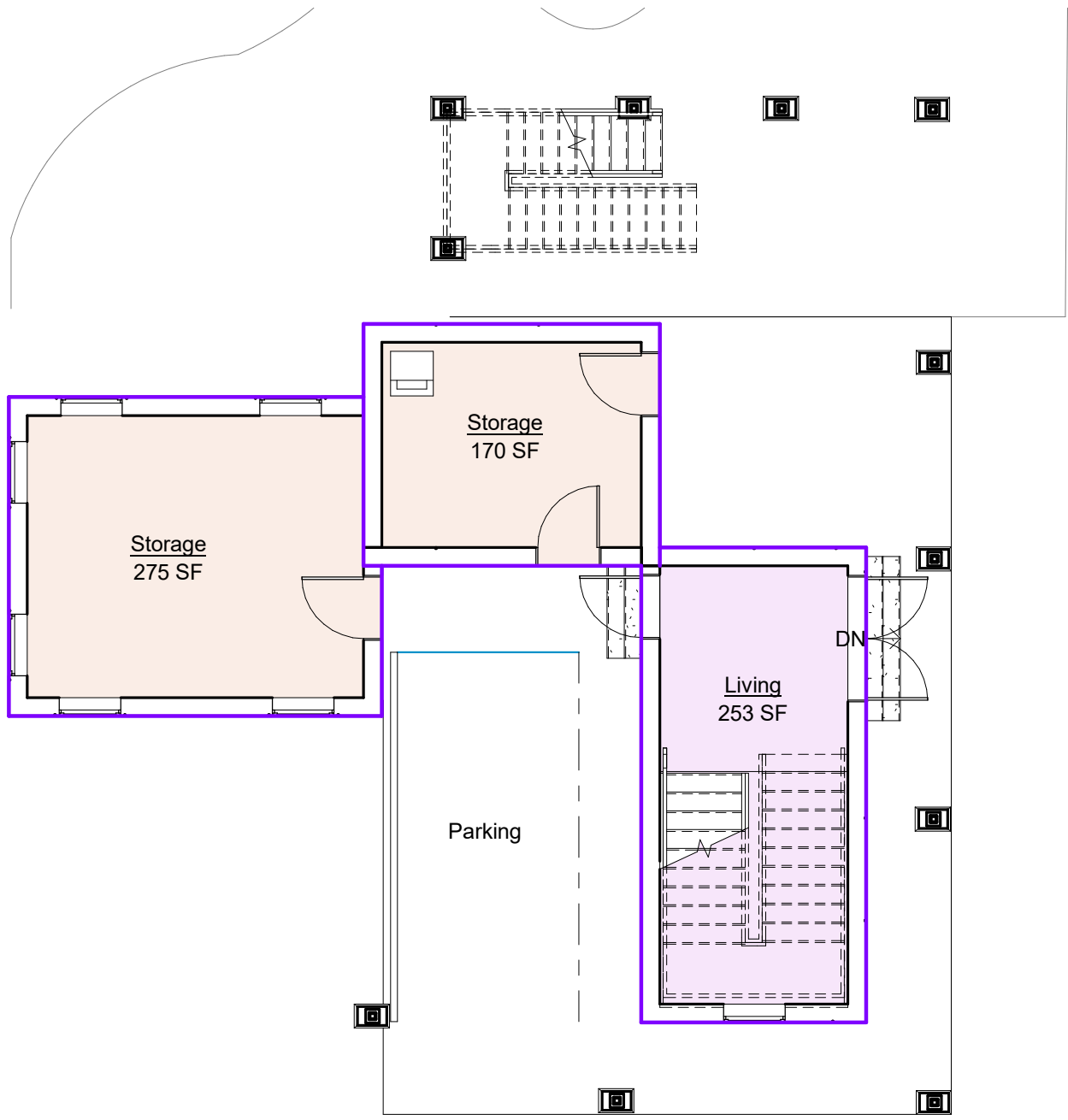


5 Site Plan Buildable Area With Variance
1/16" = 1'-0"



2 Site Plan
1/16" = 1'-0"

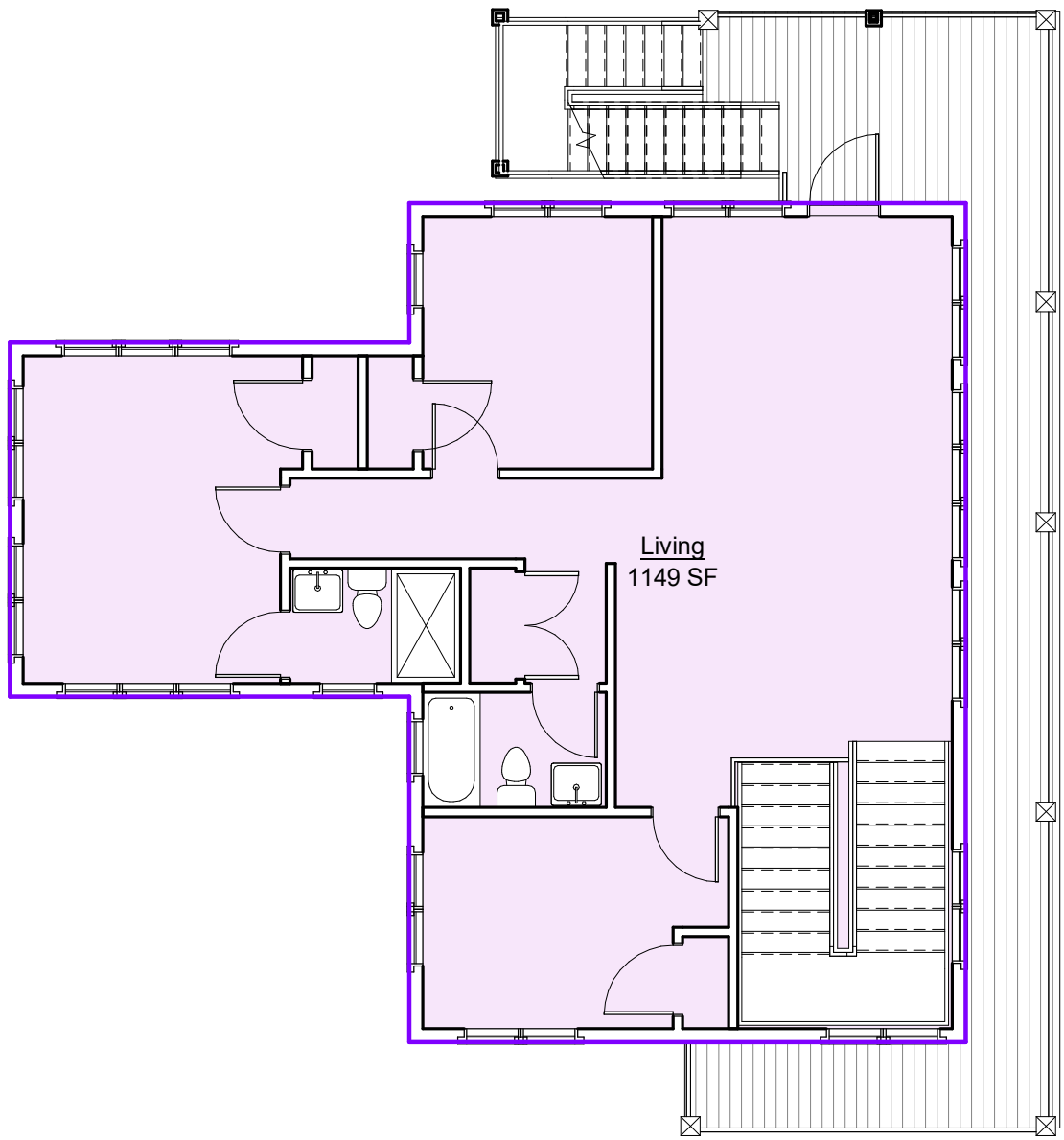
Area Schedule Proposed		
Level	Name	Area
1st Floor	Storage	170 SF
1st Floor	Living	253 SF
1st Floor	Storage	275 SF
2nd Floor	Living	1149 SF
3rd Floor	Living	517 SF
Grand total		2365 SF



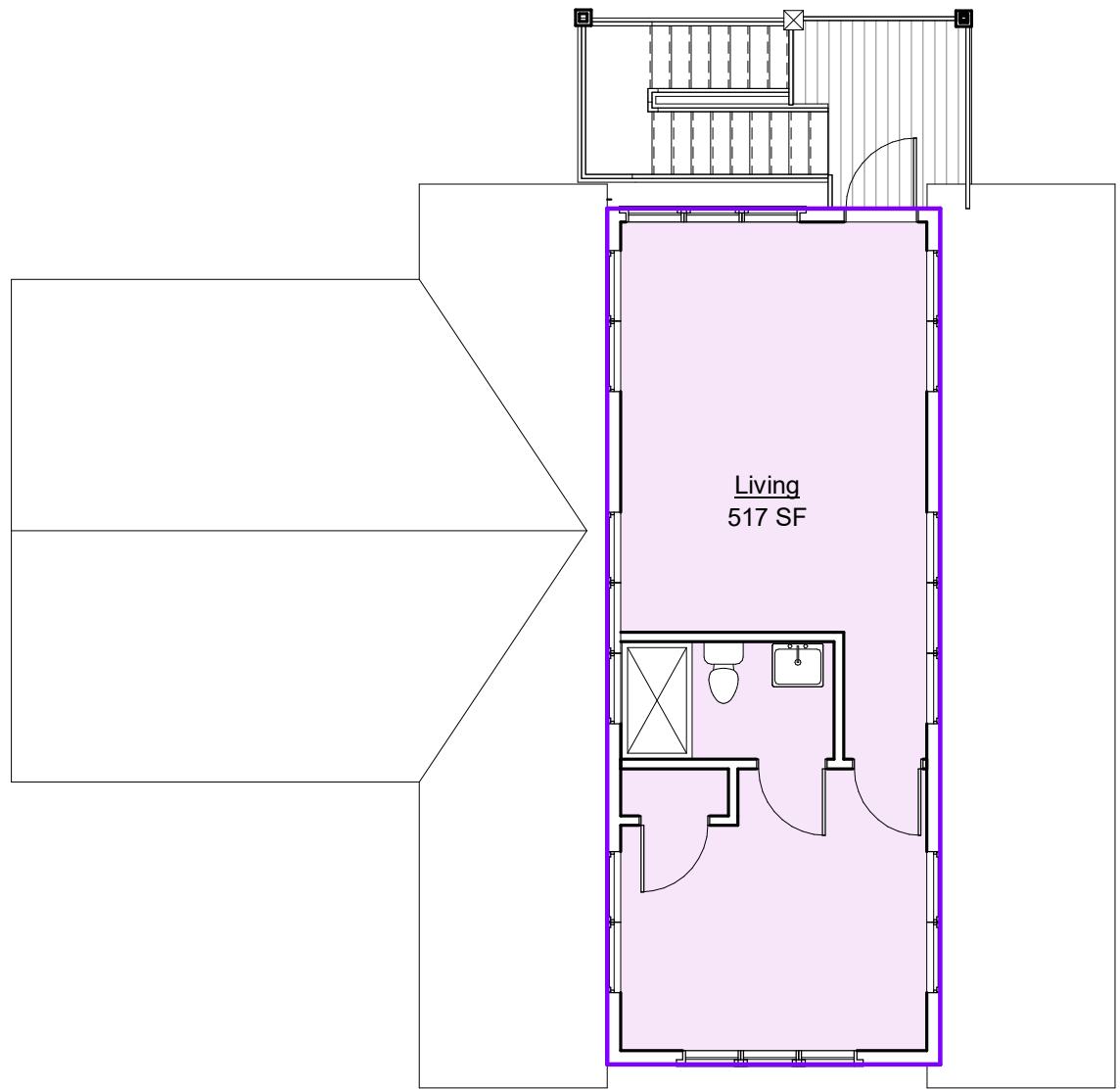
1 1st Floor
1/8" = 1'-0"

Building Area Legend

- Living
- Storage



3 2nd Floor
1/8" = 1'-0"



4 3rd Floor
1/8" = 1'-0"

PROJECT NAME

Mendoza Residence

PROJECT ADDRESS

125 Strandview Ave
Ft. Myers, FL 33931

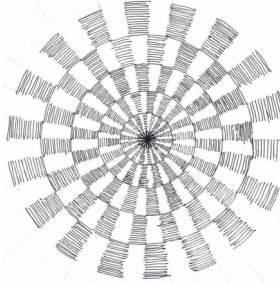
CLIENT

Jorge and Arlina
Mendoza

ARCHITECT

SOL AND ASSOCIATES INC

523 MEDFORD ST
CHARLESTOWN, MA 02129
TELEPHONE: 617-869-6806



CONSULTANTS:

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FULLEST EXTENT OF PROSECUTION
UNDER LAW

REGISTRATION

Project number JJM - 2023-001
Date 04/17/2023
Drawn by ars
Checked by sa
Scale As indicated

REVISIONS

No.	Description	Date

Area Floor Plans
and Site Plan

A-001

Mendoza Residence

**Town of Fort Myers Beach
Agenda Item Summary**

Yellow Sheet Number: **2023-1136**

1. Requested Motion:

Meeting Date: August 8, 2023

Approve/Approve with Conditions/Deny VAR20230070, 434 Estero Blvd, a variance for front and rear setbacks, variance to switch the side and rear setback location, and a variance for mechanical equipment encroachment.

Why the action is necessary:

The LPA hears and make recommendations to the Town Council for variance requests.

What the action accomplishes:

The LPA recommendation will be forwarded to the Town Council.

2. Agenda:

PUBLIC HEARINGS

3. Requirement/Purpose:

Resolution

5. Background:

Applicants for 434 Estero Boulevard, are requesting four variances from the Town's Land Development Code (LDC) table 34-3 to reduce the front setback by 9 feet for a front setback of 16 feet and reduce the rear setback by 5.5 feet for a rear setback of 14.5 feet in the RM zoning district. One variance per Section 34-268(a)(5) to switch the rear setback from the side opposite of the front (east side), to the side facing the gulf (south side). One variance from Section 34-638(d)(1)g to allow a 1.5 foot encroachment of mechanical equipment into a side setback. This property is one of the cottage lots, that is 60 feet by 50 feet and is accessed via an easement from Estero Boulevard.

Attachments:

1. 434 Estero Blvd Staff Report
2. Exhibit A - Complete Application
3. Exhibit B - LPA postcards

Financial Impact:

unknown

6. Alternative Action

Approve with conditions

7. Staff Recommendations:

Recommend denial of variance request VAR20230070.

8. Recommended Approval:

Steve Poposki, Community Development Director

Date: July 28, 2023

Gretchen R.H. Vose, Town Attorney

Date: August 04, 2023

Amy Baker, Town Clerk

Date: August 04, 2023



**Town of Fort Myers Beach
COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT**

TYPE OF CASE: Variance

CASE NUMBER: VAR20230070

CASE NAME: 434 Estero Boulevard, four variances. A variance from Table 34-3 for the front and rear setback, a variance to switch the side and rear setbacks, and a variance to allow encroachment of mechanical equipment in the side setback.

LPA

HEARING DATE: August 8, 2023

STAFF

RECOMMENDATION: DENIAL

**PREPARED/
SUBMITTED BY:** Sarah Propst AICP, PMP / Jason Green AICP, CFM

I. APPLICATION SUMMARY

Applicant/Owner: Richard Durling and Kara Stewart (Applicant)/ Sarah J Tarble Trust (Owner)

Request: Variance from LDC Table 34-3 to decrease the front setback by 11 feet from 25 feet and decrease the rear setback by 5.5 feet from 20 feet. A variance per 34-268(a)(5) to move the rear setback to the property line facing the gulf. A variance from 34-638(d)(1)g to allow mechanical equipment to encroach into the side setback.

Subject property: See attached site plan

Physical Address: 434 Estero Boulevard

STRAP #: 24-46-23-W1-00700.026D

FLU: Mixed Residential

Zoning: Residential Multifamily (RM)

Adjacent zoning and land uses:

North:	MIXED RESIDENTIAL Residential Multifamily (RM)
South:	MIXED RESIDENTIAL Residential Multifamily (RM)
East:	MIXED RESIDENTIAL Residential Multifamily (RM)
West:	MIXED RESIDENTIAL Residential Multifamily (RM)

II. BACKGROUND AND ANALYSIS

Background:

Richard Durling and Kara Stewart, applicant for the owners of 434 Estero Boulevard, are requesting four variances from the Town's Land Development Code (LDC) table 34-3 to reduce the front setback by 9 feet for a front setback of 16 feet and reduce the rear setback by 5.5 feet for a rear setback of 14.5 feet in the RM zoning district. One variance per Section 34-268(a)(5) to switch the rear setback from the side opposite of the front (east side), to the side facing the gulf (south side). One variance from Section 34-638(d)(1)g to allow a 1.5 foot encroachment of mechanical equipment into a side setback.

This property is one of the cottage lots, that is 60 feet by 50 feet and is accessed via an easement from Estero Boulevard. Per the applicant, the previous home on the property had a footprint of approximately 760 square feet and the proposed house has an approximate 676 square foot footprint. The code was amended to allow reconstruction of single-story cottages that were no larger than the previously existing homes. While the footprint of the proposed home is smaller than the previous home, the proposed home is a two-story home which makes it ineligible for the administrative variance option.

Analysis:

The proposed property does not meet the minimum lot size for the RM zoning district, the minimum lot size for that zoning district is 75 feet by 100 feet. This lot is smaller than even the minimum lot size for the RC zoning district, which has a minimum lot size of 45 feet by 80 feet and 4,000 square feet. Application of the required setbacks to this property would result in a narrow buildable area of.

The proposed development requires a variance to decrease the front setback (as measured from the access easement on the west side of the property) by 9 feet to create

a 16-foot front setback. The applicant is requesting a variance to change the rear setback from the side opposite the front, which would be the east side, to the south side of the property that faces the beach. In addition to changing where the rear setback is located, the applicant is also requesting a variance of 5.5 feet from the 20-foot required setback, for a rear setback of 14.5 feet. The applicant is also requesting a variance of 1.5 feet for mechanical equipment to encroach the required 7.5 foot side setback on the north side of the property to allow a 6 foot setback for the equipment. The house will be 10 feet from the north side of the property.

The previous home was constructed at an angle to the property lines and provided smaller setbacks than the proposed house.

The Fire Department has recently indicated that it may need a wider access road than the existing 10-foot easement, the proposed house layout provides enough front setback width that the easement could be widened without impact to the house, if necessary. Staff is recommending a condition that the ground flood must be maintained open and vehicles must be parked outside of the access easement to ensure that the easement is never blocked.

Neighborhood Compatibility:

This property is one of 12 adjacent properties that were developed as cottage lots. All of the homes previously developed on these sites were similar in size and did not meet current code setbacks. All were destroyed by Hurricane Ian, leaving these properties vacant.

Findings and Conclusions:

LDC Sec. 34-87 sets forth the required findings and conclusions for the approval of a variance:

- a. That there **are**/are not exceptional or extraordinary conditions or circumstances that are inherent to the property in question, or that the request **is**/is not for a de minimis variance under circumstances or conditions where rigid compliance is not essential to protect public policy.*

These cottage lots are smaller than the code minimums and the minimum setbacks would make construction of a new home particularly difficult. The proposed setbacks are similar to the setbacks of the previous home on the property and the proposed footprint is smaller, per the applicant, than the previous house on the property.

- b. That the conditions justifying the variance **are**/are not the result of actions of the applicant taken after the adoption of the regulation in question.*

The conditions justifying the variance are the result of the actions of the Applicant. The variance would not be necessary if the property owners were requesting a single story home with this proposed footprint.

- c. *That the variance granted **is/is not** the minimum variance that will relieve that applicant of an unreasonable burden caused by the application of the regulation in question to his property.*

The applicant is proposing greater setbacks than the previous residence provided.

- d. *That the granting of the variance will/**will not** be injurious to the neighborhood or otherwise detrimental to the public welfare; and*

The granting of this variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

- e. *That the conditions or circumstances on the specific piece of property for which the variance is sought are/**are not** of so general or recurrent a nature as to make it more reasonable and practical to amend the regulation in question.*

The conditions or circumstances on this specific property for which a variance is sought are not general in nature and do not warrant a code change. A code change has been made to allow administrative variances for cottage lots, however, this proposed residence does not meet the requirements of that administrative option due to the second story proposed.

III. RECOMMENDATION

Staff has reviewed the request for four variances, from LDC Table 34-3 to decrease the front setback by 11 feet from 25 feet and decrease the rear setback by 5.5 feet from 20 feet. A variance per 34-268(a)(5) to move the rear setback to the property line on the south. A variance from 34-638(d)(1)g to allow mechanical equipment to encroach into the side setback, and has found that the variance request does not meet all of the requirements set-forth in sec. 34-87.

Therefore, staff recommends **DENIAL** of VAR20230070, to decrease house and mechanical equipment setbacks for and to amend where setbacks are measured from, for the construction of single-family residence at 434 Estero Blvd.

Staff has included two conditions for the LPA to consider.

IV. CONDITIONS FOR APPROVAL

Should the LPA choose to approve this request, staff recommends the following conditions of approval:

- 1) Approval of this variance does not give the Applicant an undeniable right to permit approval. Development or redevelopment of the Property must comply with all applicable requirements of the Fort Myers Beach Comprehensive Plan and LDC in effect at the time of permit approval, except as specifically modified herein.
- 2) The variance shall only apply to the single-family home as shown on the provided site plan. Demolition or substantial damage to the residential structure shall render the variances to be null and void.
- 3) The first floor shall not be enclosed. It should be made available as a private car park for the residents and their guests. All vehicles must be parked completely on the site and not encroach into the access easement.

II. EXHIBITS

Exhibit A: Complete Application Packet

Exhibit B: Postcards to Adjacent Property Owners



COMMUNITY DEVELOPMENT DEPARTMENT APPLICATION for PUBLIC HEARING

This is a first part of a two-part application. Please be sure to fill out this form, which requires general information, as well as the Supplemental Form application specific to action requested for the subject property. Please submit a complete Public Hearing application with required, supplemental information, exhibits and documents to zoningpermits@fmbgov.com. Please do not submit the instructions at the end of the application.

Site Address: 434 Estero Blvd

STRAP Number: 24-46-23-W1-00700.026D

Applicant: Marvin Homes Phone: _____

Contact Name: Richard Durling Phone: 239-410-1750

Email: rdurling@marvin-homes.com Fax: _____

Current Zoning District: RM

Future Land Use Map (FLUM) Category: Mixed Residential

FLUM Density Range: 6du per acre Platted Overlay: ☐ YES ☒ NO

ACTION REQUESTED

☐ Special Exception

☒ Variance

☐ Conventional Rezoning

☐ Planned Development ☐ Commercial ☐ Residential

☐ Master Concept Plan Extension

☐ Appeal of Administrative Action

☐ Vacation of Platted Right-of-way and Easement

☐ Other – cite LDC Section: _____

SUPPLEMENTAL FORM REQUIRED

PH-A

PH-B

PH-C

PH-D

PH-E

PH-F

PH-G

attach on separate sheet

PART I – General Information

A. Applicant*: Richard Durling c/o Marvin Homes Phone: 239-410-1750

**Applicant must submit a statement under oath that he/she is the authorized representative of the property owner.
Please see PART III to complete the appropriate Affidavit form for the type of applicant.*

Applicant Mailing Address: 1591 Haley Ln suite 204, Fort Myers 33907

Email: rdurling@marvin-homes.com Fax: _____

Contact Name: Richard Durling Phone: 239-410-1750



COMMUNITY DEVELOPMENT DEPARTMENT APPLICATION for PUBLIC HEARING

B. Relationship of Applicant to subject property:

- | | | |
|--|---|--|
| ☐ Owner* | ☐ Land Trust* | ☐ Partnership* |
| ☐ Corporation* | ☐ Association* | ☐ Condominium* |
| ☐ Subdivision* | ☐ Timeshare Condo* | ☐ Contract Purchaser* |
| ☒ Authorized Representative* | ☐ Other* (please indicate) _____ | |

**Applicant must submit a statement under oath that he/she is the authorized representative of the property owner.
Please see PART III to complete the appropriate Affidavit form for the type of applicant.*

C. Authorized Agent(s). Please list the name of Agent authorized to receive correspondence Agents

Name: Richard Durling Phone: 239-410-1750
Address: 1591 Haley Ln suite 204, Fort Myers 33907
Email: rdurling@marvin-homes.com Fax: _____

D. Other Agent(s). Please list the names of all Authorized Agents (attach extra sheets if necessary)

Name: Kara Stewart Phone: 239-770-4198
Address: 1591 Haley Ln suite 204, Fort Myers 33907
Email: stewart.karalyn@gmail.com Fax: _____

Name: _____ Phone: _____
Address: _____
Email: _____ Fax: _____

PART II – Nature of Request

Requested Action (each request requires a separate application)

- ☐ Special Exception
- ☒ Variance from LDC Section 34 - 638
- ☐ Conventional Rezoning from _____ to _____
- ☐ Planned Development
- ☐ Rezoning from _____ to ☐ Commercial PD ☐ Residential PD
- ☐ Amendment. List the project number: _____
- ☐ Extension/reinstatement of Master Concept Plan. List project number: _____



COMMUNITY DEVELOPMENT DEPARTMENT APPLICATION for PUBLIC HEARING

☐ Appeal of Administrative Action

☐ Vacation

☐ Right-of-Way

☐ Easement

☐ Other. Please Explain: _____

PART III - Waivers

Please indicate any specific submittal items that have been waived by the Director for the request. Attach a copy of the signed approval as Exhibit 3-1. (Use additional sheets if necessary)

Code Section: _____ Description: _____

Code Section: _____ Description: _____

Code Section: _____ Description: _____

Code Section: _____ Description: _____

Code Section: _____ Description: _____

Code Section: _____ Description: _____

PART IV - Property Ownership (Single Owner)

☐ Single Owner (individual or husband and wife)

Name: N/A Phone: _____

Mailing Address: _____

Email: _____ Fax: _____

AFFIDAVIT

APPLICATION IS SIGNED BY AN INDIVIDUAL OWNER OR APPLICANT

I, Richard Durling swear or affirm under oath, that I am the owner or the authorized representative of the owner(s) of the property and that:

I have full authority to secure the approval(s) requested and to impose covenants and restrictions on the referenced property as a result of any action approved by the Town of Fort Myers Beach in accordance with this application and the Land Development Code;

All answers to the questions in this application and any sketches, data or other supplementary matter attached hereto and made a part of this application are honest and true;



COMMUNITY DEVELOPMENT DEPARTMENT APPLICATION for PUBLIC HEARING

I have authorized the staff of the Town of Fort Myers Beach Community Development to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made thru this application; and that

The property will not be transferred, conveyed, sold or subdivided unencumbered by the conditions and restrictions imposed by the approved action.

Signature

Richard Durling

Printed Name

STATE OF FLORIDA COUNTY OF LEE

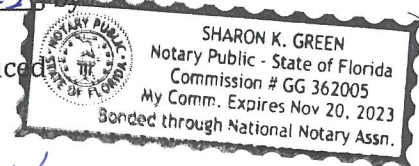
The foregoing instrument was certified and subscribed before me by means of ☒ physical

presence OR ☐ online notarization, this 9th day of MAY, 2023, by

Richard E. Durling

☒ who is personally known to me OR ☐ who has produced

_____ as identification.



Sharon K. Green
Notary Public Signature

PART V

Property Ownership (Multiple Owners)

☒ Multiple Owners (including corporation, partnership, trust, association, condominium, timeshare, or subdivision)

- ☐ Complete Disclosure of Interest Form (see below)
- ☐ Attach list of property owners as Exhibit 5-1
- ☐ Attach map showing property owners interests as Exhibit 5-2 (for multiple parcels)
- ☐ For condominiums and timeshares see Explanatory Notes Part V - Exhibit 5-3
- ☐ Letter of Opinion - Exhibit 5-4

DISCLOSURE OF OWNERSHIP INTEREST

If the property is owned in fee simple by an INDIVIDUAL, tenancy by the entirety, tenancy in common, or joint tenancy, list all parties with an ownership interest as well as the percentage of such interest.

Name and Address

Percentage Ownership

N/A



COMMUNITY DEVELOPMENT DEPARTMENT

APPLICATION for PUBLIC HEARING

If the property is owned by a CORPORATION, list the officers and stockholders and the percentage of stock owned by each.

Name, Address and Office

Percentage of Stock

N/A

If the property is in the name of a TRUSTEE, list the beneficiaries of the trust with percentage of interest.

Name and Address

Percentage of Interest

TARBLE SARA J TR FOR SARA J TARBLE TRUST

100 %

409 NORTH 7TH ST MARSHALL IL 62441

If the property is in the name of a GENERAL PARTNERSHIP OR LIMITED PARTNERSHIP, list the names of the general and limited partners.

Name and Address

Percentage of Ownership

N/A

If there is a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the officers, stockholders, beneficiaries, or partners.

Name, Address and Office

Percentage of Stock

N/A



COMMUNITY DEVELOPMENT DEPARTMENT APPLICATION for PUBLIC HEARING

Date of Contract: _____

If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust.

Name	Address
N/A	

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of final certificate of compliance, a supplemental disclosure of interest must be filed.

The above is a full disclosure of all parties of interest in this application, to the best of my knowledge and belief.

_____ Signature	_____ Printed Name
--------------------	-----------------------

AFFIDAVIT

APPLICATION IS SIGNED BY A CORPORATION, LIMITED LIABILITY COMPANY (L.L.C.), LIMITED COMPANY (L.C.), PARTNERSHIP, LIMITED PARTNERSHIP, OR TRUSTEE

I, Sara J. Tarble (name), as trustee (title)
of Sara J. Tarble Trust (company), swear or affirm under oath, that I am the owner or the authorized representative of the owner(s) of the property and that:

1. I have full authority to secure the approval(s) requested and to impose covenants and restrictions on the referenced property as a result of any action approved by the Town of Fort Myers Beach in accordance with this application and the Land Development Code;
2. All answers to the questions in this application and any sketches, data or other supplementary matter attached hereto and made a part of this application are honest and true;
3. I have authorized the staff of Fort Myers Beach Community Development to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made thru this application; and that
4. The property will not be transferred, conveyed, sold or subdivided unencumbered by the conditions and restrictions imposed by the approved action.



COMMUNITY DEVELOPMENT DEPARTMENT
APPLICATION for PUBLIC HEARING

Sara J. Tarble Trust

Name of Entity (corporation, partnership, LLP, LLC, etc)

Sara J. Tarble
Signature

Sara J. Tarble

Typed or Printed Name

Trustee

Title

5/8/2023

Date

STATE OF FL COUNTY OF clack

The foregoing instrument was certified and subscribed before me by means of ☒ physical

presence OR ☐ online notarization, this 8 day of May, 2023, by

Samuel T. Speros ☒ who is personally known to me OR ☐ who has produced

_____ as identification.



Samuel T. Speros
Notary Public Signature

PART VI- Property Information

A. Legal Description:

STRAP: 24-46-23-W1-00700.026D

Property Address: 434 Estero Blvd

Is the subject property within a platted subdivision recorded in the official Plat Books of Lee

County? ☒ No. Attach a legible copy of the legal description as Exhibit 6-1.

☐ Yes. Property identified in subdivision: _____

Book: _____ Page: _____ Unit: _____ Block: _____ Lot(s): _____

B. Boundary Survey:

☒ Attach a Boundary Survey of the property meeting the minimum standards of Chapter 61G17-6 of the Florida Administrative Code. A Boundary Survey must bear the raised seal and original signature of a Professional Surveyor and Mapper licensed to practice Surveying and Mapping by the State of Florida. Attach and label as Exhibit 6-2.



COMMUNITY DEVELOPMENT DEPARTMENT APPLICATION for PUBLIC HEARING

C. Property Dimensions:

Width (please provide an average width if irregular in shape) 60' w/access easement feet

Depth (please provide an average width if irregular in shape) 50' feet

Frontage on street: 60' feet. Frontage on waterbody: 0 feet

Total land area: 3000 ☐ acres ☒ square feet

D. General Location of Subject Property (from Sky Bridge or Big Carlos Pass Bridge):

From Sky Bridge go right towards north end of Island before Pink Shell;
property is on left

☒ Attach Area Location Map as Exhibit 6-3

E. Property Restrictions (check applicable):

☒ There are no deed restrictions and/or covenants on the subject property.

☐ A list of deed restrictions and/or covenants affecting the subject property is attached as Exhibit 6-4.

☐ A narrative statement detailing how the restrictions/covenants may or may not affect the request is attached as Exhibit 6-5.

F. Surrounding Property Owners (these items can be obtained from the Lee County Property Appraiser):

☒ Attach a list of surrounding property owners within 500 feet as Exhibit 6-6.

☒ Attach a map showing the surrounding property owners as Exhibit 6-7.

☒ Provide Staff with two (2) sets of surrounding property owner mailing labels.

G. Future Land Use Category (see Future Land Use Map):

☐ Low Density

☒ Mixed Residential

☐ Boulevard

☐ Pedestrian Commercial

☐ Marina

☐ Recreation

☐ Wetlands

☐ Platted Overlay



COMMUNITY DEVELOPMENT DEPARTMENT APPLICATION for PUBLIC HEARING

EXPLANATORY NOTES

Please do not print, copy and submit these instructions

Please submit required applications, supplemental information, exhibits and documents to zoningpermits@fmbgov.com.

Application fees are set by resolution of the Town Council of the Town of Fort Myers Beach and must be paid before any materials submitted will be considered an application.

The applicant is responsible for the accuracy and completeness of this application. Time delays or additional expenses necessitated by submitting inaccurate or incomplete information will be the responsibility of the applicant. Decisions regarding requests to waive submittal requirements are at the discretion of the Community Development Director and may not be appealed.

All information submitted with the application becomes a part of the public record and will be a permanent part of the file.

All attachments and exhibits must be legible, suitable for recording, and of a size that will fit or conveniently fold into a letter size (8 ½ by 11) folder.

Explanatory Notes – Part I

- A. Applicant's name: The applicant may be the landowner or an authorized agent.
- B. Relationship of applicant to property: Indicate if the applicant is the property owner, and if so, the type of ownership. If the applicant is not the owner of the property, indicate the relationship of the applicant to the owner and submit a notarized authorization from the owner(s) to the applicant.
- C. Agent's name: If the applicant will have others representing him/her in processing the application, indicate name, address, and phone number.
- D. Other agents: Provide contact information for any other agents that may be involved in the request.

Explanatory Notes – Part II

Indicate the requested action.

Explanatory Notes – Part III

If waiver of any application requirement has been approved by the Community Development Director, attach a copy of the approval. Please request waivers prior to applying. Exhibit 3-1

Explanatory Notes – Part IV

- A. If the property owner is an individual or husband and wife, check the box and provide the information.



COMMUNITY DEVELOPMENT DEPARTMENT APPLICATION for PUBLIC HEARING

Explanatory Notes – Part V

- A. If there are multiple property owners exhibit 5-1, complete the disclosure form and include the names and mailing addresses of all persons or entities having an ownership interest in the property, including the names of all stockholders and trust beneficiaries. Disclosure is not required of any entity whose interests are solely equity interests that are regularly traded on an established securities market in the United States or another country.
- B. If more than one parcel is involved, submit a list of all property owners and their mailing addresses. Provide a map keyed to the list of property owners showing their interests. The applicant is responsible for the accuracy of the list and map Exhibit 5-2
- C. Where the property is a condominium or timeshare condominium, the application must be initiated by both the condominium association and no less than 75% of the total number of unit owners. To verify ownership, the list of property owners must be identified by unit number and/or timeshare period as applicable, along with proof that the owners who did not join in the application were given actual written notice of the application by the applicants, who must verify the list and the notice by sworn affidavit. Attach this affidavit as Exhibit 5-3.
- D. In addition, a letter of opinion from an attorney licensed to practice law in the State of Florida addressing the considerations in LDC Section 34-201(a)(1)b.3. must be attached as Exhibit 5-4.

Explanatory Notes – Part VI

- A. Include the street address of the subject property. List STRAP number. If more than one parcel is involved, list all STRAP numbers. If you don't know the STRAP number, you can look up the property in the records of the Lee County Property Appraiser at <http://www.leepa.org>. If the application includes only one or more undivided platted lots within a subdivision officially recorded in the Plat Books of Lee County, Florida, identify the property by lot number(s), block if applicable, subdivision unit if applicable, subdivision name, and plat book number and page number. If the property is not one or more undivided platted lots or is in an "unrecorded" subdivision, attach a metes and bounds legal description giving accurate bearings and distances for each course. If multiple parcels are involved, the metes and bounds legal description must describe the perimeter of the entire property subject to the request. The initial point in the description must be related to at least one established identifiable real property corner, such as a government corner or a recorded corner. The bearings used in the description must be clearly referenced to a well-established and monumented line. Exhibit 6-1
- B. Submit a Boundary Survey meeting the minimum technical standards for surveying set out in Chapter 61G17-6 of the Florida Administrative Code. Make sure that the surveyor is aware of any specific needs of the survey (location of Coastal Construction Lines, locations of existing structures, locations of easements, etc) that are relevant to your request. The perimeter boundary of the entire subject property should be indicated clearly with a heavy



COMMUNITY DEVELOPMENT DEPARTMENT APPLICATION for PUBLIC HEARING

- line. Exhibit 6-2
- C. Provide the property dimensions or the approximate dimensions if the property is not a regular quadrilateral.
 - D. Describe how to get to the property starting from either the Sky Bridge or the Big Carlos Pass Bridge (specify which). Exhibit 6-3
 - E. If there are any deed restrictions or covenants that might affect the requested action, provide the information. Exhibit 6-4
 - F. A narrative statement detailing how the restrictions/covenants may or may not affect the request is attached as Exhibit 6-5
 - G. Attach a list of the surrounding property owners within 500 feet of the perimeter of the area of the request. Also include two sets of mailing labels providing the names and addresses of the owners on this list, and a map showing the parcel boundaries within the 500-foot radius Exhibit 6-6. This information can be acquired for a small fee by requesting a "variance report" from the Map Sales Office at the Lee County Property Appraiser's Office. Contact information for the Property Appraiser can be found at <http://www.leepa.org>.
 - H. Indicate the Future Land Use Map category or categories of the property as shown on the Fort Myers Beach Comprehensive Plan's Future Land Use Map, and whether the property is located in the "platted overlay" on the map.
 - I. Indicate the current zoning of the property. In most cases the current zoning is shown on the official zoning map of the Town of Fort Myers Beach, as adopted by ordinance. If zoning actions affecting the subject property have been taken since March 2004, call Town Hall to verify the current zoning.

Explanatory Notes – Part IV & V

The applicant must sign and submit either of the affidavits in Part V & VI, as applicable.

Town of Fort Myers Beach

COMMUNITY DEVELOPMENT DEPARTMENT

Supplement PH-B

Additional Required Information for a Variance Application

This is the second part of a two-part application. This part requests specific information for a variance. Include this form with the Request for Public Hearing form.

Case Number:
Project Name: 434 Estero Blvd Single Family Setback Variance
Authorized Applicant: Richard Durling
LeePA STRAP Number: 24-46-23-W1-00700.026D

Current Property Status: Vacant
Current Zoning: RM
Future Land Use Map (FLUM) Category: Mixed Residential
Comp Plan Density: 6du/acre Platted Overlay? ☐ Yes ☒ No

Variance is requested from:

LDC Section Number	Title of Section or Subsection
LDC 34-638 (b)(1)(a) Table 34-3	Where to find minimum setbacks
LDC34-268 (a)(5)	Administrative Setback to allow to reverse side and rear setbacks
LDC 34-638 (d)(1)(g)	Mechanical Equipment encroachment

Complete the narrative statements below for EACH variance requested.

PART I
Narrative Statements

Request for variance from 34-638 Setbacks **(LDC Section number)**

Explain the specific regulation contained in this section from which relief is sought:
The property is located in the RM zoning district which requires street setback 25':
side 7.5' and rear 20'
Requesting under LDC 34-638 table 34-3 Street setback a reduction in the
street setback from the required 25' street setback to a 16' front lot line setback
(no street exists, access is only via a shared driveway easement)
Requesting under LDC 34-638 table 34-3 a reduction on the required 20' rear
setback to 14'6.

Reasons for request

Explain why the variance is needed:
The destruction of the dwelling unit via Hurricane Ian has necessitated the
reconstruction of the Single Family residence. The size of the lot is 60' x 50',
without the setback variances a Single Family structure could not be constructed
on this lot. Maintaining a 25' front and 20' rear setback would only
leave a space 5' wide to construct a single family.

Explain the possible effect the variance, if granted, would have on surrounding properties:

There are no negative effects to the neighbors, the structure existed previously and is being replaced within a smaller footprint. See exhibit "A" previous structure survey. The previous structure was an elevated 760 sf single family, the proposed base floor plan consists of an interior habitable first floor of 676 sf.

Our percentage of lot coverage is below the allowable 40% as we are at 32%

As this property is accessed by a shared driveway access easement the front setbacks will not affect anyone.

Explain the hardship (what is unique about the property) that justifies relief from the regulation:

SEE EXHIBIT "B"

Explain how the property qualifies for a variance. Direct this explanation to the guidelines for decision-making in LDC Section 34-87.
(1) Exceptional and extraordinary conditions exist. The size, location and access to the property make it unrealistic to develop without setback variances.
This property is accessed only by a shared driveway easement (and has been approved under the previously obtained MUD202300024).
(2) No action has been take by the applicant to create this need
Hurricane Ian removed the single family residence. The lot has had a structure on the property in this configuration since 1964. Looking to maintain the use
(3) The variances requested are the minimum required to construct a single family as demonstrated in the design of the new home with a floor plan less than what previously existed. In addition to the size of the home we are proposing only a 24' height from DFE which is well below the allowed 30'
(4) Allowing a single family home in this location will not be injurious to the neighboring properties, to the contrary it may encourage others to rebuild their homes. Additionally, the property has been in this configuration since 1964 creating a familiarity to the neighboring properties abutting with minimum setbacks. As we are maintaining a similiar footprint, the familiarity should continue. The structure is designed as a minimally useable footprint for a single family.
(5) The conditions of the property do not lend itself to amending the LDC for setbacks, this is a smaller than typical, uniquely sandwiched lot with a driveway access easement.

PART 2

Submittal Requirements

All applications for a variance must be submitted electronically through our Iworq portal - [iworq \(talktomycity.com\)](http://iworq.talktomycity.com)

Required Items

- Public Hearing Request Form
- Supplemental form PH-B
- Site Plan (to scale) including the current use of all existing structures on the site, and those on adjacent properties within 100 feet of the perimeter; and a clear illustration of the proposed variance
- Fee in the amount of \$1800.00 (residential)/Additional Variance \$500.00
- Variance (non-residential) \$2800.00/ Additional Variance \$700.00

Guide to filing PH-B Additional Required Information for a Variance Application

Cover page

Case Number will be inserted by Community Development staff.

Project Name must be the same as the name used on the Request for Public Hearing form.

Applicant must be the same as on the Request for Public Hearing form.

STRAP numbers must be the same as on the Request for Public Hearing form.

Current status of property must be the same as on the Request for Public Hearing form.

"Variance is requested from..." Provide the section number and title of each section of the Fort Myers Beach Land Development Code from which a variance is being sought.

Narrative statements

If the application is for multiple variances, complete all of the narrative statements for each variance that is requested.

Site plan

The site plan must show all existing structures on the site; all existing structures within 100 feet of the perimeter boundary of the site; and a clear illustration of the proposed variance.

LDC Section 34-87

The guidelines for decision-making regarding a request for a variance are as follows:

1. Whether there are exceptional or extraordinary conditions or circumstances that are inherent to the property in question, or whether the request is for a *de minimis* variance under circumstances or conditions where rigid compliance is not necessary to protect public policy;
2. Whether the exceptional or extraordinary conditions justifying the variance are or are not the result of actions of the applicant taken after the adoption of the regulation in question;
3. Whether the requested variance is the minimum variance to relieve the applicant of an unreasonable burden caused by the application of the regulation in question;
4. Whether granting the variance would be injurious to the neighborhood or otherwise detrimental to the public welfare;
5. Whether the conditions or circumstances of the specific piece of property or the intended use of the property for which the variance is sought are of so general or recurrent a nature as to make it more reasonable and practical to amend the regulation in question.

PART I
Narrative Statements

Request for variance from 34-638 Setbacks **(LDC Section number)**

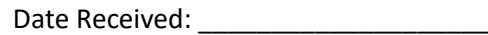
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(no street exists, access is only via a shared driveway easement)
Requesting under LDC 34-638 table 34-3 a reduction on the required 20' rear
setback to 14'6.

Reasons for request

Explain why the variance is needed:
The destruction of the dwelling unit via Hurricane Ian has necessitated the
reconstruction of the Single Family residence. The size of the lot is 60' x 50',
without the setback variances a Single Family structure could not be constructed
on this lot. Maintaining a 25' front and 20' rear setback would only
leave a space 5' wide to construct a single family.

Explain the possible effect the variance, if granted, would have on surrounding properties:
There are no negative effects to the neighbors, the structure existed previously and is being replaced within a smaller footprint. See exhibit "A" previous structure survey. The previous structure was an elevated 760 sf single family, the proposed base floor plan consists of an interior habitable first floor of 676 sf.
Our percentage of lot coverage is below the allowable 40% as we are at 32%
As this property is accessed by a shared driveway access easement the front setbacks will not affect anyone.

Explain the hardship (what is unique about the property) that justifies relief from the regulation:
SEE EXHIBIT "B"



(5) The conditions of the property do not lend itself to amending the LDC for setbacks, this is a smaller than typical, uniquely sandwiched lot with a driveway access easement.

PART I
Narrative Statements

Request for variance from 34-638 Setbacks **(LDC Section number)**

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without the setback variances a Single Family structure could not be constructed
on this lot. Maintaining a 25' front and 20' rear setback would only
leave a space 5' wide to construct a single family.

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Explain the hardship (what is unique about the property) that justifies relief from the regulation:

SEE EXHIBIT "B"

Explain how the property qualifies for a variance. Direct this explanation to the guidelines for decision-making in LDC Section 34-87.
(1) Exceptional and extraordinary conditions exist. The size, location and access to the property make it unrealistic to develop without setback variances.
This property is accessed only by a shared driveway easement (and has been approved under the previously obtained MUD202300024).
(2) No action has been take by the applicant to create this need
Hurricane Ian removed the single family residence. The lot has had a structure on the property in this configuration since 1964. Looking to maintain the use
(3) The variances requested are the minimum required to construct a single family as demonstrated in the design of the new home with a floor plan less than what previously existed. In addition to the size of the home we are proposing only a 24' height from DFE which is well below the allowed 30'
(4) Allowing a single family home in this location will not be injurious to the neighboring properties, to the contrary it may encourage others to rebuild their homes. Additionally, the property has been in this configuration since 1964 creating a familiarity to the neighboring properties abutting with minimum setbacks. As we are maintaining a similiar footprint, the familiarity should continue. The structure is designed as a minimally useable footprint for a single family.
(5) The conditions of the property do not lend itself to amending the LDC for setbacks, this is a smaller than typical, uniquely sandwiched lot with a driveway access easement.

EXHIBIT "B"- HARDSHIP WHAT MAKES THE PROPERTY UNIQUE

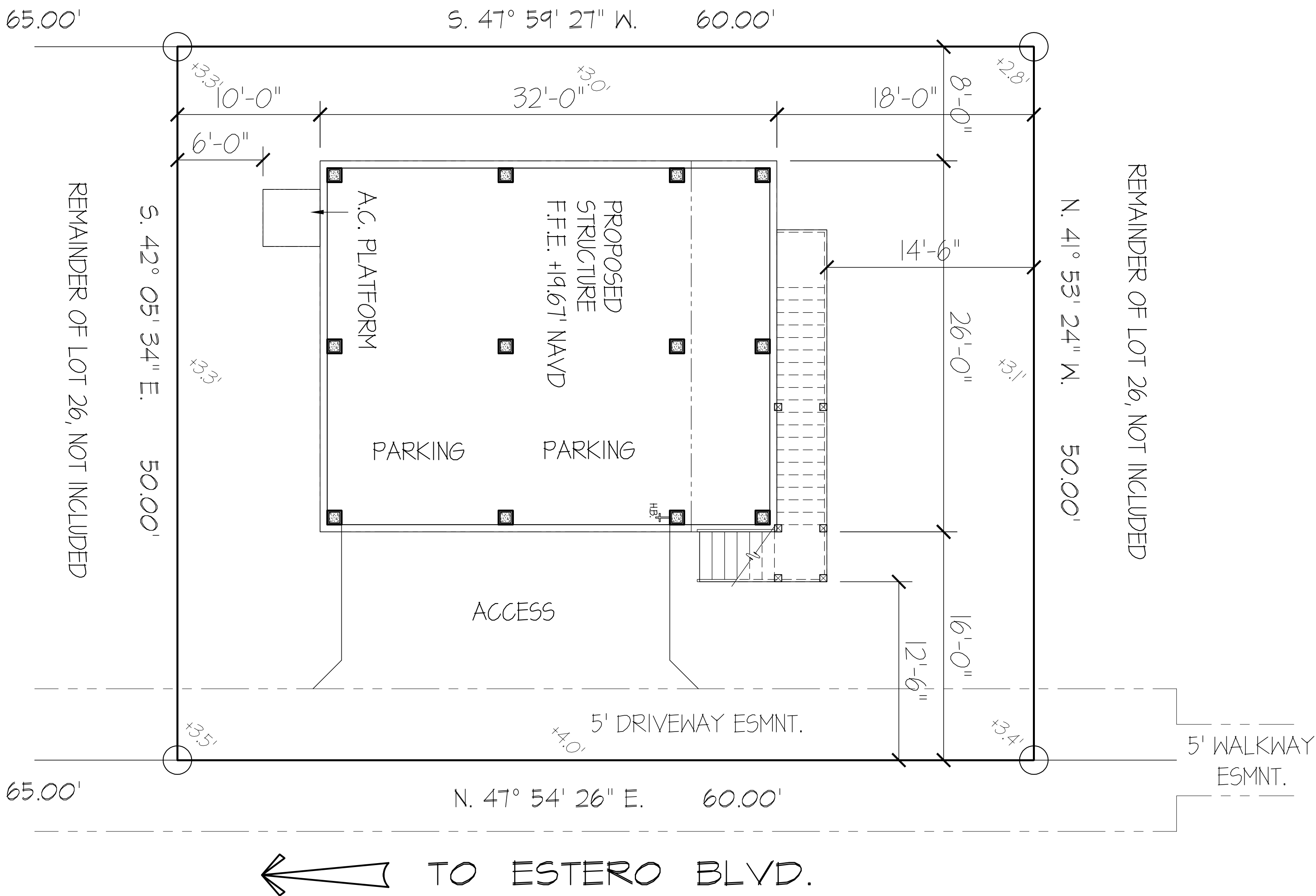
The property is 60' X 50', and using the definitions of lot line, front and lot line rear we are forced to configure our setbacks the way we have and are constrained to using the 50' lot depth. Unfortunately if all setbacks were to be met we would be left with only a 5' wide structure. As a result of this property being a nonconforming lot we have obtained a MUD20230025 and established there is access to the property through a shared driveway easement and a single family residence may be constructed.

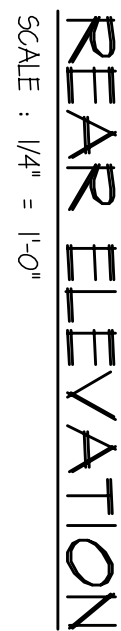
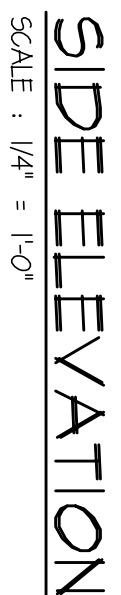
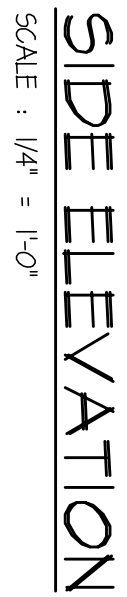
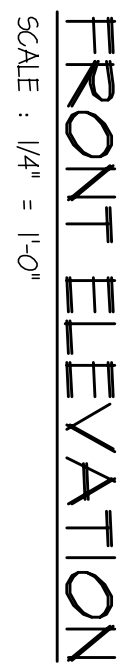
34-2 Definitions: "Lot line, front means the lot line which separates the lot from a street right of way or easement". In this instance, the property is only accessed via a shared driveway easement. Under LDC 34-638 (a)(1) (a) "Where access is provided by a shared driveway rather than a street, the director may determine that no street setback applies". Therefore we are proposing a front lot line setback of 12'6" (in lieu of a street setback) which will include the staircase entrance and provides access to the first floor living area.

"Lot line, rear means that lot line which is parallel to or concentric with and the most distant from the front lot line of the lot....."

In this instance that places our structure 8' from the what would be the rear lot line. Therefore we also requesting relief through LDC 34-268 (a) (5) which allows the switching of the side and rear property lines. Resulting in a request to reduce the amended rear setback location from 20' to 14'6".

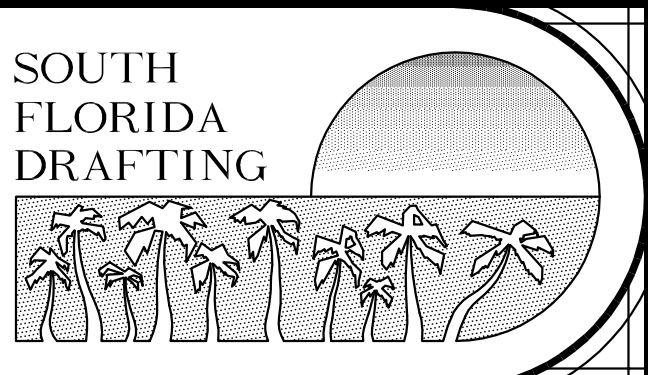
The fact that this is an irregular lot prevents us from meeting setbacks regardless of how it is configured.





A RESIDENCE FOR :
SARA TARBLE
MARVIN DEVELOPMENT CORPORATION
1591 HAYLEY LANE, SUITE #204
FORT MYERS, FL. 33907
TEL. No. (239) 433-1112
FAX. No. (239) 433-3885 CBCA24035

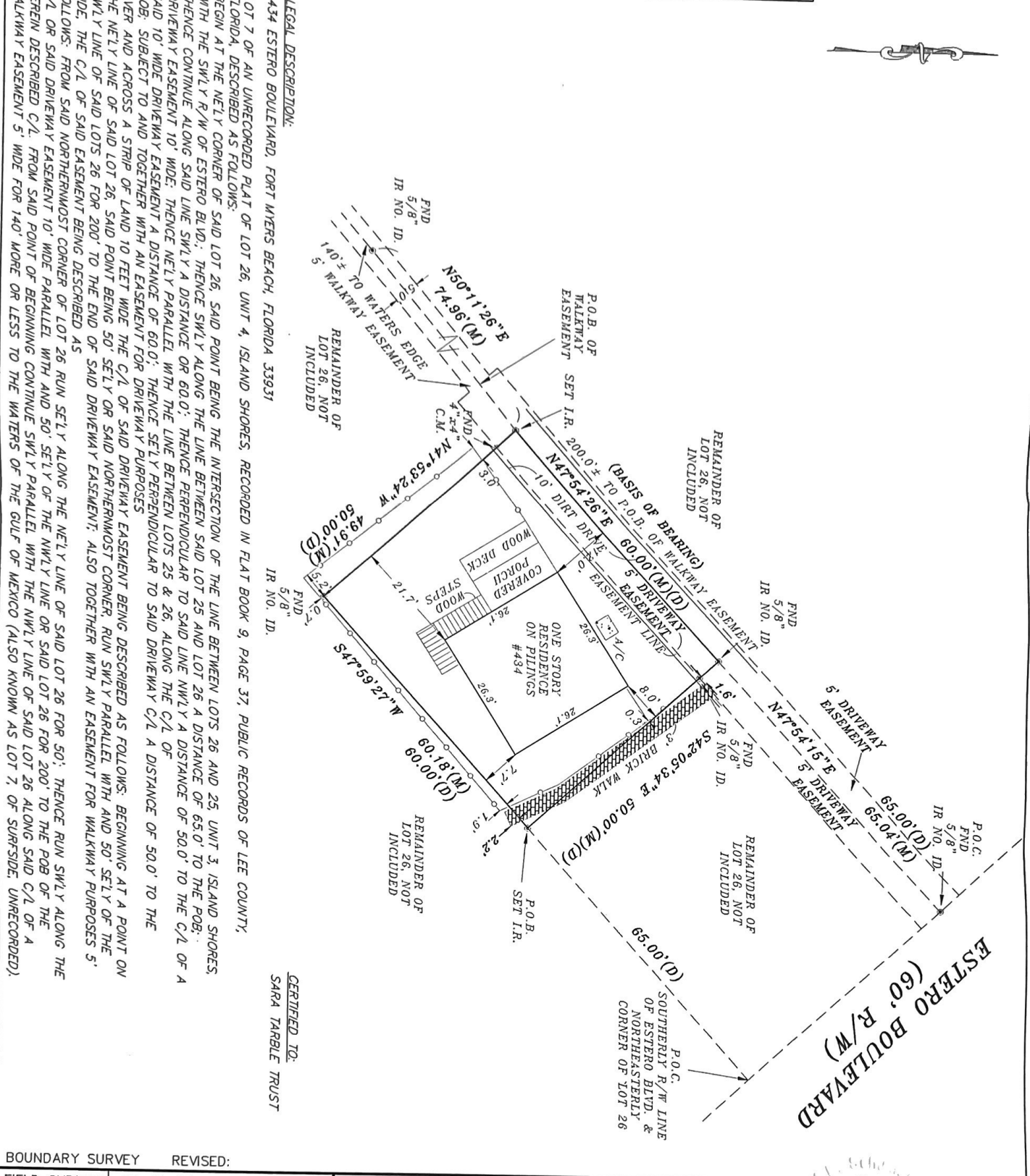
8498 Beacon Blvd.
Fort Myers, FL.
33907-3005
PHONE
(239) 561-8632



- NOTES:**
1. THIS SKETCH DOES NOT REFLECT OR DETERMINE OWNERSHIP.
 2. DESCRIPTION AS FURNISHED BY CLIENT AND NOT TO BE CONSIDERED AS A GUARANTEE OF THE PUBLIC RECORDS WAS CONSULTED BY THIS FIRM.
 3. REMAINS ARE BASED ON PLAT OR DEED.
 4. ELEVATIONS AS SHOWN ARE BASED ON N.A. V.D. 1988.
 5. ENCROACHMENTS ARE BASED ON PLAT OR DEED.
 6. THERE MAY BE OTHER EASEMENTS NOT SHOWN HEREON RECORDED IN THE PUBLIC RECORDS OF THE GOVERNING COUNTY.
 7. NO DETERMINATION OF HAZARDOUS WASTE MATERIALS HAS BEEN MADE BY THIS FIRM.
 8. LOCATION OF UNDERGROUND UTILITIES OR STRUCTURES NOT SHOWN UNLESS OTHERWISE NOTED.
 9. SURVEY LISTS LIABILITY ONLY UP TO THE COST OF SURVEY.
 10. THIS SURVEY IS PROTECTED BY COPYRIGHT AND ALL RIGHTS ARE RESERVED.
 11. SURVEY MADE BASED ON INFORMATION PROVIDED BY CLIENT AND EXISTING SURVEY RECORDS.
 12. ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SURVEY PARTY OR PARTIES PROHIBITED WITHOUT WRITTEN CONSENT OF THE SURVEY PARTY OR PARTIES.
 13. THE DATA USED ZONE INFORMATION INDICATED HEREON IS BASED ON INFORMATION PROVIDED BY THE FEDERAL GOVERNMENT THIS INFORMATION MUST BE VERIFIED BY ANOTHER SOURCE.

- LEGEND:**
- (A) - ARC LENGTH
 - (B) - ARC CONDITIONER
 - (C) - BUILDING SETBACK LINE
 - (D) - CALCULATED
 - (E) - CATCH BASIN
 - (F) - CHORD BEARING
 - (G) - CHORD DISTANCE
 - (H) - CONC. MONUMENT
 - (I) - COUNTY UTILITY EASEMENT
 - (J) - DEED
 - (K) - BASIS OF BEARINGS
 - (L) - DRAINAGE EASEMENT
 - (M) - DRAINAGE UTILITY EASEMENT
 - (N) - ELEVATION
 - (O) - EDGE OF PAVEMENT
 - (P) - FINE HYDRANT
 - (Q) - FINE HYDRANT
 - (R) - GUY WIRE
 - (S) - IRON ROD
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COMMUNITY / MAP NUMBER: 120673 / 12071C0554F DATE OF MAP: 08-28-08 FLOOD ZONE: VE ELEVATION: 17'



BOUNDARY SURVEY		REVISED:	
FIELD SURVEY	02-16-17		
CREW CHIEF	C. CORDISCO		
DRAWN BY	SDS		
SCALE	1" = 20'		
LIS JOB NO	21731		
SHEET: 1 OF 1	DATE: 02-20-17		

LIS Land Surveying, LLC
d.b.a. S & H Land Survey Co.

21430 Palm Beach Blvd.
Alva, FL 33920
239-481-2366 239-481-2437 (Fax)
LB1057

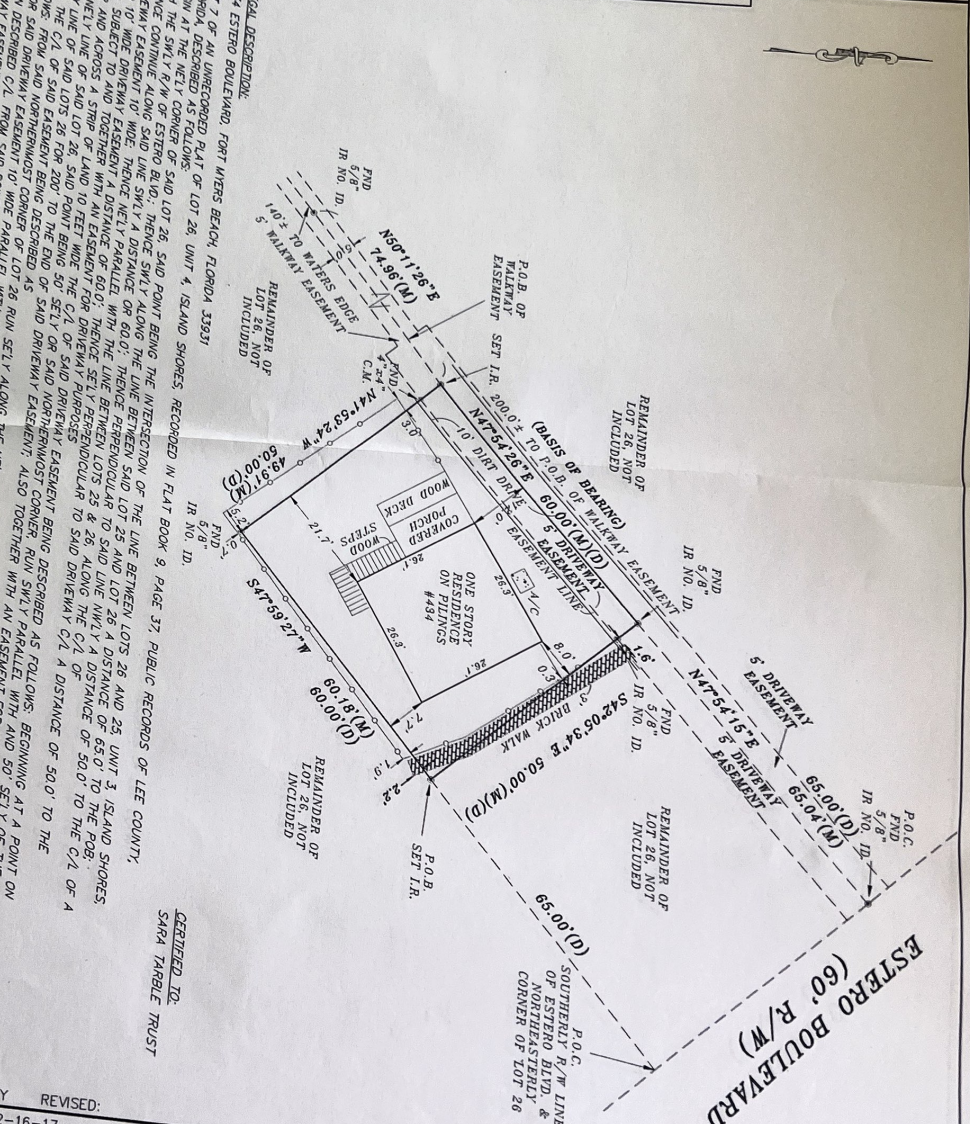
2572 West State Road 426, Suite 2064
Oviedo, FL 32765
321-244-0402 321-244-9419 (Fax)
LB1057

APPROVED

R.L. Schumann

R.L. SCHUMANN, RLS
REGISTERED LAND SURVEYOR NO. 2239
STATE OF FLORIDA
VALID ONLY WITH EMBOSSED SEAL

- NOTES:**
1. THIS SURVEY DOES NOT RELY ON ANY PREVIOUS SURVEY.
 2. THE POLYLINE IS BASED ON THE DATA OF THE POLYLINE.
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BOUNDARY SURVEY	REVISED:
FIELD SURVEY	02-16-17
CREW CHIEF	C. CORDISCO
DRAWN BY	SDS
SCALE	1" = 20'
LIS JOB NO	21731
SHEET: 1 OF 1	DATE: 02-20-17

LIS Land Surveying, LLC
d.b.a. S & H Land Survey Co.
21430 Palm Beach Blvd.
Alva, FL 33920
239-481-2366 239-481-2437 (Fax)
LB1057
2572 West State Road 426, Suite 2064
Oviedo, FL 32765
321-244-0402 321-244-9419 (Fax)
LB1057

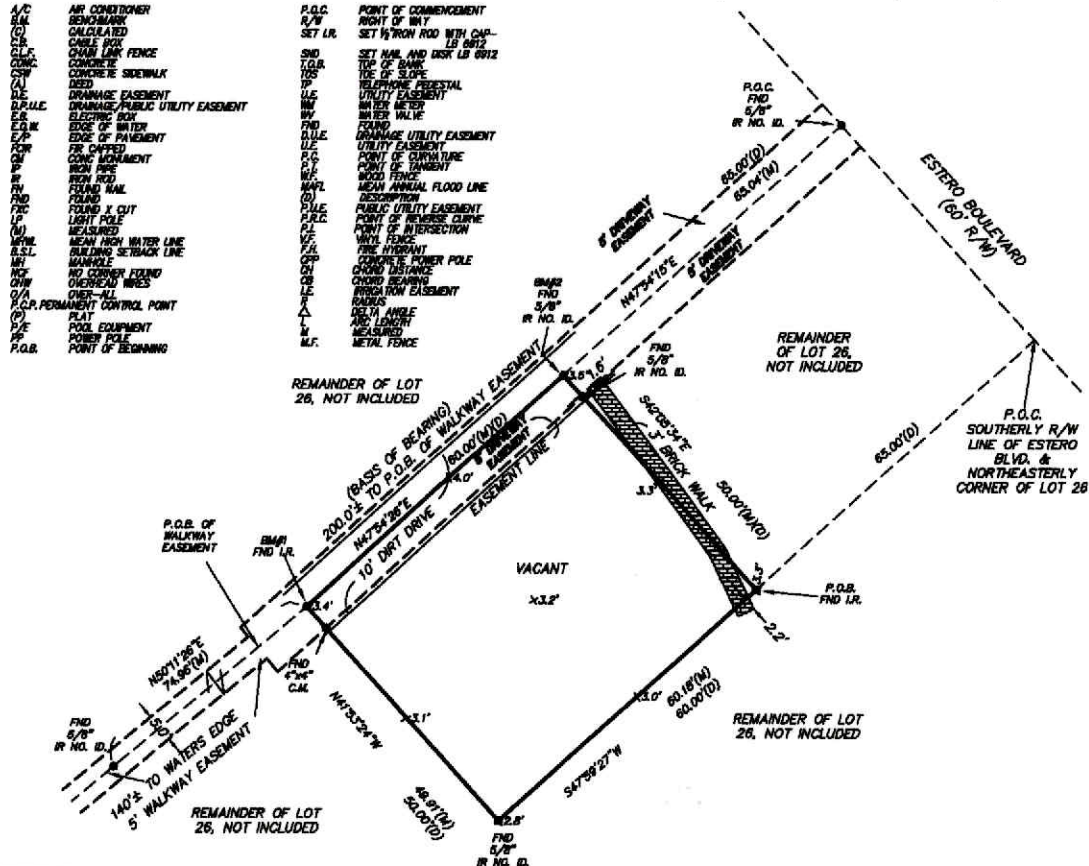
APPROVED

R.L. SCHUMANN, RLS
REGISTERED LAND SURVEYOR NO. 2239
STATE OF FLORIDA
VALID ONLY WITH EMBOSSED SEAL

**BOUNDARY & TOPOGRAPHIC SURVEY OF
434 ESTERO BOULEVARD
FORT MYERS BEACH, FL 33931**

LEGAL DESCRIPTION:

LOT 72 OF AN UNRECORDED PLAT OF LOT 26, UNIT 4, ISLAND SHORES, RECORDED IN PLAT BOOK 9, PAGE 37, PUBLIC RECORDS OF LEE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:
BEGIN AT THE NE'LY CORNER OF SAID LOT 26, SAID POINT BEING THE INTERSECTION OF THE LINE BETWEEN LOTS 26 AND 25, UNIT 3, ISLAND SHORES, WITH THE SW'LY R/W OF SAID LOT 25 AND LOT 26 A DISTANCE OF 65.0' TO THE P.O.B.;
THENCE CONTINUE ALONG SAID LINE SW'LY A DISTANCE OF 60.0'; THENCE PERPENDICULAR TO SAID LINE NW'LY A DISTANCE OF 50.0' TO THE CA OF A DRIVEWAY EASEMENT 10' WIDE; THENCE NE'LY PARALLEL WITH THE LINE BETWEEN LOTS 25 & 26, ALONG THE C/L OF SAID 10' WIDE DRIVEWAY EASEMENT A DISTANCE OF 60.0'; THENCE SE'LY PERPENDICULAR TO SAID DRIVEWAY C/L A DISTANCE OF 50.0' TO THE P.O.B.;
SUBJECT TO AND TOGETHER WITH AN EASEMENT FOR DRIVEWAY PURPOSES OVER AND ACROSS A STRIP OF LAND 10 FEET WIDE THE C/L OF SAID DRIVEWAY EASEMENT BEING DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE NE'LY LINE OF SAID LOT 26, SAID POINT BEING 50' SE'LY OR SAID NORTHERNMOST CORNER, RUN SW'LY PARALLEL WITH AND 50' SALLY OR THE NW'LY LINE OF SAID LOTS 26 FOR 200' TO THE END OF SAID DRIVEWAY EASEMENT; ALSO TOGETHER WITH AN EASEMENT FOR WALKWAY PURPOSES 5' WIDE, THE C/L OF SAID EASEMENT BEING DESCRIBED AS FOLLOWS: FROM SAID NORTHERNMOST CORNER OF LOT 26 RUN SE'LY ALONG THE NE'LY LINE OF SAID LOT 26 FOR 50'; THENCE RUN SW'LY ALONG THE C/L OR SAID DRIVEWAY EASEMENT 10' WIDE PARALLEL WITH AND 50' SE'LY OF THE NW'LY LINE OF SAID LOT 26 FOR 200' TO THE P.O.B. OF THE HEREIN DESCRIBED C/L. FROM SAID POINT OF BEGINNING CONTINUE SW'LY PARALLEL WITH THE NW'LY LINE OF SAID LOT 26 ALONG SAID C/L OF A WALKWAY EASEMENT 5' WIDE FOR 140' MORE OR LESS TO THE WATERS OF THE GULF OF MEXICO (ALSO KNOWN AS LOT 7, OF SURFSIDE, UNRECORDED).



SURVEYOR'S NOTE:
-SURVEY WAS MADE OF THE R/W AND PARCEL MARKERS SHOWN AND MATCHES THE ADDRESS AND LOCATION PER TAX INFORMATION AND LEGAL PROVIDED US.
-PARCEL BOUNDARY LINES SHOWN PER PLAT OR LEGAL DESCRIPTION WITH THE IMPROVEMENTS FIELD LOCATED BY HAND MEASUREMENTS OR FIELD EQUIPMENT
-FIELD MEASUREMENTS SURVEY CLOSURE BETTER THAN 1:10000 FEET
-SURVEY CAN BE USED FOR ALL NEEDS

FEMA MAP 12071C0554G
FLOOD ZONE VE
DATE: 11-17-22
BASE ELEV. 13'

ELEVATIONS SHOWN ARE BASED ON RTK-GPS, NAVD 88 4.0' x = SPOT ELEVATIONS

DRAFTER - MARCOS (SDS)



(C) 2020 BASIS OF BEARINGS IS R/W LINE (USING PLAT BEARING OR ASSUMED) UNLESS NOTED OTHERWISE

FLORIDA ADMINISTRATIVE CODE STATES IF LOCATION OF EASEMENTS OR RIGHTS OF WAY OF RECORD, OTHER THAN THOSE ON RECORD PLATS IS REQUIRED, THIS INFORMATION MUST BE FURNISHED TO THE SURVEYOR - IF FENCES ARE SHOWN, DISTANCES INDICATE APPROXIMATE DISTANCE ON OR OFF PROPERTY - OVERHANGS AND UNDERGROUND FOUNDATIONS OR UTILITIES HAVE NOT BEEN LOCATED AS PART OF THIS SURVEY.

(1) UNLESS STATED OTHERWISE THIS SURVEY IS AN AS-BUILT SURVEY SHOWING VISIBLE IMPROVEMENTS IN RELATION TO SURVEY MARKERS FOUND

**AFFORDABLE
SURVEYS**
239-283-1518

3366 STRINGFELLOW ROAD
SAINT JAMES CITY, FL 33958

AFFORDABLE SURVEYS IS OWNED BY KNOW IT NOW, INC., 2011 HEIDELBERG AVENUE, DUNEDIN, FL 34698

CERTIFIED EXCLUSIVELY TO:

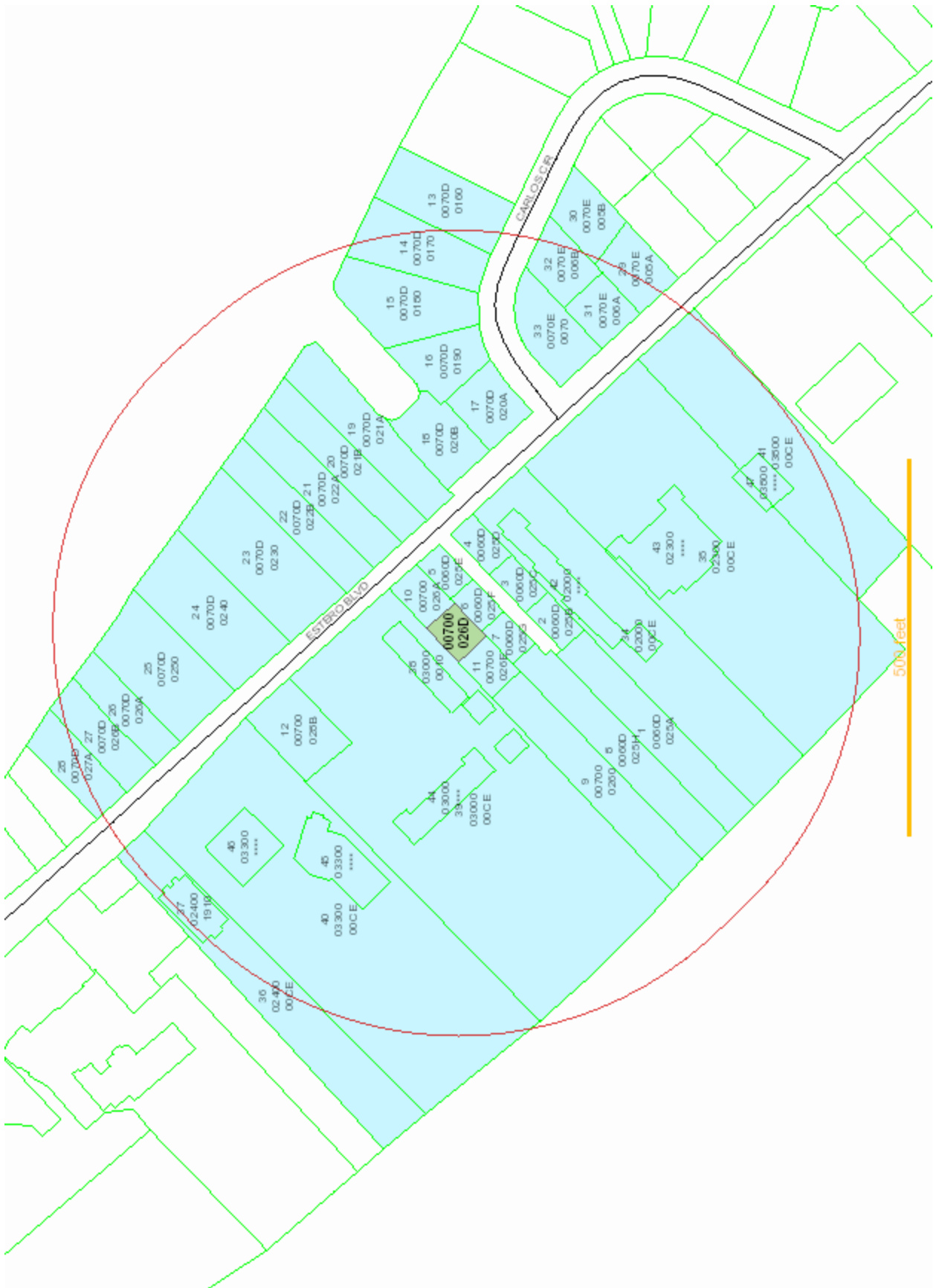
Sara Tarble

I HEREBY CERTIFY THAT THIS SURVEY IS A TRUE AND CORRECT SURVEY PREPARED UNDER MY DIRECTION AND IS NOT VALID WITHOUT AN AUTHENTICATED ELECTRONIC SIGNATURE AND SEAL, OR A RAISED EMBOSSED SEAL AND SIGNATURE.



DATE OF FIELD SURVEY
02-26-2023
BILL H HYATT
2023.03.07
16:49:47 -05'00'

FLORIDASURVEYOR@aol.com
727-415-8305



LAS INVESTMENTS LLC
STE 160 PMB 107
16970 SAN CARLOS BLVD
FORT MYERS FL 33908

JOHN HULL PROPERTIES LLC
PMB 107
16970 SAN CARLOS BLVD STE 3
FORT MYERS FL 33908

635 RIVERFRONT CORP
PMB 107
16970 SAN CARLOS BLVD STE 3
FORT MYERS FL 33908

LORMOR INVESTMENTS LLC
16970 SAN CARLOS BLVD STE 3
FORT MYERS FL 33908

ALBANI DANIEL
450 ESTERO BLVD
FORT MYERS BEACH FL 33931

LAPFAM INVESTMENTS #2-452
16970-3 SAN CARLOS BLVD #107
FORT MYERS FL 33908

454 ESTERO LLC
GREENSPON
16970-3 SAN CARLOS BLVD #107
FORT MYERS FL 33908

GREENSPON DENNIS I TR
16970-3 SAN CARLOS BLVD #107
FORT MYERS FL 33908

INK STANLEY K TR
1625 SILVERWOOD CT
NORTH FORT MYERS FL 33903

LAPFAM INVESTMENTS #1-436 LLC
PMB 107
16970 SAN CARLOS BLVD STE 3
FORT MYERS FL 33908

FORD CELESTE P
432 ESTERO BLVD
FORT MYERS BEACH FL 33931

WINDWARD PASSAGE RESORT CONDO
VACATION RESORTS INTL
25510 COMMERCENTRE DR STE 100
LAKE FOREST CA 92630

CARTER SCOTT M & KONDA F
PO BOX 3648
FORT MYERS FL 33918

PETTIT GARY L & JANE C
511 CARLOS CIR
FORT MYERS BEACH FL 33931

CHURCHMAN DAVID J & DIANA D
507 CARLOS CIR
FORT MYERS BEACH FL 33931

J J CARLOS CIRCLE ENTERPRISE L
9321 178TH ST W
LAKEVILLE MN 55044

TURPIN MARION & JO ANN
90 JFK RD
DUBUQUE IA 52001

HIMELICK MARK S &
12891 KELLY SANDS WAY
FORT MYERS FL 33908

BURANDT ROBERT B TR
1714 CAPE CORAL PKWY
CAPE CORAL FL 33904

TRELLI FREDERICK &
12575 S CLEVELAND AVE
FORT MYERS FL 33907

BLAUM BRIAN C TR
220 EMERSON PL STE 201
DAVENPORT IA 52801

BLAUM BRIAN C TR
220 EMERSON PL #201
DAVENPORT IA 52801

MCCHESNEY KEVIN E TR
417 ESTERO BLVD
FORT MYERS BEACH FL 33931

SILVER KING VENTURES LLC
353 CLIFTON AVE
KINGSTON NY 12401

385 ESTERO BLVD LLC
1421 E LAKE SHORE DR
SPRINGFIELD IL 62712

DAVIS JAMES & KIMBERLY
327 ESTERO BLVD
FORT MYERS BEACH FL 33931

COOPER FMB LLC
PO BOX 501
HOWELL MI 48844

HOLSEM JACK
505 JACKSON ST
GRANDVILLE MI 49418

TAYLOR KEENE JR &
3201 PICKWICK LN
CHEVY CHASE MD 20815

EKPROP LLC
2224 NORTH CAMMACK ST
MUNCIE IN 47304

BRUNO ANTHONY D & TRACY L
3007 E YACHT DR
OAK ISLAND NC 28465

LEEP MICHAEL R SR TR
5201 N GRAPE RD
MISHAWAKA IN 46545

HOLSEM JACK
505 JACKSON ST SW
GRANDVILLE MI 49418

KONA BEACH CLUB CONDO ASSN
P+M PROPERTY MANAGEMENT INC
2830 WINKLER AVE STE 101
FORT MYERS FL 33916

GATEWAY VILLAS CONDO ASSN
15751 SAN CARLOS BLVD STE 8
FORT MYERS FL 33908

PINK SHELL BEACH CLUB CONDO
275 ESTERI BLVD
FORT MYERS BEACH FL 33931

PINK SHELL BEACH CLUB
VACATION RESORTS INTL
25510 COMMERCENTRE DR STE 100
LAKE FOREST CA 92630

WINDWARD PASSAGE RESORT
VACATION RESORTS INTL
25510 COMMERCENTRE DR STE 100
LAKE FOREST CA 92630

WINDWARD PASSAGE RESORT
418 ESTERO BLVD
FORT MYERS BEACH FL 33931

ISLAND SHORES CONDO
394 ESTERO BLVD
FORT MYERS BEACH FL 33931

CASA PLAYA RESORT CONDO ASSOC
15751 SAN CARLOS BLVD #8
FORT MYERS FL 33908

TURNER KENNETH A & SANDRA S
2650 ESTERO BLVD # 102
FORT MYERS BEACH FL 33931

SAMPAIR PETER & TERRI
4453 LAKE AVE S
WHITE BEAR LAKE MN 55110

RIGSBY BRIAN S & HIEDI E
420 N MARLEY RD
NEW LENOX IL 60451

474 ESTERO 110 LLC
5190 KENOWA AVE SW
GRANDVILLE MI 49418

DUTCHER VICTORIA L
474 ESTERO BLVD #112
FORT MYERS BEACH FL 33931

ANZIVINO MICHAEL VINCENT
210 SAN MATEO DR
BONITA SPRINGS FL 34134

HOSTETLER RONALD JAMES &
675 GILEAD SHORES DR
BRONSON MI 49028

FARWICK WILLIAM P &
1815 CRITTENDEN MOUNT ZION RD
DRY RIDGE KY 41035

HUSSEY LAUREN M +
73 RESERVOIR ST
BETHEL CT 06801

OWEIS KHALED & LISA
9 S SHORE DR
SOUTH SALEM NY 10590

HOUSE TERESA R TR
16048 EAST 266TH ST
ATLANTA IN 46031

STU PROPERTIES INC
2408 WAYNE ST
STEVENS POINT WI 54481

HUNTINGTON NATIONAL BANK TR
7 EASTON OVAL EA4C83
COLUMBUS OH 43219

BISHTON ROBERT J
474 ESTERO BLVD #212
FORT MYERS BEACH FL 33931

BOWDEN LEE H & SHARON K
827 GLENDALE AVE
FREMONT OH 43420

COPUS H DOUGLAS &
1701 FOREST PARK
FINDLAY OH 45840

TROUTMAN GEORGE A &
7302 N BERKLEY SQ
NEW ALBANY OH 43054

SHULER WILLARD H & SUSAN E TR
474 ESTERO BLVD #220
FORT MYERS BEACH FL 33931

LOGAN DOUGLAS R + CAROL A
909 GALAHAD DR
AUSTIN TX 78746

BEACH PROPERTY MANAGEMENT LLC
7360 CARIBOU TRL
DAYTON OH 45459

LAYFIELD JACK & PAMELA
26 DALEMERE CRES
ST CATHARINES ON L2N 7K5
CANADA

SLAGH WADE C
5499 LAKE SHORE DR
HOLLAND MI 49424

WEATHERLOW DALE & JANET E
5883 MAGNOLIA STEDMAN RD
MAYVILLE NY 14757

HARPER MATTHEW W
9885 FOLKERS DR
FRANKFORT IL 60423

HAGEL JOHN & DEBORAH
12 SACHEM DR
CROMWELL CT 06416

MARY J DEWITT TRUST +
17490 W SPRING LAKE RD
SPRING LAKE MI 49456

GARDENS INC
4 THINDERBIRD CIR
LITCHFIELD IL 62056

500 ESTERO 298 LLC
6601 DANIEL CT
FORT MYERS FL 33908

SHERBIN WILLIAM
18 STONYBROOK LN
MALVERN PA 19355

PERDUE GORDON A &
5417 BRANDY CIR E
FORT MYERS FL 33919

CARASA ALFREDO R + MARCELA M
3605 ESTEPONA AVE
DORAL FL 33178

SKUBIC HOLLY M TR
1920 VIRGINIA AVE # 101
FORT MYERS FL 33901

LAYFIELD JACK & PAMELA
26 DALEMERE CRES
ST CATHARINES ON L2N 7K5
CANADA

HARPER MATTHEW W & BETH ANN
PO BOX 517
FRANKFORT IL 60423

PLEW CAMERON V & CHRISTA S +
2135 CHAPMAN LAKE DR
WARSAW IN 46582

FUN & SUN LLC
PO BOX 07264
FORT MYERS FL 33919

RESPAR LLC
19020 PIKE 9230
BOWLING GREEN MO 63334

WILLIS SUZANNE J TR
7507 LA ROCHE AVE
SAVANNAH GA 31406

HOSTETLER NOELLE TR
LYNN HOSTETLER
3S069 WILLIAMS RD
WARRENVILLE IL 60555

VLR OF LONG ISLAND INC
648 KATHLEEN PL
WESTBURY NY 11590

DEERY TED E TR
28101 SOUTH YATES
BEECHER IL 60401

HARTNETT ROBERT G
PO BOX 610615
PORT HURON MI 48061

MILNES GARY F & BETH E
15395 NORRISH RD
MORRISON IL 61270

LAYFIELD PAMELA TR
500 ESTERO BLVD #195
FORT MYERS BEACH FL 33931

STOVER JOHN C & PATRICIA R L/E
818 BROWNS LAKE DR
JACKSON MI 49203

BFMIB INC
3601 HEMPSTEAD TURNPIKE STE 210
LEVITTOWN NY 11756

KERBS JAMES R & JILL W
500 ESTERO BLVD # 599
FORT MYERS BEACH FL 33931

SCHARBACH ENTERPRISES LTD PTNR
162 PADDOCK ST
WATERTOWN NY 13601

SCHAFER MARGARET I TR
500 ESTERO BLVD #695
FORT MYERS BEACH FL 33931

SCHAFER MARGARET I L/E
500 ESTERO BLVD #696
FORT MYERS BEACH FL 33931

REINER PAUL S & SHEILA J
5875 KILBANNAN CT
DUBLIN OH 43017

DAMICO TRACEY L
16615 LAKE CIRCLE DR APT 432
FORT MYERS FL 33908

MARCHESE MARJORIE
2 SHADOW LN
CROMWELL CT 06416

EATON NORINE
75 CAMBROOK ROW
WILLIAMSVILLE NY 14221

ALLIS HOLDINGS LLC
PO BOX 111
GENESEO IL 61254

BURTCH GENA C
1235 FLORIDA AVE
FORT MYERS FL 33901

LENNAMAN LAWRENCE J &
18164 DEEP PASSAGE LN
FORT MYERS BEACH FL 33931

VANDERMEY KATHERINE F TR
15600 FIDDLESTICKS BLVD
FORT MYERS FL 33912

VANDERMEY KATHERINE F TR
15600 FIDDLESTICKS BLVD
FORT MYERS FL 33912

GIBSON FRED E & SANDRA J
500 ESTERO BLVD #894
FORT MYERS BEACH FL 33931

MAPLES JACK B & LORI A
PO BOX 628
PIGEON FORGE TN 37868

RENALDO JOHN M & JUDY L
500 ESTERO BLVD #896
FORT MYERS BEACH FL 33931

AGM GATEWAY LLC
13326 SILKTAIL DR
NAPLES FL 34109

DISHAROON MARCIA S &
500 ESTERO BLVD #898
FORT MYERS BEACH FL 33931

ROWE RICHARD +
9990 CYPRESS LAKE DR
FORT MYERS FL 33919

SEARENITY WPR LLC
RAYMOND HUNT
7N982 CLOVERFIELD DR
SAINT CHARLES IL 60175

FRITZ LAURA L TR
814 W MOUNT PLEASANT RD
EVANSVILLE IN 47711

SCHERER DEBRA E TR
18215 LANSFORD PATH
LAKEVILLE MN 55044

BORNEMAN DAVID C & DINA E
394 ESTERO BLVD #102
FORT MYERS BEACH FL 33931

FIGURA MICHAEL A & CAROL A
394 ESTERO BLVD # 103
FORT MYERS BEACH FL 33931

ROBINSON CAROL L TR +
105 CROSSBOW TRAILS
LAWRENCEBURG IN 47025

YORDY MICHAEL E TR
26700 BROADWAY RD
MORTON IL 61550

ROHRBACHER MICHAEL &
394 ESTERO BLVD #202
FORT MYERS BEACH FL 33931

LOVELESS ENTERPRISES INC
210 SPRINGFIELD RD
GILLESPIE IL 62033

DANGELO JANE M TR
394 ESTERO BLVD #204
FORT MYERS BEACH FL 33931

MOODY CHERIE B TR
UNIT 402
6772 BIRCHTON POINT DR
DUBLIN OH 43017

DIFFLEY CHRISTOPHER P &
394 ESTERO BLVD # 302
FORT MYERS BEACH FL 33931

ARENS ROBERT W TR
11431 LONGWATER CHASE CT
FORT MYERS FL 33908

MAREK CHARLES B JR +
4021 BAY DR
MIDDLE RIVER MD 21220

KRINKIE JODETTE M & BRUCE J TR
6881 BLACKDUCK DR
LINO LAKES MN 55014

CATHERINE G SCHOLZ 2007 TRUST
5 FIDDLEHEAD LN
WAYLAND MA 01778

BARNHART DAVID W
PO BOX 14536
MINNEAPOLIS MN 55414

MIDDLESWARTH DAVID B TR
500 MEADOW LN
MIDDLEBURG PA 17842

BENES ANDREW C TR
1127 HIGHLAND POINTE DR
SAINT LOUIS MO 63131

BENES ANDREW C & JENNIFER J
1127 HIGHLAND POINTE DR
SAINT LOUIS MO 63131

GERMAN PATRICIA A TR
394 ESTERO BLVD #503
FORT MYERS BEACH FL 33931

CAPENIGRO ANTHONY T &
22W160 PINEGROVE CT
GLEN ELLYN IL 60137

LLOYD JOHN D & STEPHANIE J TR
15725 OREGON AVE
PRIOR LAKE MN 55372

LLOYD JOHN D & STEPHANIE J TR
15275 OREGON AVE
PRIOR LAKE MN 55372

MIDDLESWARTH DAVID B
500 MEADOW LN
MIDDLEBURG PA 17842

MILLIRON GRANT E TR
2384 STATE ROUTE 39 NW
MANSFIELD OH 44903

SIEVERTSEN DOLORES C TR
15492 LEONARD RD
SPRING LAKE MI 49456

EASTON FAMILY LLC
24523 WEST PELLINORE DR
JOLIET IL 60404

EASTON MELODEE M TR
24523 W PELLINORE DR
JOLIET IL 60404

ENGELSMAN JAMES + RHONDA TR
1184 64TH AVE
ZEELAND MI 49464

HENSLEY DANIEL L & SHERYL L/E
PO BOX 547
MOUND MN 55364

STOOPS JEFFREY E +
3808 CLAYBROOK CT
BARGERSVILLE IN 46106

WELLS GWENDOLYN M +
4021 BAY DR
MIDDLE RIVER MD 21220

ANGELA M ROCHE TRUST +
2243 RE PINE LN SW
ROCHESTER MN 55902

LIOTTA SAVATORE & CONCETTA
6 OAK BROOK CLUB DR APT J101
OAK BROOK IL 60523

STUTZ SHARON A TR
47790 STATE ROUTE 162
WELLINGTON OH 44090

COVERT ROBERT & LOUISE B TR
9403 GIBSON DR
POWELL OH 43065

DEMARY JULE A +
930 VILLAGE BROOK WAY
COLUMBUS OH 43235

CALUSA LLC
22774 CITATION RD
FRANKFORT IL 60423

MCK HOLDINGS (2018) LIMITED
200140 SIDE RD 10 RR 1
SHALLOW LAKE ON N0H 2K0
CANADA

WIESSING CAROL S TR
2403 LOWELL AVE
SPRINGFIELD IL 62704

LANDISI ANNE MARIE T
392 ESTERO BLVD #605
FORT MYERS BEACH FL 33931

MCSPEDON HEATHER TR
750 RUSHMORE AVE
MAMARONECK NY 10543

NUNN JOYCE M TR
392 ESTERO BLVD #607
FORT MYERS BEACH FL 33931

ISABELLA PROPERTIES LLC
17 BELVEDERE
JOHNSTON RI 02919

PILETTE MARSHA J TR
9379 LOS ALISOS WAY
FORT MYERS FL 33908

HINOJOS JAMES A
1455 AVON AVE SW
ATLANTA GA 30310

BROWN GEORGE E +
711 OAK KNOLL AVE NE
WARREN OH 44483

POIN ELIZABETH
15388 SW 260TH ST
HOMESTEAD FL 33032

DONIA JAMES A & ANN M
4N633 HIDDEN OAKS RD
SAINT CHARLES IL 60175

GOETHEL DANIEL ROBERT &
915 MORELAND HILLS DR
MOUNT JULIET TN 37122

SCHLAX LAWRENCE A & KAREN L
101 SW 53RD ST
CAPE CORAL FL 33914

PADDACK JACK W & LYNN A
4458 W OLD STATE ROAD 28
FRANKFORT IN 46041

BADDING CHRISTOPHER & TERENCE
321 SURREY RIDGE
EATON CO 80615

WEGLARZ RUSSELL J &
13410 WOOD DUCK DR
PLAINFIELD IL 60585

LUKASEZCK BRYAN & SCARLET
24541 E ONTARIO DR
AURORA CO 80016

WAGLER JIM & LINDA
103 O LOANE AVE
STRATFORD ON N5A 6S4
CANADA

TIETZE WAYNE L/E
HARALD HANSKAMP
1000 WIGGINS PASS RD UNIT 327
NAPLES FL 34110

HILTON LORI J
1053 PORT ORANGE WAY
NAPLES FL 34120

SOLANS ENRIC P &
1821 BOULDER DR
MOUNT PROSPECT IL 60056

510 ESTERO BLVD FMB UNIT 402 L
11299 BIENVENIDA WAY # 101
FORT MYERS FL 33908

SZOTT JOYCE A TR
52 NANCY LN
FORT MYERS BEACH FL 33931

SCHLAX LAWRENCE A & KAREN L
101 SW 53RD ST
CAPE CORAL FL 33914

PELOSO KEVIN
90 WOOD ST
COVENTRY RI 02816

A+A INVESTMENTS OF INDIANAPOLI
1528 ASHWOOD CT
GREENWOOD IN 46143

DI-AN 2 LLC
4560 ESTERO BLVD APT 501
FORT MYERS BEACH FL 33931

WEGLARZ RUSSELL J &
13410 WOOD DUCK DR
PLAINFIELD IL 60585

A & A INVESTMENTS OF INDIANAPO
1528 ASHWOOD CT
GREENWOOD IN 46143

LOFFRENO REAL ESTATE INC
2100 ESTERO BLVD
FORT MYERS BEACH FL 33931

MYERS ROBERT & BETTY
650 RANDY LN
FORT MYERS BEACH FL 33931

BURANDT ROBERT B TR
1714 CAPE CORAL PKWY
CAPE CORAL FL 33904

BEACH HOUSE 603 LLC
PO BOX 780
PRIOR LAKE MN 55372

KONIECZKA EDWARD & PATRICIA
1N422 GOODRICH AVE
GLEN ELLYN IL 60137

STONESTREET MICHAEL V &
68955 ISLAND DR
EDWARDSBURG MI 49112

INVESTMENT REALTY HOLDING LTD
411 DONAHEY AVE NE
NEW PHILADELPHIA OH 44663

SOLANS ENRIC P &
1821 E BOULDER DR
MOUNT PROSPECT IL 60056

REGO JANET
20030 NW 5TH ST
PEMBROKE PINES FL 33029

VALERI THOMAS JR &
14 RONIT DR
WEST TRENTON NJ 08628

510 ESTERO BLVD FMB UNIT 705 L
11299 BIENVENIDA WAY #101
FORT MYERS FL 33908



Town of Fort Myers Beach
Community Development Services - Planning Division
2525 Estero Blvd,
Fort Myers Beach, FL 33931

NOTICE TO PROPERTY OWNERS WITHIN 500 FEET

Notice is hereby given that the Local Planning Agency of the Town of Fort Myers Beach will hold a public hearing which will take place at DiamondHead Beach Resort, 2000 Estero Boulevard, Fort Myers Beach, Florida, 33931.

TIME: 9 AM

DATE: August 8, 2023

CASE: VAR20230070

ADDRESS: 434 Estero Blvd

APPLICANT: Richard Durling

REQUEST: The applicant is requesting a variance to decrease the required front and rear setbacks, a variance to change the side setback with rear setback and a variance to allow encroachment of mechanical equipment into a side setback.

TOWN CONTACT: SARAH PROPST SARAH.PROPST@FMBGOV.COM

You may appear in person, through counsel, or through an authorized agent and provide testimony, legal argument, or other evidence. At this hearing the **Local Planning Agency** will review the application materials and hear testimony to make a **recommendation**. Complete records or transcripts of the proceedings are not provided by the Town.

Copies of the application and staff report are available for viewing at Fort Myers Beach Town Hall. Call 239-765-0202 for more information. Town Hall is open between the hours of 8:30 AM and 4:30 PM. Reasonable accommodations will be made in accordance with the Americans with Disabilities Act. If you need reasonable accommodation, contact Town Hall at 239-765-0202.



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Community Development Services - Planning Division
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Town of Fort Myers Beach
2525 Estero Blvd,
Fort Myers Beach, FL 33931

Town of Fort Myers Beach
2525 Estero Blvd,
Fort Myers Beach, FL 33931

«OwnerName»
«MailAddress»
«MailCity», «MailState», «MailZip»«Next Record»

«OwnerName»
«MailAddress»
«MailCity», «MailState», «MailZip»«Next Record»

Town of Fort Myers Beach
2525 Estero Blvd,
Fort Myers Beach, FL 33931

Town of Fort Myers Beach
2525 Estero Blvd,
Fort Myers Beach, FL 33931

«OwnerName»
«MailAddress»
«MailCity», «MailState», «MailZip»«Next Record»

«OwnerName»
«MailAddress»
«MailCity», «MailState», «MailZip»

**Town of Fort Myers Beach
Agenda Item Summary**

Yellow Sheet Number: **2023-1155**

1. Requested Motion:

Meeting Date: August 8, 2023

SEZ20230126 a request to amend SEZ20210050 to temporarily move the 2COP from 185 Old San Carlos Blvd to 163 Old San Carlos Blvd and to amend conditions of approval.

Why the action is necessary:

A special exception or amendment to a special exception must be heard by the LPA.

What the action accomplishes:

The LPA recommendation will be forwarded to the Town Council.

2. Agenda:

PUBLIC HEARINGS

3. Requirement/Purpose:

Resolution

5. Background:

Requesting a temporary amendment to the existing Special Exception Resolution 21-46 to move the allowed use of the Consumption on Premises from 185 Old San Carlos to 163 Old San Carlos due to storm damage and to amend the Conditions of Approval B and C. Removal of these conditions will allow consumption on premises outside of the building and will allow live music.

The applicant is also requesting that the LPA recommend approval of a waiver to the special exception fee.

Attachments:

1. Staff Report
2. Exhibit A - Site Layout
3. Exhibit B - Complete Application
4. Exhibit C - LPA postcards

Financial Impact:

unknown

6. Alternative Action

Deny request

7. Staff Recommendations:

Recommend approval of request with conditions. Provide a recommendation to council regarding waiving the fee for the special exception.

8. Recommended Approval:

Steve Poposki, Community Development Director

Date: July 28, 2023

Gretchen R.H. Vose, Town Attorney

Date: August 04, 2023

Amy Baker, Town Clerk

Date: August 04, 2023



Town of Fort Myers Beach

COMMUNITY DEVELOPMENT DEPARTMENT STAFF REPORT

TYPE OF CASE: Special Exception Amendment

CASE NUMBER: SEZ—Amendment, 20230126

CASE NAME: 163 Old San Carlos Blvd, amend Special Exception 20210050 to temporarily move the 2 COP to an adjacent property and to amend conditions of approval.

LPA

HEARING DATE: August 7, 2023 at 9:00 AM

STAFF

RECOMMENDATION: Approve

**PREPARED/
SUBMITTED BY:** Sarah Propst, AICP, PMP

I. APPLICATION SUMMARY

Applicant/Owner: Suzanne Bahan

Request: The applicant is requesting a temporary amendment to the existing Special Exception Resolution 21-46 to move the allowed use of the Consumption on Premises from 185 Old San Carlos to 163 Old San Carlos due to storm damage and to amend the Conditions of Approval B and C. modification of these conditions will allow consumption on premises outside of the building and will allow live music.

Applicant is also requesting a waiver of the Special Exception Fee.

Subject property: See attached site plan

Physical Address: 163 Old San Carlos Blvd.

STRAP #: 24-46-23-W3-0050A.0140

FLU: Pedestrian Commercial

Zoning: Downtown

Adjacent zoning and land uses:

North:	Downtown/ Pedestrian Commercial Severely damaged previous location of SEZ
South:	Downtown/ Pedestrian Commercial Structure (current use unknown)
East:	Downtown/ Pedestrian Commercial Parking Lot
West:	Downtown/ Pedestrian Commercial Vacant Lot

II. BACKGROUND AND ANALYSIS

Background:

In 2021 Resolution 21-46 was approved which allowed for outdoor consumption of alcohol on premises in correlation with a retail store. The conditions of the special exception included:

- A. The 2COP is only valid in conjunction with a retail sales operation within the same business.
- B. No amplified music or entertainment unless within an entirely enclosed building. All activities are subject to the Town's noise regulations.
- C. No consumption of alcohol beyond the footprint of the existing enclosed structure.
- D. Any violation of the conditions of approval shall render the special exception null and void.

The property at 185 Old San Carlos Blvd. was severely damaged by Hurricane Ian and the building is not safe for use. The owner of 185 Old San Carlos also owns the adjacent, now vacant, lot at 163 Old San Carlos. The owner is requesting a temporary amendment to the special exception to allow for the transfer of the 2COP to 163 Old San Carlos Blvd. This amendment would also include modification to conditions B to allow amplified music and live entertainment, outside of a building, and C to allow consumption of alcohol within the confines of a fenced area, rather than within a building.

The applicant is requesting that the fee for the special exception be waived due to the hardship of losing her businesses and home. The special exception fee was paid for the previous special exception which was granted in 2021.

Analysis:

The proposed use would be an outdoor retail store with sales of alcohol and a seating area for patrons. Retail sales is a permitted use in the Downtown zoning district and Consumption on Premises requires a special exception. This location and the previous location (185 Old San Carlos) require a special exception because it is within 500 feet of a park, this proposed site will also have outdoor seating, not associated with a restaurant.

The applicant has provided a site plan showing the proposed location of the retail area, the temporary structure for sales, a seating area for patrons and a fence with an entry gate. The applicant is also proposing the placement of her temporary dwelling unit at the rear of the property.

Staff has provided recommended conditions based on the request. Conditions include expiration of the temporary amendment, requirements to meet the Town's noise regulations and the allowed area for consumption of alcohol.

Considerations

The decision-making body shall weigh the request based on the listed considerations in Sec. 34-88(b):

(1) *Whether there exist changed or changing conditions which make approval of the request appropriate.*

The structure for which the SEZ was approved, has been damaged and cannot be used. The proposed property previously contained a building but is now a vacant property. Many of the adjacent uses are not currently operating due to storm damage.

(2) *The testimony of any applicant.*

(3) *The recommendation of staff and of the local planning agency.*

(4) *The testimony of the public.*

(5) *Whether the request is consistent with the goals, objectives, policies and intent of the Fort Myers Beach Comprehensive Plan.*

The Pedestrian Commercial FLU District is intended as an intense activity center that contributes to the pedestrian-oriented public realm. The proposed use will create pedestrian visual interest.

(6) *Whether the request meets or exceeds all performance and locational standards set forth for the proposed use.*

The applicant has agreed that all live and recorded music will be in compliance with the noise ordinance. A condition has been included to this effect.

(7) Whether the request will protect, conserve, or preserve environmentally critical areas and natural resources.

This proposed use will have no impact on environmentally critical areas or natural resources.

(8) Whether the request will be compatible with existing or planned uses and not cause damage, hazard, nuisance, or other detriment to persons or property.

No damage, hazard or nuisance is anticipated from this use, to any existing or planned uses.

(9) Whether a requested use will be in compliance with applicable general zoning provisions and supplemental regulations pertaining to the use set forth in this chapter.

The proposed use is in compliance with other applicable zoning provisions

Neighborhood Compatibility:

Many buildings in the vicinity of the proposed use have been damaged or destroyed by the hurricane. Some businesses are open, however many are not.

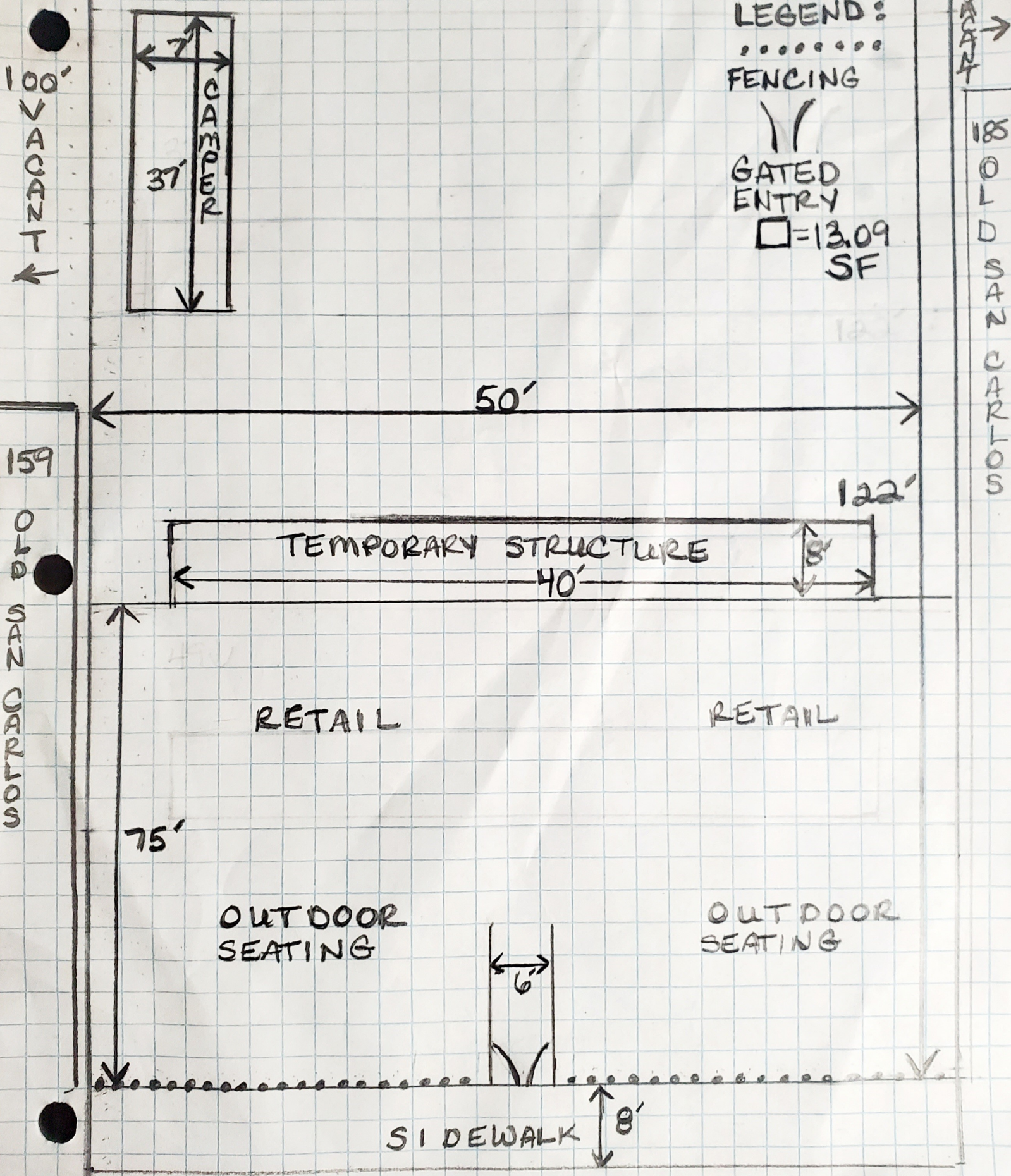
III. CONDITIONS OF APPROVAL

1. The 2 COP is only valid in conjunction with a retail sales operation within the same business.
2. All music and entertainment on the property will be in compliance with the Town's noise regulations.
3. No consumption of alcohol shall be permitted outside the fenced area, as depicted on the site plan attached.
4. This resolution shall only be in effect until such time as a certificate of occupancy has been granted for the reconstruction of the building at 185 Old San Carlos Blvd. At that time, Resolution 21-46 shall be reinstated and this resolution shall expire.
5. Any violation of the conditions of approval shall render the special exception null and void.

IV. STAFF REPORT EXHIBITS:

- A – Proposed site layout
- B – Complete application
- C – Postcard to adjacent property owners

163 OLD SAN CARLOS



LEGEND:
.....
FENCING
GATED ENTRY
□ = 13.09 SF

OLD SAN CARLOS



COMMUNITY DEVELOPMENT DEPARTMENT APPLICATION for PUBLIC HEARING

This is a first part of a two-part application. Please be sure to fill out this form, which requires general information, as well as the Supplemental Form application specific to action requested for the subject property. Please submit a complete Public Hearing application with required, supplemental information, exhibits and documents to zoningpermits@fmbgov.com. Please do not submit the instructions at the end of the application.

Site Address: 1163 OLD SAN CARLOS BLVD. FMB, FL 33931
STRAP Number: 24-46-23-W3-0050A.0140
Applicant: Suzanne May - BAHAN Phone: 386.527.2370
Contact Name: Suzanne May - BAHAN Phone: same
Email: suzipilot@gmail.com Fax: _____
Current Zoning District: Downtown
Future Land Use Map (FLUM) Category: Pedestrian Commercial
FLUM Density Range: 6 per acre Platted Overlay: ☐ YES ☒ NO

ACTION REQUESTED

- ☒ Special Exception
☐ Variance
☐ Conventional Rezoning
☐ Planned Development ☐ Commercial ☐ Residential
☐ Master Concept Plan Extension
☐ Appeal of Administrative Action
☐ Vacation of Platted Right-of-way and Easement
☐ Other - cite LDC Section: _____

SUPPLEMENTAL FORM REQUIRED

PH-A

PH-B

PH-C

PH-D

PH-E

PH-F

PH-G

attach on separate sheet

PART I - General Information

A. Applicant*: Suzanne May - BAHAN Phone: 386.527.2370

**Applicant must submit a statement under oath that he/she is the authorized representative of the property owner.
Please see PART III to complete the appropriate Affidavit form for the type of applicant.*

Applicant Mailing Address: P.O. Box 61176 Fort Myers, FL 33906

Email: suzipilot@gmail.com Fax: _____

Contact Name: same Phone: 386.527.2370



COMMUNITY DEVELOPMENT DEPARTMENT APPLICATION for PUBLIC HEARING

B. Relationship of Applicant to subject property:

- | | | |
|---|---|--|
| ☒ Owner* | ☐ Land Trust* | ☐ Partnership* |
| ☐ Corporation* | ☐ Association* | ☐ Condominium* |
| ☐ Subdivision* | ☐ Timeshare Condo* | ☐ Contract Purchaser* |
| ☐ Authorized Representative* | ☐ Other* (please indicate) _____ | |

**Applicant must submit a statement under oath that he/she is the authorized representative of the property owner.
Please see PART III to complete the appropriate Affidavit form for the type of applicant.*

C. Authorized Agent(s). Please list the name of Agent authorized to receive correspondence Agents

Name: _____ Phone: _____
Address: _____
Email: _____ Fax: _____

D. Other Agent(s). Please list the names of all Authorized Agents (attach extra sheets if necessary)

Name: _____ Phone: _____
Address: _____
Email: _____ Fax: _____

Name: _____ Phone: _____
Address: _____
Email: _____ Fax: _____

PART II - Nature of Request

Requested Action (each request requires a separate application)

- ☐ Special Exception
- ☐ Variance from LDC Section _____ - _____
- ☐ Conventional Rezoning from _____ to _____
- ☐ Planned Development
- ☐ Rezoning from _____ to ☐ Commercial PD ☐ Residential PD
- ☒ Amendment. List the project number: 20210050
- ☐ Extension/reinstatement of Master Concept Plan. List project number: _____



COMMUNITY DEVELOPMENT DEPARTMENT APPLICATION for PUBLIC HEARING

☐ Appeal of Administrative Action

☐ Vacation

☐ Right-of-Way

☐ Easement

☐ Other. Please Explain: _____

PART III - Waivers

Please indicate any specific submittal items that have been waived by the Director for the request. Attach a copy of the signed approval as Exhibit 3-1. (Use additional sheets if necessary)

Code Section: _____ Description: _____

Code Section: _____ Description: _____

Code Section: _____ Description: _____

PART IV - Property Ownership (Single Owner)

☒ Single Owner (individual or husband and wife)

Name: Suzanne E. May Phone: 386.527.2370

Mailing Address: P.O. Box 61176 Fort Myers, FL 33906

Email: suzipilot@gmail.com Fax: _____

AFFIDAVIT

APPLICATION IS SIGNED BY AN INDIVIDUAL OWNER OR APPLICANT

I, Suzanne E. May a/k/a Suzanne May BAHAN swear or affirm under oath, that I am the owner or the authorized representative of the owner(s) of the property and that:

I have full authority to secure the approval(s) requested and to impose covenants and restrictions on the referenced property as a result of any action approved by the Town of Fort Myers Beach in accordance with this application and the Land Development Code;

All answers to the questions in this application and any sketches, data or other supplementary matter attached hereto and made a part of this application are honest and true;



COMMUNITY DEVELOPMENT DEPARTMENT APPLICATION for PUBLIC HEARING

I have authorized the staff of the Town of Fort Myers Beach Community Development to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made thru this application; and that

The property will not be transferred, conveyed, sold or subdivided unencumbered by the conditions and restrictions imposed by the approved action.

S.E. BAHAN

Signature

Suzanne E. BAHAN

Printed Name

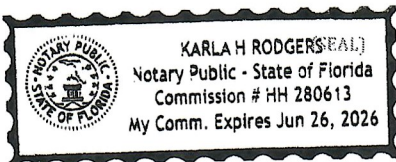
STATE OF Florida COUNTY OF Lee

The foregoing instrument was certified and subscribed before me by means of X physical

presence OR _____ online notarization, this 14th day of July, 2023, by

_____, ☐ who is personally known to me OR ☒ who has produced

Driver license as identification.



[Signature]
Notary Public Signature

PART V

Property Ownership (Multiple Owners)

☐ Multiple Owners (including corporation, partnership, trust, association, condominium, timeshare, or subdivision)

- ☐ Complete Disclosure of Interest Form (see below)
- ☐ Attach list of property owners as Exhibit 5-1
- ☐ Attach map showing property owners interests as Exhibit 5-2 (for multiple parcels)
- ☐ For condominiums and timeshares see Explanatory Notes Part V - Exhibit 5-3
- ☐ Letter of Opinion - Exhibit 5-4

DISCLOSURE OF OWNERSHIP INTEREST

If the property is owned in fee simple by an INDIVIDUAL, tenancy by the entirety, tenancy in common, or joint tenancy, list all parties with an ownership interest as well as the percentage of such interest.

Name and Address

Percentage Ownership



COMMUNITY DEVELOPMENT DEPARTMENT

APPLICATION for PUBLIC HEARING

If the property is owned by a CORPORATION, list the officers and stockholders and the percentage of stock owned by each.

Name, Address and Office

Percentage of Stock

_____	_____
_____	_____
_____	_____
_____	_____

If the property is in the name of a TRUSTEE, list the beneficiaries of the trust with percentage of interest.

Name and Address

Percentage of Interest

_____	_____
_____	_____
_____	_____
_____	_____

If the property is in the name of a GENERAL PARTNERSHIP OR LIMITED PARTNERSHIP, list the names of the general and limited partners.

Name and Address

Percentage of Ownership

_____	_____
_____	_____
_____	_____
_____	_____

If there is a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the officers, stockholders, beneficiaries, or partners.

Name, Address and Office

Percentage of Stock

_____	_____
_____	_____
_____	_____
_____	_____



COMMUNITY DEVELOPMENT DEPARTMENT APPLICATION for PUBLIC HEARING

Date of Contract: _____

If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust.

Name	Address
_____	_____
_____	_____
_____	_____
_____	_____

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of final certificate of compliance, a supplemental disclosure of interest must be filed.

The above is a full disclosure of all parties of interest in this application, to the best of my knowledge and belief.

_____	_____
Signature	Printed Name

AFFIDAVIT

APPLICATION IS SIGNED BY A CORPORATION, LIMITED LIABILITY COMPANY (L.L.C.), LIMITED COMPANY (L.C.), PARTNERSHIP, LIMITED PARTNERSHIP, OR TRUSTEE

I, _____ (name), as _____ (title)
of _____ (company), swear or affirm under oath, that I am the
owner or the authorized representative of the owner(s) of the property and that:

1. I have full authority to secure the approval(s) requested and to impose covenants and restrictions on the referenced property as a result of any action approved by the Town of Fort Myers Beach in accordance with this application and the Land Development Code;
2. All answers to the questions in this application and any sketches, data or other supplementary matter attached hereto and made a part of this application are honest and true;
3. I have authorized the staff of Fort Myers Beach Community Development to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made thru this application; and that
4. The property will not be transferred, conveyed, sold or subdivided unencumbered by the conditions and restrictions imposed by the approved action.



COMMUNITY DEVELOPMENT DEPARTMENT
APPLICATION for PUBLIC HEARING

Name of Entity (corporation, partnership, LLP, LLC, etc)

Signature

Title

Typed or Printed Name

Date

STATE OF _____ COUNTY OF _____

The foregoing instrument was certified and subscribed before me by means of ____ physical presence OR ☐ online notarization, this ____ day of _____, 20____, by _____, ☐ who is personally known to me OR ☐ who has produced _____ as identification.

Seal

Notary Public Signature

PART VI- Property Information

A. Legal Description:

STRAP: 24-44-23-W3-0050A.0140

Property Address: 163 OLD SAN CARLOS BLVD. FMB, FL

Is the subject property within a platted subdivision recorded in the official Plat Books of Lee 33931

County? ☐ No. Attach a legible copy of the legal description as Exhibit 6-1.

☒ Yes. Property identified in subdivision: Island Shores

Book: 9 Page: 25 Unit: 2 Block: A Lot(s): 14 & 15

B. Boundary Survey: Except per Steve Poposki - see letter attached
☐ Attach a Boundary Survey of the property meeting the minimum standards of Chapter 61G17-6 of the Florida Administrative Code. A Boundary Survey must bear the raised seal and original signature of a Professional Surveyor and Mapper licensed to practice Surveying and Mapping by the State of Florida. Attach and label as Exhibit 6-2.



COMMUNITY DEVELOPMENT DEPARTMENT APPLICATION for PUBLIC HEARING

C. Property Dimensions:

Width (please provide an average width if irregular in shape) 50 feet

Depth (please provide an average width if irregular in shape) 122 feet

Frontage on street: 50 feet. Frontage on waterbody: 0 feet

Total land area: 12,365 ☐ acres ☒ square feet

D. General Location of Subject Property (from Sky Bridge or Big Carlos Pass Bridge):

Directly to North of Mantazas Pass Bridge
on FMB Island side.) - OLD SAN CARLOS BLVD.
OLD SAN CARLOS BLVD PARALLELS BRIDGE TO
NORTH

☒ Attach Area Location Map as Exhibit 6-3

E. Property Restrictions (check applicable):

- ☒ There are no deed restrictions and/or covenants on the subject property.
☐ A list of deed restrictions and/or covenants affecting the subject property is attached as Exhibit 6-4.
☐ A narrative statement detailing how the restrictions/covenants may or may not affect the request is attached as Exhibit 6-5.

F. Surrounding Property Owners (these items can be obtained from the Lee County Property Appraiser):

- ☒ Attach a list of surrounding property owners within 500 feet as Exhibit 6-6.
☒ Attach a map showing the surrounding property owners as Exhibit 6-7.
☒ Provide Staff with two (2) sets of surrounding property owner mailing labels.

G. Future Land Use Category (see Future Land Use Map):

- | | |
|---|--|
| ☐ Low Density | ☐ Marina |
| ☐ Mixed Residential | ☐ Recreation |
| ☐ Boulevard | ☐ Wetlands |
| ☒ Pedestrian Commercial | ☐ Platted Overlay |



Case# _____

Date Received: _____

Town of Fort Myers Beach

COMMUNITY DEVELOPMENT DEPARTMENT

Supplement PH-A

Additional Required Information for a Special Exception Application

This is the second part of a two-part application. This part requests specific information for a special exception. Include this form with the Request for Public Hearing form.

Project Name:	SUZANNE MAY BAHAN
Authorized Applicant:	SUZANNE MAY BAHAN
LEOPA STRAP Number(s):	24-46-23-W3-0050A.0140

Current Property Status:	Vacant
Current Zoning:	Downtown
Future Land Use Map (FLUM) Category:	Pedestrian Commercial
Platted Overlay?	☐ yes ☒ no
FLUM Density Range:	10 per acre

Requested Action:

☐	Use of premises in the EC (Environmentally Critical) zoning district for:
☒	Use of premises in the <u>Downtown</u> zoning district for:
Transfer of existing Special Exception 20210050 to adjacent vacant property for an open-air outdoor temporary 200P/Retail venue, so I can earn revenue to repair, rebuild my business properties and home.	

PART I
Narrative Statements

A. Request for: (indicate the proposed use that requires a special exception)

Transfer of existing Special Exception 20210050 to 1163 Old San Carlos (adjacent, same owner property.) Requesting, also, that the LPA and Council allow outdoor entertainment due to the outdoor nature of temporary venue. The outdoor entertainment would fully comply with noise ordinances in place. Also, the current Special Exception limits alcohol consumption to inside building (185 Old San Carlos Blvd.) this would need to be modified to allow outdoor consumption/carry on outdoor venue property (1163 Old San Carlos Blvd.) This transfer would be temporary until 185 OSC can be repaired.

B. Reasons for request: (state how the property qualifies for a special exception and what impact granting the request could have on surrounding properties.

Direct these statements toward the guidelines in LDC Section 34-88)

The property qualifies for a Special Exception because:

I've already received a Special Exception 20210050, next door at 185 Old San Carlos Blvd. 1163 Old San Carlos Blvd is vacant land now and would be an excellent outdoor venue allowing income to be earned in order to repair 185 Old San Carlos Blvd, rebuild 1163 Old San Carlos Blvd, and repair my home on back-rear of 185 OSC. Surrounding properties are heavily damaged and vacant, or just vacant. Therefore, no impact.

Granting the requested Special Exception could impact surrounding properties as follows:

N/A - most, if not all properties in the surrounding area are vacant. No impact.

PART 2

Submittal Requirements

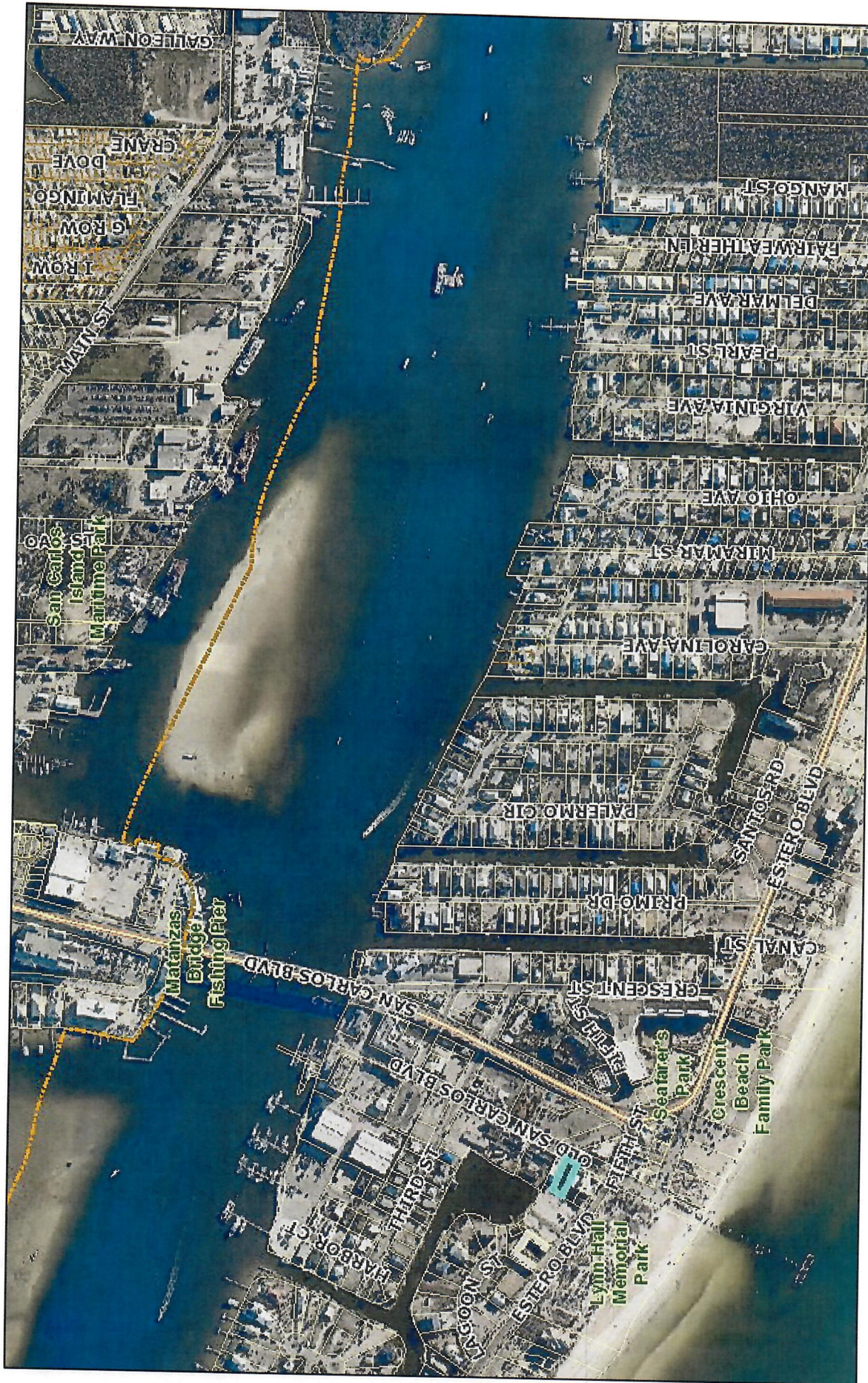
All applications for a special exception must submit fourteen (14) copies of this application form and all applicable exhibits.

Required Items

- Public Hearing Request Form
- Supplemental form PH-A
- Site Plan (to scale) including the current use of all existing structures on the site, and those on adjacent properties within 100 feet of the perimeter; all proposed structures and uses for the site; and any proposed fencing and screening.
- Fee in the amount of \$3800.00/\$3300.00 for an amendment

For New Communication Towers:

- a. Lee County Application for Communication Tower
- b. Shared-Use Plan Agreement



July 6, 2023

Air Photos: 2023 Hi-Res (3 inch)

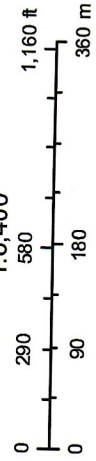
 Hospital Locations

 Library Locations

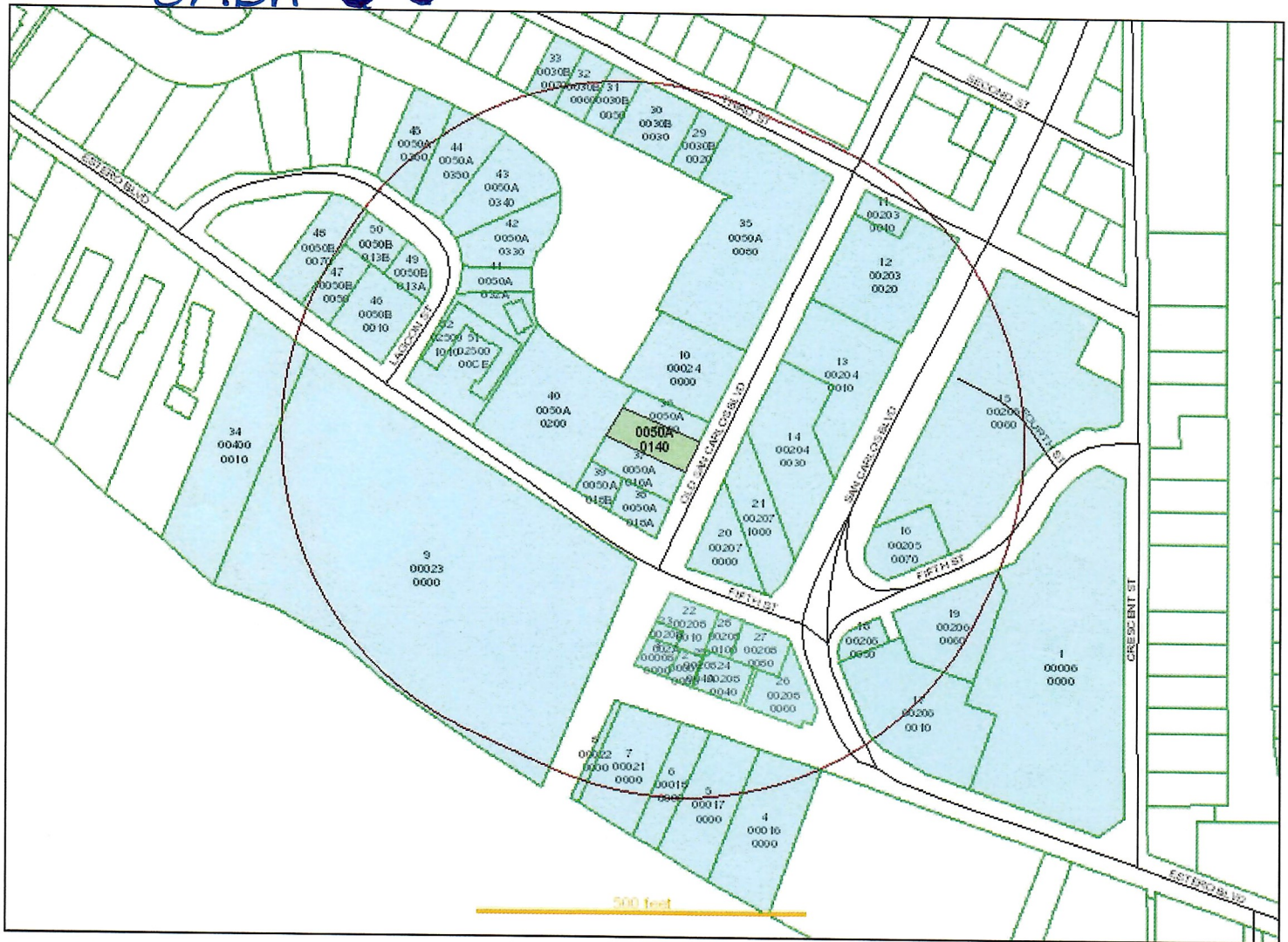
School Locations

 School Locations

1:6,400



This map is NOT a legal land survey and should not be used or relied upon as such. No warranties, express or implied, are provided with the data, use, accuracy or interpretation.



Date of Report: July 12, 2023

Buffer Distance: 500 feet

Parcels Affected: 52

Subject Parcel: 24-46-23-W3-0050A.0140

[Click here to download the map image, mailing labels \(Avery 5161\) and CSV formatted information.](#)

EXHIBIT 6-7 To change, add or remove subject parcels please change the parcel selection in [GeoView](#)

OWNER NAME AND ADDRESS	STRAP AND LOCATION	LEGAL DESCRIPTION	MAP INDEX
TPI-FMB LLC 103 15TH AVE NW STE 200 WILLMAR MN 56201	24-46-23-W3-00006.0000 251 CRESCENT ST FORT MYERS BEACH FL 33931	BUSINESS CTR PHILLIPS PB 9 PG 9 LOTS 10 THRU 15 + OR 587/198 LESS R/W 2353/3036	1
1005 ESTERO LLC 1005 ESTERO BLVD FORT MYERS BEACH FL 33931	24-46-23-W3-00007.0000 1005 ESTERO BLVD FORT MYERS BEACH FL 33931	FRM SW COR BLK E CRESCENT PK ADD ON E LI SEC 24 46 23 RUN NWLY AT INC	2
KALYMNIOUS PARTNERSHIP LLP 1001 ESTERO BLVD FORT MYERS BEACH FL 33931	24-46-23-W3-00008.0000 1001 ESTERO BLVD FORT MYERS BEACH FL 33931	FRM SW COR BLK E CRESCENT PK ADD ON E LI SEC 24 RUN NW 69 DEG 54 MIN WITH SEC	3
PRESAUD PROPERTIES FL 361 SEMINOLE WAY FORT MYERS BEACH FL 33931	24-46-23-W3-00016.0000 1046 ESTERO BLVD FORT MYERS BEACH FL 33931	FROM SW COR BLK E CRESCENT PK ADD ON E LI SEC 24 RUN S ALG SD LI TO S LI CO RD	4
PERSAUD PROPERTIES FL INVESTME 361 SEMINOLE WAY FORT MYERS BEACH FL 33931	24-46-23-W3-00017.0000 1028 ESTERO BLVD FORT MYERS BEACH FL 33931	FROM SW COR BLK E CRES PK ADD ON E LI SEC 24 RUN S ALG SD LI TO S LI CO RD TH	5
BENCIN ENTERPRISES INC BEACH ACCOUNTING	24-46-23-W3-00018.0000 1010 ESTERO BLVD	A PAR AS DESC IN OR 1234 PG 1371	6

17274 SAN CARLOS BLVD #202 FORT MYERS BEACH FL 33931	FORT MYERS BEACH FL 33931		
WHITAKER WILLIAM D & 15820 SAN ANTONIO CT FORT MYERS FL 33908	24-46-23-W3-00021.0000 1000 ESTERO BLVD FORT MYERS BEACH FL 33931	PARL IN SE1/4 SEC 24 S OF ESTERO BLVD+E OF SAN CARLOS DR DESC OR 1547 PG 1077	7
LEE COUNTY PO BOX 398 FORT MYERS FL 33902	24-46-23-W3-00022.0000 10 OLD SAN CARLOS BLVD FORT MYERS BEACH FL 33931	BEG NW COR BLK 8 BUSINESS CTR SUBD RUN NWLY ALG EXTENED N LINE PIER ONLY	8
LEE COUNTY PO BOX 398 FORT MYERS FL 33902	24-46-23-W3-00023.0000 950 ESTERO BLVD FORT MYERS BEACH FL 33931	BEG NW COR BLK 8 BUSINESS CTR SUB RUN NWLY ALG EXTEN NLI PIER ON 22.0000	9
RICHARD JOHN W TR 237 OLD SAN CARLOS BLVD FORT MYERS BEACH FL 33931	24-46-23-W3-00024.0000 201 OLD SAN CARLOS BLVD FORT MYERS BEACH FL 33931	FROM NWLY COR BLK 8 BUSINESS CENTER SUBD RUN NWLY ALG PROLONGATION OF	10
SOB INC 340 OLD SAN CARLOS BLVD FORT MYERS BEACH FL 33931	24-46-23-W3-00203.0010 340 OLD SAN CARLOS BLVD FORT MYERS BEACH FL 33931	BUSINESS CENTER BLK.3 PB 9 PG 9 LOT 1	11
RICHARD JOHN W TR 237 OLD SAN CARLOS BLVD FORT MYERS BEACH FL 33931	24-46-23-W3-00203.0020 318/320 OLD SAN CARLOS BLVD FORT MYERS BEACH FL 33931	BUSINESS CENTER BLK 3 PB 9 PG 9 LOTS 2 THRU 6 + LTS 22 +23 + POR OF VAC ST	12
STINGRAYS RAW BAR INC 250 OLD SAN CARLOS BLVD FORT MYERS BEACH FL 33931	24-46-23-W3-00204.0010 250 OLD SAN CARLOS BLVD FORT MYERS BEACH FL 33931	BUSINESS CTR LTS 1 + 2 BLK 4 LOTS 1 THRU 5 BLK 5 W OF ST RD 865 R/W + POR OF VAC ST	13
DIANNE HOLLAND TRUST + 570 KULAIWI DR WAILUKU HI 96793	24-46-23-W3-00204.0030 200 OLD SAN CARLOS BLVD FORT MYERS BEACH FL 33931	BUSINESS CENTER BLK 4 PB 9 PG 9 LTS 3 THRU 7 PT 8 + 9 + PT VAC ALLY	14
LIGHTHOUSE ISLAND RESORT INC 1051 FIFTH ST FORT MYERS BEACH FL 33931	24-46-23-W3-00205.0060 1051 FIFTH ST FORT MYERS BEACH FL 33931	PORTION OF BUSINESS CENTER BLK 3 & 5 PB 9 PG 9 AND A PORTION OF VACATED FOURTH ST AND PORTION OF VACATED 5TH AVE IN SEC 24 TWP 46 RNG 23	15
TPI-FMB LLC 103 15TH AVE NW STE 200 WILLMAR MN 56201	24-46-23-W3-00205.0070 FIFTH ST FORT MYERS BEACH FL 33931	BUSINESS CENTER BLK 5 PB 935 PG 9 PT LOT 7 + LOTS 8 + 9	16
LEE COUNTY PO BOX 398 FORT MYERS FL 33902	24-46-23-W3-00206.0010 1113 ESTERO BLVD FORT MYERS BEACH FL 33931	BUSINESS CENTER BLK 6 PB9 PG9 LTS 1-4 LESS R/W + DESC OR 1904/4451	17
TOWN OF FORT MYERS BEACH 2525 ESTERO BLVD FORT MYERS BEACH FL 33931	24-46-23-W3-00206.0050 1054 FIFTH ST FORT MYERS BEACH FL 33931	BUSINESS CENTER BLK 6 PB 9 PG 9 LOT 5 R/W OR 1154 PG 1510	18
TPI-FMB LLC 103 15TH AVE NW STE 200 WILLMAR MN 56201	24-46-23-W3-00206.0060 1150 FIFTH ST FORT MYERS BEACH FL 33931	BUSINESS CENTER BLK 6 PB 9 PG 9 LOTS 6 THRU 9	19
150 SAN CARLOS BLVD CORP 4500 VERPLANCH PLACE NW WASHINGTON DC 20016	24-46-23-W3-00207.0000 150 OLD SAN CARLOS BLVD FORT MYERS BEACH FL 33931	BUSINESS CENTER BLK 7 PB 9 PG 9 ALL BLK 7	20
TOWN OF FORT MYERS BEACH FINANCE DEPT 2525 ESTERO BLVD FORT MYERS BEACH FL 33931	24-46-23-W3-00207.1000 OLD SAN CARLOS BLVD FORT MYERS BEACH FL 33931	BUSINESS CENTER R/W OF CENTER STREET LYING BETWEEN BLK 7 BLK 7 PB 9 PG 9	21
CHAVEZ CARLOS L TR 991 AQUA LN FORT MYERS FL 33919	24-46-23-W3-00208.0010 80 OLD SAN CARLOS BLVD FORT MYERS BEACH FL 33931	BUSINESS CENTER BLK.8 PB 9 PG 9 LOTS 1 + 2 LESS THE W 44	22
CHAVEZ CARLOS L TR 991 AQUA LN	24-46-23-W3-00208.002A 50 OLD SAN CARLOS BLVD	BUSINESS CENTER BLK 8 PB 9 PG 9	23

HOLBROOK LESLIE E 3658 COUNTY RD 31 GALION OH 44833	24-46-23-W3-0050A.032A 859 LAGOON ST FORT MYERS BEACH FL 33931	ISLAND SHORES UNIT 2 BLK.A PB 9 PG 25 NWLY 40 FT LOT 32	41
PURTELL JAMES F TR 60 STONEY BEACH RD OSHKOSH WI 54902	24-46-23-W3-0050A.0330 855 LAGOON ST FORT MYERS BEACH FL 33931	ISLAND SHORES UNIT 2 BLK.A PB 9 PG 25 LOT 33	42
BOYD TODD & JULIE SOMERS WHARF 16 WATER ST UNIT L ST GEORGES GE 04 BERMUDA	24-46-23-W3-0050A.0340 849/851 LAGOON ST FORT MYERS BEACH FL 33931	ISLAND SHORES UNIT 2 BLK.A PB 9 PG 25 LOT 34	43
DULLARD ROBERT TR + PO BOX 2695 FT MYERS BCH FL 33932	24-46-23-W3-0050A.0350 843 LAGOON ST FORT MYERS BEACH FL 33931	ISLAND SHORES UT 2 BLK.A PB 9 PG 25 LOT 35	44
BLOCD AHL LEASING LLC 3538 TIMBER RIDGE TRL CEDAR RAPIDS IA 52411	24-46-23-W3-0050A.0360 839/841 LAGOON ST FORT MYERS BEACH FL 33931	ISLAND SHORES UNIT 2 BLK.A PB 9 PG 25 LOT 36	45
SOUTHLAND CORPORATION CORPORATE TAX DEPT 2711 N HASKELL AVE DALLAS TX 75204	24-46-23-W3-0050B.0010 841 ESTERO BLVD FORT MYERS BEACH FL 33931	ISLAND SHORES UNIT 2 BLK.B PB 9 PG 25 LOTS 1 THRU 4	46
COURTNEY S MARK & DEBORAH S TR 83 CRANBERRY RD GROVE CITY PA 16127	24-46-23-W3-0050B.0050 831 ESTERO BLVD FORT MYERS BEACH FL 33931	ISLAND SHORES UNIT 2 BLK.B PB 9 PG 25 LOTS 5 + 6	47
PAINE FRED 823 LAGOON ST FORT MYERS BEACH FL 33931	24-46-23-W3-0050B.0070 821/825 ESTERO BLVD FORT MYERS BEACH FL 33931	ISLAND SHORES UNIT 2 BLK.B PB 9 PG 25 LOTS 7 8 + PT LOTS 9 13 14	48
ARTRIP BARBARA K TR 3225 E RIVERSIDE DR UNIT 57E FORT MYERS FL 33916	24-46-23-W3-0050B.013A 850 LAGOON ST FORT MYERS BEACH FL 33931	ISLAND SHORES UNIT 2 BLK.B PB 9 PG 25 PT LOTS 13 + 14	49
SCHWARTZ DEREK & KRISTEN 3329 ROSA AVE NEW SMYRNA BEACH FL 32168	24-46-23-W3-0050B.013B 846/848 LAGOON ST FORT MYERS BEACH FL 33931	ISLAND SHORES UNIT 2 BLK.B PB 9 PG 25 LOTS PT 13 + 14 FROM SE	50
SAND CASTLE BEACH CLUB CONDO 905 ESTERO BLVD FORT MYERS BEACH FL 33931	24-46-23-W3-02500.00CE SAND CASTLE BEACH CONDO C/E FORT MYERS BEACH FL 33931	SAND CASTLE BEACH CLUB A TIME-SHARE COMMON AREA DESC OR 1463 PG 2328 + CPB 6 PG 230	51
SAND CASTLE BEACH CLUB CONDO A 905 ESTERO BLVD FORT MYERS BEACH FL 33931	24-46-23-W3-02500.1010 905 ESTERO BLVD FORT MYERS BEACH FL 33931	SAND CASTLE BEACH CLUB A TIME-SHARE OR 1463-2328 UNITS 101-215 / 29 UNITS	52

RESOLUTION NUMBER 21-46

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH FLORIDA APPROVING SPECIAL EXCEPTION 20210050 TO ALLOW CONSUMPTION ON PREMISES AS A 2COP (BEER AND WINE); WITHIN 500 FEET OF A PARK AT 185 OLD SAN CARLOS; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Florida Statutes provide that municipalities shall have the governmental, corporate, and proprietary powers to enable them to conduct municipal government, perform municipal functions, and render municipal service, and exercise any power for municipal purposes, except when expressly prohibited by law; and

WHEREAS, Article X of the Town Charter of the Town of Fort Myers Beach empowers the Town to adopt, amend, or repeal such ordinances and resolutions as may be required for the proper governing of the Town; and

WHEREAS, applicant Suzanne Bahan.. requested a special exception to open an adult video arcade with retail and 2COP, and a deviation from LDC Sec. 34-1264(a)(2) of the Town of Fort Myers Beach Land Development Code which does not allow alcohol sales within 500 feet from park; and

WHEREAS, the STRAP number for the subject property is 24-46-23-W3-0050A.0130

WHEREAS, the Property is in the "Pedestrian Commercial" category of the Future Land Use Map of the Comprehensive Plan and the "Downtown" zoning district of the Official Zoning Map of the Town of Fort Myers Beach, Florida; and

WHEREAS, a public hearing on this matter was legally noticed and held before the Local Planning Agency (LPA) on August 10, 2021. and at said hearing the LPA gave full and complete consideration to the request of Applicant, recommendations of staff, the documents in the file, and the testimony of all interested persons, as required by Section 34-88 of the LDC. The LPA voted 5-0 to approve with conditions the Consumption on Premises (2COP, Beer and Wine Only), with no outdoor consumption.

WHEREAS, on October 4, 2021 the Town Council held a duly noticed public hearing to fully consider the request of the Applicant, the recommendations of Town staff and the LPA, the documents in the record, and testimony of all interested persons as required by Section 34-88 of the LDC; and

WHEREAS, the Town Council determined it is in the best interest of the Town to approve/deny the request.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA, AS FOLLOWS:

Section 1. The above recitals are true, correct, incorporated herein by this reference, and adopted as the legislative and administrative findings of the Town Council.

Section 2. The Town Council determines the Applicant did meet its burden of proof that the requested Special Exception do meet the requirements of the Town Comprehensive Plan and LDC, and approving the Special Exception is in the best interest of the Town. Therefore, based upon the recommendations, testimony, and evidence presented by the Applicant, Town staff, and interested parties and public, the Town Council APPROVES the Special Exception and 2COP and the deviation from Section 34-1264(a)(2) of the LDC to allow alcohol sales within 500 feet of Lynn Hall Memorial Park.

Section 3. In approving the Special Exception, the Town Council makes the following findings and conclusions in accordance with the requirements of Sections 34-84 and 34-88 of the LDC:

- A. There exist changed or changing conditions which make approval of the request appropriate
- B. The request is consistent with the goals, objectives, policies, and intent of the Fort Myers Beach Comprehensive Plan
- C. The request meets or exceeds all performance and locational standards set forth for the proposed use.
- D. The request will protect, conserve, or preserve environmentally critical areas and natural resources.
- E. The request will be compatible with existing or planned uses and not cause damage, hazard, nuisance, or other detriment to persons or property.
- F. The requested consumption on premises (2COP) use will be in compliance with applicable general zoning provisions and supplemental regulations pertaining set forth in Chapter 34 of the Land Development Code.

Section 4. If the Town Council approves the requested special exception, the following conditions of approval are imposed on the Applicant and the Property:

- A. The 2COP is only valid in conjunction with a retail sales operation within the same business.
- B. No amplified music or entertainment unless within an entirely enclosed building. All activities are subject to the Town's noise regulations.
- C. No consumption of alcohol beyond the footprint of the existing enclosed structure.

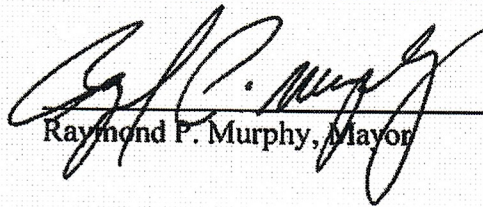
D. Any violation of the conditions of approval shall render the special exception null and void.

The foregoing Resolution was adopted by the Town Council upon a motion by Council Member Atterholt and seconded by Council Member Veach, and upon being put to a vote, the result was as follows:

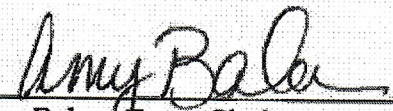
Raymond P. Murphy, Mayor	Aye
Rexann Hosafros, Vice Mayor	Aye
Dan Allers	Aye
Bill Veach	Aye
Jim Atterholt	Aye

ADOPTED this 4th day of October 2021 by the Town Council of the Town of Fort Myers Beach, Florida.

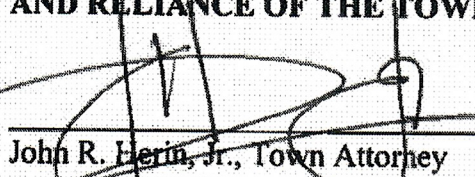
FORT MYERS BEACH TOWN COUNCIL


Raymond P. Murphy, Mayor

ATTEST:


Amy Baker, Town Clerk

**APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE
AND RELIANCE OF THE TOWN OF FORT MYERS BEACH ONLY:**


John R. Herin, Jr., Town Attorney

This Resolution was filed in the Office of the Town Clerk on this 18 day of October 2021.



EXHIBIT 6-2 WAIVER

s b <suzipilot@gmail.com>

RE: Requesting Waiver for Boundary Survey for Temporary 2COP location at 163 Old San Carlos Blvd. Fort Myers Beach, FL 33931.

1 message

Stephen Poposki <spoposki@fmbgov.com>

To: s b <suzipilot@gmail.com>

Cc: Sarah Propst <sarah.propst@fmbgov.com>

Wed, Jul 12, 2023 at 2:22 PM

Good afternoon Ms. Bahan,

You may proceed without a boundary survey for the temporary 2COP location at 163 Old San Carlos Blvd. Fort Myers Beach, FL 33931 unless otherwise notified by the Town planning division that a current survey has become necessary for your request.

Regards,

**Steve Poposki**Community Development Director and
Building Official

Town of Fort Myers Beach

2525 Estero Boulevard

Fort Myers Beach, FL 33931

FMBgov.com

Think Green. Please print this e-mail only if necessary.

Please Note: Florida has very broad public records laws. Most written communications to and from Fort Myers Beach officials regarding Town business are public records available to the public and media upon request. Your email communications may be subject to public disclosure.

Frequently asked questions

From: s b <suzipilot@gmail.com>**Sent:** Tuesday, July 11, 2023 4:11 PM**To:** Stephen Poposki <spoposki@fmbgov.com>; Sarah Propst <sarah.propst@fmbgov.com>

Subject: Requesting Waiver for Boundary Survey for Temporary 2COP location at 163 Old San Carlos Blvd. Fort Myers Beach, FL 33931.

Mr. Poposki:

My name is Suzanne (May) Bahan and I am requesting a Waiver for Boundary Survey for my property at 163 Old San Carlos Blvd. Fort Myers Beach, FL 33931 - Strap# 24-46-23-W3-0050A.0140. I have already received a Special Exception 20210050/ Resolution Number 21-46. I am proposing to move the Special Exception to my now vacant property at 163 Old San Carlos Blvd, as a temporary location while I wait on insurance claims to pay out. This will also allow me to generate needed revenue to repair and rebuild my properties. Obviously, I have to have a hearing in front of the Town Council and the LPA in order to transfer this Special Exception to the aforementioned and adjacent property. However, before I can submit public hearing applications, I've been instructed that I must receive a Waiver of Boundary Survey on said property directly from you. I have the property dimensions and have calculated square footage with the assistance of the Lee County Clerk of Court and the Property Appraiser's Office.

This temporary move of the Special Exception would be for an outside venue with temporary features like seating and retail/consumption areas, and portable trailers (food or shipping container(s)). Therefore, and given the lengthy wait-times for surveyors, I'm asking that you consider granting me a Waiver for Boundary Survey. Please understand that I have not had any source of income since Hurricane Ian and my insurance policies have not paid out. Therefore, this Waiver would be greatly appreciated.

Thank you,

Suzanne (May) Bahan, Owner

163 & 185 Old San Carlos Blvd.

Fort Myers Beach, FL 33931

386-527-2370

Note: Florida has a very broad public records law. Most communication(s) to or from Fort Myers Beach officials regarding Town business are public records available to the public and media upon request. Your email communications and email address may be subject to public disclosure.

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UNIT NO. 2

December, 1950

DESCRIPTION

[illegible]

DEDICATION
PRESENTS that Island Shores

STATE OF FLORIDA

Attest: Jeanette Kelly Secretary

By: John W. Martin President

ISLAND SHORES, INC.

ACKNOWLEDGMENT

ACKNOWLEDGMENT

1

THE COUNTY OF LEANING, MISSISSIPPI, by and through its duly authorized officers and agents, hereby certifies that on this day before me personally appeared John Wolfman and James B. Kelley, respectively President and Secretary of Island Shoppers, Inc., a corporation organized under the laws of the State of Mississippi, known to me to be the said corporation under the laws of the State of Mississippi, and the execution thereof by them in the presence of me and attested as such officers for the uses and purposes therein mentioned and that they affixed thereto the official seal of said corporation, and then said declaration was read to them and they acknowledged the same to be true and correct. WITNESS my hand and official seal of said Corporation, this 19th day of December, 1956.

Notary Public, State of Florida
my Commission expires March 19, 2024

NOTE
An easement for the use of public utilities 3 feet in width is hereby reserved for a distance of 30 feet along the north side of lots 32 to 40 in Block A and along each side of lots 32 to 40 in Block C and along each side of lot 41, Block A and each side of lots 1 to 25 in Block C, except sides of Montana 51st in Block C.

NOTES
P.R.M.'s are 4" x 24" Concrete Monuments
———— Indices Iron Pin Set.
Both chord and arc distances are given on curve
lines with angles to chords.

APPROVALS

This plat accepted this 8th day of December, 1950, in open meeting of the Board of County Commissioners of Lee County, Florida.

Approved: [Signature] Chairman

97-10

Client

131475

I HEREBY CERTIFY that this plot of UNIT NO. 2, ISLAND SNORES has been
 examined by me and from my examination find that said plot complies
 in form with the requirements of Chapter 1073, Florida Statutes,
 Acts of 1929.
 I, FRANK C. GERRY, that said plot was filed for record of 1159A M. 414,
 24th day of January 1931, and duly recorded in Plot Book No. 9, at
 Page 23 of the Public Records of Dade County, Florida.

thereby certify that this plot of UNIT NO. 2, ISLAND SHORES is true and correct according to a recent survey made and plotted under my direction and that permanent reference monuments (PRM's) have been set in accordance with the provisions of Sec. 7, Chap. 10275 laws of Florida, Acts of 1965.

Reg. Land Surveyor, Fla. Cert. No. 35
Johnson & Cothran, Ft. Myers, Florida



Town of Fort Myers Beach
Community Development Services - Planning Division
2525 Estero Blvd,
Fort Myers Beach, FL 33931

NOTICE TO PROPERTY OWNERS WITHIN 500 FEET

Notice is hereby given that the Local Planning Agency of the Town of Fort Myers Beach will hold a public hearing which will take place at DiamondHead Beach Resort, 2000 Estero Boulevard, Fort Myers Beach, Florida, 33931.

TIME: 9 AM

DATE: August 8, 2023

CASE: SEZ20230126-Amendment

ADDRESS: 163 Old San Carlos Blvd

APPLICANT: Suzanne Bahan

REQUEST: The applicant is requesting an amendment to SEZ20210050 to move the Special Exception from 185 Old San Carlos to 163 Old San Carlos and amend conditions of approval.

TOWN CONTACT: SARAH PROPST SARAH.PROPST@FMBGOV.COM

You may appear in person, through counsel, or through an authorized agent and provide testimony, legal argument, or other evidence. At this hearing the **Local Planning Agency** will review the application materials and hear testimony to make a **recommendation**. Complete records or transcripts of the proceedings are not provided by the Town.

Copies of the application and staff report are available for viewing at Fort Myers Beach Town Hall. Call 239-765-0202 for more information. Town Hall is open between the hours of 8:30 AM and 4:30 PM. Reasonable accommodations will be made in accordance with the Americans with Disabilities Act. If you need reasonable accommodation, contact Town Hall at 239-765-0202.



Town of Fort Myers Beach
Community Development Services - Planning Division
2525 Estero Blvd,
Fort Myers Beach, FL 33931

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Community Development Services - Planning Division
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REQUEST: The applicant is requesting an amendment to SEZ20210050 to move the Special Exception from 185 Old San Carlos to 163 Old San Carlos and amend conditions of approval.

TOWN CONTACT: SARAH PROPST SARAH.PROPST@FMBGOV.COM

You may appear in person, through counsel, or through an authorized agent and provide testimony, legal argument, or other evidence. At this hearing the **Local Planning Agency** will review the application materials and hear testimony to make a **recommendation**. Complete records or transcripts of the proceedings are not provided by the Town.

Copies of the application and staff report are available for viewing at Fort Myers Beach Town Hall. Call 239-765-0202 for more information. Town Hall is open between the hours of 8:30 AM and 4:30 PM. Reasonable accommodations will be made in accordance with the Americans with Disabilities Act. If you need reasonable accommodation, contact Town Hall at 239-765-0202.



Town of Fort Myers Beach
Community Development Services - Planning Division
2525 Estero Blvd,
Fort Myers Beach, FL 33931

NOTICE TO PROPERTY OWNERS WITHIN 500 FEET

Notice is hereby given that the Local Planning Agency of the Town of Fort Myers Beach will hold a public hearing which will take place at DiamondHead Beach Resort, 2000 Estero Boulevard, Fort Myers Beach, Florida, 33931.

TIME: 9 AM

DATE: August 8, 2023

CASE: SEZ20230126-Amendment

ADDRESS: 163 Old San Carlos Blvd

APPLICANT: Suzanne Bahan

REQUEST: The applicant is requesting an amendment to SEZ20210050 to move the Special Exception from 185 Old San Carlos to 163 Old San Carlos and amend conditions of approval.

TOWN CONTACT: SARAH PROPST SARAH.PROPST@FMBGOV.COM

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«OwnerName»
«MailAddress»
«MailCity», «MailState», «MailZip»«Next Record»

«OwnerName»
«MailAddress»
«MailCity», «MailState», «MailZip»«Next Record»

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«OwnerName»
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«MailCity», «MailState», «MailZip»