



Fort Myers Beach Local Planning Agency

Town Hall Council Chambers
2731 Oak Street
Fort Myers Beach, FL 33931

Agenda

Tuesday, December 10, 2024

9:00 AM

ORDER OF BUSINESS

- I. CALL TO ORDER
- II. INVOCATION
- III. PLEDGE OF ALLEGIANCE
- IV. APPROVAL OF FINAL AGENDA
- V. APPROVAL OF MINUTES
- VI. PUBLIC COMMENT
- VII. PUBLIC HEARINGS

A. VAR20240270, 1741 Estero Boulevard

A RESOLUTION OF THE FORT MYERS BEACH LOCAL PLANNING AGENCY APPROVING/ APPROVING WITH CONDITIONS/ DENYING VARIANCE 20240270, REQUESTING SIX VARIANCES FROM THE LDC FOR THE PROPERTY LOCATED AT 1741 ESTERO BLVD., GENERALLY REFERED TO AS STRAP NUMBER 19-46-24-W4-0080B.0010 IN FORT MYERS BEACH, TO VARY FROM REQUIRED 1)REAR SETBACK, 2)ACCESSORY STRUCTURE SETBACK, 3)LANDSCAPE BUFFER, 4) OFF-STREET PARKING, 5)SIDE STREET BUILD-TO LINE AND 6)PARKING LOT ENTRANCE WIDTH, TO ALLOW A MIXED-USE COMMERCIAL DEVELOPMENT INCLUDING RETAIL AND LODGING USES; PROVIDING FOR OTHER CLARIFICATIONS AS NECESSARY; PROVIDING FOR CONFLICTS OF LAW, SCRIVENER'S ERRORS, SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

B. SEZ20240240, 2584 Estero Blvd - Estero Beach Club Condo

A RESOLUTION OF THE FORT MYERS BEACH LOCAL PLANNING AGENCY APPROVING/ APPROVING WITH CONDITIONS/ DENYING SPECIAL EXCEPTION 20240240, REQUESTING A SPECIAL EXCEPTION FOR THE PROPERTY LOCATED AT 2584 ESTERO BLVD., GENERALLY REFERRED TO AS "ESTERO BEACH CLUB CONDO" STRAP NUMBER 19-46-24-W3-02000.00CE, TO ALLOW FOR THE REPLACEMENT/

REPAIR OF PAVER DECKS, POOL SHELL AND COPING, CEMENT WALKWAYS, A CEMENT FOOT-WASH STATION, IRRIGATION LINES AND A FENCE ALONG AN EXISTING RETAINING WALL, LOCATED PARTIALLY AND ENTIRELY WITHIN THE ENVIRONMENTALLY CRITICAL ZONING DISTRICT; PROVIDING FOR OTHER CLARIFICATIONS AS NECESSARY; PROVIDING FOR CONFLICTS OF LAW, SCRIVENER'S ERRORS, SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

C. SEZ20240186, 1479 Estero Blvd - Lani Kai

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA APPROVING/ APPROVING WITH CONDITIONS/ DENYING SPECIAL EXCEPTION SEZ20240186 FOR USE OF AN EXISTING LOT TO PROVIDE 43 COMMERCIAL PARKING SPACES IN THE DOWNTOWN ZONING DISTRICT OF THE TOWN OF FORT MYERS BEACH LAND DEVELOPMENT CODE FOR PROPERTY LOCATED AT 1479 ESTERO BOULEVARD; PROVIDING FOR SCRIVENER'S ERRORS, SEVERABILITY, AND AN EFFECTIVE DATE.

D. VAR20240233, 1479 Estero Blvd - Lani Kai

A RESOLUTION OF THE FORT MYERS BEACH LOCAL PLANNING AGENCY APPROVING/ APPROVING WITH CONDITIONS/ DENYING VARIANCE 20240233, REQUESTING FOUR VARIANCES FROM THE LDC FOR THE PROPERTY LOCATED AT 1479 ESTERO BLVD., GENERALLY REFERRED TO AS "LANI KAI" STRAP NUMBER 19-46-24-W4-0060B.0070, IN FORT MYERS BEACH 1) WAIVING REQUIRED PARKING FOR THE 25-UNIT HOTEL, REQUIREMENTS FOR 2) PARKING LOT CONFIGURATION, 3) LANDSCAPING REQUIREMENTS AND 4) DRIVEWAY WIDTH REDUCTIONS FOR ENTRANCES ON ESTERO BLVD.; PROVIDING FOR OTHER CLARIFICATIONS AS NECESSARY; PROVIDING FOR CONFLICTS OF LAW, SCRIVENER'S ERRORS, SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

VIII. ADMINISTRATIVE AGENDA

A. LPA Guidelines

Review of guidelines in the LPA manual at the December 2024 LPA meeting with proposed changes for discussion.

IX. LPA MEMBERS ITEMS/REPORTS

X. LPA ATTORNEY ITEMS/REPORTS

XI. COMMUNITY DEVELOPMENT ITEMS/REPORTS

XII. ITEMS FOR NEXT MONTHS AGENDA

XIII. ADJOURNMENT

NOTE: THIS MEETING IS STREAMED LIVE ON YOUTUBE.

IF THE LOCAL PLANNING AGENCY UNANIMOUSLY APPROVES A REQUEST FOR A VARIANCE, EXTENSION OR SATISFACTION OF CONDITIONS, A REQUEST FOR AN ADDITIONAL HEARING BEFORE THE TOWN COUNCIL MAY BE MADE BY ANYONE IF THE REQUEST IS RECEIVED BY THE TOWN CLERK WITHIN 10 BUSINESS DAYS OF THE LOCAL PLANNING AGENCY DECISION PURSUANT TO SEC. 34-232 OF THE LAND DEVELOPMENT CODE.

IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE LOCAL PLANNING AGENCY WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING OR HEARING, HE OR SHE WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT, FOR SUCH PURPOSE, HE OR SHE MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED IN ACCORDANCE WITH FLORIDA STATUTE 286.0105.



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. 239-765-0202

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

Yellow Sheet Number: **2025-92**

1. Request:

Meeting Date: December 10, 2024

A RESOLUTION OF THE FORT MYERS BEACH LOCAL PLANNING AGENCY APPROVING/ APPROVING WITH CONDITIONS/ DENYING VARIANCE 20240270, REQUESTING SIX VARIANCES FROM THE LDC FOR THE PROPERTY LOCATED AT 1741 ESTERO BLVD., GENERALLY REFERED TO AS STRAP NUMBER 19-46-24-W4-0080B.0010 IN FORT MYERS BEACH, TO VARY FROM REQUIRED 1) REAR SETBACK, 2) ACCESSORY STRUCTURE SETBACK, 3) LANDSCAPE BUFFER, 4) OFF-STREET PARKING, 5) SIDE STREET BUILD-TO LINE AND 6) PARKING LOT ENTRANCE WIDTH, TO ALLOW A MIXED-USE COMMERCIAL DEVELOPMENT INCLUDING RETAIL AND LODGING USES; PROVIDING FOR OTHER CLARIFICATIONS AS NECESSARY; PROVIDING FOR CONFLICTS OF LAW, SCRIVENER'S ERRORS, SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

Why the action is necessary:

The LPA will make recommendations to the Town Council regarding the variance requests or approve the variance requests unanimously.

What the action accomplishes:

The LPA recommendation will be forwarded on to the Town Council or serve as final agency action if the requests are approved unanimously.

2. Agenda:

PUBLIC HEARINGS

3. Requirement/Purpose:

Resolution

5. Background:

Belger Properties Partnership LLC, the owner of 1741 Estero Boulevard, is requesting the following variances from the Town's Land Development Code (LDC): 1) Sec. 34-674(b)(1)(a) which requires principal buildings in the Downtown zoning district to provide a minimum rear setback of 25 feet from the rear property line, 2) Sec. 34-677(b)(3) requires the implementation of a 15 foot landscape buffers between a parking area and public street, 3) Sec. 34-677(b)(3) requires the installation of a 15 foot landscape buffer between a commercial property and residential lot, 4) Sec. 34-676(b)(1) requires off-street parking to be located in the rear, 5) Sec. 34-674(a)(1) requires a build to line of 5 to 10 feet on Miramar Street, and 6) Sec. 34-2013(a)(3) requires a maximum width of a parking lot entrance at the property line of 25 feet. The applicant is requesting variances of: 1) 1 foot encroachment into the rear setback for a rear setback of 21 feet from the rear property line for the mechanical equipment, and a variance of 5 feet 7 inches for a rear setback of 19 feet 5 inches for a dumpster enclosure, 2) a variance for the non-implementation of a 15 foot landscape buffer between a parking lot and public street, 3) a variance for the non-implementation of a required 15 foot landscape buffer between a commercial property and a residential lot, 4) a variance for off-street parking to not be situated in the rear yard but in the front, 5) a variance of 20 additional feet from the required 5 to 10 feet build to line off of Miramar Street for a street setback of 30 feet, 6) and a variance to exceed the maximum width of a parking lot entrance at the property line of 25 feet to 88 feet along Miramar Street to build a new mixed-use structure.

Attachments:

1. 1741 Estero Blvd- LPA staff report
2. 1741_EsteroBlvd_Survey pdf
3. Exhibit A: 1741EsteroBlvd_CompleteApplication
4. Exhibit B: LPA AND TC VAR postcard 1741 Estero Blvd Goodz

5. Exhibit C: 1741 ESTERO_SITE PLAN
6. Exhibit D: Letter of No Objection 1741 Estero
7. DRAFT LPA Resolution 24-XX_1741 Estero Blvd

Financial Impact:

unknown

6. Alternative Action

Deny requests.

7. Staff Recommendations:

Approve with conditions.

8. Recommended Approval:

Judith Frankel, Principal Planner

Date: November 22, 2024

Frankie Kropacek, Operations & Compliance Director

Date: November 25, 2024

nancy stuparich, Town Attorney

Date: December 03, 2024

Amy Baker, Town Clerk

Date: December 04, 2024



Town of Fort Myers Beach

COMMUNITY DEVELOPMENT DEPARTMENT

STAFF REPORT

TYPE OF CASE: Variance

CASE NUMBER: VAR20240270

CASE NAME: 1741 Estero Blvd; requesting several variances from the Town's Land Development Code (LDC) to construct a mixed-use commercial building in the Downtown zoning district.

LPA

HEARING DATE: December 10, 2024, at 9 AM

STAFF

RECOMMENDATION: Approval with Conditions

**PREPARED/
SUBMITTED BY:** Eli Lee, Planner & Judith Frankel, Principal Planner

I. APPLICATION SUMMARY

Applicant/Owner: Kara Stewart/Belger Properties Partnership LLC

Request: The applicant is requesting a variance of: 1) 1 foot encroachment into the rear setback for a rear setback of 21 feet from the rear property line for the mechanical equipment, and a variance of 5 feet 7 inches for a rear setback of 19 feet 5 inches for a dumpster enclosure, 2) a variance for the non-implementation of a required 15 foot landscape buffer between a parking lot and public street, 3) a variance for the non-implementation of a required 15 foot landscape buffer between a commercial property and a residential lot, 4) a variance for off-street parking to not be situated in the rear yard but in the front, 5) a variance of 20 additional feet from the required 5 to 10 feet build to line off Miramar Street for a street setback of 30 feet, 6) and a variance to exceed the maximum width of a parking lot entrance at the property line of 25 feet to 88 feet along Miramar Street.

Subject property: See attached site plan

Physical Address: 1741 Estero Blvd

STRAP #: 19-46-24-W4-0080B.0010

FLU: Pedestrian Commercial

Zoning: Downtown

Adjacent zoning and land uses:

North: DOWNTOWN
Single-Family

South: DOWNTOWN
Commercial/Single-Family

East: DOWNTOWN/RESIDENTIAL CONSERVATION (RC)
Commercial/Single-Family Residence

West: DOWNTOWN
Commercial

II. BACKGROUND AND ANALYSIS

Background:

Belger Properties Partnership LLC, the owner of 1741 Estero Boulevard, is requesting the following variances from the Town's Land Development Code (LDC): 1) Sec. 34-674(b)(1)(a) which requires principal buildings in the Downtown zoning district to provide a minimum rear setback of 25 feet from the rear property line, 2) Sec. 34-677(b)(3) requires the implementation of a 15 foot landscape buffers between a parking area and public street, 3) Sec. 34-677(b)(3) requires the installation of a 15 foot landscape buffer between a commercial property and residential lot, 4) Sec. 34-676(b)(1) requires off-street parking to be located in the rear, 5) Sec. 34-674(a)(1) requires a build to line of 5 to 10 feet on Miramar Street, and 6) Sec. 34-2013(a)(3) requires a maximum width of a parking lot entrance at the property line of 25 feet. The applicant is requesting variances of: 1) 1 foot encroachment into the rear setback for a rear setback of 21 feet from the rear property line for the mechanical equipment, and a variance of 5 feet 7 inches for a rear setback of 19 feet 5 inches for a dumpster enclosure, 2) a variance for the non-implementation of a 15 foot landscape buffer between a parking lot and public street, 3) a variance for the non-implementation of a required 15 foot landscape buffer between a commercial property and a residential lot, 4) a variance for off-street parking to not be situated in the rear yard but in the front, 5) a variance of 20 additional feet from the required 5

to 10 feet build to line off of Miramar Street for a street setback of 30 feet, 6) and a variance to exceed the maximum width of a parking lot entrance at the property line of 25 feet to 88 feet along Miramar Street to build a new mixed-use structure.

Analysis:

The first variance request is for Sec. 34-674(b)(1)(a) which requires principal buildings in the Downtown zoning district to provide a minimum rear setback of 25 feet from the rear property line. The mechanical equipment for the mixed-use structure will encroach 1 foot into the rear setback for a rear setback of 21 feet from the rear property line, per Sec. 34-638(d)(1)(g) Mechanical equipment such as air conditioners, generators, service panels, meters, and pool equipment, associated with new homes, may encroach up to three feet into rear and waterbody primary structure setbacks but must meet the same street and side setbacks as the building it serves. The reduced setback would allow the mechanical equipment for the mixed-use structure to be situated in an area that has a great open space distance between the equipment itself and the property owner to the north for the reduction of potential noise nuisance. The additional request is a variance of 5 feet 7 inches for a rear setback of 19 feet 5 inches for a dumpster enclosure. The reduced setback would allow the dumpster enclosure to be a part of the main structure and not detached and located elsewhere on site that could provide a negative impact on stormwater retention and parking count.

The second variance request is for LDC Sec. 34-677(b)(3) which requires the implementation of a 15-foot landscape buffer between a parking area and public street. Non implementation of the landscape buffer between the parking area and public street would allow the site to provide the necessary parking spaces per Sec. 34-2020 and the applicant is proposing an alternative location for a 5-foot-wide landscaping strip. The third variance request is for LDC 34-677(b)(3) which requires a 15-foot landscape buffer between a commercial property and a residential lot. Non implementation of the required landscape buffer in the rear would allow the site to create a larger stormwater retention area that may affect the vitality of the plants.

The fourth variance request is for LDC Sec. 34-676(b)(1) which requires off-street parking to be in the rear but is permitted to be placed in the front or side yards of buildings on properties that front the beach side of Estero Boulevard. Parking in the front allows the site to meet the required spaces per Sec. 34-2020, provide a better flow of traffic, continue with what existed pre disaster and reduce the impact to the residential neighbor that is located north of the site. The fifth variance request is for Sec. 34-674(a)(1) which requires a 5 to 10 feet build to line on Miramar Street. A variance of an additional 20 feet from the required 5 to 10 feet build to line off Miramar Street for a street setback of 30 feet. The proposed building placement would allow the site to retain the parking spaces that existed pre disaster.

The sixth and final variance request is for Sec. 34-2013(a)(3) which requires a maximum width of a parking lot entrance at the property line to be 25 feet. A variance to exceed the maximum width of a parking lot entrance at the property line of 25 feet

to 88 feet along Miramar Street would allow the site to continue to maintain the parking area that abuts Miramar Street that existed pre disaster and allow proper ingress and egress for deliveries.

Neighborhood Compatibility:

The subject property is a corner lot situated on Estero Boulevard and Miramar Street. It appears that the previous structure was a hardware store that did not meet the current required Downtown zoning district requirements prior to Hurricane Ian.

The neighboring property of 1661 Estero Boulevard currently has a structure that provides mixed commercial uses, and the neighboring property of 1801 Estero Boulevard is currently a vacant parcel that previously had a restaurant named Liki Tiki.

Findings and Conclusions:

LDC Sec. 34-87(c) 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 a corner lot situated on Estero Boulevard and Miramar Street. The lot width is 100 feet with a lot depth of 140 feet. The applicant is proposing to construct a mixed-use structure that would be larger than what previously existed, but with minimal encroachment of mechanical equipment, dumpster enclosure and continuing with the parking spaces that existed pre disaster. The requests are de minimis.

- 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 variances are not the result of the applicant. The applicant is proposing to design a structure that is compliant with the Town's LDC, but due to the parallelogram shape of the lot, some parts of the structure would encroach due to its proximity to the property line. The applicant is also proposing to meet the parking requirement by reconstructing the off-site parking spaces that abuts Miramar Street that existed pre disaster.

- 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 design of the structure would be compatible with the dimensions of the lot. The need for this variance is for the minimal encroachment of mechanical

equipment, dumpster enclosure, non-implementation of buffer requirements and parking lot entrance maximum width is the minimum variances that would provide the applicant with relief. The implementation of the requirements would potentially result in a reduced structure size. The LPA should determine whether the current regulation is “unreasonable”

- 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 the variance for 1 foot encroachment into the rear setback for a rear setback of 21 feet from the rear property line for the mechanical equipment, and a variance of 5 feet 7 inches for a rear setback of 19 feet 5 inches for a dumpster enclosure will not be injurious to the neighborhood or otherwise detrimental to the public welfare. The proposed location of the mechanical equipment and dumpster enclosure on the north side of the structure encroaches minimally into the required setback due to the parallelogram shape of the lot. The mechanical equipment and dumpster would be shielded from view.

*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 the variance for the non-implementation of a 15-foot landscape buffer between a parking lot and public street will not be injurious to the neighborhood or otherwise detrimental to the public welfare. The planting of landscape buffers in that area would negatively affect the required parking spaces required for the site. As an alternative, the applicant is proposing parking landscape edges that abuts the structure. The granting of the variance for the non-implementation of a 15-foot landscape buffer between a commercial site and residential lot will not be injurious to the neighborhood or otherwise detrimental to the public welfare. This will allow for a larger stormwater retention area in the rear that may not be suitable for the plantings. The applicant has secured a letter of no objection from the residential lot owner to the north (will be included in the packet).

*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 the variance to allow parking to be located in the front instead of the rear will not be injurious to the neighborhood or otherwise detrimental to the public welfare. The proposed location of the parking lot that abuts Miramar Street will be the same as what was there pre disaster, staff has no records of the off-street parking situated on Miramar Street negatively impacting the residences of Miramar Street. The granting of the variance to allow the proposed structure to be set back an additional 20 feet from the required 5 to 10 feet build to line off Miramar Street for a street setback of 30

feet will not be injurious to the neighborhood or otherwise detrimental to the public welfare. The proposed building placement would allow the site to retain the parking spaces that existed pre disaster and not create a “tunneling” affect on Miramar Street due to the roads width.

*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 the variance to allow the site to exceed the maximum width of a parking lot entrance at the property line of 25 feet to 88 feet along Miramar Street will not be injurious to the neighborhood or otherwise detrimental to the public welfare. This will allow the parking layout to continue as it were pre disaster. The increase in width will allow for longer access and provide a better flow of traffic for deliveries of goods and trash services.

- 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 at this time.

III. RECOMMENDATION

Staff has reviewed the request for variances from LDC 1) Sec. 34-674(b)(1)(a) which requires principal buildings in the Downtown zoning district to provide a minimum rear setback of 25 feet from the rear property line, 2) LDC Sec. 34-677(b)(3) requires the implementation of a 15 foot landscape buffers between a parking area and public street, 3) LDC Sec. 34-677(b)(3) requires the installation of a 15 foot landscape buffer between a commercial property and residential lot, 4) LDC Sec. 34-676(b)(1) requires off-street parking to be located in the rear, 5) LDC Sec. 34-674(a)(1) requires a build to line of 5 to 10 feet on Miramar Street, and 6) LDC Sec. 34-2013(a)(3) requires a maximum width of a parking lot entrance at the property line of 25 feet and found that the variance requests does meet the requirements set forth in sec. 34-87.

Therefore, staff recommends **APPROVAL WITH CONDITIONS** of VAR20240270, 1) 1 foot encroachment into the rear setback for a rear setback of 21 feet from the rear property line for the mechanical equipment, and a variance of 5 feet 7 inches for a rear setback of 19 feet 5 inches for a dumpster enclosure, 2) a variance for the non-implementation of a required 15 foot landscape buffer between a parking lot and public street, 3) a variance for the non-implementation of a required 15 foot landscape buffer between a commercial property and a residential lot, 4) a variance for off-street parking to not be situated in the rear yard but in the front, 5) a variance of 20 additional feet from the required 5 to 10 feet build to line off Miramar Street for a street setback of 30 feet, 6) and a variance to exceed the maximum width of a parking lot entrance at the property line of 25 feet to 88 feet along Miramar Street. to construct a mixed-use structure.

IV. CONDITIONS FOR APPROVAL

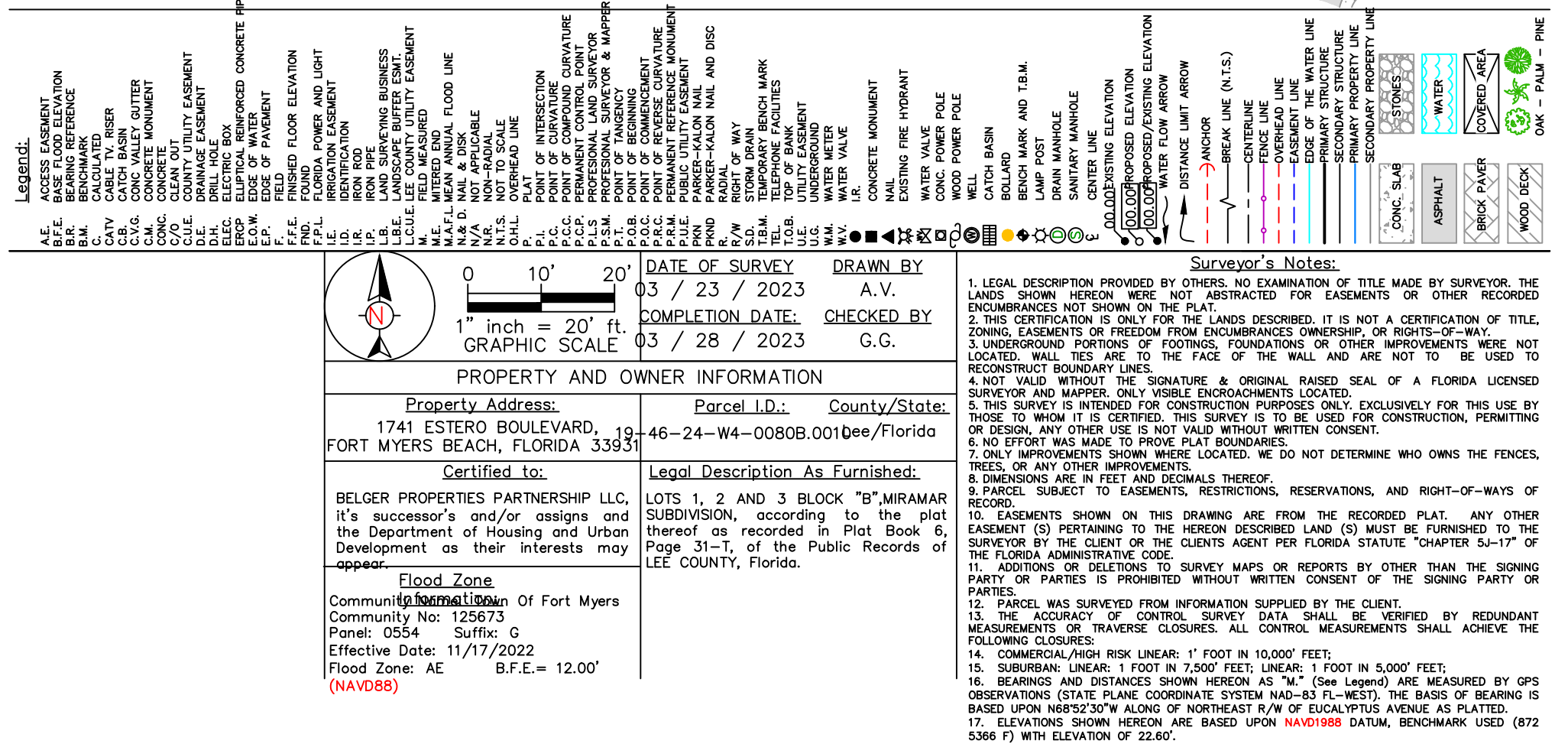
If the Town's LPA recommends approval for the variance, town's staff recommends the following conditions of approval.

- 1) Approval of these variances does not give the Applicant an undeniable right to permit approval. Development 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) Property owner must ensure that they adhere to the maximum FAR of 1.4 and the building does not exceed 18,370 square feet under roof.
- 3) Property owner must screen ground level parking in a manner similar to that presented in the variance application documents and compliant with flood regulations. Live vines on the screening is acceptable.
- 4) The variances shall only apply to the mixed-use structure as shown on the provided site plan. Demolition or substantial damage to the mixed-use structure shall render the variances to be null and void.
- 5) Property owner must have complete visual screening that enclose all mechanical equipment to obscure from the public right-of-way and from the immediate neighbor's property to help mitigate noise.

V. EXHIBITS

- A. Complete application
- B. Postcards
- C. Proposed site plan
- D. Letter of No Objection

SURVEY: GG230212





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: 1741 Estero Blvd

STRAP Number: 19-46-24-W4-0080B.0010

Applicant: Belger Properties Partnership LLC Phone: 239-671-1032

Contact Name: Graham Belger/Kara Stewart Phone: 239-770-4198

Email: grahambelger@hotmail.com/stewart.karalyn@gmail.com Fax: _____

Current Zoning District: Downtown

Future Land Use Map (FLUM) Category: Pedestrian Commercial

FLUM Density Range: 6du/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*: Belger Properties Partnership, LLC Phone: 239-765-4111

**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: 7913 Buccanee Dr

Email: info@goodzfmb.com Fax: _____

Contact Name: Graham Belger Phone: 239-671-1032



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: Graham Belger Phone: 239-671-1032

Address: _____

Email: info@goodzfmb.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: _____

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 - 674(b)(1)(a)
- ☐ 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: _____

PART IV – Property Ownership (Single Owner)

☐ Single Owner (individual or husband and wife)

Name: _____ Phone: _____

Mailing Address: _____

Email: _____ Fax: _____

AFFIDAVIT APPLICATION IS SIGNED BY AN INDIVIDUAL OWNER OR APPLICANT

I, Graham Belger 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

Graham Belger

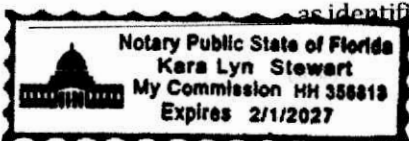
Printed Name

STATE OF FL COUNTY OF Lee

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

presence OR ☐ online notarization, this 28th day of Oct, 2021, by

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



as identification.

Kara Lyn Stewart
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

_____	_____
_____	_____
_____	_____
_____	_____

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

Randall Belger

50

Beverly Belger

50

_____	_____
_____	_____
_____	_____

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: 19-46-24-W4-0080B.0010

Property Address: 1741 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: Miramar

Book: ^{1775/1854} _____ Page: ^{4765/0395} _____ Unit: _____ Block: B Lot(s): 1-3

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) _____ feet

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

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

Total land area: _____ ☐ acres ☒ square feet

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

Head south on Estero Blvd, property located on left side

☐ 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.



Case # _____

Date Received: _____

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: The Goodz
Authorized Applicant: Graham Belger/ Kara Stewart
LeePA STRAP Number: 19-46-24-W4-0080B.0010

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

Variance is requested from:

LDC Section Number	Title of Section or Subsection
34-674 (b)(1)(a)	Rear Setbacks
34-677 (b)(3)	Perimeter Buffering between Parking and ROW
34-677 (b)(2)	Perimeter Buffering between COM and Residential
34-674 (a)(1)	Building Placement - Build To Lines
34-676 (b)(1)	Parking Lot Locations

Complete the narrative statements below for EACH variance requested.



Case # _____

Date Received: _____

PART I
Narrative Statements

Request for variance from _____ (LDC Section number)

Explain the specific regulation contained in this section from which relief is sought:
Please see attached Exhibit "A"

Reasons for request

Explain why the variance is needed:
Pls see attached Exhibit "A".

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

Pls see attached Exhibit "A"

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

Pls see attached Exhibit "A"



Pls see attached Exhibit "A"

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.

EXHIBIT "A"

SUPPLEMENT PH-B 1740 ESTERO BLVD

1st Request: 34-674 (b)(1)(a) Rear Setbacks

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

The Downtown District requires a 25' rear setback for this property

WHY this variance is needed:

We are proposing a building which meets and exceeds the rear setbacks in some areas, however we are also proposing an emergency generator and enclosed dumpster area, neither of which the location had before. The dumpster encroachment extends from 0'- 6' along the rear dumpster dimension for approximately 76 sf.

The generator pad will encroach the rear setback 1' for only approx 5' in length for a dimension approximately 5 sf.

Overall length of the rear building setback ranges from 26' feet to 31' aside from these two minor encroachments.

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

The rear setback encroachment is so minor it would have no effect on the neighboring properties, in fact rear setback requirements in most districts is 20' and an accessory structure setback can be as close as 5'. Meaning a residential neighbor to a residential neighbor would potentially have the generator closer than this will be. Allowing for the generator 1' partial encroachment would hopefully assist in facilitating recovery efforts sooner than later after a storm or during power outages. While keeping an enclosed dumpster area further enhances the appearance along Miramar.

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

The property is a parallelogram and corner lot, both of which restricts the use of the property; the rear of the property is still viewed from the street. The property is also now in the LimWa (requires higher elevation bottom lowest horizontal member versus top of floor; more difficult to dry floodproof if at grade); the property although in the Downtown Zoning district abuts residential property in the rear creating enhanced setbacks.

The effort is being made to replace the hardware store with essentially the same retail space as previously existed.

2nd Request:

34-677 (b)(3) Perimeter Buffers (Landscaping) ROW

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

This section requires us to follow LDC 10-416 (d) which outlines in LDC table 10-8 Buffer Requirements. The buffer requirements between an internal parking area and the ROW requires a 15' landscape buffer comprised of landscaping and trees.

WHY this variance is needed:

The design and location of the building is similar in size to the previous hardware store, however, will now be elevated to comply with FEMA. As a hardware store the ability to have larger vehicles park (those that will no longer fit under the elevated building) is a necessity, this area allows for a loading area out from under the building as well as avoiding blocking the road. In trying to design a building in similar size as previously existed while on a corner is a challenge. Creating a 15' landscape buffer would greatly reduce the area for parking, access and development.

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

This would have a positive effect as it would allow larger vehicles to park off the street for picking up or delivery of materials. The configuration of the property has been the same for over 50 years which has created a familiarity with the business as it relates to those residences and businesses familiar with frequenting the store.

While not along the road, we are proposing additional landscaping along the base of the building at areas along Miramar.

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

The property is a parallelogram and corner lot, both of which restricts the use of the property; by code the property is restricted by requiring access off Miramar in lieu of Estero, this coupled with it being a corner lot makes it very difficult to locate the parking along with a landscape buffer

3rd Request: 34-677 (b)(3) Perimeter Buffers adjacent to residential property

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

LDC table 10-8 requires us to maintain a 15' landscape buffer between the commercial property and a residential property. The landscape buffer can be comprised of a mixture of landscaping and fence/wall.

WHY this variance is needed:

The property is currently sharing a fence with the residential neighbor to the north and as such would like to maintain this buffer as is. The remainder of the open space is anticipated to be used for drainage and minimal landscaping. The property has been functioning for over 50 years in this manner.

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

The property owner to the north has had the hardware store adjacent since over 50 years and as such has had a fence buffer on and off during this time. Ensuring a fence exists at all times is a benefit.

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

The property is a parallelogram and corner lot, both of which restricts the use of the property; by code the property is restricted by requiring access off Miramar in lieu of Estero, this coupled with it being a corner lot makes it very difficult to locate the parking along with a landscape buffer

4th Request: 34-676 (b)(1) Parking Lot Locations

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

This section does not allow parking in the front of a building.

WHY this variance is needed:

The property being a corner lot with the rear yard adjacent to a residential property greatly restricts where a parking lot could be located. Basically all locations would be visible from front of the building. Additionally with the replacement building being elevated this will allow for parking larger vehicles.

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

This would have a positive effect as it would allow larger vehicles to park off the street for picking up or delivery of materials. Keeping vehicles further away from the residential neighborhood reduces the possibility for congestion and traffic.

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

The property is a parallelogram and corner lot, both of which restricts the use of the property; by code the property is restricted by requiring access off Miramar in lieu of Estero, this coupled with it being a corner lot makes it very difficult to locate the parking behind the building. If parking were to be in the "rear" of the property it would still be viewed from the street and bring it closer into the residential neighborhood.

5th Request: 34-674 (a)(1) Building Placement

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

The Downtown District requires a 5'-10' build to line along Estero Blvd and Miramar street (corner lot two frontages)

We are maintaining our required build to lines along Estero however on Miramar we are looking for an increase of a 20' setback giving us at the greatest distance a 30' setback from Miramar to the building.

WHY this variance is needed:

The building is being proposed setback from Miramar approx 30' with some areas with a lesser setback for architectural features. The decision to keep the building off Miramar allows for a wider entrance into Miramar as opposed to tunneling the entrance. Keeping the space open for exterior parking along Miramar with access under the building is a further enhancement.

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

Setting the structure further off Miramar than required we feel is an enhancement to the entrance into Miramar as well as provides a further buffer for the neighbor to the east of Miramar, thus reducing the tunnel effect while entering Miramar St. Shifting the building off Miramar allows us to maintain limited parking which is not under the building allowing for taller vehicles to enter for pickup or drop off.

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

The property is a parallelogram and corner lot, both of which restricts the use of the property; by code the property is restricted by requiring access off Miramar which is an entry to the residential neighborhood in lieu of Estero, this coupled with it being a corner lot makes it very difficult to locate the parking along with a landscape buffer

6th Request: Sec. 34-2013 (a)(3) . - Access

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

This section limits the access into the property at a maximum of 25' curb cut

WHY this variance is needed:

The proposed development maintains the access off Miramar as previously in existence. The access into the property will be approx 88' in length. Currently the access into Miramar is approx 120' in length.

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

Similar to the reasons the building has been located setback from Miramar the same reasons exist here; Maintaining the longer access along Miramar allows us to maintain the traffic for deliveries and pick up from blocking the road.

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

The property is a parallelogram and corner lot, both of which restricts the use of the property; by code the property is restricted by requiring access off Miramar



Town of Fort Myers Beach
Community Development Services - Planning Division
2731 Oak St,
Fort Myers Beach, FL 33931

**NOTICE TO PROPERTY OWNERS WITHIN 500 FEET
(Variances, Extensions, Satisfaction of Conditions)**

VAR20240270 – Requesting six (6) variances from regulations regarding rear setbacks, build-to lines, landscape buffers, and parking to construct a mixed-use commercial development.

ADDRESS: 1741 ESTERO BLVD

APPLICANT: Belger Properties Partnership LLC

**LOCAL PLANNING AGENCY PUBLIC HEARING
TIME:** 9 AM
DATE: DECEMBER 10, 2024
LOCATION: 2731 Oak St, FMB, Florida 33931

**TOWN COUNCIL PUBLIC HEARING*
TIME:** 9 AM
DATE: JANUARY 8, 2025
LOCATION: 2731 Oak St. , FMB, Florida 33931

TOWN CONTACT: JUDITH FRANKEL JFRANKEL@FMBGOV.COM

***NOTE: THE TOWN COUNCIL PUBLIC HEARING MAY BE CANCELLED IF THE LOCAL PLANNING AGENCY UNANIMOUSLY APPROVES THE REQUEST AND NO REQUEST FOR A HEARING IS RECEIVED BY THE TOWN CLERK WITHIN 10 BUSINESS DAYS OF THE LOCAL PLANNING AGENCY DECISION. CHECK www.fortmyersbeachfl.gov/209/Meetings-Agendas FOR UPDATED SCHEDULING.**

You may appear in person, through counsel, or through an authorized agent, and provide testimony, legal argument, or other evidence. At the public hearing(s), the request and related materials will be reviewed and a recommendation made. If a person decides to appeal any decision made, he or she will need a record of the proceedings, and may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. 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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LOCATION: 2731 Oak St. , FMB, Florida 33931

TOWN CONTACT: JUDITH FRANKEL JFRANKEL@FMBGOV.COM

***NOTE: THE TOWN COUNCIL PUBLIC HEARING MAY BE CANCELLED IF THE LOCAL PLANNING AGENCY UNANIMOUSLY APPROVES THE REQUEST AND NO REQUEST FOR A HEARING IS RECEIVED BY THE TOWN CLERK WITHIN 10 BUSINESS DAYS OF THE LOCAL PLANNING AGENCY DECISION. CHECK www.fortmyersbeachfl.gov/209/Meetings-Agendas FOR UPDATED SCHEDULING.**

You may appear in person, through counsel, or through an authorized agent, and provide testimony, legal argument, or other evidence. At the public hearing(s), the request and related materials will be reviewed and a recommendation made. If a person decides to appeal any decision made, he or she will need a record of the proceedings, and may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. 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
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»

1741 ESTERO BLVD, FORT MYERS BEACH, FL

PREVIOUSLY EXISTING STORE:



GENERAL NOTES

1.

DO NOT SCALE THESE DRAWINGS, IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO CHECK ALL DIMENSIONS AND VERIFY THE BUILDING POSITION WITH IN THE SETBACK LINES PRIOR TO COMMENCING CONSTRUCTION.

2.

FOR ARCHITECTURAL REFERENCE ELEVATIONS SHOWN HEREFTER ARE BASED ON "EL. 0'-0" EQUAL TO XXX" N.A.V.D ALL INFORMATION SHOWN HEREIN IS TAKEN FROM A SURVEY PROVIDED BY CUSTOMER OR G.C. APPOINTED SURVEYING COMPANY. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO FAMILIARIZE HIMSELF WITH ALL EXISTING CONDITIONS. ALL EXISTING CONDITIONS ARE NOT NECESSARILY SHOWN HEREIN.

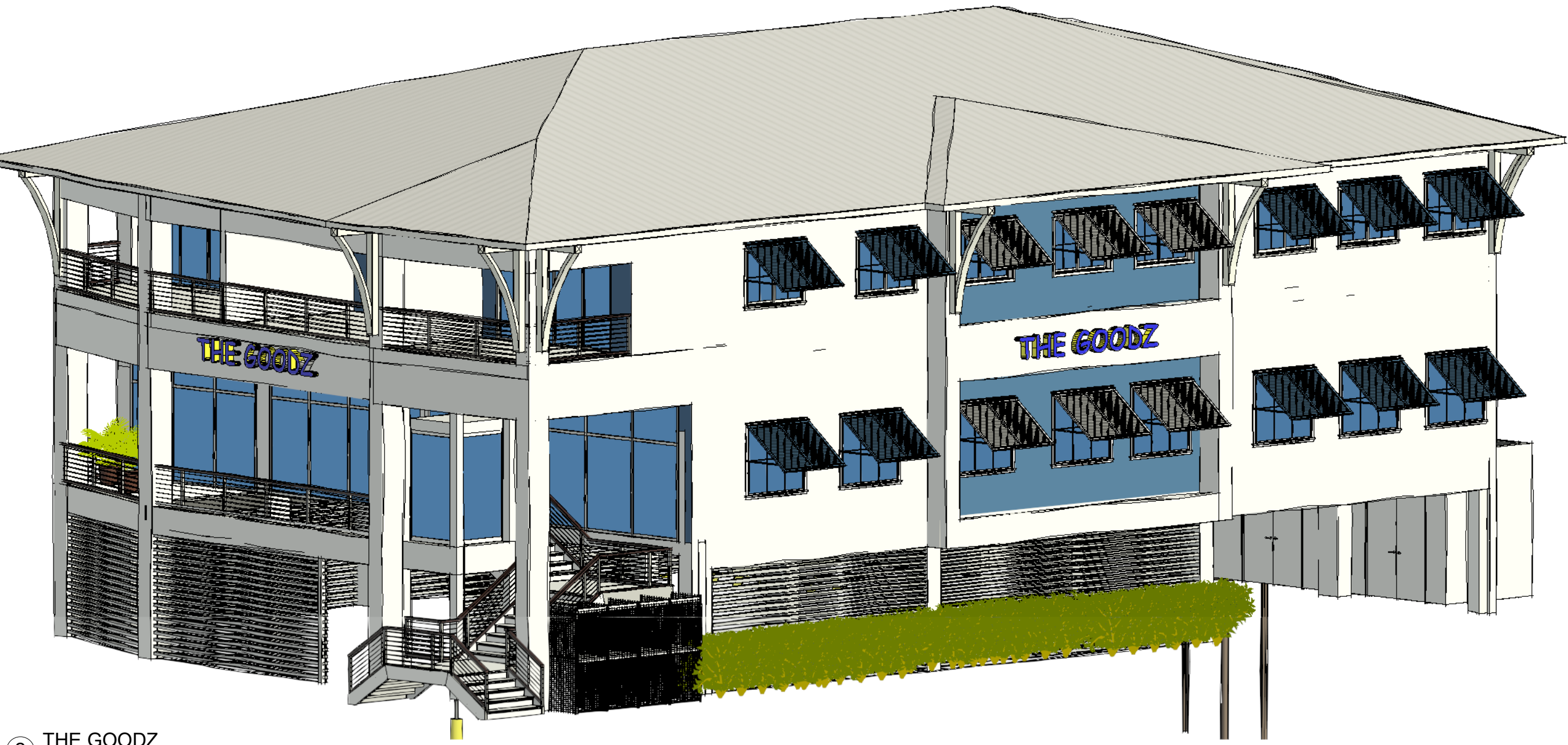
3.

ALL TRADES SHALL BE RESPONSIBLE TO READ ALL DETAILS AND SPECIFICATIONS, AND PLANS - ARCHITECTURAL, STRUCTURAL, MECHANICAL, ETC. FOR PROPER COORDINATION. IF ANY CONFLICTS EXIST, THAT TRADE SHALL NOTIFY THE CONTRACTOR OF THE SAME, PRIOR TO CONSTRUCTION.

4.

THE CONTRACTOR SHALL DIRECT ANY DISCREPANCIES TO THE ENGINEER OR RESIDENTIAL DESIGNER PRIOR TO CONSTRUCTION, AND THE CONTRACTOR SHALL BE RESPONSIBLE FOR WORK WHICH PROCEEDS WITHOUT DUE COURSE AND COORDINATION.

SITE LOCATION



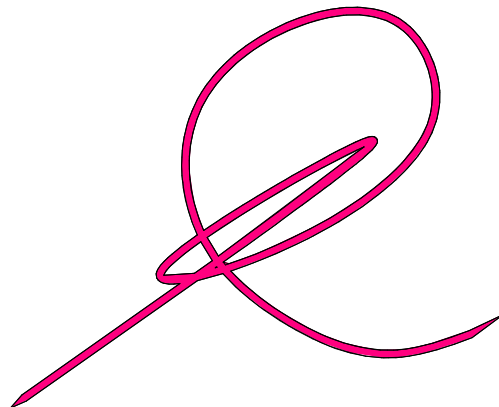
2 THE GOODZ



3 RIGHT ELEVATION
1/4" = 1'-0"

NOTE:
PLANTINGS SHOWN HEREIN ARE
CONCEPTUAL AND FOR DISCUSSION
PURPOSES ONLY. SPECIFIC PLANTINGS
TO BE PROVIDED BY OTHERS.

MICHAEL D. STEWART, P.E., LLC.
PROFESSIONAL ENGINEERING SERVICES



(239)-292-7670
MStewart@MStewartPE.com

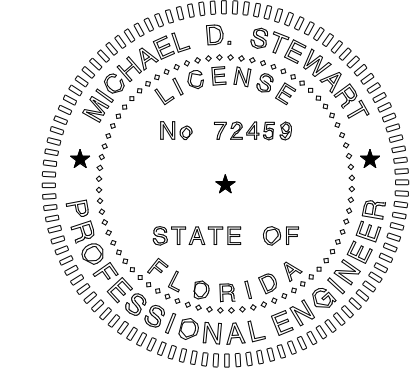
CA# 33003

PAMELA PERALTA, P.E.

FLA REG. #96645

MICHAEL D. STEWART, P.E.

FLA REG. #72459



2024.10.28

REVISION: 2024.11.18

PROJECT INFORMATION

THE GOODZ - PRELIMINARY DISCUSSION SET

[PROJECT ADDRESS]
1741 ESTERO BLVD,
FORT MYERS BEACH, FL

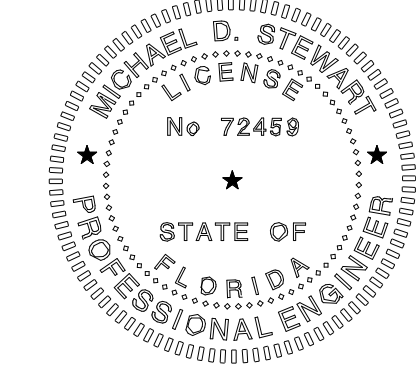
LOWER LEVEL PARKING

[DRAWN BY] PSP

[COPYRIGHT 2024]

[SHEET NUMBER]

A
0.1



2024.10.28
REVISION: 2024.11.18

PROJECT
INFORMATION
**THE GOODZ
- PRELIMINARY
DISCUSSION
SET**

[PROJECT ADDRESS]
1741 ESTERO BLVD,
FORT MYERS BEACH, FL

**LOWER LEVEL
PARKING**

[DRAWN BY] PSP

[COPYRIGHT 2024]

[SHEET NUMBER]

**A
0.2**

MEAN ROOF HEIGHT
OF SLOPED ROOF

MAX ROOF
HEIGHT
39' - 0"

ROOF BRG
34' - 0"

SECOND FINISH
FLOOR
25' - 0"

FIRST FINISH
FLOOR
11' - 0"

LOWEST
HORIZONTAL
STRUCT
9' - 0"

BFE
8' - 0"

GRADE
0' - 0"

THE GOODZ

② FRONT ELEVATION
1/4" = 1'-0"

PARKING TABLE

	REQUIRED	TOTAL
RETAIL SPACE (HARDWARE STORE)	3 SPACES PER 1000 SF	4,987 SF HARDWARE STORE [15 SPACES REQUIRED]
HOTELS	1.5 SPACES PER UNIT	5 UNITS [8 SPACES REQUIRED]
OFFICE / STORAGE SPACE	2 SPACES PER 1000SF STORAGE OR OFFICE	314 SF + 426 SF + 140 SF = 880 SF TOTAL [2 SPACES REQUIRED]
TOTAL SPACES REQUIRED - 25 SPACES --> MULTIPLY BY .67 18 SPACES REQUIRED - 18 PROVIDED		

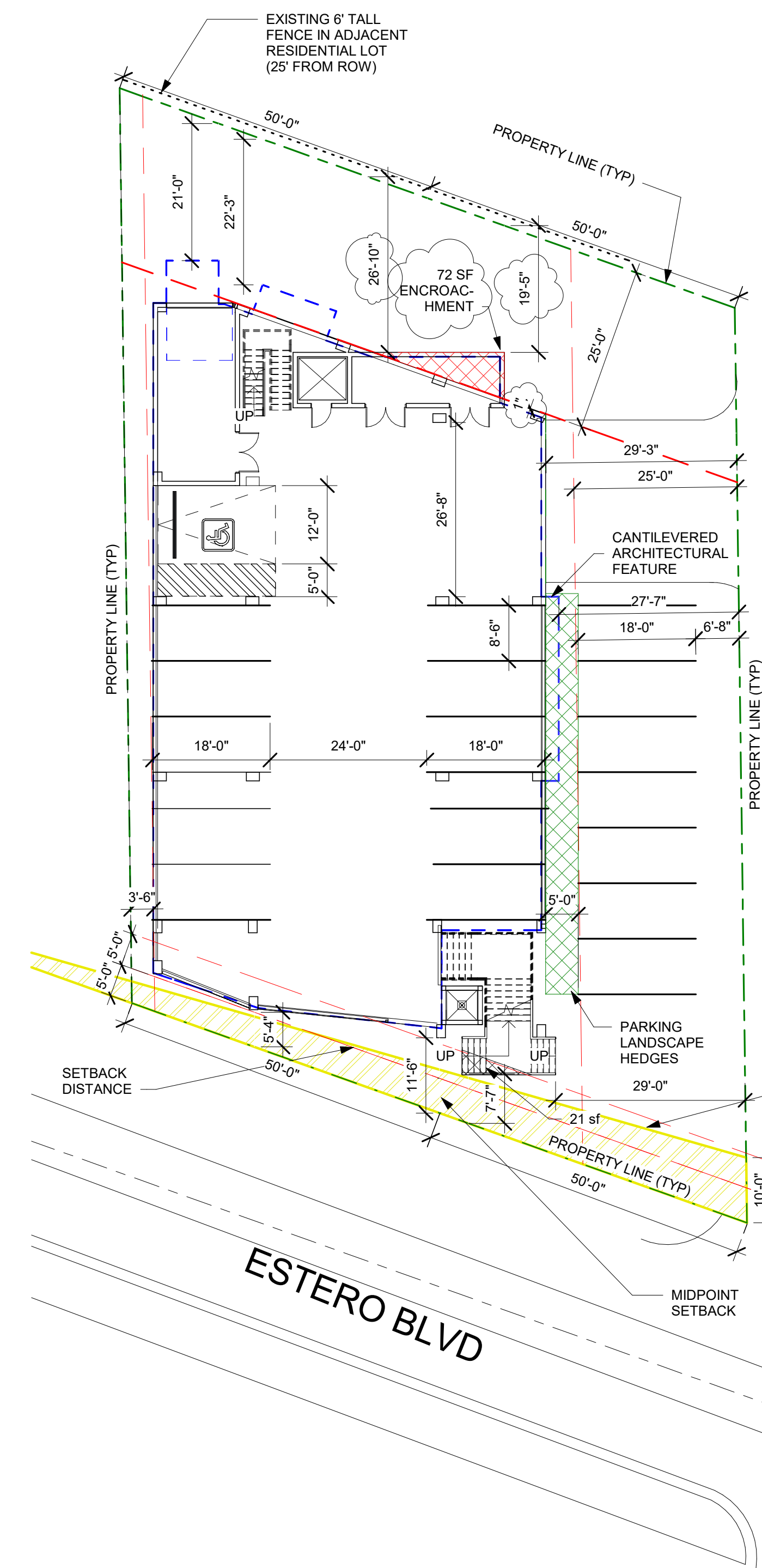
ZONING REQ's

	REQUIRED	PROVIDED
MAX BUILDING HEIGHT	30FT FROM BFE, 3 STORIES, LIMITED STORAGE ON LOWER LEVEL	13,122 SF TOTAL LOT AREA, 6,096 + 6,096 + 6,175= 18,367 SF, 18,367 SF / 13,122 SF = 1.3997
FLOOR AREA RATIO	1.4	
PARKING REDUCTION (34-676 (a))	67%	
BUILD TO LINES	5 TO 10 FEET FROM PROPERTY LINE	

*C/F (15FT WIDE) BUFFERS REQUIRED BETWEEN ADJACENT SF ZONING AREAS.

③ PARKING TABLE
1" = 20'-0"

NOTE:
INFORMATION SHOWN HEREIN IS PRELIMINARY AND FOR DISCUSSION PURPOSES ONLY.



① SITE PLAN
1/16" = 1'-0"

FLOOR PLAN GENERAL NOTES:

GENERAL:
VERIFY FLOOR ELEVATIONS W/ FLOOD REQUIREMENTS.
ALL EXTERIOR WINDOWS & DOORS ARE DIMENSIONED TO CENTER LINE U.N.O.

CONTRACTOR TO VERIFY OF ALL DIMENSIONS.

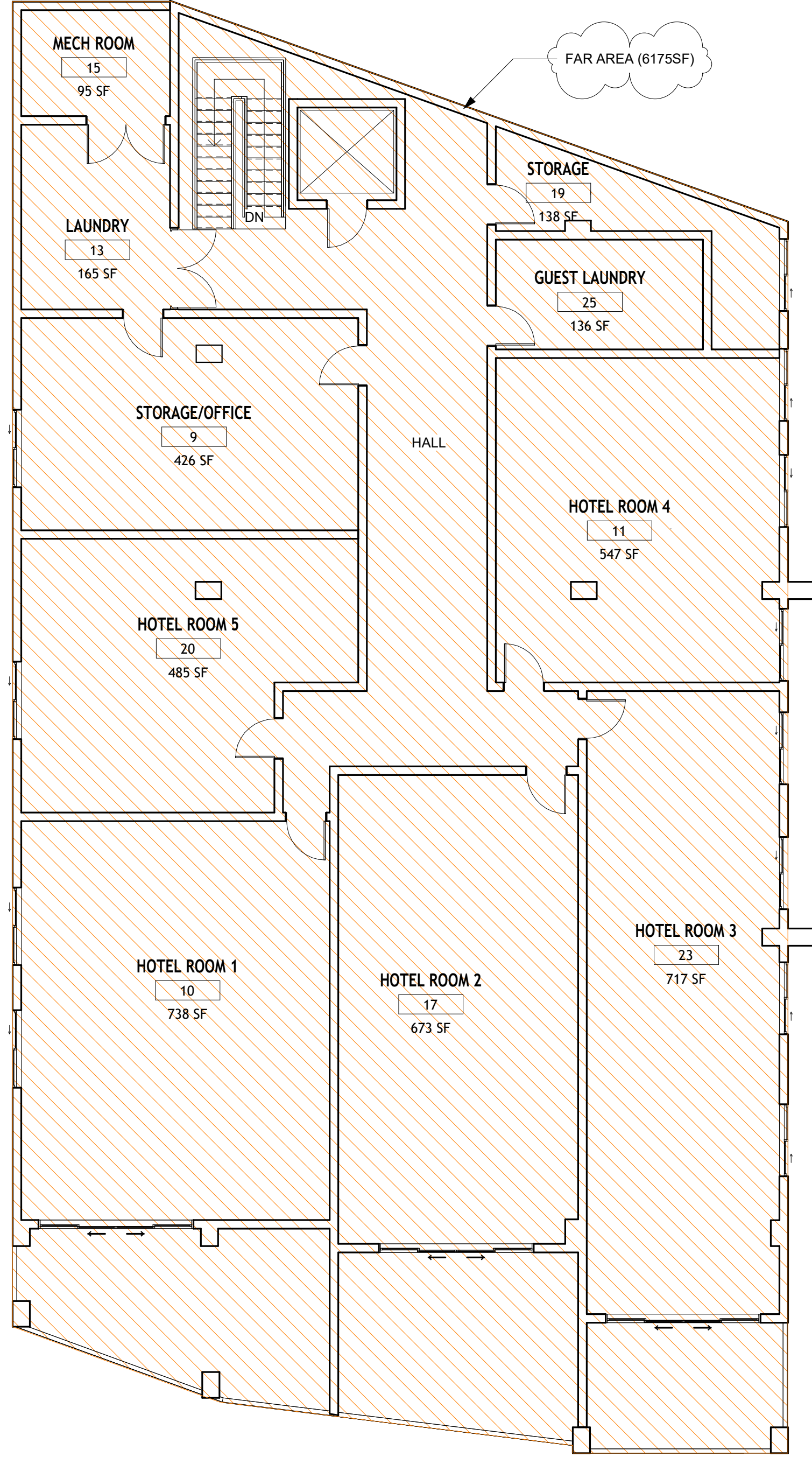
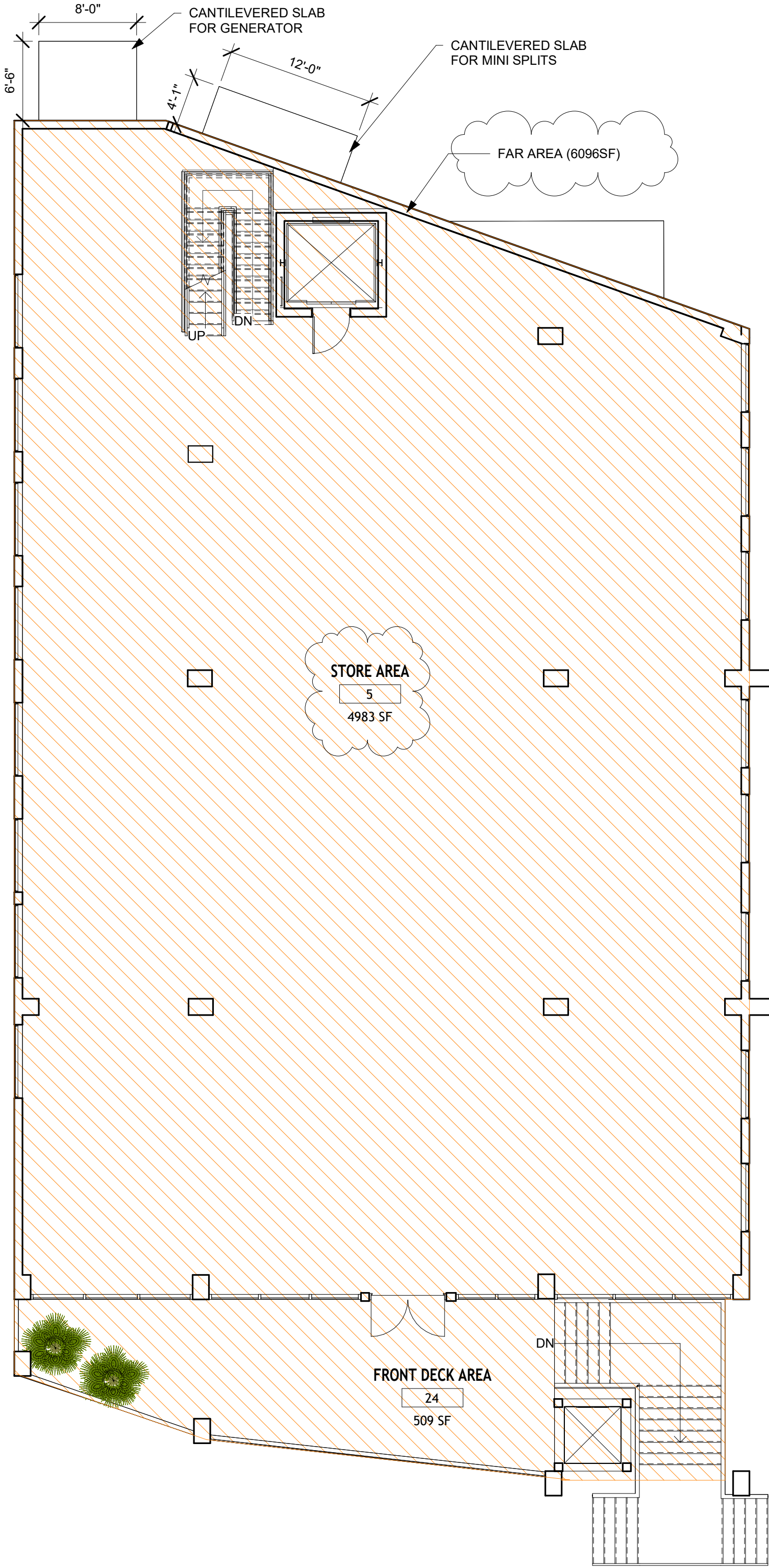
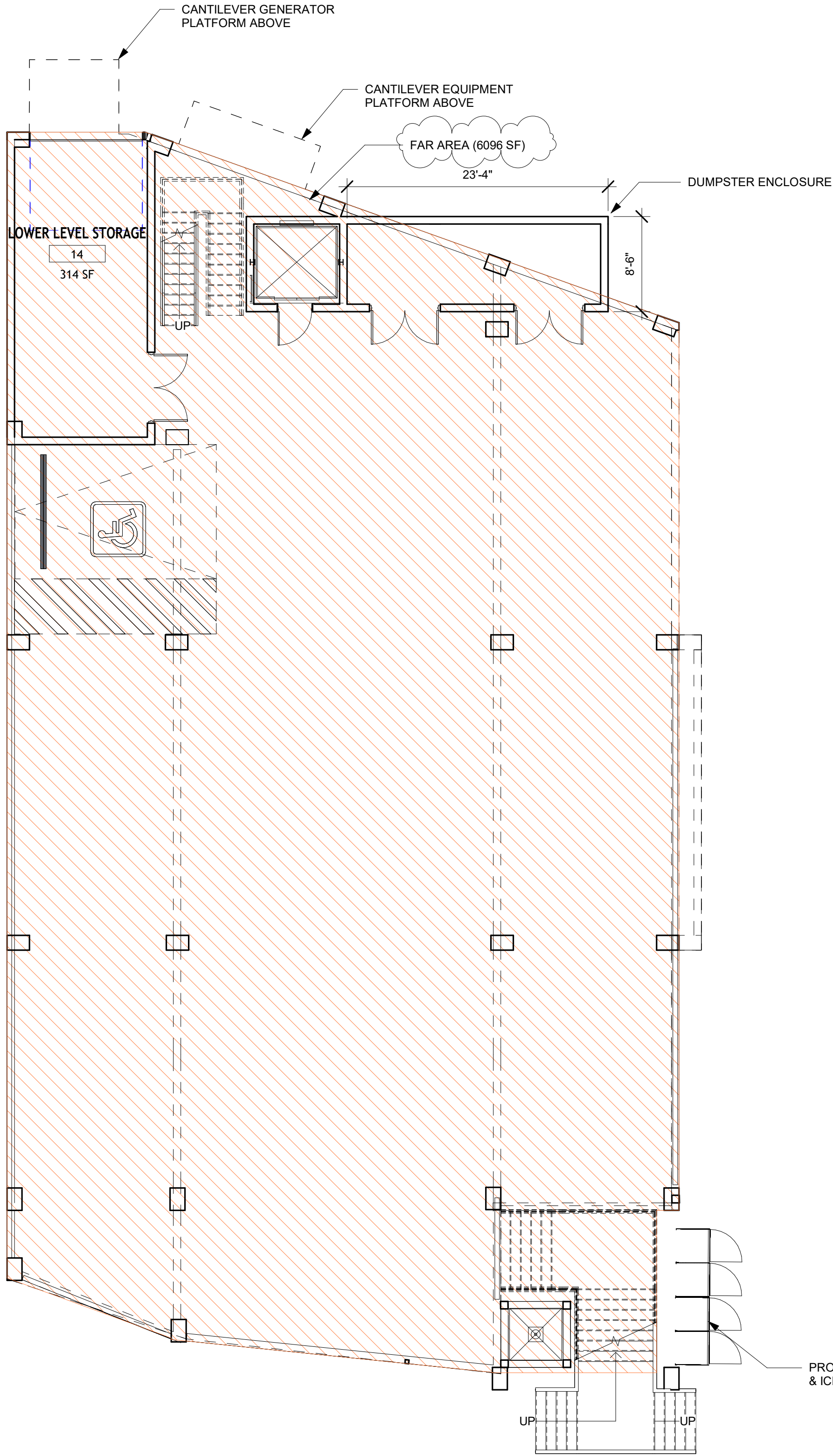
ALL HANDRAILS AND GUARD RAILS TO BE 36" AFF U.N.O. DESIGNED AND INSTALLED TO NOT ALLOW THE PASSAGE OF A 4" SPHERE. PROVIDE TOE RAILING AS REQ'D, MAX 2" A.F.F. COORD. FINAL MATERIAL, DESIGN, AND FINISH WITH OWNER. HANDRAILS AND GUARDS MUST COMPLY WITH ALL THE REQUIREMENTS OF THE FBC.

PROVIDE METAL THRESHOLD (MT) AT DOORS LEADING TO THE GARAGE, ELEVATOR DOOR AND ALL EXTERIOR DOORS, TYP. U.N.O.

COORDINATE ATTIC ACCESS LOCATIONS W/ FINAL TRUSS LAYOUT.

SEE STRUCTURAL DRAWINGS FOR ALL LOAD BEARING WALL, COLUMN AND FILLED CELL LOCATIONS.

NOTE:
INFORMATION SHOWN HEREIN IS PRELIMINARY AND FOR DISCUSSION PURPOSES ONLY.



2 GROUND FLOOR PLAN
1/8" = 1'-0"

3 FIRST FINISH FLOOR
1/8" = 1'-0"

4 SECOND FINISH FLOOR
1/8" = 1'-0"

MICHAEL D. STEWART, P.E. LLC
PROFESSIONAL ENGINEERING SERVICES

(239)-292-7670
MStewart@MStewartPE.com

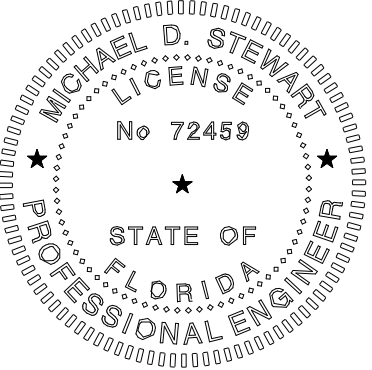
CA# 33003

PAMELA PERALTA, P.E.

FLA REG. #96645

MICHAEL D. STEWART, P.E.

FLA REG. #72459



2024.10.28

REVISION: 2024.11.18

PROJECT
INFORMATION

THE GOODZ
- PRELIMINARY
DISCUSSION
SET

[PROJECT ADDRESS]
1741 ESTERO BLVD,
FORT MYERS BEACH, FL

LOWER LEVEL
PARKING

[DRAWN BY] PSP

[COPYRIGHT 2024]

[SHEET NUMBER]

A

1.1

November 19, 2024

Town of Fort Myers Beach
Zoning Department

RE: Variance 20240270 1741 Estero Blvd., The Goodz

Dear Mr. Kropacek:

I understand the neighbor to the south of me (my house is at 123 Miramar St.) is applying for a variance to reconstruct The Goodz hardware store (1741 Estero Blvd). I understand the variance request include a reduction in the buffer between our properties. We have no objection to having just the 6' fence as currently installed to act as our buffer. We understand The Goodz will be maintaining this fence in the future to ensure it exists at all times.

We further have no objection to the minor encroachment of 1' for the elevated generator along with the minor dumpster encroachment (approx 60sf).

The remaining items requested to allow the building to maintain it's access off Miramar also pose no concern to us.

Thank you

A handwritten signature in black ink, appearing to read "John & Kimberley Richards", is written over the printed name.

John & Kimberley Richards
12470 Riverside Dr.,
Fort Myers

Owners of
123 Miramar St
FMB

LPA RESOLUTION 2024-XX

A RESOLUTION OF THE FORT MYERS BEACH LOCAL PLANNING AGENCY APPROVING/ APPROVING WITH CONDITIONS/ DENYING VARIANCE 20240270, REQUESTING SIX VARIANCES FROM THE LDC FOR THE PROPERTY LOCATED AT 1741 ESTERO BLVD., GENERALLY REFERED TO AS STRAP NUMBER 19-46-24-W4-0080B.0010 IN FORT MYERS BEACH, TO VARY FROM REQUIRED 1)REAR SETBACK, 2)ACCESSORY STRUCTURE SETBACK, 3)LANDSCAPE BUFFER, 4) OFF-STREET PARKING, 5)SIDE STREET BUILD-TO LINE AND 6)PARKING LOT ENTRANCE WIDTH, TO ALLOW A MIXED-USE COMMERCIAL DEVELOPMENT INCLUDING RETAIL AND LODGING USES; PROVIDING FOR OTHER CLARIFICATIONS AS NECESSARY; PROVIDING FOR CONFLICTS OF LAW, SCRIVENER'S ERRORS, SEVERABILITY 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, render municipal service, and exercise any power for municipal purposes, except when expressly prohibited by law; and

WHEREAS, Belger Properties Partnership LLC ("Owner") is the owner(s) of the property located at 1741 Estero Boulevard (Property), and is requesting variances from LDC 1) Sec. 34-674(b)(1)(a) of 1 foot encroachment into the rear setback for a rear setback of 21 feet from the rear property line for the mechanical equipment, and a variance of 5 feet 7 inches for a rear setback of 19 feet 5 inches for a dumpster enclosure, 2) Sec. 34-677(b)(3) a variance for the non-implementation of a 15 foot landscape buffer between a parking lot and public street, 3) Sec. 34-677(b)(3) a variance for the non-implementation of a required 15 foot landscape buffer between a commercial property and a residential lot, 4) Sec. 34-676(b)(1) a variance for off-street parking to not be situated in the rear yard but in the front, 5) Sec. 34-674(a)(1) a variance of 20 additional feet from the required 5 to 10 feet build to line off of Miramar Street for a street setback of 30 feet, 6) and Sec. 34-2013(a)(3) a variance to exceed the maximum width of a parking lot entrance at the property line of 25 feet to 88 feet along Miramar Street to build a new mixed-use structure in the Downtown zoning district; and

WHEREAS, the STRAP number for the subject property is 19-46-24-W4-0080B.0010; and

WHEREAS, the Property is located in the "Pedestrian Commercial" Future Land Use 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 December 10, 2024, 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 34-87 of the LDC; and

WHEREAS, in accordance with the requirements of LDC Sections 34-84 and 34-87 regarding consideration of eligibility for a variance, the LPA makes the following findings and conclusions:

A. There are exceptional or extraordinary conditions or circumstances that are inherent to the property in question, and the request is for a de minimis variance under circumstances or conditions where rigid compliance is not essential to protect public policy.

B. The conditions justifying the variance are not the result of actions of the applicant taken after the adoption of the regulation in question.

C. The variance granted is the minimum variance that will relieve the applicant of an unreasonable burden caused by the application of the regulation to the property in question.

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

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

WHEREAS, eligible members of the LPA voted unanimously by roll call vote to approve the requested variances with the following conditions:

- 1) Approval of these variances does not give the Applicant an undeniable right to permit approval. Development 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) Property owner must ensure that they adhere to the maximum FAR of 1.4 and the building does not exceed 18,370 square feet under roof.
- 3) Property owner must screen ground level parking in a manner similar to that presented in the variance application documents and compliant with flood regulations. Live vines on the screening is acceptable.
- 4) The variances shall only apply to the mixed-use structure as shown on the provided site plan. Demolition or substantial damage to the mixed-use structure shall render the variances to be null and void.
- 5) Property owner must have complete visual screening that enclose all mechanical equipment to obscure from the public right-of-way and from the immediate neighbor's property to help mitigate noise; and

WHEREAS, Ordinance 24-06 amended Section 34-232(d) of the LDC to provide that:

(d) Owner-initiated requests for variances, or required reviews to extend or to provide evidence of satisfaction of conditions contained in prior land use approvals, that are:

1) approved by a unanimous vote of the local planning agency members who are eligible to vote, and

2) not subject to a request for an additional public hearing before the town council made by anyone that is received by the town clerk within 10 business days after the date of the local planning agency decision, excluding holidays, only require one public hearing before the local planning agency, and the local planning agency decision is final agency action.

IT IS HEREBY RESOLVED BY THE LPA OF THE TOWN OF FORT MYERS BEACH, FLORIDA, AS FOLLOWS:

1. The foregoing “WHEREAS” clauses are adopted herein by reference and constitute the findings and conclusions of the LPA.

2. VAR20240270, with the conditions contained herein, received unanimous approval from eligible voting members of the LPA on December 10, 2024.

3. This Resolution shall constitute the equivalent of a development order and final agency action, subject to any request for an additional review by the Town Council filed with the Town Clerk within 10 business days of the LPA decision as authorized in Section 34-232(d) of the LDC.

The foregoing Resolution was adopted upon a motion by _____ and seconded by _____ and upon being put to a vote, the result was as follows:

Chair Anita Cereceda	___
Vice-Chair Jane Plummer	___
Member James Boan	___
Member Douglas Eckmann	___
Member Don Sudduth	___
Member John McLean	___
Member James Dunlap	___

DULY PASSED AND ADOPTED THIS _____ day of December, 2024.

Local Planning Agency of the Town of
Fort Myers Beach

By: _____
Anita Cereceda, LPA Chair

Approved as to legal sufficiency:

ATTEST:

By: _____
Vose Law Firm, Town Attorney

By: _____
Amy Baker, Town Clerk

EXHIBIT A: Site Plan

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

Yellow Sheet Number: **2025-104**

1. Request:

Meeting Date: December 10, 2024

A RESOLUTION OF THE FORT MYERS BEACH LOCAL PLANNING AGENCY APPROVING/ APPROVING WITH CONDITIONS/ DENYING SPECIAL EXCEPTION 20240240, REQUESTING A SPECIAL EXCEPTION FOR THE PROPERTY LOCATED AT 2584 ESTERO BLVD., GENERALLY REFERRED TO AS "ESTERO BEACH CLUB CONDO" STRAP NUMBER 19-46-24-W3-02000.00CE, TO ALLOW FOR THE REPLACEMENT/ REPAIR OF PAVER DECKS, POOL SHELL AND COPING, CEMENT WALKWAYS, A CEMENT FOOT-WASH STATION, IRRIGATION LINES AND A FENCE ALONG AN EXISTING RETAINING WALL, LOCATED PARTIALLY AND ENTIRELY WITHIN THE ENVIRONMENTALLY CRITICAL ZONING DISTRICT; PROVIDING FOR OTHER CLARIFICATIONS AS NECESSARY; PROVIDING FOR CONFLICTS OF LAW, SCRIVENER'S ERRORS, SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

Why the action is necessary:

The condo owners must apply for a Special Exception to repair/ replace structures damaged due to the storm with the Town's Environmentally Critical area

What the action accomplishes:

Approval will allow the applicant to apply to the FDEP for permits to repair/ replace structures on the beach.

2. Agenda:

PUBLIC HEARINGS

3. Requirement/Purpose:

Resolution

5. Background:

THE APPLICANT IS REQUESTING A SPECIAL EXCEPTION TO ALLOW FOR THE REPLACEMENT/ REPAIR OF PAVER DECKS, POOL SHELL AND COPING, CEMENT WALKWAYS, A CEMENT FOOT-WASH STATION, IRRIGATION LINES AND A FENCE ALONG AN EXISTING RETAINING WALL, LOCATED PARTIALLY AND ENTIRELY WITHIN THE ENVIRONMENTALLY CRITICAL ZONING DISTRICT.

Attachments:

1. Resolution 24-XXX SEZ for Estero Beach Club
2. LPA Staff Report
3. 2584 Estero_SURVEY
4. Exhibit A -Site Plan
5. Exhibit C - Special Exception Supplement PH-A
6. Exhibit B- Public Hearing Application
7. Exhibit D - Emails regarding project

Financial Impact:

N/A

6. Alternative Action

Denial

7. Staff Recommendations:

N/A

8. **Recommended Approval:**

Judith Frankel, Principal Planner

Date: December 02, 2024

Frankie Kropacek, Operations & Compliance Director

Date: December 02, 2024

nancy stuparich, Town Attorney

Date: December 03, 2024

Amy Baker, Town Clerk

Date: December 04, 2024

RESOLUTION NUMBER 24-XXX

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA APPROVING/ APPROVING WITH CONDITIONS/ DENYING SPECIAL EXCEPTION SEZ20240240 TO ALLOW RESTORATION OF A POOL, POOL DECK, CEMENT WALKWAYS, CEMENT FOOT-WASH STATION, IRRIGATION LINES AND FENCE IN THE EC ZONING DISTRICT AS AUTHORIZED BY SECTION 6-366 OF THE TOWN OF FORT MYERS BEACH LAND DEVELOPMENT CODE FOR PROPERTY LOCATED AT 2584 ESTERO BOULEVARD, STRAP NUMBER 19-46-24-W3-02000.00CE; PROVIDING FOR SCRIVENER'S ERRORS, SEVERABILITY, AND 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 Mike Muirhead, Board VP on behalf of The Estero Beach Club Condo Association is requesting a special exception to repair accessory structures in the EC zoning district per Section 6-366 of the Town of Fort Myers Land Development Code; and

WHEREAS, the STRAP number for the subject property is 19-46-24-W3-02000.00CE; and

WHEREAS, the Property is located in the “Recreation” category of the Future Land Use Map of the Comprehensive Plan; and

WHEREAS, the Property is located in the “Environmentally Critical” zoning district of the Official Zoning Map of the Town of Fort Myers Beach, Florida; and

WHEREAS, a public hearing on this matter was noticed and held before the Local Planning Agency (LPA) on December 10, 2024, and at the hearing the LPA gave full and complete consideration to the request of the Applicant recommendations of staff, the documents in the record, and the testimony of all interested persons, as required by Section 34-88 of the LDC. The LPA found that the request **is/ is not** consistent with the comprehensive plan and the requirements of the LDC and voted ___ to ___ recommending approval with conditions of the Special Exception; and

WHEREAS, on the ___ day of _____, 2024 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/ is not** in the best interest of the Town to approve/approve with conditions/deny the request for a Special Exception.

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/ did not meet its burden of proof that the requested Special Exception does/ does not meet the requirements of the Town Comprehensive Plan and LDC, and approving the Special Exception is/ is not in the best interest of the Town to approve. Therefore, based upon the recommendations, testimony, and evidence presented by the Applicant, Town staff, and interested parties and public, the Town Council **APPROVES/APPROVES WITH CONDITIONS/DENIES** the Special Exception to allow reconstruction of a major accessory structure in the EC zoning district per section 6-366.

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

- A. 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 all performance and locational standards 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 use will be in compliance with the applicable general zoning provisions and supplemental regulations set forth in Chapter 34 of the Land Development Code; and

In accordance with the additional regulations and considerations found in Section 6-366 of the LDC:

- A. Any repairs must comply with all relevant local and state floodplain regulations.
- B. Repairs may not damage existing dunes or dune vegetation.
- C. Repairs, other than those limited to emergency repairs to enclose a damaged structure, may not be completed during sea turtle nesting season.
- D. A new special exception must be applied for each time the structure is repaired.

Section 4. If the Town Council approves/denies the requested Special Exception and the following conditions of approval are imposed on the Applicant and the subject property:

1. A new Special Exception must be applied for each time the structure is repaired.
2. Construction shall not occur during sea turtle nesting season.
3. Any repairs must comply with all relevant local and state floodplain regulations.
4. Repairs may not damage existing dunes or dune vegetation.
5. Approval of this Special Exception does not give the Applicant an undeniable right to permit approval. Development of the subject 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.
6. Failure to comply with any of the above-mentioned conditions of approval for the Special Exception will render this approval null and void.

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

Dan Allers, Mayor	_____
Jim Atterholt, Vice-Mayor	_____
John R. King, Council Member	_____
Karen Woodson, Council Member	_____
Scott Safford, Council Member	_____

ADOPTED this ____ day of _____, 2024 by the Town Council of the Town of Fort Myers Beach, Florida.

FORT MYERS BEACH TOWN COUNCIL

Dan Allers, 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:**

Vose Law Firm, Town Attorney

This Resolution was filed in the Office of the Town Clerk on this ____ day of December, 2024.



Town of Fort Myers Beach
COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT

TYPE OF CASE: Special Exception

CASE NUMBER: SEZ20240240

CASE NAME: Special Exception for restoration of a swimming pool, paver pool deck, sidewalk, foot-wash and fences along existing seawall portions of which are in the EC zoning district.

LPA

HEARING DATE: December 10th 2024, at 9:00 AM

STAFF

RECOMMENDATION: APPROVAL

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

I. APPLICATION SUMMARY

Applicant/Owner: Michael Muirhead, VP Board of Directors/ Estero Beach Club Condo Association

Requests: Special exception to restore several recreation features present pre-Hurricane Ian in the EC zoning district .

Physical Address: 2584 Estero Blvd

STRAP #: 19-46-24-W3-02000.00CE

FLU: Boulevard

Zoning: Residential Multi-family (RM)

Adjacent zoning and land uses:

North: Commercial Planned Development (CPD)
Institutional Use

South: Environmentally Critical (EC)
Recreation

East: Residential Multi-family (RM)/ Commercial Resort (CR)
Motel and Duplexes

West: Residential Multi-family (RM)
Residential Condominium

II. BACKGROUND AND ANALYSIS

Background:

The applicant is proposing to restore to pre-Hurricane Ian conditions several recreational elements that are either partially or entirely within the Environmentally Critical (EC) zoning district, including a swimming pool, pool deck, cement walking path, irrigation systems, foot-wash area and fencing along an existing retaining wall at the property. The subject property is located in the Center Island portion of the Town, on the Gulf side of Estero Blvd. No pre-Ian property survey has been located, however historic aerials and photographs demonstrate the presence of the recreation elements that the application is requesting to be restored.

The applicant provided photographs of the property from pre-Ian and coupled with aerial image records from Lee County it is apparent that the fence and foot-wash station existed since at least 2004 (per LEEPA images). The pool, deck, and cement walkways have existed substantially longer, at least since 1990. Any type of development within the EC zoning district requires a special exception to be approved. In this case the special exception will allow for the restoration of the existing pool and pool deck, cement walkways, irrigation systems and fencing. The foot-wash station and fence were completely destroyed and the pool/pool deck and walkways were structurally affected and the applicant is seeking to rebuild. The areas affected by the storm which must be rebuilt within the EC area are proposed to be:

- Pool Shell (contains approx. 55ft² of brick coping): ±375ft²
- Pool Deck: ±1,086ft²
- Foot-Wash: ±10ft²
- Cement Walkways: ±124ft²
- Planting Areas/ Rocks: ±1,424ft²
- Fences: ±156 linear feet
- Irrigation: Unknown Linear Feet (Contractor will propose amount)

The applicant must concurrently apply for the required Coastal Construction Control Line (CCCL) permit with the Department of Environmental Protection (DEP) for this proposed work scope.

According to the attorney's letter submitted with the application, greater than 75% of the voting owners voted to remain as a timeshare association and apply for the

necessary permit for rebuilding. The applicant has provided a letter of opinion from their attorney as required.

Analysis:

The condominium structure at The Estero Beach Club was built on or around 1971-72, per the applicant. The seawall/retaining wall and pool deck area are not mentioned in the document and permit records are not available to verify that these elements were built at the same time as the condominium, however it likely was part of the original design.

The LDC allows for repairs to existing retaining and seawall structures. The location, seaward of the 1978 CCCL necessitates the approval of a special exception. Per LDC sec. 26-77(d), Existing seawalls and retaining walls along the Gulf of Mexico may be maintained but may not be rebuilt. The applicant has stated that the subject wall is structurally sound and will only require aesthetic modifications.

Neighborhood Compatibility:

The pool, pool deck, cement walkways and foot-wash station were developed concurrent with the building at 2580 Estero Blvd in 1971, according to the applicant. These elements appear to have been in place prior to the establishment of the 1978 CCCL although records are not available. The fence and irrigation have been at the site since 2001, according to the applicant. It does not seem that the restoration and slight alteration of these recreation elements will change the character of the subject property.

Findings and Conclusions:

Section 6-366(b)(3) Regulations and Considerations

LDC Section 6-366 includes additional regulations and considerations for special exception approval of repairs in the EC zoning district:

- a. Any repairs must comply with all relevant local and state floodplain regulations.*

The development must comply with local and state floodplain requirements.

- b. Repairs may not damage existing dunes or dune vegetation.*

The repairs and proposed structures are proposed landward of the dune. No dunes or native vegetation will be impacted.

- c. Repairs, other than those limited to emergency repairs to enclose a damaged structure may not be completed during sea turtle nesting season.*

Sea turtle nesting season begins May 1st and ends on October 31st.

- d. A new special exception must be applied for each time the structure is repaired.*

This will be a condition of the special exception approval.

Special Exception Findings

LDC Sec. 34-88(b) sets forth the required findings and conclusions for the approval of a special exception:

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

The recreation elements in the EC were damaged or destroyed during Hurricane Ian. Construction in the EC is likely to be damaged by storm surge in the future.

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

Policy 5-D-1 states: Development (other than minor structures) shall not be allowed seaward of the 1978 Coastal Construction Control Line. Development seaward of the 1991 Coastal Construction Control Line may be permitted provided it complies with this comprehensive plan and all state and local permitting requirements.

The proposed work scope for this special exemption is to restore the recreation elements to pre-Hurricane Ian conditions with slight modifications. The retaining wall itself will not be removed, replaced or altered in any fashion.

LDC Sec. 34-652(e)(3) states that a special exception may be approved for “reconstruction or renewal of any part of an existing building for the purpose of its maintenance or to correct damage to existing primary structures, which encroach into the EC district and their customary accessory uses.” The subject recreation elements existed pre-Hurricane Ian and are located partially in the EC.

- 3) Whether the request meets or exceeds all performance and locational standards for the proposed use.*

The request will comply with local, state, and federal air, noise and water pollution standards. It will not adversely affect water quality and it will not create a nuisance to adjacent properties.

- 4) *Whether the request will protect, conserve, or preserve environmentally critical areas and natural resources.*

The request will maintain what was previously constructed on this property. It will not have an additional negative impact.

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

There is no anticipated negative impact or injury to surrounding properties.

- 6) *Whether a requested use will be in compliance with the applicable general zoning provisions and supplemental regulations set forth in Chapter 34 of the Land Development Code.*

The EC zoning district allows only passive, movable structures, no new major structures of any kind are allowed, other than dune walkovers through a special exception. The development of minor structures are allowed in the EC through a special exception. LDC Section 26-77(d) states that, "Existing seawalls and retaining walls along the Gulf of Mexico may be maintained but may not be rebuilt." This is in line with the Fort Myers Beach Comprehensive Plan Policy 5-D-1.

III. RECOMMENDATION

Staff finds that the special exception for reconstruction of major accessory structures in the EC zoning district is in compliance with item Sec. 34-88(b)(1). Therefore, staff recommends **approval with conditions** of **SEZ20240240** for the reconstruction of a swimming pool, pool deck, cement walking path, irrigation systems, foot-wash area and fencing along an existing retaining wall at the property seaward of the 1978 Lee County Line (CCCL).

If LPA recommends approval of the request, staff has recommended conditions of approval.

IV. CONDITIONS OF APPROVAL

1. A new special exception must be applied for each time the structures are reconstructed.
2. Approval of this special exception does not give the Applicant an undeniable right to permit approval. Development 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.
3. The applicant must apply for and receive all state and local permits required for the reconstruction of all proposed structures.

4. Any violation of the conditions of approval shall render the special exception null and void.
5. The applicant must obtain an approved lighting plan as outlined in LDC Sec. 34-1834. The applicant must also obtain an approved landscaping plan as outlined in LDC Sec. 10-413.

Staff Report Exhibits:

Exhibit A - Site Plan

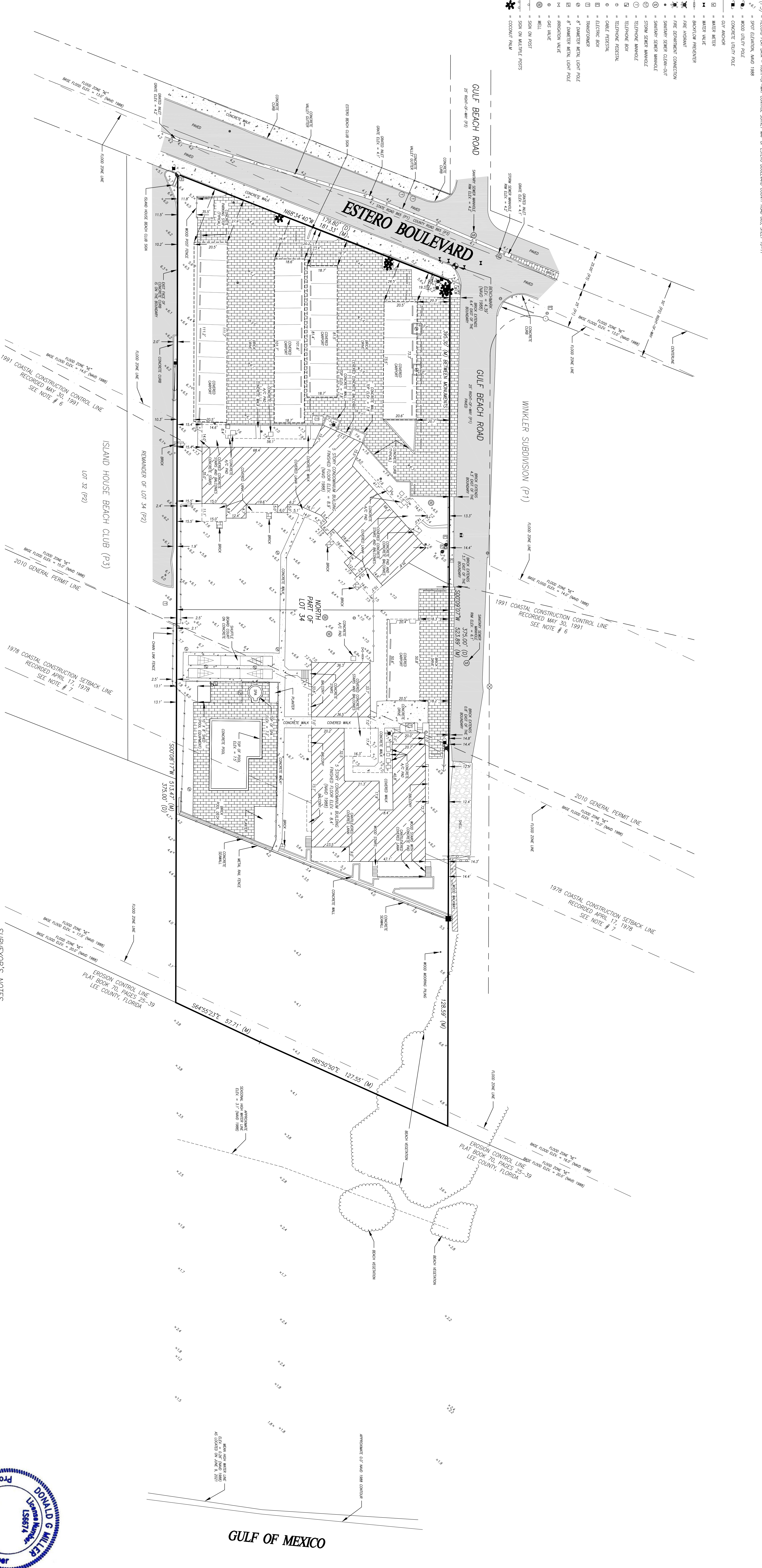
Exhibit B- Public Hearing Application

Exhibit C – Special exception Supplement Application

Exhibit D- Email correspondence regarding application

MAP OF BOUNDARY AND TOPOGRAPHIC SURVEY
OF A TRACT OR PARCEL OF LAND LYING IN LOT 34 OF T. P. HILL'S SUBDIVISION,
LYING IN SECTION 19, TOWNSHIP 46 SOUTH, RANGE 24 EAST,
TOWN OF FT. MYERS BEACH, LEE COUNTY, FLORIDA

- LEGEND
- BENCHMARK, SET BY NAL AND DISK - 19 6886"
 - = FOUND 5/8" REBAR - NO IDENTIFICATION
 - ⊗ = FOUND 1/2" REBAR - NO IDENTIFICATION
 - ⊙ = SET 5/8" REBAR AND CAP - THE DISK IS 6886"
 - = FOUND 4" x 4" CONCRETE MONUMENT WITH 2" DISK
 - (D) = LOCAL DESCRIPTION DATA
 - (N) = FIELD MEASURING DATA
 - (P1) = RECORD PLAT DATA - ESTERO BEACH CLUB PLAT BOOK 3, PAGE 114
 - (P2) = RECORD PLAT DATA - T.P. HILL'S SUBDIVISION OF LOTS 2, 3 AND 4, PLAT BOOK 3, PAGE 84
 - (P3) = RECORD PLAT DATA - NORTH-OF-SEA COASTAL SURVEY MAP OF ESTERO BEACH AND COUNTY ROAD 806, SHEET 10-11
 - = SPOT ELEVATION, MARCH 1988
 - = CONCRETE UTILITY POLE
 - = GUY ANCHOR
 - = WATER METER
 - = BACKFLOW PREVENTER
 - = FIRE HYDRANT
 - = FIRE DEPARTMENT CONNECTION
 - = SWAMPY STAKE CLEAN-OUT
 - = SWAMPY STAKE MARKER
 - = TELEPHONE MANHOLE
 - = TELEPHONE BOX
 - = TELEPHONE FUSEBOX
 - = CABLE FUSEBOX
 - = ELECTRIC BOX
 - = TRANSFORMER
 - = 8" DIAMETER METAL LIGHT POLE
 - = 8" DIAMETER METAL LIGHT POLE
 - = IRIGATORIAL VALVE
 - = GAS VALVE
 - = WELL
 - = SOIL ON MATURE POSTS
 - = SOIL ON MATURE POSTS
 - = CROWN PILE



LEGAL DESCRIPTION

BEGINNING AT THE NORTHEAST CORNER OF LOT 34, OF T.P. HILL'S SUBDIVISION, OF LOTS 2, 3 AND 4, IN SECTION 19, TOWNSHIP 46 SOUTH, RANGE 24 EAST, ON ESTERO ISLAND, AND RUN SOUTH ALONG THE EAST BOUNDARY OF SAID LOT 34 A DISTANCE OF 115.23 FEET TO THE POINT OF BEGINNING OF THE LAND HEREIN CONVERTED, THENCE NORTH AND PARALLEL WITH THE COUNTY ROAD, BEING THE NORTH LINE OF SAID LOT 34 A DISTANCE OF 179.8 FEET, THENCE SOUTH PARALLEL WITH THE WEST BOUNDARY OF SAID LOT 34 A DISTANCE OF 289.77 FEET MORE OR LESS, TO THE BEACH OF THE GULF OF MEXICO, THENCE SOUTHWESTERLY ALONG THE SAID BEACH 179.8 FEET TO A POINT 289.77 FEET SOUTH OF THE POINT OF BEGINNING, AND ALSO DESCRIBED AS FOLLOWS:

BEING PART OF LOT 34, OF THE T.P. HILL'S SUBDIVISION OF GOVERNMENT LOTS 2, 3 AND 4, OF SECTION 19, TOWNSHIP 46 SOUTH, OF RANGE 24 EAST, AS SHOWN ON THE PLAT OF SAID SUBDIVISION IN PLAT BOOK 3 AT PAGE 84, IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF LEE COUNTY, FLORIDA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 34, AND RUNNING SOUTH ALONG THE EAST BOUNDARY OF SAID LOT 4 A DISTANCE OF 115.23 FEET, THENCE NORTHWESTERLY AND PARALLEL WITH THE COUNTY ROAD 179.8 FEET, THENCE NORTH 115.23 FEET TO THE POINT OF BEGINNING.

AND FOREMANY DESCRIBED AS FOLLOWS:

A TRACT OR PARCEL OF LAND LYING IN LOT 34 OF T. P. HILL'S SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREON ON FILE AND RECORDED IN PLAT BOOK 3 AT PAGE 84 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM THE CONCRETE POST SET AT THE NORTHEAST CORNER OF SAID LOT 34, RUN SOUTHERLY ALONG THE WESTERLY LINE OF A 25 FOOT ROAD (GULF BEACH ROAD) AT AN ANGLE OF 88 DEGREES 40 MINUTES 00 SECONDS (AS MEASURED FROM SOUTHWESTERLY TO SOUTHERLY) WITH THE SOUTHWESTERLY LINE OF STATE ROAD NO. 866 (ESTERO BOULEVARD) TO THE WATERS OF THE GULF OF MEXICO, PASSING THROUGH A CONCRETE POST AT 375.00 FEET, BEING THE POINT OF BEGINNING OF THE LAND HEREIN CONVERTED, THENCE SOUTHWESTERLY ALONG THE SAID BEACH 179.8 FEET TO THE POINT OF BEGINNING, AND ALSO DESCRIBED AS FOLLOWS:

BEING PART OF LOT 34, OF THE T.P. HILL'S SUBDIVISION OF GOVERNMENT LOTS 2, 3 AND 4, OF SECTION 19, TOWNSHIP 46 SOUTH, OF RANGE 24 EAST, AS SHOWN ON THE PLAT OF SAID SUBDIVISION IN PLAT BOOK 3 AT PAGE 84, IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF LEE COUNTY, FLORIDA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 34, AND RUNNING SOUTH ALONG THE EAST BOUNDARY OF SAID LOT 4 A DISTANCE OF 115.23 FEET, THENCE NORTHWESTERLY AND PARALLEL WITH THE COUNTY ROAD 179.8 FEET, THENCE NORTH 115.23 FEET TO THE POINT OF BEGINNING.

AND FOREMANY DESCRIBED AS FOLLOWS:

SURVEYOR'S NOTES

1. BEARINGS SHOWN HEREON ARE GRID BEARINGS BASED UPON THE NORTH AMERICAN DATUM OF 1983, 1980 ADJUSTMENT (NAD83/90) FLORIDA EAST ZONE. DISTANCES SHOWN ARE GROUND DISTANCES MEASURED IN FEET. COORDINATES SHOWN ARE GRID COORDINATES. DATUM BASED UPON DEPARTMENT OF NATURAL RESOURCES CONTROL MONUMENTS 64-78-426 AND 64-78-427 HAVING NAD83/90 GRID COORDINATES AS SHOWN.
2. NO UNDERGROUND IMPROVEMENTS OR FOUNDATIONS WERE LOCATED UNDER THE SCOPE OF THIS SURVEY.
3. ELEVATIONS SHOWN HEREON ARE REFERENCED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAD 1988). ELEVATIONS ARE BASED UPON TIES TO THE FINCHER BENCH-THE HARBORING (FNB) QUADRIC PHOTOGRAPHIC SYSTEM (QPS) CONTROL NETWORK.
4. THIS PARCEL LIES IN FLOOD ZONES AS SHOWN, ZONES ARE BASED ON FEMA FLOOD INSURANCE RATE MAP PANEL 12071C0554F, DATED AUGUST 28, 2008. FLOOD ZONE LINES SHOWN HEREON WERE SCALED FROM THE INDICATED FLOOD MAP PANEL.
5. BOUNDARY INFORMATION SHOWN HEREON IS BASED UPON THE RECORD PLAT AND LEGAL DESCRIPTION PROVIDED. NO SEARCH OF THE PUBLIC RECORDS WAS PERFORMED BY THIS SURVEYOR. THERE MAY BE OTHER EASEMENTS AND/OR EASEMENTS NOT KNOWN TO THIS SURVEYOR.
6. THE 1991 COASTAL CONSTRUCTION CONTROL LINE SHOWN HEREON IS AS RECORDED IN PLAT BOOK 48, PAGE 30 AND FILED IN OFFICIAL RECORDS BOOK 2224, PAGES 1010 THROUGH 1041 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA ON MAY 30, 1991.
7. THE 1978 COASTAL CONSTRUCTION SETBACK LINE SHOWN HEREON IS AS RECORDED BY ORDINANCE 76-3 RECORDED APRIL 17, 1978 IN THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.
8. THE STREET ADDRESS IS:
2280 ESTERO BOULEVARD
FORT MYERS BEACH, FLORIDA 33931
9. MEAN HIGH WATER ELEVATION OF 0.26' (NAD 1988) IS BASED ON A DETERMINATION OF THE FLORIDA DEPARTMENT OF ENVIRONMENTAL AGENCY.
10. THIS TIDAL WATER SURVEY COMPLETES WITH CHAPTER 177, PART II, FLORIDA STATUTES.
11. THIS PARCEL CONTAINS 2013 ACRES, OR 87,688 SQ. FT., MORE OR LESS.



Donald G. Miller, PSM
6674 State of Florida
Date: 2021.07.01
12:52:52 -04'00'

This map prepared by:
CERTIFICATE OF AUTHORIZATION NO. LB 6896
NOT VALID WITHOUT THE SIGNATURE
AND SEAL OF A FLORIDA
LICENSED SURVEYOR AND MAPPER

DONALD G. MILLER
Professional Surveyor & Mapper P.A. License No. 6674

COMPUTER FILE:
21364.DWG
SURVEY DATE:
06/09/2021
SIGNATURE DATE:
07/01/2021

DRAWING SCALE:
1"=30'
REVISION DATE:
REMOVED BY:



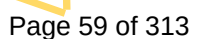
DAGOSTINO GEOSPATIAL, INC.
Professional Surveying & Mapping
10981 Bonita Beach Road SE Bonita Springs, FL 34135
Phone: (239) 352-6085 Website: www.daggeo.com

DRAWN BY:
IR
CHECKED BY:
TLR
FIELD BOOK:
145/09

CERTIFIED TO:
ESTERO BEACH CLUB CONDOMINIUM ASSOCIATION, INC.
MIDFLORIDA CREDIT UNION
KNOTT EBELINI HART

JOB NO.:
21-364
SHEET NO.:
1 OF 1

2580 Estero Boulevard





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: Estero Beach Club Condo Association
Authorized Applicant: Michael Muirhead, Vice President, Board of Directors
LEOPA STRAP Number(s): 19-46-24-W3-02000.00CE

Current Property Status: Developed
Current Zoning: RM-EC
Future Land Use Map (FLUM) Category: Boulevard
Platted Overlay? ☐ yes ☐ no FLUM Density Range:

Requested Action:

☒	Use of premises in the EC (Environmentally Critical) zoning district for: Swimming pool and surrounding deck, fence and gates, concrete walk, foot rinse and irrigation to support lawn and landscaping
☐	Use of premises in the _____ zoning district for:

PART I

Narrative Statements

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

A special exception is requested to repair the existing swimming pool, concrete walk and foot rinse station and to replace deck pavers, surrounding fence and gates, and irrigation system to support lawn and landscaping. These items were damaged during Hurricane Ian. Portions of these items are located seaward of the 1978 CCCL.

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:
The pool and common area existed prior to 1978.
The major accessories were damaged or destroyed during hurricane Ian.
Proposed repair/replacements will be made with same like and kind except where environmental improvements can be made (i.e. pathway lighting for wildlife compliance)



There are no known negative impacts to surrounding properties.

Page 62 of 313

For Consumption of Alcoholic Beverages (COP) license approval:

- a. Notarized authorization from the Property Owner to apply for permit
- b. A statement indicating the type of establishment, the type of state license to be acquired, and the planned hours of operation. Also indicate if the request includes outdoor seating areas and indicate the seating areas and capacity on the site plan.
- c. A map showing the locations of other properties within 500 feet of the request where consumption-on-premises uses are already in operation.
- d. The site plan must include the public entrances and exits to the building, the floor area and proposed seating capacity, and floor area and seating capacity of any areas within the building subdivided between restaurant and bar/lounge areas. The site plan should also indicate the parking area, including the spacing and the locations of entrances and exits.

For transit terminals:

The site plan must indicate the location of the bus stalls; commuter parking areas, if provided; taxi waiting stalls; circulation pattern for buses including the entrances and exits; and the location of any building(s) housing the terminal and waiting areas.

For use of the EC zoning district:

- a. If the location of the request is in the portion of the EC zoning district between Estero Boulevard and the Gulf of Mexico, provide a survey meeting the requirements of Chapter 62B-33.0081 of the Florida Administrative Code, also including the precise location of the (1978) Coastal Construction Setback Line for Estero Island recorded in Plat Book 33, Page 3, of the Official Records of Lee County, Florida.
- b. The site plan must indicate the precise location of the request on the subject property and any related details of the existing conditions or planned improvements to the subject property. For areas in the EC zoning district between Estero Boulevard and the Gulf of Mexico, the precise location of the request in relation to the (1978) Coastal Construction Setback Line must be shown on the site plan.

Guide to Filing Supplement PH-A for Special Exceptions

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.

Authorized 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.

Requested Action: Indicate the nature of the request and include the current zoning of the property.

Part 1 Narrative Statements:

“Request for...”

Indicate the nature of the request that requires a special exception, and explain why it requires a special exception. Describe the relationship of the requested use to any existing use(s) of the property, if applicable.

“The property qualifies for a special exception because...”

Explain why the request and the subject property qualify for a special exception. Address the standards for decision-making for special exceptions that are provided in the Land Development Code, as follows:

- Whether there exist changed or changing conditions which make approval of the request appropriate.
- Whether the request is consistent with the goals, objectives, policies, and intent of the Fort Myers Beach Comprehensive Plan.
- Whether the request meets or exceeds all performance and locational standards for the proposed use.
- Whether the request will protect, conserve, or preserve environmentally critical areas and natural resources.

- Whether the request will be compatible with existing or planned uses and not cause damage, hazard, nuisance, or other detriment to persons or property.
- Whether a requested use will be in compliance with the applicable general zoning provisions and supplemental regulations set forth in Chapter 34 of the Land Development Code.

“Granting the requested special exception could impact surrounding properties as follows...”

Explain how this request, if granted for the subject property, could affect the surrounding properties and the existing or planned uses on those properties.

Submittal Requirements Check List and Filing Guide



A completed Public Hearing Application Form.



A completed Supplemental form PH-A.

Site Plan. The site plan should be to scale and should indicate the location of the request on the property. Existing buildings and other improvements (such as swimming pools, fences, decks, or parking lots) should also be shown on the site plan. The site plan should also indicate the existing uses on adjacent properties. Also include any additional relevant detail related to the specific request.

Guide to Filing Supplement PH-A for Special Exceptions

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.

Authorized 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.

Requested Action: Indicate the nature of the request and include the current zoning of the property.

Part 1 Narrative Statements: "Request for..."

Indicate the nature of the request that requires a special exception, and explain why it requires a special exception. Describe the relationship of the requested use to any existing use(s) of the property, if applicable.

"The property qualifies for a special exception because..."

Explain why the request and the subject property qualify for a special exception. Address the standards for decision-making for special exceptions that are provided in the Land Development Code, as follows:

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

"Granting the requested special exception could impact surrounding properties as follows..."

Explain how this request, if granted for the subject property, could affect the surrounding properties and the existing or planned uses on those properties.

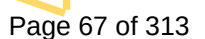
EXPLANATORY NOTES

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.

2580 Estero Boulevard





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: 2584 Estero Blvd, Fort Myers Beach, FL 33931

STRAP Number: 19-46-24-W3-02000.00CE

Applicant: Estero Beach Club Condo Association Phone: 239-437-0340

Contact Name: Mike Muirhead, Board VP Phone: 716-913-2160

Email: mdmuirhead@outlook.com Fax: _____

Current Zoning District: _____

Future Land Use Map (FLUM) Category: Boulevard

FLUM Density Range: 6 units / 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*: Estero Beach Club Condo Assoc Phone: 239-437-0340

**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: C/O Suitor, Middleton, Cox & Assoc, 15751 San Carlos Blvd #8, Fort Myers, FL 33908

Email: mdmuirhead@outlook.com Fax: _____

Contact Name: Mike Muirhead Phone: 716-913-2160



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: Michael D. Muirhead Phone: 716-913-2160
Address: 23884 Sanctuary Lakes Ct, Bonita Springs, FL 34134
Email: mdmuirhead@outlook.com Fax: _____

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

Name: See Exhibit D-1 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: _____
- ☐ 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: _____ Phone: _____

Mailing Address: _____

Email: _____ Fax: _____

AFFIDAVIT APPLICATION IS SIGNED BY AN INDIVIDUAL OWNER OR APPLICANT

I, _____ 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

Printed Name

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 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

Each owner listed in EXHIBIT 5-1

Percentage Ownership

2%



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, Michael Muirhead (name), as Vice President (title)
of Estero Beach Club Condo Association (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

Estero Beach Club Condominium Association

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

[Signature]
Signature

Vice President
Title

MICHAEL D. MURHEAD
Typed or Printed Name

9/5/2024
Date

STATE OF Florida COUNTY OF Lee

The foregoing instrument was certified and subscribed before me by means of ☒ physical presence OR ☐ online notarization, this 5th day of September, 2024, by

Michael D Murhead, ☐ who is personally known to me OR ☒ who has produced FL Driver License as identification.

Seal



Nancy Marie Mitchem
Notary Public Signature Nancy Marie Mitchem

PART VI- Property Information

A. Legal Description:

STRAP: 19-46-24-W3-02000.00CE

Property Address: 2584 Estero Blvd, Fort Myers Beach, FL 33931

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: T.P. Hill's Subdivision

Book: 3 Page: 84 Unit: _____ Block: _____ Lot(s): 2, 3, 4

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) 183.3 feet
Depth (please provide an average width if irregular in shape) 518.7 feet
Frontage on street: 181.33 feet. Frontage on waterbody: 185.26 feet
Total land area: 95,078 ☐ acres ☒ square feet

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

From the Sky Bridge, go South approximately 1 mile. Estero Beach Club is located
on the gulf side of Estero Blvd.

☒ 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 |

EXHIBIT D-1 OTHER AGENTS

D. Other Agent(s)

Please list the names of all Authorized Agents (attach extra sheets if necessary)

Name: J&L Refrigeration (Jeffrey J Puterbaugh) Phone: 239-591-2828
Address: 17300 Palm Beach Blvd, Alva, FL 33920
Email: JandLGeothermal@comcast.net Fax: _____

Name: Clyde Johnson Contracting (Justin Ennis) Phone: 863-233-1641
Address: 206 Lotus St, Clewiston, FL 33440
Email: justin.ennis@johnsongroup.global Fax: _____

Name: Suitor, Middleton, Cox & Assoc Phone: 239-437-0340
Address: 15751 San Carlos Blvd #8, Fort Myers, FL 33908
Email: esterobeachclub@aol.com Fax: _____

EXHIBIT 5-1**Estero Beach Club Condo Association**

Unit	Owner	Street	City ST Zip	% Ownership
11	Diamond Property Alliance	1900 E. Golf Road, Ste 1275	Schaumburg, IL 60173	2.08%
12	Browell, Debra & Brian	900 Rosa Lane	Lafayette, IN 47905	2.08%
14	Coffman, Joyce	55 Hiawatha Lane	Galesburg, IL 61401	2.08%
15	Stuck, Steve & Lorrie	363 Misty Pine Trail	Prudenville, MI 48651	2.08%
21	Volpe, Kent & Kari	919 Warwick Lane	Libertyville, IL 60048	2.08%
22	Olsen, Susan	406 Spring Creek Ct.	Albany, IL 61230	2.08%
23	Ramey, Steve & Nancy	1634 Dorrell Ct.	Greenwood, IN 46143	2.08%
24	KDMJ Associates, Inc.	23883 Santary Lakes Ct	Bonita Springs FL 34133	2.08%
25	Laird, William & Doris	1125 Mercer Drive	Tallahassee, FL 32312	2.08%
31	Kruetz, Dave & Amy	936 Manchester Rd.	Lake Zurich, IL 60047	2.08%
32	Incaudo, Charles	20112 Hartford Blvd	Estero, FL 33927	2.08%
33	Johnston, Dean & Debi	448 West St N	Orillia, ON L3V5E8 Canada	2.08%
34	Garnett, Greg & Henri	244 N. Woodridge Dr.	Pittsboro, IN 46167	2.08%
35	Nowak, Michael & Annmarie	2580 Estero Blvd #35	Fort Myers Beach, FL 33931	2.08%
41	Ramey, Steven & Nancy	1634 Dorrell Ct.	Greenwood, IN 46143	2.08%
42	Jim and Lisa Campbell	2024 Oakridge Street	St. Paul, MN 55119	2.08%
43	Brodbeck, Tara & Dan	2592 Indian Wells Trail	Xenia, OH 45385	2.08%
44	Manning, Bob & Debbie	7 Tide Turn Dr.	Salem, SC 29676	2.08%
45	O'Neill, Peggy & Zechinati, James	924 Westchester Way	Richmond, KY 40475	2.08%
51	Schrader, Lila & Charles	2 South 648 Deerpath Rd.	Batavia, IL 60510	2.08%
52	Capparis Properties, LLC	2580 Estero Blvd #52	Fort Myers Beach, FL 33931	2.08%
53	Koop, Sharon	1137 Elmwood Lane	Elk Grove Village, IL 60007	2.08%
54	Arend, Dave & Joanna	15759 Road 138	Paulding, OH 45879	2.08%
55	Lanigan, Randall & Deborah	188 Lauren Drive	Villa Hills, KY 41017	2.08%
101	Gulfway 101, LLC	23884 Santary lakes Ct	Bonita Springs FL 34134	2.08%
102	Gulfway 102, LLC	23885 Santary lakes Ct	Bonita Springs FL 34135	2.08%
103	Wolfe, Charles & Pamela	401 Monocacy Dr.	Bath , PA 18014	2.08%
104	Garnett, Rodney & Ali	7377 N. CR 550E	Pittsboro, IN 46167	2.08%
201	Yeager, John & Elaine	4923 Stonehaven Dr.	Columbus, OH 43212	2.08%
202	Manning, Bob & Debbie	7 Tide Turn Dr.	Salem, SC 29676	2.08%
203	Seashore Properties, LLC	20280 Burnside Place #1202	Estero, FL 33928	2.08%
204	Florida Wright Enterprises, LLC	10100 Cypress Cove Dr #354	Ft. Myers, FL 33908	2.08%
205	Alexander, Michael & Claire	9667 Windgate Drive	Bloomington, IL 61705	2.08%
301	Norris, Mark & Susan	3155 East Strater Rd	Kendallville, IN 46755	2.08%
302	Chesnut, Steve & Beverly	6701 Idlewild Street	Ft. Myers, FL 33966	2.08%
303	Meyer, Laura and Barry	5601 American Blvd. W. #508	Bloomington, MN 55437	2.08%
304	Thomas Tubbs Trust	2580 Estero Blvd #304	Fort Myers Beach, FL 33931	2.08%
305	Romberg, Michael & Tina	116 Azalea Road	Frankfort IL 60423	2.08%
401	Heuck, David & Michelle	14690 Fairhaven Road	Fort Myers, FL 33908	2.08%
402	Clark, Delbert & Leann	29785 Kestral Lane	St. Joseph, MN 56374	2.08%
403	Renee and Chris Thomas	1922 Madison St.	Madison, WI 53711	2.08%
404	Conklin, Kerry & Suzan	12956 Rocky Pointe Rd	McCordsville, IN 46055	2.08%
405	Richard Allen Trust	5865 Hunt Club Way	Waunakee, WI 53597	2.08%
501	Gulfway 501 LLC	23884 Sanctuary Lakes Ct.	Bonita Springs, FL 34134	2.08%
502	Jill & Walter Combs	14 Oakridge Circle	Ware, MA 01082	2.08%
503	Renee and Chris Thomas	1922 Madison St.	Madison, WI 53711	2.08%
504	Mellema, Gary & Lari Ann	2580 Estero Blvd #504	Fort Myers Beach, FL 33931	2.08%
505	Wright, Michelle	20280 Burnside Place #1202	Estero, FL 33928	2.08%

Estero Beach Club Condo Association

EXHIBIT 5-3 Notice and Consent

UNIT	OWNER NAME	1st Notice	2nd Notice	Yea	No Reply
11	DIAMOND PROPERTY ALLIANCE LLC	8/12/2024	8/16/2024	X	
12	BROWELL BRIAN R & DEBRA I	8/12/2024	8/16/2024	X	
14	COFFMAN JOYCE A	8/12/2024	8/16/2024	X	
15	STUCK STEVEN L & LORRAINE M	8/12/2024	8/16/2024	X	
21	VOLPE KENT R	8/12/2024	8/16/2024	X	
22	OLSEN SUSAN L	8/12/2024	8/16/2024	X	
23	RAMEY STEVEN L & NANCY K	8/12/2024	8/16/2024	X	
24	KDMJ ASSOCIATES INC	8/12/2024	8/16/2024	X	
25	LAIRD W E & DORIS M	8/12/2024	8/16/2024	X	
31	KREUTZ DAVID TR	8/12/2024	8/16/2024	X	
32	INCAUDO CHARLES	8/12/2024	8/16/2024	X	
33	JOHNSTON DEAN + DEBI	8/12/2024	8/16/2024		X
34	GREGORY W GARNETT TRUST +	8/12/2024	8/16/2024	X	
35	NOWAK MICHAEL S TR	8/12/2024	8/16/2024	X	
41	RAMEY STEVEN L & NANCY K	8/12/2024	8/16/2024	X	
42	LTE 6020 LLC	8/12/2024	8/16/2024	X	
43	HV DESIGNS LLC	8/12/2024	8/16/2024	X	
44	MANNING DEBORAH A TR	8/12/2024	8/16/2024	X	
45	ZECHINATI JAMES &	8/12/2024	8/16/2024	X	
51	SCHRADER CHARLES H TR	8/12/2024	8/16/2024	X	
52	CAPPARIS PROPERTIES LLC	8/12/2024	8/16/2024	X	
53	KOOP ROBERT N & SHARON L	8/12/2024	8/16/2024	X	
54	AREND DAVID L & JOANNA L	8/12/2024	8/16/2024	X	
55	HIGHLAND MANOR APARTMENTS LLC	8/12/2024	8/16/2024	X	
101	GULFWAY 101 LLC	8/12/2024	8/16/2024	X	
102	GULFWAY 102 LLC	8/12/2024	8/16/2024	X	
103	WOLFE CHARLES G & PAMELA M	8/12/2024	8/16/2024	X	
104	GARNETT RODNEY S & ALTHEA N	8/12/2024	8/16/2024		X
105	ESTERO BEACH CLUB CONDO ASSN	8/12/2024	8/16/2024		
201	YEAGER JOHN A & M ELAINE	8/12/2024	8/16/2024	X	
202	ESTERO FMB RENTAL LLC	8/12/2024	8/16/2024	X	
203	SEASHORE PROPERTIES LLC	8/12/2024	8/16/2024	X	
204	FLORIDA WRIGHT ENTERPRISES LLC	8/12/2024	8/16/2024		X
205	ALEXANDER MICHAEL B TR	8/12/2024	8/16/2024	X	
301	NORRIS MARK A & SUSAN K TR	8/12/2024	8/16/2024	X	
302	CHESNUT STEVEN WAYNE &	8/12/2024	8/16/2024	X	
303	MEYER LAURELEE M	8/12/2024	8/16/2024	X	
304	TUBBS THOMAS A TR	8/12/2024	8/16/2024		X
305	ROMBERG TINA RUIZ &	8/12/2024	8/16/2024		X
401	HEUCK DAVID & MICHELLE	8/12/2024	8/16/2024	X	
402	DELBERT G CLARK TRUST +	8/12/2024	8/16/2024	X	
403	EBC 403 LLC	8/12/2024	8/16/2024	X	
404	CONKLIN KERRY P TR	8/12/2024	8/16/2024	X	
405	ALLEN LESTER TR	8/12/2024	8/16/2024	X	
501	GULFWAY 501 LLC	8/12/2024	8/16/2024	X	
502	COMBS JILL A GRAVEL	8/12/2024	8/16/2024	X	
503	EBC 503 LLC	8/12/2024	8/16/2024	X	
504	MELLEMA GARY & LARI ANN	8/12/2024	8/16/2024	X	
505	TURTLE SHORE PROPERTIES LLC	8/12/2024	8/16/2024	X	
Total				43	5
				90%	10%



September 5, 2024

Town of Fort Myers Beach
2731 Oak Street
Fort Myers Beach, Florida 33931

**RE: Attorney Opinion Letter
Estero Beach Club Condominium Association, Inc. / Town of Fort Myers Beach
Municipal Ordinance 20-02 Special Exception**

To Whom It May Concern:

This Firm serves as general counsel for Estero Beach Club Condominium Association, Inc. (the “Association”). This Opinion Letter has been prepared in accordance with Section 34-201(a)(1)(b)(3) of the Fort Myers Beach Municipal Code for the purpose of the Association seeking a special exception to Fort Myers Beach Municipal Ordinance 20-02 to allow the Association to repair the Condominium’s swimming pool, concrete walk, foot rinse station, deck pavers, surrounding fence and gates, and irrigation system to support the lawn and landscaping, all of which were damaged during Hurricane Ian, with portions of these items being located seaward of the 1978 Coastal Construction Control Line.

In applying for a special exception requiring a public hearing, Section 34-201(a)(1)(b)(3) of the Fort Myers Beach Municipal Code provides as follows:

3. So as to protect the legal rights of nonparticipating unit owners, the application shall be accompanied by a letter of opinion from a licensed Florida attorney, who shall attest that he has examined the declaration of condominium, the bylaws of the condominium association, and all other relevant legal documents or timeshare documents, as applicable, and concluded that the act of applying or petitioning to the town violates none of the provisions therein, or any federal or state law regulating condominiums or timeshare plans, or the rights of any of the nonparticipating unit owners, as derived from such documents and laws, and that approval of the requested act by the town would violate no such rights.

For purposes of this Opinion Letter, we have reviewed the Association’s Declaration of Condominium, Bylaws, and Articles of Incorporation, as amended (collectively, the “Governing Documents”). The Association’s Declaration of Condominium and Bylaws are recorded at Official Records Book 761, Page 836, *et. seq.*, of the Public Records of Lee County, Florida, and the

Association's Amended and Restated Articles of Incorporation are recorded at Official Records Book 3200, Page 3737, *et. seq.*, of the Public Records of Lee County, Florida.

Subject to the qualifications and limitations set forth in the subsequent portions of this Opinion Letter, it is our opinion that:

1. Estero Beach Club Condominium Association, Inc. is a not-for-profit corporation that is duly organized, validly existing, and in good standing under the laws of the State of Florida, with full and adequate power and authority to carry out its business as now conducted.
2. Estero Beach Club is a condominium as defined and regulated by Chapter 718 of the Florida Statutes.
3. The Association has all requisite authority and legal rights to unilaterally proceed to repair the Condominium's Common Element swimming pool, concrete walk, foot rinse station, deck pavers, surrounding fence and gates, and irrigation system to support the lawn and landscaping, including the ability to apply for a special exception to Fort Myers Beach Municipal Ordinance 20-02 to obtain permitting for such repairs.
4. The Association has notified all Unit Owners of its application for a special exception to allow for the repairs to the Condominium as set forth above, and has received approval from over seventy-five percent (75%) of its Unit Owners.
5. The act of applying or petitioning the Town of Fort Myers Beach for a special exception as set forth above, and the Town's approval of such request does not violate any provisions of the Governing Documents or any federal or State laws regulating condominiums, or the rights of any nonparticipating Unit Owners derived from any such documents and laws.

The information contained in this Opinion Letter is sent only to opine on the above matters expressly stated. No other matter may be implied or inferred from the text of this Opinion Letter. The opinions, as expressed in this Letter, are rendered as of the date hereof and are based on existing law and the existing Governing Documents, which are subject to change. We express no opinion as to circumstances or events which may occur after the date hereof. We assume no obligation to supplement or update this opinion to reflect any facts or circumstances which may hereafter come to our attention or any changes in any laws or court decisions which may hereafter occur. In rendering the opinions expressed in this Letter, we have assumed all official public records (including their proper indexing and filing) are accurate and complete.

We are members of the bar of the State of Florida and do not purport to be experts on, or to express any opinion herein, concerning any laws other than the laws of the State of Florida. The opinions expressed in this Letter speak as of the date hereof and are based upon the applicable laws, regulations, and ordinances in effect and facts existing as of the date of this Opinion Letter. This Opinion Letter is rendered for the sole benefit of the addressee hereof, and no other person or entity is entitled to rely hereon.

September 5, 2024
Page 3

Very truly yours,

ROETZEL & ANDRESS, LPA

A handwritten signature in black ink, reading "Ashley D. Lupo". The signature is written in a cursive, flowing style with a large, prominent "A" and "L".

Ashley D. Lupo, B.C.S.
For the Firm

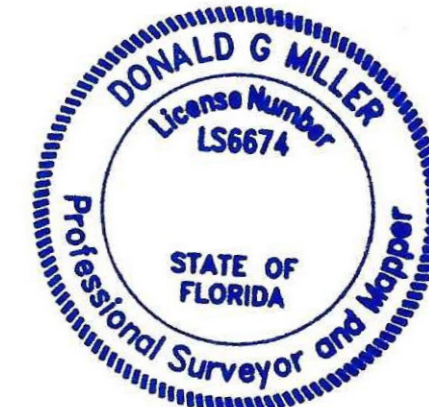
LEGEND

- ### LEGAL DESCRIPTION

FROM THE CONCRETE POST SET AT THE NORTHEAST CORNER OF SAID LOT 34, RUN SOUTHERLY ALONG THE WESTERLY LINE OF A 25 FOOT ROAD (GULF BEACH ROAD) AT AN ANGLE OF 68 DEGREES 40 MINUTES OR SECONDS (AS MEASURED FROM SOUTHEAST TO SOUTHERLY) WITH THE SOUTHEREASTLY LINE OF STATE ROAD NO. 865 (ESTEROS BOULEVARD) TO THE WATERS OF THE GULF OF MEXICO, PASSING THROUGH A CONCRETE POST AT 375.00 FEET; THENCE RUN NORTHEASTLY ALONG THE WATERS TO AN INTERSECTION WITH A LINE PARALLEL WITH AND 168.96 FEET WESTERLY OF (AS MEASURED ON A PERPENDICULAR) THE LAST MENTIONED COURSE, THENCE RUN NORTHEASTLY ALONG THE PARALLEL LINE TO THE CONCRETE PIPE AT THE NORTHEAST CORNER OF SAID LOT 34, BEING THE BEGINNING OF THE AFORESAID SOUTHEASTLY LINE OF STATE ROAD NO. 865 (ESTEROS BOULEVARD); THENCE RUN SOUTHEASTLY ALONG SAID SOUTHEASTLY LINE TO THE POINT OF BEGINNING OF THE LANDS HEREIN DESCRIBED.



1. BEARINGS SHOWN HEREON ARE GRID BEARINGS BASED UPON THE NORTH AMERICAN DATUM OF 1983, 1990 ADJUSTMENT (NAD83/90) FLORIDA EASE. DISTANCES SHOWN ARE GRID DISTANCES MEASURED IN FEET. COORDINATES SHOWN ARE GRID COORDINATES. DATUM BASED UPON DEPARTMENT OF NATURAL RESOURCES CONTROL MONUMENTS 64-78-A26 AND 64-78-A27 HAVING NAD83/90 GRID COORDINATES AS SHOWN.
2. NO UNDERGROUND IMPROVEMENTS OR FOUNDATIONS WERE LOCATED UNDER THE SCOPE OF THIS SURVEY.
3. ELEVATIONS SHOWN HEREON ARE REFERENCED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 1988). ELEVATIONS ARE BASED UPON TIES TO THE TRIMBLE REAL-TIME KINEMATIC (RTK) GLOBAL POSITIONING SYSTEM (GPS) CONTROL NETWORK.
4. THIS PARCEL LIES IN FLOOD ZONES AS SHOWN. ZONES ARE BASED ON FEMA FLOOD INSURANCE RATE MAP PANEL 12071C0554F, DATED AUGUST 26, 2008. FLOOD ZONE LINES SHOWN HEREON WERE SCALED FROM THE INDICATED F.I.R.M. MAP PANEL.
5. BOUNDARY INFORMATION SHOWN HEREON IS BASED UPON THE RECORD PLAT AND LEGAL DESCRIPTION PROVIDED, NO SEARCH OF THE PUBLIC RECORD WAS PERFORMED BY THIS SURVEYOR. THERE MAY BE OTHER SETBACKS AND/OR EASEMENTS NOT KNOWN TO THIS SURVEYOR.
6. THE 1991 COASTAL CONSTRUCTION CONTROL LINE SHOWN HEREON IS AS RECORDED IN PLAT BOOK 48, PAGE 30, AND FILED IN OFFICIAL RECORDS BOOK 2224, PAGES 1010 THROUGH 1041 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA ON MAY 30, 1991.
7. THE 1978 COASTAL CONSTRUCTION SETBACK LINE SHOWN HEREON IS AS RECORDED BY ORDINANCE 76-3 RECORDED APRIL 17, 1978 IN THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.
8. THE STREET ADDRESS IS:
2580 ESTERO BOULEVARD
FORT MYERS BEACH, FLORIDA 33931
9. MEAN HIGH WATER ELEVATION OF 0.26' (NAVD 1988) IS BASED ON A DETERMINATION OF THE FLORIDA DEPARTMENT OF ENVIRONMENTAL AGENCY.
10. THIS TIDAL WATER SURVEY COMPLIES WITH CHAPTER 177, PART II, FLORIDA STATUTES.
11. THIS PARCEL CONTAINS 2.013 ACRES, OR 87,668 SQ. FT., MORE OR LESS.



This map prepared by:

CERTIFICATE OF AUTHORIZATION NO. LB 6896

DONALD G. MILLER

— 200 —

DRAWING SCALE:
1" = 30'

REVISION DATE:	
----------------	--

DAGOSTINO GEOSPATIAL, INC.
Professional Surveying & Mapping

OWN BY:

HECKED BY:

11

CERTIFIED TO:

ESTERO BEACH

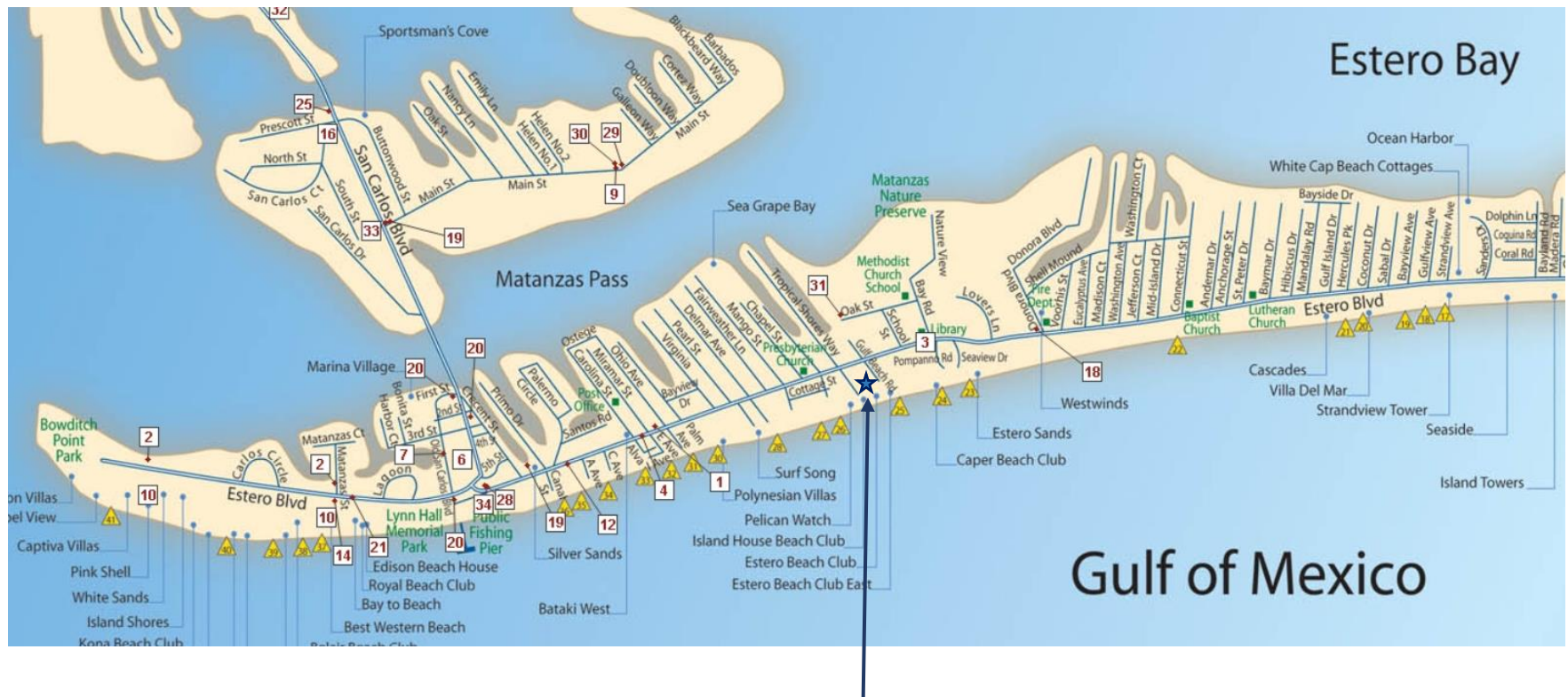
CERTIFIED TO:

ESTERO BEACH CLUB CONDOMINIUM ASSOCIATION, INC.

JOB NO.:

21-364

JOB NO.: 21-364



Estero Beach Club Condo Association

Subject Affected: 223 Buffer: 500 Date: 7/31/2024 12:00:00 AM List Size: 224

Index	Subject	Folioid	STRAP	OwnerName	SiteNumber	SiteStreet	SiteUnit	SiteCity	SiteZip
0	TRUE	10462578	19-46-24-W3-02000.00CE	ESTERO BEACH CLUB CONDO ASSN	2584	ESTERO BLVD		FORT MYERS BEACH	33931
1	FALSE	10227526	19-46-24-W2-0020B.0010	SK FMB GROUP LLC	2610	ESTERO BLVD		FORT MYERS BEACH	33931
2	FALSE	10227527	19-46-24-W2-0020B.0040	PRARAZ BUILDERS LLC	2630	ESTERO BLVD		FORT MYERS BEACH	33931
3	FALSE	10227528	19-46-24-W2-0020B.0180	MLINARIC MARJAN &	2686	ESTERO BLVD		FORT MYERS BEACH	33931
4	FALSE	10227529	19-46-24-W2-0020B.019B	EVERGLADES CONSTRUCTION GROUP	2700	ESTERO BLVD		FORT MYERS BEACH	33931
5	FALSE	10227532	19-46-24-W3-0020B.0140	CORCELLI DONALD N & MARY E	2670/2680	ESTERO BLVD		FORT MYERS BEACH	33931
6	FALSE	10227534	19-46-24-W3-0020C.0010	TOWN OF FORT MYERS BEACH	2600	OAK ST		FORT MYERS BEACH	33931
7	FALSE	10227536	19-46-24-W3-0020C.0070	GULF BEACH LLC	100	GULF BEACH RD		FORT MYERS BEACH	33931
8	FALSE	10570126	19-46-24-W3-0020C.0090	DJ AREND FARMS INC	2601	ESTERO BLVD		FORT MYERS BEACH	33931
9	FALSE	10570127	19-46-24-W3-0020C.0110	REEF OF FMB LLC, JARET BISHOP	2611	ESTERO BLVD		FORT MYERS BEACH	33931
10	FALSE	10227537	19-46-24-W3-0020C.0120	NECULA MONICA C	2617/2619	ESTERO BLVD		FORT MYERS BEACH	33931
11	FALSE	10227538	19-46-24-W3-0020C.0140	PG ASSOCIATES LLC	2621/2623	ESTERO BLVD		FORT MYERS BEACH	33931
12	FALSE	10227539	19-46-24-W3-0020C.0160	2633 ESTERO LLC	2633/2635	ESTERO BLVD		FORT MYERS BEACH	33931
13	FALSE	10227540	19-46-24-W3-0020C.0180	TOWN OF FORT MYERS BEACH	2639/2641	ESTERO BLVD		FORT MYERS BEACH	33931
14	FALSE	10227542	19-46-24-W3-0020C.0210	FOLLIARD PATRICK M & AMY	2651	ESTERO BLVD		FORT MYERS BEACH	33931
15	FALSE	10227543	19-46-24-W3-0020C.0230	COTTAGES AT MYERSIDE LLC	2661-2681	ESTERO BLVD		FORT MYERS BEACH	33931
16	FALSE	10227544	19-46-24-W3-0020C.0270	COTTAGES AT MYERSIDE LLC	125	SCHOOL ST		FORT MYERS BEACH	33931
17	FALSE	10227545	19-46-24-W3-0020C.0290	MYERSIDE LLC	131-151	SCHOOL ST		FORT MYERS BEACH	33931
18	FALSE	10227552	19-46-24-W3-0020D.0010	TOWN OF FORT MYERS BEACH	2731	OAK ST		FORT MYERS BEACH	33931
19	FALSE	10227570	19-46-24-W3-00450.A000	TOWN OF FORT MYERS BEACH	2523/2525	ESTERO BLVD		FORT MYERS BEACH	33931
20	FALSE	10227609	19-46-24-W3-00458.0000	FORT MYERS BEACH FIRE CONTROL	2545	ESTERO BLVD		FORT MYERS BEACH	33931
21	FALSE	10227610	19-46-24-W3-00458.0010	FORT MYERS BEACH FIRE CONTROL	2555	ESTERO BLVD		FORT MYERS BEACH	33931
22	FALSE	10227695	19-46-24-W3-0120A.0070	2450 ESTERO BLVD LLC	2450	ESTERO BLVD		FORT MYERS BEACH	33931
23	FALSE	10227697	19-46-24-W3-0120A.0100	EMPIRE HOLDING CORP TR	2500	ESTERO BLVD		FORT MYERS BEACH	33931
24	FALSE	10227698	19-46-24-W3-0120A.013A	EMPIRE HOLDING CORP TR, RAINBOW REALT	2543	COTTAGE AVE		FORT MYERS BEACH	33931
25	FALSE	10227699	19-46-24-W3-0120A.014A	FRENCH EDWIN T III	2550	COTTAGE AVE		FORT MYERS BEACH	33931
26	FALSE	10227700	19-46-24-W3-0120A.0150	FRENCH EDWIN T III	2548	COTTAGE AVE		FORT MYERS BEACH	33931
27	FALSE	10227701	19-46-24-W3-0120A.016A	COASTAL COTTAGES LLC	2520	COTTAGE AVE		FORT MYERS BEACH	33931
28	FALSE	10227702	19-46-24-W3-0120A.016B	COASTAL COTTAGES LLC	2522	COTTAGE AVE		FORT MYERS BEACH	33931
29	FALSE	10227703	19-46-24-W3-0120A.0170	TEZAK HELEN C TR	50	CHAPEL ST		FORT MYERS BEACH	33931
30	FALSE	10227704	19-46-24-W3-0120A.017A	GOLDBERG GENNIE M TR	2518	COTTAGE AVE		FORT MYERS BEACH	33931
31	FALSE	10227710	19-46-24-W3-0120B.0010	CHAPEL BY THE SEA	100	CHAPEL ST		FORT MYERS BEACH	33931
32	FALSE	10227732	19-46-24-W3-0120D.0190	CHAPEL BY THE SEA	2471	ESTERO BLVD		FORT MYERS BEACH	33931
33	FALSE	10227753	19-46-24-W3-01301.0000	EMPIRE HOLDING CORP TR	2518	ESTERO BLVD		FORT MYERS BEACH	33931
34	FALSE	10227754	19-46-24-W3-01302.0000	EMPIRE HOLDING CORP TR	2510	ESTERO BLVD		FORT MYERS BEACH	33931
35	FALSE	10227755	19-46-24-W3-01303.0000	OLOUGHLIN DEREK W	2553	COTTAGE AVE		FORT MYERS BEACH	33931
36	FALSE	10227756	19-46-24-W3-01304.0000	WHITEHEAD LELAND S &	2563	COTTAGE AVE		FORT MYERS BEACH	33931
37	FALSE	10462580	19-46-24-W3-02100.00CE	ESTERO BEACH CLUB EAST CONDO, ALLIANT I	2654	ESTERO BLVD		FORT MYERS BEACH	33931
38	FALSE	10462581	19-46-24-W3-02400.00CE	ISLAND HOUSE BEACH CLUB ASSN	2562	ESTERO BLVD		FORT MYERS BEACH	33931

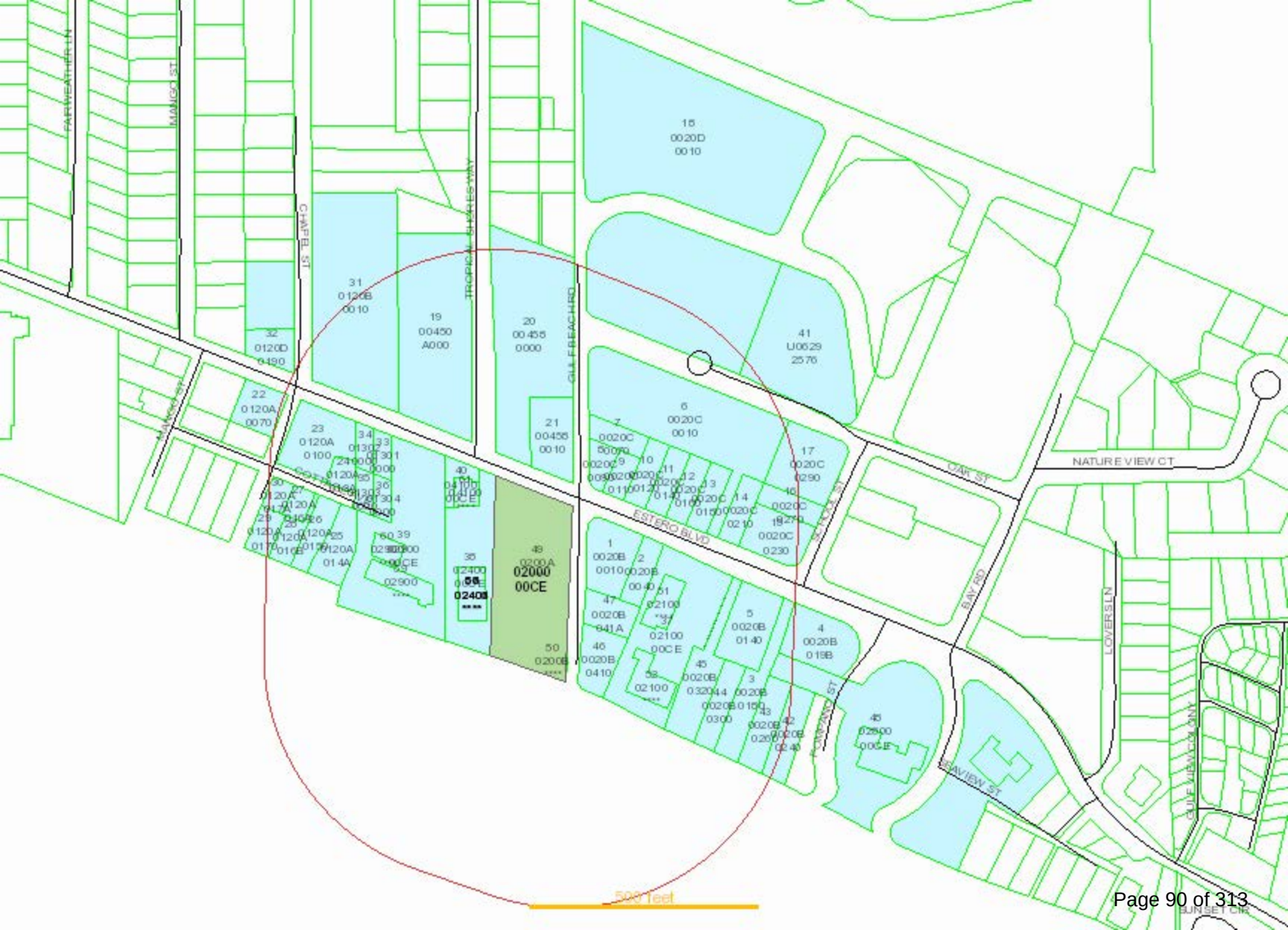
39	FALSE	10462583	19-46-24-W3-02900.00CE	PELICAN WATCH CONDO ASSOC, BOBACK CO	2530	ESTERO BLVD	FORT MYERS BEACH	33931
40	FALSE	10481970	19-46-24-W3-04100.00CE	TROPICAL SHORES ASSN		TROPICAL SHORES C/E	FORT MYERS BEACH	33931
41	FALSE	10610452	19-46-24-W3-U0629.2576	TOWN OF FORT MYERS BEACH		ACCESS UNDETERMINED	FORT MYERS BEACH	33931
42	FALSE	10230038	30-46-24-W2-0020B.0240	CONNER CHARLES R & GAIL D	53	POMPAÑO ST	FORT MYERS BEACH	33931
43	FALSE	10230039	30-46-24-W2-0020B.0260	CAPTAIN'S QUARTERS FMB LLC	2704/2706	ESTERO BLVD	FORT MYERS BEACH	33931
44	FALSE	10230040	30-46-24-W2-0020B.0300	BERNHARD MATTHEW C &	2672	ESTERO BLVD	FORT MYERS BEACH	33931
45	FALSE	10230041	30-46-24-W2-0020B.0320	MAXWELL EMILY JANE	2662	ESTERO BLVD	FORT MYERS BEACH	33931
46	FALSE	10230042	30-46-24-W2-0020B.0410	LUMPKINS NANCIE LEE TR	30	GULF BEACH RD	40 FORT MYERS BEACH	33931
47	FALSE	10230043	30-46-24-W2-0020B.041A	FOREMAN BRADFORD G	50	GULF BEACH RD	FORT MYERS BEACH	33931
48	FALSE	10230080	30-46-24-W2-02800.00CE	CAPER BEACH CLUB CONDO ASSN	2812	ESTERO BLVD	FORT MYERS BEACH	33931
49	FALSE	10227767	19-46-24-W3-0200A.0110	DIAMOND PROPERTY ALLIANCE LLC	2580	ESTERO BLVD	11 FORT MYERS BEACH	33931
49	FALSE	10227768	19-46-24-W3-0200A.0120	BROWELL BRIAN R & DEBRA I	2580	ESTERO BLVD	12 FORT MYERS BEACH	33931
49	FALSE	10227769	19-46-24-W3-0200A.0140	COFFMAN JOYCE A	2580	ESTERO BLVD	14 FORT MYERS BEACH	33931
49	FALSE	10227770	19-46-24-W3-0200A.0150	STUCK STEVEN L & LORRAINE M	2580	ESTERO BLVD	15 FORT MYERS BEACH	33931
49	FALSE	10227771	19-46-24-W3-0200A.0210	VOLPE KENT R +	2580	ESTERO BLVD	21 FORT MYERS BEACH	33931
49	FALSE	10227772	19-46-24-W3-0200A.0220	OLSEN SUSAN L	2580	ESTERO BLVD	22 FORT MYERS BEACH	33931
49	FALSE	10227773	19-46-24-W3-0200A.0230	RAMEY STEVEN L & NANCY K	2580	ESTERO BLVD	23 FORT MYERS BEACH	33931
49	FALSE	10227774	19-46-24-W3-0200A.0240	KDMJ ASSOCIATES INC	2580	ESTERO BLVD	24 FORT MYERS BEACH	33931
49	FALSE	10227775	19-46-24-W3-0200A.0250	LAIRD W E & DORIS M	2580	ESTERO BLVD	25 FORT MYERS BEACH	33931
49	FALSE	10227776	19-46-24-W3-0200A.0310	KREUTZ DAVID TR	2580	ESTERO BLVD	31 FORT MYERS BEACH	33931
49	FALSE	10227777	19-46-24-W3-0200A.0320	INCAUDO DANIEL +	2580	ESTERO BLVD	32 FORT MYERS BEACH	33931
49	FALSE	10227778	19-46-24-W3-0200A.0330	JOHNSTON DEAN + DEBI	2580	ESTERO BLVD	33 FORT MYERS BEACH	33931
49	FALSE	10227779	19-46-24-W3-0200A.0340	GREGORY W GARNETT TRUST +	2580	ESTERO BLVD	34 FORT MYERS BEACH	33931
49	FALSE	10227780	19-46-24-W3-0200A.0350	NOWAK MICHAEL S TR	2580	ESTERO BLVD	35 FORT MYERS BEACH	33931
49	FALSE	10227781	19-46-24-W3-0200A.0410	RAMEY STEVEN L & NANCY K	2580	ESTERO BLVD	41 FORT MYERS BEACH	33931
49	FALSE	10227782	19-46-24-W3-0200A.0420	LTE 6020 LLC	2580	ESTERO BLVD	42 FORT MYERS BEACH	33931
49	FALSE	10227783	19-46-24-W3-0200A.0430	HV DESIGNS LLC	2580	ESTERO BLVD	43 FORT MYERS BEACH	33931
49	FALSE	10227784	19-46-24-W3-0200A.0440	MANNING DEBORAH A TR	2580	ESTERO BLVD	44 FORT MYERS BEACH	33931
49	FALSE	10227785	19-46-24-W3-0200A.0450	ZECHINATI JAMES &	2580	ESTERO BLVD	45 FORT MYERS BEACH	33931
49	FALSE	10227786	19-46-24-W3-0200A.0510	SCHRADER CHARLES H TR	2580	ESTERO BLVD	51 FORT MYERS BEACH	33931
49	FALSE	10227787	19-46-24-W3-0200A.0520	CAPPARIS PROPERTIES LLC	2580	ESTERO BLVD	52 FORT MYERS BEACH	33931
49	FALSE	10227788	19-46-24-W3-0200A.0530	KOOP ROBERT N & SHARON L	2580	ESTERO BLVD	53 FORT MYERS BEACH	33931
49	FALSE	10227789	19-46-24-W3-0200A.0540	AREND DAVID L & JOANNA L	2580	ESTERO BLVD	54 FORT MYERS BEACH	33931
49	FALSE	10227790	19-46-24-W3-0200A.0550	HIGHLAND MANOR APARTMENTS LLC	2580	ESTERO BLVD	55 FORT MYERS BEACH	33931
50	FALSE	10227791	19-46-24-W3-0200B.1010	GULFWAY 101 LLC	2580	ESTERO BLVD	101 FORT MYERS BEACH	33931
50	FALSE	10227792	19-46-24-W3-0200B.1020	GULFWAY 102 LLC	2580	ESTERO BLVD	102 FORT MYERS BEACH	33931
50	FALSE	10227793	19-46-24-W3-0200B.1030	WOLFE CHARLES G & PAMELA M	2580	ESTERO BLVD	103 FORT MYERS BEACH	33931
50	FALSE	10227794	19-46-24-W3-0200B.1040	GARNETT RODNEY S & ALTHEA N	2580	ESTERO BLVD	104 FORT MYERS BEACH	33931
50	FALSE	10227795	19-46-24-W3-0200B.1050	ESTERO BEACH CLUB CONDO ASSN	2580	ESTERO BLVD	105 FORT MYERS BEACH	33931
50	FALSE	10227796	19-46-24-W3-0200B.2010	YEAGER JOHN A & M ELAINE	2580	ESTERO BLVD	201 FORT MYERS BEACH	33931
50	FALSE	10227797	19-46-24-W3-0200B.2020	ESTERO FMB RENTAL LLC	2580	ESTERO BLVD	202 FORT MYERS BEACH	33931

50	FALSE	10227798	19-46-24-W3-0200B.2030	SEASHORE PROPERTIES LLC	2580 ESTERO BLVD	203 FORT MYERS BEACH	33931
50	FALSE	10227799	19-46-24-W3-0200B.2040	FLORIDA WRIGHT ENTERPRISES LLC	2580 ESTERO BLVD	204 FORT MYERS BEACH	33931
50	FALSE	10227800	19-46-24-W3-0200B.2050	ALEXANDER MICHAEL B TR	2580 ESTERO BLVD	205 FORT MYERS BEACH	33931
50	FALSE	10227801	19-46-24-W3-0200B.3010	NORRIS MARK A & SUSAN K TR	2580 ESTERO BLVD	301 FORT MYERS BEACH	33931
50	FALSE	10227802	19-46-24-W3-0200B.3020	CHESNUT STEVEN WAYNE &	2580 ESTERO BLVD	302 FORT MYERS BEACH	33931
50	FALSE	10227803	19-46-24-W3-0200B.3030	MEYER LAURELEE M	2580 ESTERO BLVD	303 FORT MYERS BEACH	33931
50	FALSE	10227804	19-46-24-W3-0200B.3040	TUBBS THOMAS A TR	2580 ESTERO BLVD	304 FORT MYERS BEACH	33931
50	FALSE	10227805	19-46-24-W3-0200B.3050	ROMBERG TINA RUIZ &	2580 ESTERO BLVD	305 FORT MYERS BEACH	33931
50	FALSE	10227806	19-46-24-W3-0200B.4010	HEUCK DAVID & MICHELLE	2580 ESTERO BLVD	401 FORT MYERS BEACH	33931
50	FALSE	10227807	19-46-24-W3-0200B.4020	DELBERT G CLARK TRUST +	2580 ESTERO BLVD	402 FORT MYERS BEACH	33931
50	FALSE	10227808	19-46-24-W3-0200B.4030	EBC 403 LLC	2580 ESTERO BLVD	403 FORT MYERS BEACH	33931
50	FALSE	10227809	19-46-24-W3-0200B.4040	CONKLIN KERRY P TR	2580 ESTERO BLVD	404 FORT MYERS BEACH	33931
50	FALSE	10227810	19-46-24-W3-0200B.4050	ALLEN LESTER TR	2580 ESTERO BLVD	405 FORT MYERS BEACH	33931
50	FALSE	10227811	19-46-24-W3-0200B.5010	GULFWAY 501 LLC	2580 ESTERO BLVD	501 FORT MYERS BEACH	33931
50	FALSE	10227812	19-46-24-W3-0200B.5020	COMBS JILL A GRAVEL &	2580 ESTERO BLVD	502 FORT MYERS BEACH	33931
50	FALSE	10227813	19-46-24-W3-0200B.5030	EBC 503 LLC	2580 ESTERO BLVD	503 FORT MYERS BEACH	33931
50	FALSE	10227814	19-46-24-W3-0200B.5040	MELLEMA GARY & LARI ANN	2580 ESTERO BLVD	504 FORT MYERS BEACH	33931
50	FALSE	10227815	19-46-24-W3-0200B.5050	TURTLE SHORE PROPERTIES LLC	2580 ESTERO BLVD	505 FORT MYERS BEACH	33931
51	FALSE	10227817	19-46-24-W3-02100.0110	PITTENGER PHILIP J +	2650 ESTERO BLVD	11 FORT MYERS BEACH	33931
51	FALSE	10227818	19-46-24-W3-02100.0120	SCHWAB STEPHEN & HOLLY	2650 ESTERO BLVD	12 FORT MYERS BEACH	33931
51	FALSE	10227819	19-46-24-W3-02100.0140	TURNER KENNETH A & SANDRA S	2650 ESTERO BLVD	14 FORT MYERS BEACH	33931
51	FALSE	10227820	19-46-24-W3-02100.0150	BUBNIAK WILLIAM A	2650 ESTERO BLVD	15 FORT MYERS BEACH	33931
51	FALSE	10227821	19-46-24-W3-02100.0210	MENA FAMILY TRUST +	2650 ESTERO BLVD	21 FORT MYERS BEACH	33931
51	FALSE	10227822	19-46-24-W3-02100.0220	JOHNSON MICHAEL A	2650 ESTERO BLVD	22 FORT MYERS BEACH	33931
51	FALSE	10227823	19-46-24-W3-02100.0230	PRAULT VINCENT W &	2650 ESTERO BLVD	23 FORT MYERS BEACH	33931
51	FALSE	10227824	19-46-24-W3-02100.0240	KONOPKA MARK A &	2650 ESTERO BLVD	24 FORT MYERS BEACH	33931
51	FALSE	10227825	19-46-24-W3-02100.0250	2650 ESTERO 25 LLC	2650 ESTERO BLVD	25 FORT MYERS BEACH	33931
51	FALSE	10227826	19-46-24-W3-02100.0310	HART KATHLEEN & ROBERT	2650 ESTERO BLVD	31 FORT MYERS BEACH	33931
51	FALSE	10227827	19-46-24-W3-02100.0320	FLAHERTY MARTIN & DONNA	2650 ESTERO BLVD	32 FORT MYERS BEACH	33931
51	FALSE	10227828	19-46-24-W3-02100.0330	VERRUSO CARMELO L TR	2650 ESTERO BLVD	33 FORT MYERS BEACH	33931
51	FALSE	10227829	19-46-24-W3-02100.0340	MORRIS DAVID A	2650 ESTERO BLVD	34 FORT MYERS BEACH	33931
51	FALSE	10227830	19-46-24-W3-02100.0350	MURPHY JOHN THOMAS & BIRDIE	2650 ESTERO BLVD	35 FORT MYERS BEACH	33931
51	FALSE	10227831	19-46-24-W3-02100.0410	FOSTER EDWINA G &	2650 ESTERO BLVD	41 FORT MYERS BEACH	33931
51	FALSE	10227832	19-46-24-W3-02100.0420	BARBIERI MARIQUITA	2650 ESTERO BLVD	42 FORT MYERS BEACH	33931
51	FALSE	10227833	19-46-24-W3-02100.0430	LAUCHNER JOEL K & WANDREA R	2650 ESTERO BLVD	43 FORT MYERS BEACH	33931
51	FALSE	10227834	19-46-24-W3-02100.0440	HOLLOWAY MICHELLE & JAMES	2650 ESTERO BLVD	44 FORT MYERS BEACH	33931
51	FALSE	10227835	19-46-24-W3-02100.0450	EBCE 45 LLC	2650 ESTERO BLVD	45 FORT MYERS BEACH	33931
51	FALSE	10227836	19-46-24-W3-02100.0510	TODD JOSEPH K & SUSAN D	2650 ESTERO BLVD	51 FORT MYERS BEACH	33931
51	FALSE	10227837	19-46-24-W3-02100.0520	SUN SAND & SURF PROPERTIES LLC	2650 ESTERO BLVD	52 FORT MYERS BEACH	33931
51	FALSE	10227838	19-46-24-W3-02100.0530	STEPANIUK MARY C	2650 ESTERO BLVD	53 FORT MYERS BEACH	33931
51	FALSE	10227839	19-46-24-W3-02100.0540	MORAN PATRIC J & BEVERLY A	2650 ESTERO BLVD	54 FORT MYERS BEACH	33931

51	FALSE	10227840	19-46-24-W3-02100.0550	WHITE JOHNIE C II &	2650 ESTERO BLVD	55 FORT MYERS BEACH	33931
52	FALSE	10227841	19-46-24-W3-02100.1020	TURNER KENNETH A & SANDRA S	2650 ESTERO BLVD	102 FORT MYERS BEACH	33931
52	FALSE	10227842	19-46-24-W3-02100.1030	SUSAN WEIDENKOPF WATTS TRUST +	2650 ESTERO BLVD	103 FORT MYERS BEACH	33931
52	FALSE	10227843	19-46-24-W3-02100.1040	UNKNOWN HEIRS OF	2650 ESTERO BLVD	104 FORT MYERS BEACH	33931
52	FALSE	10227844	19-46-24-W3-02100.1050	BDR SUNSHINE LLC	2650 ESTERO BLVD	105 FORT MYERS BEACH	33931
52	FALSE	10227845	19-46-24-W3-02100.1060	CARLIN GRANT A +	2650 ESTERO BLVD	106 FORT MYERS BEACH	33931
52	FALSE	10227846	19-46-24-W3-02100.2020	GRANDGEORGE ROBERT E &	2650 ESTERO BLVD	202 FORT MYERS BEACH	33931
52	FALSE	10227847	19-46-24-W3-02100.2030	ARNESON MARGARET M &	2650 ESTERO BLVD	203 FORT MYERS BEACH	33931
52	FALSE	10227848	19-46-24-W3-02100.2040	HONKALA DEBRA S TR	2650 ESTERO BLVD	204 FORT MYERS BEACH	33931
52	FALSE	10227849	19-46-24-W3-02100.2050	WEAVER FREDERICK L & JILL S	2650 ESTERO BLVD	205 FORT MYERS BEACH	33931
52	FALSE	10227850	19-46-24-W3-02100.2060	MADER JEANNE R TR, SUSAN M MACLENNAN	2650 ESTERO BLVD	206 FORT MYERS BEACH	33931
52	FALSE	10227851	19-46-24-W3-02100.3020	TROJAN DARWIN M & JODI P	2650 ESTERO BLVD	302 FORT MYERS BEACH	33931
52	FALSE	10227852	19-46-24-W3-02100.3030	BEVIS WILLIAM J & CRYSTAL L L/	2650 ESTERO BLVD	303 FORT MYERS BEACH	33931
52	FALSE	10227853	19-46-24-W3-02100.3040	HUNTER HARRY + JOANNE	2650 ESTERO BLVD	304 FORT MYERS BEACH	33931
52	FALSE	10227854	19-46-24-W3-02100.3050	HUNTER HARRY + JOANNE	2650 ESTERO BLVD	305 FORT MYERS BEACH	33931
52	FALSE	10227855	19-46-24-W3-02100.3060	TOLLEY PELOTON LLC	2650 ESTERO BLVD	306 FORT MYERS BEACH	33931
52	FALSE	10227856	19-46-24-W3-02100.4020	PALMS TO POWDER LLC	2650 ESTERO BLVD	402 FORT MYERS BEACH	33931
52	FALSE	10227857	19-46-24-W3-02100.4030	STANDISH MARTHA	2650 ESTERO BLVD	403 FORT MYERS BEACH	33931
52	FALSE	10227858	19-46-24-W3-02100.4040	PRICE JEREMY TR	2650 ESTERO BLVD	404 FORT MYERS BEACH	33931
52	FALSE	10227859	19-46-24-W3-02100.4050	ROTH VERRA ANNE	2650 ESTERO BLVD	405 FORT MYERS BEACH	33931
52	FALSE	10227860	19-46-24-W3-02100.4060	KITCHEN JANICE K L/E	2650 ESTERO BLVD	406 FORT MYERS BEACH	33931
52	FALSE	10227861	19-46-24-W3-02100.5020	FAUSTINI ROSE MARIE TR	2650 ESTERO BLVD	502 FORT MYERS BEACH	33931
52	FALSE	10227862	19-46-24-W3-02100.5030	RDW LIMITED PARTNERSHIP, SHEILA TOLLEY	2650 ESTERO BLVD	503 FORT MYERS BEACH	33931
52	FALSE	10227863	19-46-24-W3-02100.5040	DIETRICH DONALD B TR	2650 ESTERO BLVD	504 FORT MYERS BEACH	33931
52	FALSE	10227864	19-46-24-W3-02100.5050	JOHNSON MICHAEL A	2650 ESTERO BLVD	505 FORT MYERS BEACH	33931
52	FALSE	10227865	19-46-24-W3-02100.5060	DVORAK DAVID M & JANETTE	2650 ESTERO BLVD	506 FORT MYERS BEACH	33931
53	FALSE	10227867	19-46-24-W3-02401.00B0	TAYLOR SARAH WHITE TR	2560 ESTERO BLVD	1B FORT MYERS BEACH	33931
53	FALSE	10227868	19-46-24-W3-02401.00C0	GAFFNEY JOSEPH J & MARGARET	2560 ESTERO BLVD	1C FORT MYERS BEACH	33931
53	FALSE	10227869	19-46-24-W3-02401.00D0	EVANS JOHN ROBERT JR	2560 ESTERO BLVD	1D FORT MYERS BEACH	33931
54	FALSE	10227870	19-46-24-W3-02402.00A0	SCHRAM JULIE TR	2560 ESTERO BLVD	2A FORT MYERS BEACH	33931
54	FALSE	10227871	19-46-24-W3-02402.00B0	TOWNSEND THOMAS & AMY	2560 ESTERO BLVD	2B FORT MYERS BEACH	33931
54	FALSE	10227872	19-46-24-W3-02402.00C0	TOWNSEND AMY E & THOMAS A	2560 ESTERO BLVD	2C FORT MYERS BEACH	33931
54	FALSE	10227873	19-46-24-W3-02402.00D0	ISLAND HOUSE 2D LLC	2560 ESTERO BLVD	2D FORT MYERS BEACH	33931
54	FALSE	10227874	19-46-24-W3-02402.00E0	BLAKE JANICE	2560 ESTERO BLVD	2E FORT MYERS BEACH	33931
55	FALSE	10227875	19-46-24-W3-02403.00A0	MONKS ROBERT C	2560 ESTERO BLVD	3A FORT MYERS BEACH	33931
55	FALSE	10227876	19-46-24-W3-02403.00B0	KROULADIS JOHN J SR &	2560 ESTERO BLVD	3B FORT MYERS BEACH	33931
55	FALSE	10227877	19-46-24-W3-02403.00C0	CZERKIES BEACH LLC	2560 ESTERO BLVD	3C FORT MYERS BEACH	33931
55	FALSE	10227878	19-46-24-W3-02403.00D0	HART HOWARD E +	2560 ESTERO BLVD	3D FORT MYERS BEACH	33931
55	FALSE	10227879	19-46-24-W3-02403.00E0	WHITEHOUSE KATHLEEN M	2560 ESTERO BLVD	3E FORT MYERS BEACH	33931
56	FALSE	10227880	19-46-24-W3-02404.00A0	AUSMAN PAMELA	2560 ESTERO BLVD	4A FORT MYERS BEACH	33931
56	FALSE	10227881	19-46-24-W3-02404.00B0	SUTTON JOSEPH CHARLES TR	2560 ESTERO BLVD	4B FORT MYERS BEACH	33931

56	FALSE	10227882	19-46-24-W3-02404.00C0	RALSON JEFFREY S TR	2560	ESTERO BLVD	4C	FORT MYERS BEACH	33931
56	FALSE	10227883	19-46-24-W3-02404.00D0	TUBBS THOMAS A TR	2560	ESTERO BLVD	4D	FORT MYERS BEACH	33931
56	FALSE	10227884	19-46-24-W3-02404.00E0	TRESCHUK-BAHN JACQUELINE	2560	ESTERO BLVD	4E	FORT MYERS BEACH	33931
57	FALSE	10227885	19-46-24-W3-02405.00A0	GABOR PETER +	2560	ESTERO BLVD	5A	FORT MYERS BEACH	33931
57	FALSE	10227886	19-46-24-W3-02405.00B0	MCCAFFREY WILLIAM F TR +	2560	ESTERO BLVD	5B	FORT MYERS BEACH	33931
57	FALSE	10227887	19-46-24-W3-02405.00C0	NELSON WILLIAM M &	2560	ESTERO BLVD	5C	FORT MYERS BEACH	33931
57	FALSE	10227888	19-46-24-W3-02405.00D0	MANNING NATALIE	2560	ESTERO BLVD	5D	FORT MYERS BEACH	33931
57	FALSE	10227889	19-46-24-W3-02405.00E0	SCOTT E CZERKIES +	2560	ESTERO BLVD	5E	FORT MYERS BEACH	33931
58	FALSE	10227890	19-46-24-W3-02406.00A0	KADO KELLY JOE & TERESA JO	2560	ESTERO BLVD	6A	FORT MYERS BEACH	33931
58	FALSE	10227891	19-46-24-W3-02406.00E0	LEVINE STEPHEN M & DIANE E	2560	ESTERO BLVD	6E	FORT MYERS BEACH	33931
59	FALSE	10227893	19-46-24-W3-02900.1010	BURGETT RUSSELL E TR	2532	ESTERO BLVD	101	FORT MYERS BEACH	33931
59	FALSE	10227894	19-46-24-W3-02900.1020	SHEPHARD ROBERT W	2532	ESTERO BLVD	102	FORT MYERS BEACH	33931
59	FALSE	10227895	19-46-24-W3-02900.1030	TAYLOR STEVEN	2532	ESTERO BLVD	103	FORT MYERS BEACH	33931
59	FALSE	10227896	19-46-24-W3-02900.1040	OWENS JAMES L & DIANNE L	2532	ESTERO BLVD	104	FORT MYERS BEACH	33931
59	FALSE	10227897	19-46-24-W3-02900.1050	MINOR KEVIN L & WENDY	2532	ESTERO BLVD	105	FORT MYERS BEACH	33931
59	FALSE	10227898	19-46-24-W3-02900.1060	JERRY LEE & DARLENE LOUISE WEA	2532	ESTERO BLVD	106	FORT MYERS BEACH	33931
59	FALSE	10227901	19-46-24-W3-02900.2010	LACAVA JOYCE L/E	2532	ESTERO BLVD	201	FORT MYERS BEACH	33931
59	FALSE	10227902	19-46-24-W3-02900.2020	STAHL JUDITH A TR	2532	ESTERO BLVD	202	FORT MYERS BEACH	33931
59	FALSE	10227903	19-46-24-W3-02900.2030	BRIESATH RANDAL TR	2532	ESTERO BLVD	203	FORT MYERS BEACH	33931
59	FALSE	10227904	19-46-24-W3-02900.2040	KRAUSE RANDY STEVEN & JAN A	2532	ESTERO BLVD	204	FORT MYERS BEACH	33931
59	FALSE	10227905	19-46-24-W3-02900.2050	ASCEND HOMES LLC	2532	ESTERO BLVD	205	FORT MYERS BEACH	33931
59	FALSE	10227906	19-46-24-W3-02900.2060	BRUNER RICHARD T +	2532	ESTERO BLVD	206	FORT MYERS BEACH	33931
59	FALSE	10227909	19-46-24-W3-02900.3010	VREDENBURG JOHN F TR	2532	ESTERO BLVD	301	FORT MYERS BEACH	33931
59	FALSE	10227910	19-46-24-W3-02900.3020	GRENZ LYLE R TR	2532	ESTERO BLVD	302	FORT MYERS BEACH	33931
59	FALSE	10227911	19-46-24-W3-02900.3030	ALICE A BRUNETTI TRUST +	2532	ESTERO BLVD	303	FORT MYERS BEACH	33931
59	FALSE	10227912	19-46-24-W3-02900.3040	WINDFALL INC	2532	ESTERO BLVD	304	FORT MYERS BEACH	33931
59	FALSE	10227913	19-46-24-W3-02900.3050	SUTTON MAVIS M	2532	ESTERO BLVD	305	FORT MYERS BEACH	33931
59	FALSE	10227914	19-46-24-W3-02900.3060	AMESBURY WILLIAM ROBIN JR &	2532	ESTERO BLVD	306	FORT MYERS BEACH	33931
59	FALSE	10227917	19-46-24-W3-02900.4010	BURNSTINE HARRY M TR	2532	ESTERO BLVD	401	FORT MYERS BEACH	33931
59	FALSE	10227918	19-46-24-W3-02900.4020	SMITH DON SCOT TR	2532	ESTERO BLVD	402	FORT MYERS BEACH	33931
59	FALSE	10227919	19-46-24-W3-02900.4030	HAWES GARY R &	2532	ESTERO BLVD	403	FORT MYERS BEACH	33931
59	FALSE	10227920	19-46-24-W3-02900.4040	BANERIAN KIRK G & LESLIE N	2532	ESTERO BLVD	404	FORT MYERS BEACH	33931
59	FALSE	10227921	19-46-24-W3-02900.4050	BUSCH FAMILY PROPERTIES LLC	2532	ESTERO BLVD	405	FORT MYERS BEACH	33931
59	FALSE	10227922	19-46-24-W3-02900.4060	WINDFALL INC	2532	ESTERO BLVD	406	FORT MYERS BEACH	33931
59	FALSE	10227925	19-46-24-W3-02900.5010	STICKLEY KIM A & PAMELA S	2532	ESTERO BLVD	501	FORT MYERS BEACH	33931
59	FALSE	10227926	19-46-24-W3-02900.5020	OOYKAAS DICK E & PATRICIA T +	2532	ESTERO BLVD	502	FORT MYERS BEACH	33931
59	FALSE	10227927	19-46-24-W3-02900.5030	OOYKAAS DICK E & PATRICIA T +	2532	ESTERO BLVD	503	FORT MYERS BEACH	33931
59	FALSE	10227928	19-46-24-W3-02900.5040	POHL JAMES W TR	2532	ESTERO BLVD	504	FORT MYERS BEACH	33931
59	FALSE	10227929	19-46-24-W3-02900.5050	DORNFELD LEE V & DONNA	2532	ESTERO BLVD	505	FORT MYERS BEACH	33931
59	FALSE	10227930	19-46-24-W3-02900.5060	BARRETT HILARY W + JAFFREY M WELLS	2532	ESTERO BLVD	506	FORT MYERS BEACH	33931
59	FALSE	10227933	19-46-24-W3-02900.6010	FIELDS GARY L TR	2532	ESTERO BLVD	601	FORT MYERS BEACH	33931

59	FALSE	10227934	19-46-24-W3-02900.6020	FRANCIS J GALVIN TRUST +	2532 ESTERO BLVD	602 FORT MYERS BEACH	33931
59	FALSE	10227935	19-46-24-W3-02900.6030	OOYKAAS DICK E & PATRICIA T	2532 ESTERO BLVD	603 FORT MYERS BEACH	33931
59	FALSE	10227936	19-46-24-W3-02900.6040	MANDATE CAPITAL LLC	2532 ESTERO BLVD	604 FORT MYERS BEACH	33931
59	FALSE	10227937	19-46-24-W3-02900.6050	MCKEOWN PATRICK G &	2532 ESTERO BLVD	605 FORT MYERS BEACH	33931
59	FALSE	10227938	19-46-24-W3-02900.6060	PELICAN PARTNERS	2532 ESTERO BLVD	606 FORT MYERS BEACH	33931
60	FALSE	10227899	19-46-24-W3-02900.1070	OOYKAAS DICK E & PATRICIA T +	2532 ESTERO BLVD	107 FORT MYERS BEACH	33931
60	FALSE	10227900	19-46-24-W3-02900.1080	WHITE BARBARA L TR	2532 ESTERO BLVD	108 FORT MYERS BEACH	33931
60	FALSE	10227907	19-46-24-W3-02900.2070	BERKEY BRIAN D TR	2532 ESTERO BLVD	207 FORT MYERS BEACH	33931
60	FALSE	10227908	19-46-24-W3-02900.2080	SHRI ENTERPRISES INC, RAVI DEVAGUPTAPU	2532 ESTERO BLVD	208 FORT MYERS BEACH	33931
60	FALSE	10227915	19-46-24-W3-02900.3070	SIEFRING RICHARD M TR	2532 ESTERO BLVD	307 FORT MYERS BEACH	33931
60	FALSE	10227916	19-46-24-W3-02900.3080	MEYER STEPHEN P	2532 ESTERO BLVD	308 FORT MYERS BEACH	33931
60	FALSE	10227923	19-46-24-W3-02900.4070	MARSHALL MARYLU B L/E	2532 ESTERO BLVD	407 FORT MYERS BEACH	33931
60	FALSE	10227924	19-46-24-W3-02900.4080	SPITZER ARDEN L & SANDRA C	2532 ESTERO BLVD	408 FORT MYERS BEACH	33931
60	FALSE	10227931	19-46-24-W3-02900.5070	WILTSE GARY ALAN &	2532 ESTERO BLVD	507 FORT MYERS BEACH	33931
60	FALSE	10227932	19-46-24-W3-02900.5080	ONKEN JAMES H & LYNNE E +	2532 ESTERO BLVD	508 FORT MYERS BEACH	33931
60	FALSE	10227939	19-46-24-W3-02900.6070	GROLMUS MARY JO ANN	2532 ESTERO BLVD	607 FORT MYERS BEACH	33931
60	FALSE	10227940	19-46-24-W3-02900.6080	ROBSHAW RICHARD P	2532 ESTERO BLVD	608 FORT MYERS BEACH	33931
61	FALSE	10482071	19-46-24-W3-04100.0011	TROPICAL SHORES LLC	2550 ESTERO BLVD	11 FORT MYERS BEACH	33931
61	FALSE	10482072	19-46-24-W3-04100.0012	MAROTTA JAMES & LINDA	2550 ESTERO BLVD	12 FORT MYERS BEACH	33931
61	FALSE	10482073	19-46-24-W3-04100.0021	TROPICAL SHORES LLC	2550 ESTERO BLVD	21 FORT MYERS BEACH	33931
61	FALSE	10482074	19-46-24-W3-04100.0022	TROPICAL SHORES LLC	2550 ESTERO BLVD	22 FORT MYERS BEACH	33931



500 Feet

From: Jason Smalley
To: Estero Beach Club
Cc: Judith Frankel; mdmuirhead@outlook.com
Subject: RE: Estero Beach Club -- EC Special Exception
Date: Wednesday, November 20, 2024 3:09:00 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)

Jennifer,

We will schedule you for the 10th, you don't have to have a contractor there, rarely do the LPA or Council ask technical questions, it's just always a good idea to have someone there that is comfortable explaining what was there and to confirm that what was said in the staff report is true and correct

Jason Smalley

Senior Planner, Community Development

Town of Fort Myers Beach

2731 Oak St

Fort Myers Beach, FL 33931

Phone: (239) 765-0202



FMBgov.com



From: Estero Beach Club <esterobeachclub@aol.com>
Sent: Wednesday, November 20, 2024 3:07 PM
To: Jason Smalley <jsmalley@fmbgov.com>
Cc: Judith Frankel <jfrankel@fmbgov.com>; mdmuirhead@outlook.com
Subject: Re: Estero Beach Club -- EC Special Exception

Hi Jason,
I will be out of town on December 2nd so the 10th is better for me. Do we need to have contractors present?

Thank you!

Jennifer

Estero Beach Club
Esteroeachclub@aol.com
Ph: 239-463-2595 Temporarily out of service

On Wednesday, November 20, 2024 at 02:09:19 PM EST, Jason Smalley <jsmalley@fmbgov.com> wrote:

Jennifer,

We currently have two available meetings for your project, Dec. 2nd or 10th, do you have a preference for which of those dates might be most beneficial to have a representative available for any questions that the LPA may have?

Jason Smalley

Senior Planner, Community Development

Town of Fort Myers Beach

2731 Oak St

Fort Myers Beach, FL 33931
Phone: (239) 765-0202



FMBgov.com



From: Estero Beach Club <esterobeachclub@aol.com>
Sent: Tuesday, November 19, 2024 1:12 PM
To: Jason Smalley <jsmalley@fmbgov.com>
Cc: Judith Frankel <jfrankel@fmbgov.com>; mdmuirhead@outlook.com
Subject: Re: Estero Beach Club -- EC Special Exception

I had to make a few phone calls to get this information!

2580 building (closest to Estero Blvd) was built in 1971. The pool, deck, sidewalk and foot wash was also put in at the same time.

The 2584 building (closest to the beach) was built in 1972.

The aluminum fence enclosing the pool and front of the property was added in 2001.

Jennifer

Estero Beach Club

Esteroeachclub@aol.com

Ph: 239-463-2595 Temporarily out of service

On Tuesday, November 19, 2024 at 11:37:28 AM EST, Jason Smalley <jsmalley@fmbgov.com> wrote:

Jennifer,

I am into the historical section of the staff report and I wanted to try and confirm some information:

1. LEEPA doesn't have a build date for the structures, do you know what year the buildings went up, or were approved with Lee County?
2. Do you have general timelines for when the other elements were constructed:
 - a. Pool/ deck
 - b. Foot wash station
 - c. Sidewalks
 - d. Fence

Jason Smalley

Senior Planner, Community Development
Town of Fort Myers Beach
2731 Oak St
Fort Myers Beach, FL 33931
Phone: (239) 765-0202



FMBgov.com



From: Estero Beach Club <esterobeachclub@aol.com>
Sent: Tuesday, November 19, 2024 9:25 AM
To: Jason Smalley <jsmalley@fmbgov.com>
Cc: Judith Frankel <jfrankel@fmbgov.com>; mdmuirhead@outlook.com
Subject: Re: Estero Beach Club -- EC Special Exception

Here are the measurements and materials in the EC area:

- 1,424 square feet of grass and landscape rock with plantings
- 124 square feet of concrete side walk
- 9 square feet of concrete pavers for foot wash
- 375 square feet of pool shell (includes 55 linear feet of brick paver coping and tile border)
- 1,086 square feet of brick paver deck
- 156 linear feet of aluminum railing with a 4ft walk-through gate

The attached picture is my oldest son taken on the pool deck showing the EC area in 1990. Is this type of picture be helpful or do you need more official documentation? I can get plenty more of these kinds of pictures.

Jennifer

Estero Beach Club

EsteroBeachclub@aol.com

Ph: 239-463-2595 Temporarily out of service

On Friday, November 15, 2024 at 02:58:10 PM EST, Jason Smalley <jsmalley@fmbgov.com> wrote:

Jennifer,

Thanks so much for the quick response.

1. I don't need you to update your drawing, I think it expresses what is being requested just fine, I think we should just get an area calculation for what paver area is being replaced, the area of the pool shell seaward of the CCCL, the concrete sidewalk and then account for the minor things like the pad area of the foot wash. We should also break-out the type of material and the amount being proposed (ie 1000sf of pavers seaward of the CCCL, 650sf of pool shell seaward of the CCCL, 500sf of concrete sidewalk seaward of the CCCL and 10sf of concrete footwash pad area).
2. You answered my question about whether those two areas specifically are staying the same
3. If there isn't anything that exists, then it is what it is, we will just use the LEEPA aeriels we have access to, that should be fine.

Let me know if you need clarification on any of this and if I don't hear back from you before 4:30pm today, please have a wonderful weekend.

Jason Smalley

Senior Planner, Community Development
Town of Fort Myers Beach
2731 Oak St
Fort Myers Beach, FL 33931
Phone: (239) 765-0202



FMBgov.com



From: Estero Beach Club <esterobeachclub@aol.com>
Sent: Friday, November 15, 2024 2:00 PM
To: Jason Smalley <jsmalley@fmbgov.com>
Cc: Judith Frankel <jfrankel@fmbgov.com>; mdmuirhead@outlook.com
Subject: Fw: Estero Beach Club -- EC Special Exception

Hi Jason,

1. The EC section is currently enclosed with a yellow border on the site plan submitted. Does that area need to be more prominent? I've attached another site plan that mutes the other areas. Is this helpful? Or would you like it redrawn with just the EC area?

The concrete pool deck is still there. Pavers were installed on top of the concrete deck but many were lost during the storm. We want to lay brick pavers on top of the concrete deck within the same footprint we had before. We are not expanding the area. The pool coping is made of the same brick paver material with a 6-inch tile border. With the exception of slight color changes, the materials are all exactly the same as we had before.

There is a concrete sidewalk along the side of the pool to a beach access gate with a foot wash area. We do need to repair/replace damaged sections, but we are making no changes to the size or location of the sidewalk.

By quantity, do you need the approximate square footage of each area/material?

2. The planter will remain a planter with small landscape rock and plantings in the bed including the pre-existing palm tree that survived the storm. The long side of the pool will also remain landscape area with small rock and plantings. We are not adding any pavers to those areas.

3. I will do my best to gather any evidence from our owners. All of our physical records were lost in the storm.

Please let me know if I am on the right track for what you need.

Jennifer

Estero Beach Club

EsteroBeachclub@aol.com

Ph: 239-463-2595 Temporarily out of service

From: Jason Smalley <jsmalley@fmbgov.com>
Sent: Friday, November 15, 2024 11:54:54 AM
To: Mike Muirhead <mdmuirhead@Outlook.com>
Cc: Judith Frankel <jfrankel@fmbgov.com>
Subject: Estero Beach Club -- EC Special Exception

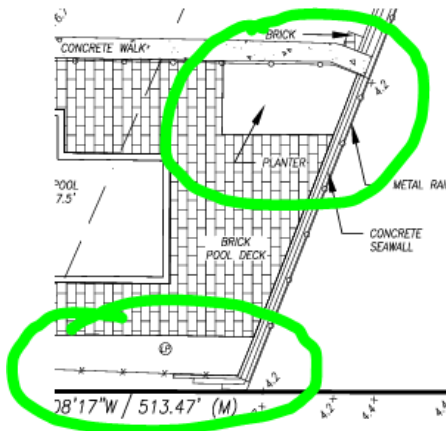
Mike,

Good Morning, I hope you're having a good day so far.

I wanted to reach out because I am developing the staff report for your Special Exception to replace the areas which were damaged by the storm(s). I believe that the package is largely complete, but I had a few comments that should be addressed ASAP so that I can make them part of the final staff report:

1. We need to break-out the area of individual work that's proposed in the EC. What I mean is that we should call out the proposed area of the pool deck so that it's easier for the LPA/ Council to understand what the total requested area to be rebuilt is, and what types of material are being proposed and in what quantity.
2. Is the plan to leave the area noted as "planter" and the side-setback/ swale area as pervious ground, or are you proposing filling in any of that area with additional pavers (see screenshot below)?
3. I would encourage you to gather any evidence (permits, pictures, news articles) which are prior to 1998, which is the first year I have access to Lee County Property Appraisers' aerial images. This isn't mandatory, but if you have anything like that we may want to just make it part of the record to establish the extent of time that the pool deck area has existed on-site.

If you have questions or concerns, please let me know, I will work with you to get this information ASAP so we can continue to move forward. Thanks



Jason Smalley

Senior Planner, Community Development
Town of Fort Myers Beach
2731 Oak St
Fort Myers Beach, FL 33931
Phone: (239) 765-0202





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

Yellow Sheet Number: **2025-105**

1. Request:

Meeting Date: December 10, 2024

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA APPROVING/ APPROVING WITH CONDITIONS/ DENYING SPECIAL EXCEPTION SEZ20240186 FOR USE OF AN EXISTING LOT TO PROVIDE 43 COMMERCIAL PARKING SPACES IN THE DOWNTOWN ZONING DISTRICT OF THE TOWN OF FORT MYERS BEACH LAND DEVELOPMENT CODE FOR PROPERTY LOCATED AT 1479 ESTERO BOULEVARD; PROVIDING FOR SCRIVENER'S ERRORS, SEVERABILITY, AND AN EFFECTIVE DATE.

Why the action is necessary:

The applicant must receive approval from Town Council to engage in commercial parking on their site

What the action accomplishes:

Allows the Lani Kai to charge visitors for beach parking

2. Agenda:

PUBLIC HEARINGS

3. Requirement/Purpose:

Resolution

5. Background:

Following a Town code compliance case, the applicant requested to formalize approval for paid parking on their parcel on the Bay side of Estero Blvd. The applicant states that they have been engaged in commercial parking for many years.

Attachments:

1. NS 24-XXX -- Lani Kai Special Exception Resolution
2. LPA Staff Report
3. Exhibit A: (Historical) Response for LDO Application #20200045
4. Exhibit B: SEZ Application
5. Exhibit C: SEZ20240186- 1479 Estero Blvd- Insufficiency letter
6. Exhibit D: Applicant Response to Insufficiency Letter

Financial Impact:

N/A

6. Alternative Action

Approve with conditions

7. Staff Recommendations:

N/A

8. Recommended Approval:

Judith Frankel, Principal Planner

Date: December 03, 2024

Frankie Kropacek, Operations & Compliance Director

Date: December 04, 2024

Date: December 04, 2024

nancy stuparich, Town Attorney

Date: December 04, 2024

Amy Baker, Town Clerk

RESOLUTION NUMBER 24-XXX

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA APPROVING/ APPROVING WITH CONDITIONS/ DENYING SPECIAL EXCEPTION SEZ20240186 FOR USE OF AN EXISTING LOT TO PROVIDE 43 COMMERCIAL PARKING SPACES IN THE DOWNTOWN ZONING DISTRICT OF THE TOWN OF FORT MYERS BEACH LAND DEVELOPMENT CODE FOR PROPERTY LOCATED AT 1479 ESTERO BOULEVARD; PROVIDING FOR SCRIVENER'S ERRORS, SEVERABILITY, AND 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 Robert Burandt on behalf of LKLB of Florida Inc. is requesting use of an existing lot to provide 43 commercial parking spaces in the Downtown zoning district per Sections 34-2011(2)(a) and 34-2019(a) of the Town of Fort Myers Beach Land Development Code; and

WHEREAS, the STRAP number for the subject property is 19-46-24-W4-0060B.0100; and

WHEREAS, the Property is located in the “Pedestrian Commercial” category of the Future Land Use Map of the Comprehensive Plan; and

WHEREAS, the Property is located in 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 noticed and held before the Local Planning Agency (LPA) on December 10, 2024, and at the hearing the LPA gave full and complete consideration to the request of the Applicant recommendations of staff, the documents in the record, and the testimony of all interested persons, as required by Section 34-88 of the LDC. The LPA found that the request is/ is not consistent with the comprehensive plan and the requirements of the LDC and voted ___ to ___ recommending approval with conditions of the Special Exception; and

WHEREAS, on the ___ day of _____, 2024 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/ is not in the best interest of the Town to approve/approve with conditions/deny the request for a Special Exception.

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/ did not meet its burden of proof that the requested Special Exception does/ does not meet the requirements of the Town Comprehensive Plan and LDC, and approving the Special Exception is/ is not in the best interest of the Town to approve. Therefore, based upon the recommendations, testimony, and evidence presented by the Applicant, Town staff, and interested parties and public, the Town Council **APPROVES/APPROVES WITH CONDITIONS/DENIES** the Special Exception to allow reconstruction of a major accessory structure in the EC zoning district per section 6-366.

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

- A. 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 all performance and locational standards 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 use will be in compliance with the applicable general zoning provisions and supplemental regulations set forth in Chapter 34 of the Land Development Code; and

Section 4. If the Town Council approves/denies the requested Special Exception and the following conditions of approval are imposed on the Applicant and the subject property:

1. A new special exception must be applied for each time an LDO/ DO is applied for, or any structures are developed/ reconstructed.
2. Approval of this special exception does not give the Applicant an undeniable right to permit approval. Development 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.

3. The applicant must apply for and receive all state and local permits required for the reconstruction of all proposed structures.
4. Any violation of the conditions of approval shall render the special exception null and void.
5. Property owners shall develop a plan to engage with customers of the commercial lot no less than 40-feet into the property to allow for stacking that approximates requirements for lots which are developing gates within 100-feet of Estero Blvd.
6. Two-way drive aisles must meet minimum Fire Department widths, this will be assessed during an LDO/ DO as required by the LDC.
7. The applicant must obtain an approved lighting plan as outlined in LDC Sec. 34-1834.

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

Dan Allers, Mayor	_____
Jim Atterholt, Vice-Mayor	_____
John R. King, Council Member	_____
Karen Woodson, Council Member	_____
Scott Safford, Council Member	_____

ADOPTED this ____ day of _____, 2024 by the Town Council of the Town of Fort Myers Beach, Florida.

FORT MYERS BEACH TOWN COUNCIL

Dan Allers, 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:**

Vose Law Firm, Town Attorney

This Resolution was filed in the Office of the Town Clerk on this ____ day of January, 2024.



Town of Fort Myers Beach
COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT

TYPE OF CASE: SPECIAL EXCEPTION -- PARKING

CASE NUMBER: SEZ20240186

CASE NAME: Special Exception for use of an existing lot to provide 43 commercial parking spaces in the Downtown zoning district.

LPA

HEARING DATE: December 10th 2024, at 9:00 AM

STAFF

RECOMMENDATION: Denial

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

I. APPLICATION SUMMARY

Applicant/Owner: Robert Burandt, Esq./ LKLB Of Florida Inc.

Requests: Special exception to allow for the use of 43 parking spaces in an existing parking lot located within the Downtown zoning district.

Physical Address: 1479 Estero Blvd

STRAP #: 19-46-24-W4-0060B.0100

FLU: Pedestrian Commercial

Zoning: Downtown

Adjacent zoning and land uses:

North: CANAL

South: DOWNTOWN
Commercial Parking Lot

East: DOWNTOWN
Multi-Family Condominium

West: DOWNTOWN
Commercial Parking Lot

II. BACKGROUND AND ANALYSIS

Background:

The applicant is proposing to allow all 43 parking spaces currently located at 1479 Estero Blvd (“Lani Kai”) to be utilized for commercial parking purposes. The lot exists in the Downtown zoning district and is adjacent to other complimentary uses, including at least three parking lots, two of which are known to be used exclusively for commercial parking purposes, including a parking lot approximately 200-feet west of the subject property and owned by “Lani Kai LP.”

The applicant has stated in their submission that the lot has been used for commercial parking for many years, even prior to the Town’s incorporation. Staff cannot assess this statement since the Town has no approved Special Exceptions or prior approvals for seasonal parking lots. The Land Development Code (LDC) allows for the use of 13 of the existing space for a commercial parking lot, although a Special Exception is required. The LDC requires the remaining 30 spaces be dedicated to supporting the 25 hotel/ motel units which exist in the building at 1479 Estero Blvd.

Analysis:

The hotel/ motel structure at 1479 Estero Blvd was built on or around 1984, per the publicly available LEEPA records. Per the applicant there are 25 units in the building on this lot, the provided 43 parking spaces serve that use. The hotel/motel use requires 30 parking spaces and leaves 13 parking spaces available for commercial parking. The applicant is concurrently requesting four variances (VAR20240233) under a separate application. The requested variances need to be approved to allow the applicant to dedicate greater than 13 spaces to a commercial use.

The LDC Sec. 34-2011(2)(a) and 34-2019(a) allow for an applicant to propose commercial parking on a site where they have at least 10 parking spaces, through the Special Exception process.

Neighborhood Compatibility:

The subject property is within the Downtown zoning district and is generally surrounded by other parking lots, hotels, condominiums and residential uses. It does not seem that approval of the Special Exception would measurably change the character or intensity of the neighborhood. It should be noted that the adjacent lot (1397 Estero Blvd.; “Norm’s Lot”) has been granted a Special Exception to operate a

similar commercial parking lot. The requirements of that approval included a stormwater retention area and landscaping buffers.

Findings and Conclusions:

Special Exception Findings

LDC Sec. 34-88(b) sets forth the required findings and conclusions for the approval of a special exception:

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

The applicant claims that they have been utilizing the subject property for commercial parking for years, staff cannot confirm this assertion but if approved they would continue much as they had prior to the storm. Staff does not assess that approval would change the conditions that existed prior to Hurricane Ian.

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

Policy 1-A-2 states: The town should develop a sidewalk and streetscape plan for all of Estero Boulevard that builds on the design theme of the 1997 improvements from Times Square and to the Lani Kai. This plan should recreate the historic "Avenue of Palms" concept by adding appropriate palm trees such as coconuts on both sides between the sidewalk and new curbs. This plan should also address related needs such as parking and trolley pull-offs, and should be sufficiently detailed to estimate costs and suggest potential phases of construction. The applicant is proposing to remove LDC requirements which would support "streetscaping" adjacent to the property or landscape improvements to the property itself.

LDC Sec. 34-2019(a) states that a special exception may be approved for "Parking spaces that are not in daily use and are located in parking lots having ten or more parking spaces and meeting the other requirements of this division may be rented to the general public during peak periods." The subject parcel existed pre-Hurricane Ian and contains more than 10 parking spaces.

- 3) *Whether the request meets or exceeds all performance and locational standards for the proposed use.*

The request will comply with local, state, and federal air, noise and water pollution standards. It will not adversely affect water quality and it will not create a nuisance to adjacent properties.

- 4) *Whether the request will protect, conserve, or preserve environmentally critical areas and natural resources.*

The request will maintain what was previously constructed on this property. It will not have an additional negative impact.

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

There is no anticipated additional negative impact or injury to surrounding properties.

- 6) *Whether a requested use will be in compliance with the applicable general zoning provisions and supplemental regulations set forth in Chapter 34 of the Land Development Code.*

The applicant is requesting 4 variances through a separate Variance application (VAR20240233) to waive minimum parking count requirements, drainage compliance, landscaping and internal circulation design standards. If both the Special Exception and Variances are approved this plan would not be in compliance with Town's LDC.

III. RECOMMENDATION

Staff finds that the special exception to approve the use of 43 parking spaces for commercial parking is not in compliance with item 6 of Sec. 34-88(b) or the Comprehensive Plan's for "streetscaping" on Estero Blvd. Therefore, staff recommends **DENIAL** of **SEZ20240186** for the approval of the lot to be used for commercial parking activities.

If LPA recommends approval of the request, staff has recommended conditions of approval.

IV. CONDITIONS OF APPROVAL

1. A new special exception must be applied for each time an LDO/ DO is applied for, or any structures are developed/ reconstructed.
2. Approval of this special exception does not give the Applicant an undeniable right to permit approval. Development 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.

3. The applicant must apply for and receive all state and local permits required for the reconstruction of all proposed structures.
4. Any violation of the conditions of approval shall render the special exception null and void.
5. Property owners shall develop a plan to engage with customers of the commercial lot no less than 40-feet into the property to allow for stacking that approximates requirements for lots which are developing gates within 100-feet of Estero Blvd.
6. Two-way drive aisles must meet minimum Fire Department widths, this will be assessed during an LDO/ DO as required by the LDC.
7. The applicant must obtain an approved lighting plan as outlined in LDC Sec. 34-1834.

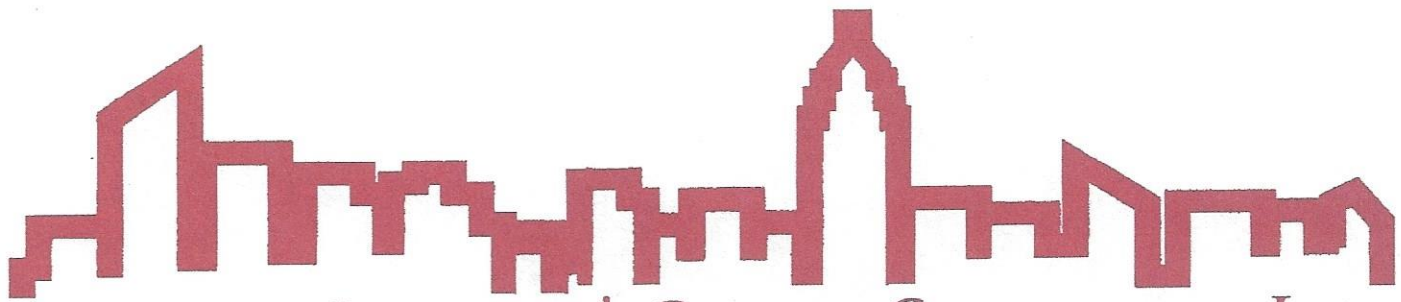
Staff Report Exhibits:

Exhibit A - Previously Approved LDO/Site Plan

Exhibit B- Public Hearing Application

Exhibit C – Insufficiency Letter

Exhibit D – Applicant Response to Insufficiency Letter



CONIDARIS BUILDERS & GENERAL CONTRACTORS, INC.

St. Lic. #CGC 059201 CUC 046019
15645 Pine Ridge Road • Fort Myers, FL 33908
Phone: 239-415-7671 • Fax: 239-415-2886
ConidarisBuilder@aol.com

Town of Fort Myers Beach
Building Department
Attention: Kelly Bhutada
August 12, 2020
Ref: Application for Limited Development Order #20200045
1479 Estero Blvd. Fort Myers Beach, FL 33931

In response to your letter dated 07-29-2020, listed below is the additional information provided please see attached revised site plan.

Zoning:

1. Total number of parking spaces: There is a total of 51 parking spots. (2 Handicap spots plus 49 parking spots)
2. Please see site plan showing signage and marking details.
3. (Part 1) All Parking spots will be delineated with all-weather paint not less than 4" in width. Additional Handicap spots will be outlined with blue paint with a posted above grade sign per code.

(Part 2) The existing storm water drainage water system on this property will not be affected by this job.
4. How many uses does this parking lot serve? One, it is for Lani Kai Guests parking only.
5. This project does not include additional impervious surface.

Building Comments:

1. Please provide ADA Space with FBC Accessibility. (Please see site plan)

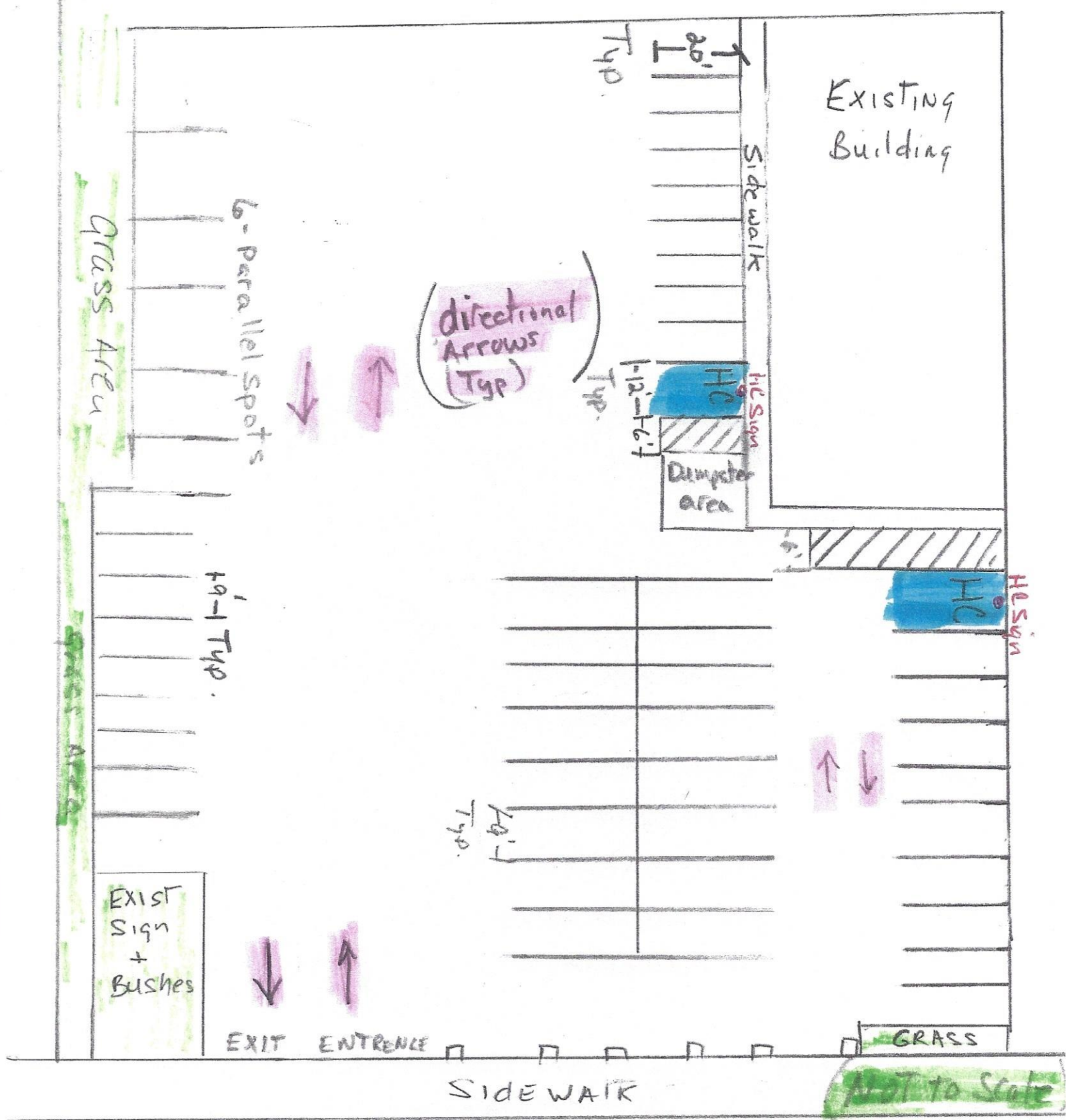
If you have any questions or concerns please feel free to contact us at 239-415-7671.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Conidaris", with a stylized flourish at the end.

Michael Conidaris

43 parking Spots
 6 parallel Spots
 2 H/C spots



1479 ESTERO Blvd.



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: 1479 Estero Blvd, Fort Myers Beach, FL 33931

STRAP Number: 19-46-24-W4-0060B.0070

Applicant: LKLB of Florida Inc. Phone: 239-463-3111

Contact Name: Robert B. Burandt, Esq. Phone: 239-542-4733

Email: robert@capecoralattorney.com Fax: 239-542-9203

Current Zoning District: Hotel/Motel

Future Land Use Map (FLUM) Category: Mixed Use

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*: LKLB of Florida Inc., Robert B. Burandt, Esq. Phone: 239-542-4733

**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: 1714 Cape Coral Parkway East, Cape Coral, FL 33904

Email: robert@capecoralattorney.com Fax: 239.542.9203

Contact Name: Robert B. Burandt Phone: 239-542-4733



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: Robert B. Burandt, Esq. Phone: 239-542-4733
Address: 1714 Cape Coral Parkway East, Cape Coral, FL 33904
Email: robert@capecoralattorney.com Fax: 239.542.9203

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: _____
- ☐ 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: Special Exception to allow paid public parking.
- _____
- _____

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: _____ Phone: _____

Mailing Address: _____

Email: _____ Fax: _____

AFFIDAVIT

APPLICATION IS SIGNED BY AN INDIVIDUAL OWNER OR APPLICANT

I, Robert B. Burandt, Esq. 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

Robert Burandt

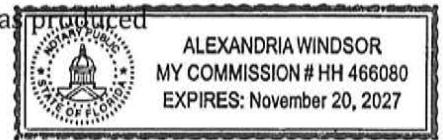
Printed Name

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 5 day of June, 2024, by

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

_____ as identification.



(SEAL)

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

Robert Conidaris

100%

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, Robert B. Burandt, Esq. (name), as Attorney (title) of LKLB of Florida Inc. (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

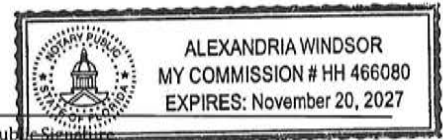
LKLB of Florida Inc.
Name of Entity (corporation, partnership, LLP, LLC, etc)
[Signature]
Signature
Robert B. Burandt, Esq.
Typed or Printed Name
Attorney
Title
6/5/24
Date

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 5 day of June, 2024, by [Signature] ☒ who is personally known to me OR ☐ who has produced _____ as identification.

Seal

Notary Public



PART VI- Property Information

A. Legal Description:

STRAP: 19-46-24-W4-0060B.0070

Property Address: 1479 Estero Blvd., Fort Myers Beach, FL 33931

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: Venetian Gardens

Book: 6 Page: 70 Unit: _____ Block: B Lot(s): 7+8+E 1/2

of Lot 9+28+29+ VAC RD R/W OR 553 PG 797

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) Front 125' Back 100' feet

Depth (please provide an average width if irregular in shape) 270 feet

Frontage on street: 125 feet. Frontage on waterbody: _____ feet

Total land area: 30,725 ☐ acres ☒ square feet

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

Go over the bridge and turn left, go down 1/6 of a mile on your left-hand side.

☒ 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



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: Lani Kai Bay Front
Authorized Applicant: Robert B. Burandt, Esq.
LEEPA STRAP Number(s): 19-46-24-W4-0060B.0070

Current Property Status:			
Current Zoning: Hotel/Motel			
Future Land Use Map (FLUM) Category: Proposed mixed use			
Platted Overlay?	☐ yes	☐ no	FLUM Density Range:

Requested Action:

☐	Use of premises in the EC (Environmentally Critical) zoning district for:
☒	Use of premises in the _____ zoning district for:
The Property is a 25-unit Motel with 43 parking spaces which are 18 x 9 feet. The drive aisle width is 20 feet with one handicapped parking space see Exhibit #1 attached hereto and incorporated herein.	

PART I Narrative Statements

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

Applicant is requesting to continue to use the parking lot for the Bayside Hotel for public paid parking,
without modifications to the parking lot, landscaping or other requirements.

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:

This property has been used for public paid parking since before the town was incorporated and will have no adverse effect on the surrounding property on their use.

The Times Square area of the Beach needs more public parking. Traffic is very congested because visitors have no place to park.

Granting the requested Special Exception could impact surrounding properties as follows:
There would not be any adverse effect. The property is bordered by Norms parking to the North and property to the right of Norms parking which is owned by the Applicant or its affiliates.
There is a canal to the right of the property and a Condominium to the South. This property has continually been used as public parking since the late 80s early 90s.

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

10/26/23, 10:00 AM

LDO20230196- Approved job site

Lani Kai permit 1.jpg

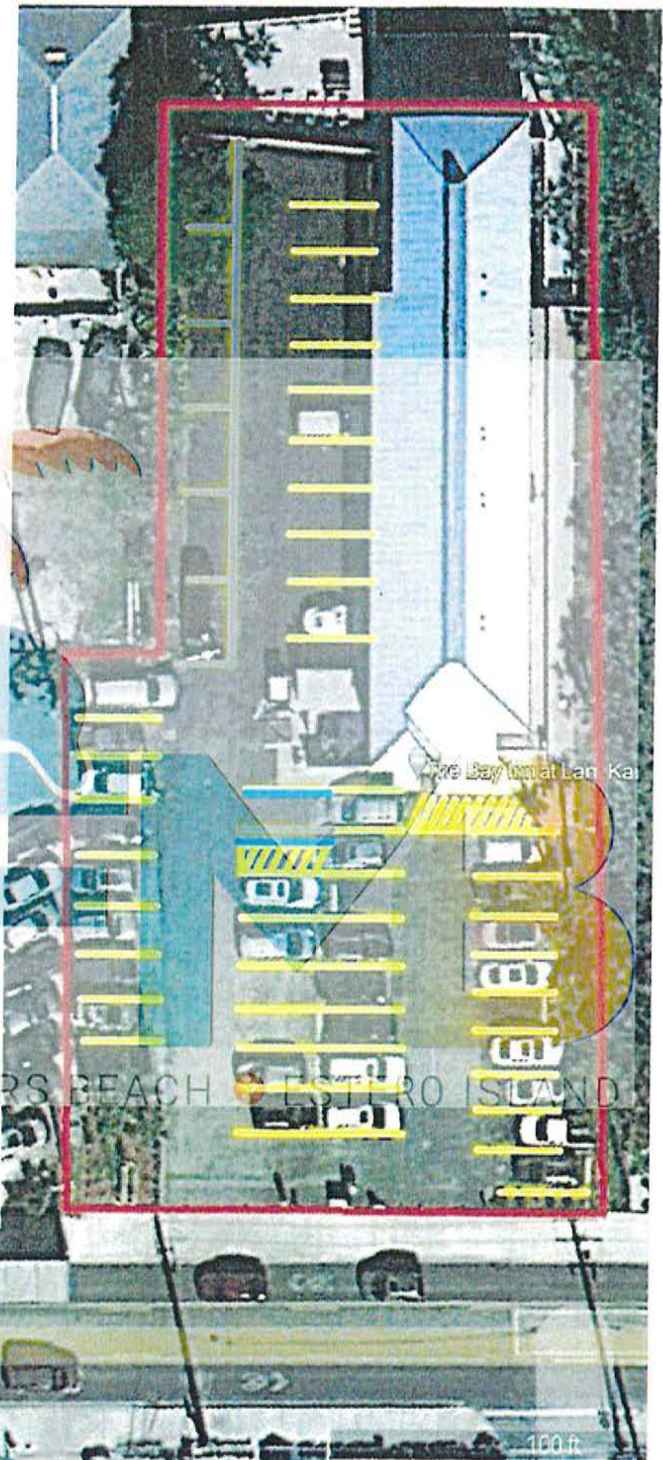
Lani Kai

Address:

1401 Estero Blvd
Fort Myers, FL

Work Description:

- Sealcoat parking lot within the red boundary line. Restripe all existing parking stall lines (yellow) and 6" linear line (yellow).
- No changes to parking lot, strictly sealcoating and restriping only. Each parking stall has the dimensions of 18' x 9'.
- The drive aisle width is 20 feet. There are a total of 43 regular parking spaces and no handicap spaces.
- We are adding zero pole mounted or building mounted lights on site.
- Parallel parking spaces will be removed to accommodate a wide enough drive aisle for the nearby parking.
- One (1) handicap stall will be striped. The dimensions are 18' x 12' with 5' access aisle (ADA compliant).





Simon Holmes

November 10, 2023

RE: 1479 Estero Blvd, Fort Myers Beach
Strap # 19-46-24-W4-0060B.0070
LDO Application 20230196- Type 8- Resub 2

Dear Mr. Holmes,

Your application for a Limited Development Order has been **approved** by the Town of Ft. Myers Beach for the modifications proposed on the property located at 1479 Estero Blvd.

Request: request to reseal/ restripe of the parking lot and add 1 handicap stall will be striped.

THIS LIMITED DEVELOPMENT ORDER WILL BE VALID FOR A PERIOD OF UP TO THREE (3) YEARS AND IS SCHEDULED TO EXPIRE ON 11/10/2026.

Please contact the Town's Planning Department to schedule a final inspection once the job is complete by emailing zoningpermits@fmbgov.com.

This approval does not relieve the development from the responsibility to obtain all necessary Federal, State and Local permits. If you have any questions concerning this matter, please contact the Community Development Department office at (239) 765-0202.

Sincerely,
Sakshi
Planner
Town of Fort Myers Beach
Community Development Department



Property Data

STRAP: 19-46-24-W4-0060B.0070 Folio ID: 10477703

[Hurricane Ian Tax Roll Value Letter](#) [Tax Refund Status](#)

Generated on 5/17/2024 3:44 PM

Owner Of Record - Sole Owner

[\[Change Mailing Address\]](#)

LKLB OF FLORIDA INC
1400 ESTERO BLVD
FORT MYERS BEACH FL 33931



[\[Tax Map Viewer\]](#) [\[View Comparables\]](#)



[\[Pictometry Aerial Viewer\]](#)

Site Address

Site Address maintained by [E911 Program Addressing](#)

1479 ESTERO BLVD
FORT MYERS BEACH FL 33931

ALTERNATE ADDRESS INFORMATION:

1401 ESTERO BLVD

Property Description

Do not use for legal documents!

VENETIAN GARDENS BLK B PB 6 PG 70 LOTS 7 + 8 + E 1/2
OF LOT 9 + 28 + 29 + VAC RD R/W OR 553 PG 797

[View Recorded Plat at LeeClerk.org](#) - Use this link to do an Official
Records search on the Lee County Clerk of Courts website, using 6 and
70 for the book and page numbers.

Attributes and Location Details

Total Bedrooms / Bathrooms	0 / 24.0
Gross Building Area	11,128
1st Year Building on Tax Roll	1984
Historic Designation	No

Township	Range	Section	Block	Lot
46	24E	19	0060B	0070
Municipality	Latitude	Longitude		
Town of Fort Myers Beach	26.45186	-81.95067		

Image of Structure



◀ Photo Date March of 2023 ▶ ☐ View other photos

Last Inspection Date: 01/30/2024

[View Parcel on Google Maps](#)

Property Values / Exemptions / TRIM Notices

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No existing exemptions found for this property.

TRIM Notices	Tax Year	Just	Land	Market Assessed	Capped Assessed	Exemptions	Classified Use	Taxable
	Current	3,385,424	2,422,703	3,385,424	1,786,318	0	0	1,786,318
2023 Values / Additional Info	2023	2,422,713	2,422,703	2,422,713	1,623,925	0	0	1,623,925
2022 Values / Additional Info	2022	1,931,798	1,247,740	1,931,798	1,476,295	0	0	1,476,295
2021 Values / Additional Info	2021	1,430,992	968,123	1,430,992	1,342,086	0	0	1,342,086
2020 Values / Additional Info	2020	1,418,708	803,480	1,418,708	1,220,078	0	0	1,220,078
2019 Values / Additional Info	2019	1,192,733	632,550	1,192,733	1,109,162	0	0	1,109,162
2018 Values / Additional Info	2018	1,149,876	650,705	1,149,876	1,008,329	0	0	1,008,329
2017 Values / Additional Info	2017	1,232,621	697,531	1,232,621	916,663	0	0	916,663

2016 Values	2016	1,232,461	696,837	1,232,461	833,330	0	0	833,330
2015 Values	2015	1,159,494	533,520	1,159,494	757,573	0	0	757,573
2014 Values	2014	996,101	531,765	996,101	688,703	0	0	688,703
2013 Values	2013	1,096,712	650,000	1,096,712	626,094	0	0	626,094
2012 Values	2012	569,176	303,852	569,176	569,176	0	0	569,176
2011 Values	2011	521,836	278,579	521,836	521,836	0	0	521,836
2010 Values	2010	777,169	550,285	777,169	675,532	0	0	675,532
	2009	893,360	681,490	893,360	893,360	0	0	893,360
	2008	1,090,900	860,910	1,090,900	1,090,900	0	0	1,090,900
	2007	1,418,620	1,115,680	1,418,620	1,418,620	0	0	1,418,620
	2006	1,747,370	1,369,520	1,747,370	1,747,370	0	0	1,747,370
	2005	1,632,800	1,465,440	1,632,800	1,632,800	0	0	1,632,800
	2004	991,690	885,670	991,690	991,690	0	0	991,690
	2003	988,290	885,250	988,290	988,290	0	0	988,290

The **Just** value is the total parcel assessment (less any considerations for the cost of sale). This is the closest value to *Fair Market Value* we produce and is dated as of January 1st of the tax year in question ([F.A.C. 12D-1.002](#)).

The **Land** value is the portion of the total parcel assessment attributed to the land.

The **Market Assessed** value is the total parcel assessment (less any considerations for the cost of sale) based upon the assessment standard. Most parcels are assessed based either upon the *Highest and Best Use* standard or the *Present Use* standard ([F.S. 193.011](#)). For *Agriculturally Classified* parcels (or parts thereof), only agricultural uses are considered in the assessment ([F.S. 193.461 \(6\) \(a\)](#)).

The difference between the *Highest and Best Use/Present Use* and the *Agricultural Use* is often referred to as the *Agricultural Exemption*.

(i.e. Market Assessed = Just - Agricultural Exemption)

The **Capped Assessed** value is the *Market Assessment* after any *Save Our Homes* or *10% Assessment Limitation* cap is applied. This assessment cap is applied to all properties and limits year-to-year assessment increases to either the *Consumer Price Index* or 3%, whichever is lower for Homestead properties OR 10% for non-Homestead properties.

The **Exemptions** value is the total amount of all exemptions on the parcel.

The **Taxable** value is the *Capped Assessment* after exemptions (*Homestead, etc.*) are applied to it. This is the value that most taxing authorities use to calculate a parcel's taxes.
(i.e. Taxable = Capped Assessed - Exemptions)

Property Details (Current Working Values)

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Land

Land Tracts

Use Code	Use Code Description	Number of Units	Unit of Measure
3900	Motel	30753.00	Square Feet
2016	Boat Units - B	4.00	Units

Land Features

Description	Year Added	Units
SEAWALL - CONCRETE	1984	100
BLACK TOP - IMPROVED	1984	10,200
DOCK - BOAT - WOODEN	1984	1,000

Buildings

Building 1 of 1

Building Characteristics

Improvement Type	Model Type	Stories	Living Units
47 - Hotel/Motel - High Rise	7 - APT/HOTEL/CLUBS	3.0	0
Bedrooms	Bathrooms	Year Built	Effective Year Built
0	24.0	1984	1986

Building Subareas

Description	Heated / Under Air	Area (Sq Ft)
BAS - BASE	Y	3,627
FOF - FAIR OFFICE	Y	247

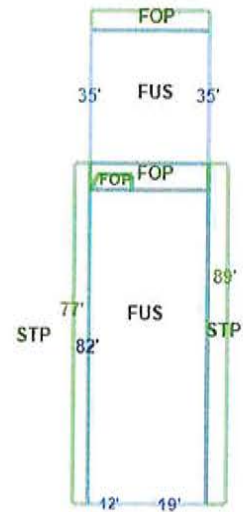
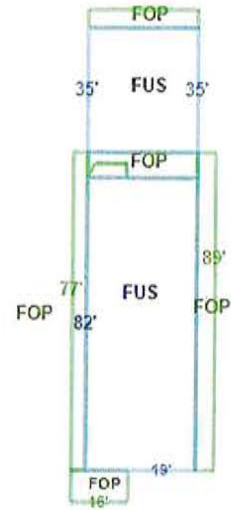
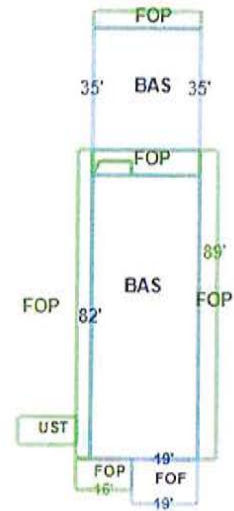
FOP - FINISHED OPEN PORCH	N	1,277
FOP - FINISHED OPEN PORCH	N	1,317
FOP - FINISHED OPEN PORCH	N	372
FUS - FINISHED UPPER STORY	Y	3,627
FUS - FINISHED UPPER STORY	Y	3,627
STP - STOOP	N	801
UST - UNFINISHED UTILITY	N	176

Building Front Photo



Photo Date: March of 2023

Building Footprint





Property Details (2023 Tax Roll)



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Land

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Building 1 of 1

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Building Subareas

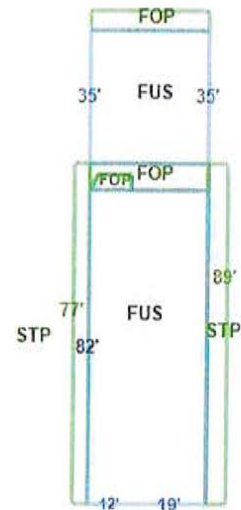
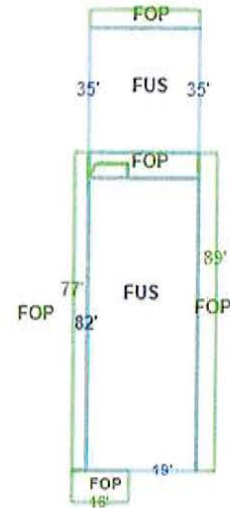
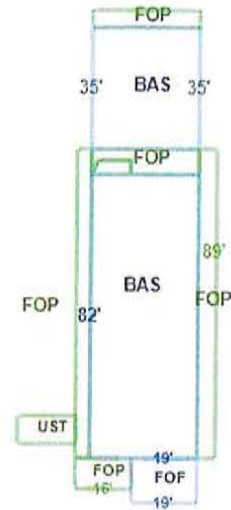
Description	Heated / Under Air	Area (Sq Ft)
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STP - STOOP	N	801
UST - UNFINISHED UTILITY	N	176

Building Front Photo



Photo Date: March of 2023

Building Footprint



Taxing Authorities

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TOWN OF FM BCH / FM BCH DOWNTOWN REDEV / 277

Name / Code	Category	Mailing Address
LEE CO GENERAL REVENUE / 044	County	LEE COUNTY OFFICE OF MGMT & BUDGET PO BOX 398 FORT MYERS FL 33902-0398
FORT MYERS BEACH FIRE CONTROL DIST / 032	Independent District	FORT MYERS BEACH FIRE CONTROL DIST 100 VOORHIS ST FORT MYERS BEACH FL 33931
FORT MYERS BEACH MOSQUITO CONTROL / 035	Independent District	FORT MYERS BEACH MOSQUITO CONTROL PO BOX 2837 FORT MYERS BEACH FL 33932-2837
FORT MYERS BEACH PUBLIC LIBRARY DIST / 033	Independent District	FORT MYERS BEACH PUBLIC LIBRARY DIST 2755 ESTERO BLVD FORT MYERS BEACH FL 33931
LEE CO HYACINTH CONTROL DIST / 051	Independent District	LEE CO HYACINTH CONTROL DIST 15191 HOMESTEAD RD LEHIGH ACRES FL 33971
WEST COAST INLAND NAVIGATION DIST / 098	Independent District	WEST COAST INLAND NAVIGATION DIST 200 MIAMI AVE E VENICE FL 34285-2408
TOWN OF FORT MYERS BEACH FLORIDA / 118	Municipal	TOWN OF FORT MYERS BEACH 2523 ESTERO BLVD FORT MYERS BEACH FL 33931
PUBLIC SCHOOL - BY LOCAL BOARD / 012	Public Schools	LEE COUNTY SCHOOL BOARD BUDGET DEPARTMENT 2855 COLONIAL BLVD FORT MYERS FL 33966
PUBLIC SCHOOL - BY STATE LAW / 013	Public Schools	LEE COUNTY SCHOOL BOARD BUDGET DEPARTMENT 2855 COLONIAL BLVD FORT MYERS FL 33966
SFWMD-DISTRICT-WIDE / 110	Water District	SFWMD 3301 GUN CLUB RD WEST PALM BEACH FL 33406
SFWMD-EVERGLADES CONSTRUCTION PROJECT / 084	Water District	SFWMD 3301 GUN CLUB RD WEST PALM BEACH FL 33406
SFWMD-OKEECHOBEE BASIN / 308	Water District	SFWMD 3301 GUN CLUB RD WEST PALM BEACH FL 33406

Sales / Transactions ⓘ

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Sale Price	Date	Clerk File Number	Type	Notes	Vacant/ Improved
618,400.00	08/22/2002	3711/181	03		I
100.00	07/01/1983	1679/972	04		I

[View Recorded Plat at LeeClerk.org](#)

Use the above link to do a search on the Lee County Clerk of Courts website, using **553** and **70** for the book and page numbers and **Official Records** for the book type.

Help safeguard your home against property fraud. Sign up for the Lee Clerk's free [Property Fraud Alert](#).

Building / Construction Permit Data

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Permit Number	Permit Type	Date
231283	AC New / Change out	02/10/2023
224696	Electric	12/06/2022
221248	Electric	08/05/2022
ROF17-0048	Roof	06/07/2017
SGN15-0023	Building Miscellaneous	09/09/2015

IMPORTANT: THIS MAY NOT BE A COMPREHENSIVE OR TIMELY LISTING OF PERMITS ISSUED FOR THIS PROPERTY.

Note: The Lee County Property Appraiser's Office does not issue or maintain any permit information. The Building / Construction permit data displayed here represents only those records this Office may find necessary to conduct Property Appraiser business. Use of this information is with the understanding that in no way is this to be considered a comprehensive listing of permits for this or any other parcel.

The Date field represents the date the property appraiser received information regarding permit activity; it may or not represent the actual date of permit issuance or completion.

Full, accurate, active and valid permit information for parcels can only be obtained from the [appropriate permit issuing agency](#).

Parcel Numbering History

Generated on 5/17/2024 3:44 PM

Prior STRAP	Prior Folio ID	Renumber Reason	Renumber Date
19-46-24-W4-0060A.0280	10477702	Split (From another Parcel)	05/09/2003
19-46-24-W4-03600.2040	10228544	Combined (With another parcel-Delete Occurs)	05/09/2003
19-46-24-W3-03600.2050	N/A	Combined (With another parcel-Delete Occurs)	05/09/2003
19-46-24-W4-03600.1010	10228543	Combined (With another parcel-Delete Occurs)	05/09/2003

Solid Waste (Garbage) Roll Data

Generated on 5/17/2024 3:44 PM

Solid Waste District	Roll Type	Category	Unit / Area	Tax Amount
001 - Service Area 1	C - Commercial Category	D	11855	1,248.75
Collection Days				
Garbage	Recycling	Horticulture		
Thursday	Thursday	Thursday		

Flood and Storm Information

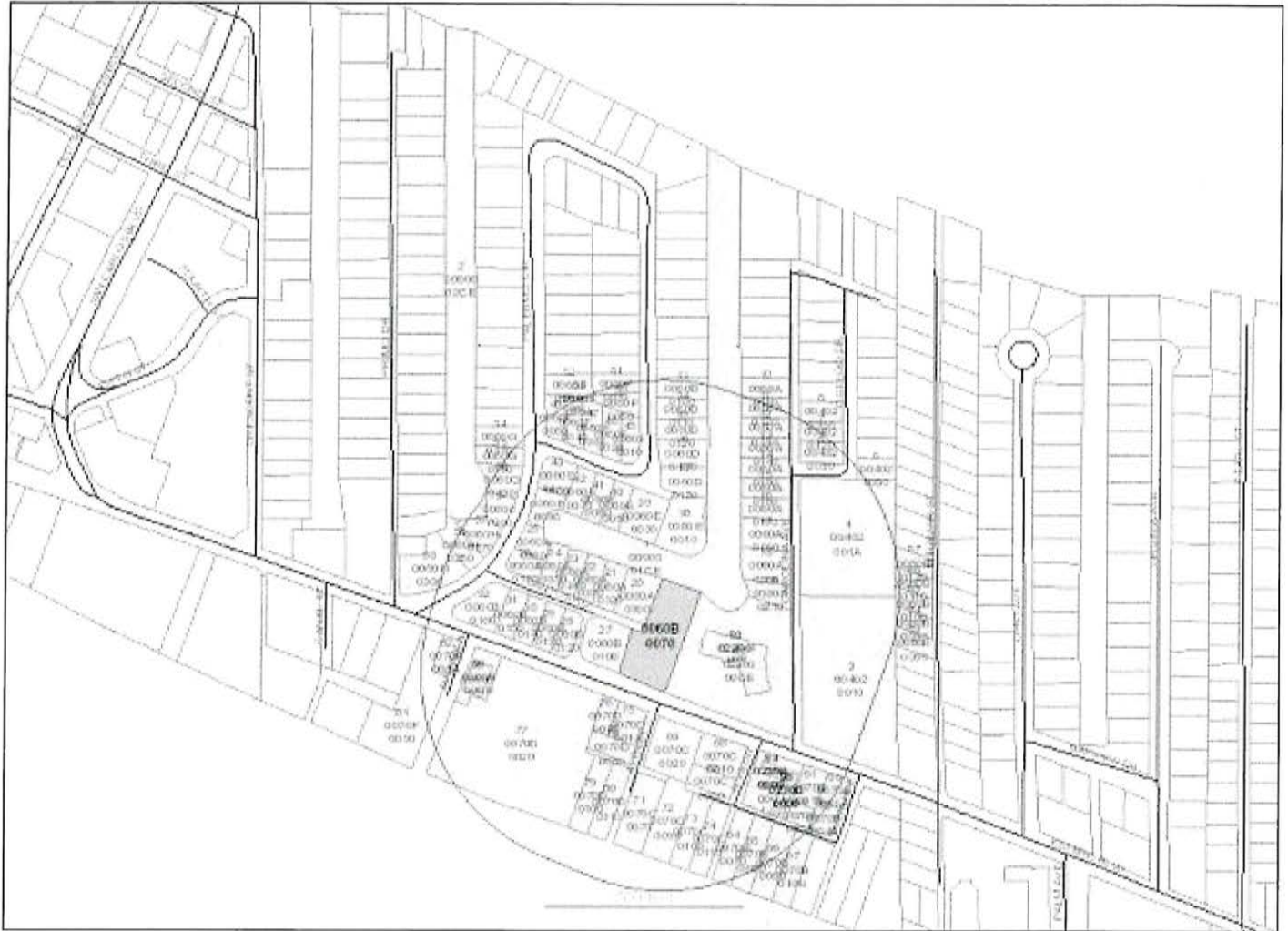
Generated on 5/17/2024 3:44 PM

Flood Insurance Find my flood zone					Evacuation Zone
Community	Panel	Version	Date		
071C	0554	G	11/17/2022		A

Generated on 5/17/2024 3:44 PM

[illegible][illegible]





Date of Report: June 04, 2024

Buffer Distance: 500 feet

Parcels Affected: 165

Subject Parcel: 19-46-24-W4-0060B.0070

[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
VENETIAN GARDENS CANAL PALERMO CIR FORT MYERS BEACH FL 33931	19-46-24-W4-00000.01CE SUBMERGED FORT MYERS BEACH FL 33931	VENETIAN GARDENS PB 6 PG 70 RIO DEL LIDO CANAL	1
VENETIAN GARDENS CANAL PALERMO CIR FORT MYERS BEACH FL 33931	19-46-24-W4-00000.02CE SUBMERGED FORT MYERS BEACH FL 33931	VENETIAN GARDENS PB 6 PG 70 CANAL GRANDE CANAL	2
KEY ESTERO SHOPS LLC 3220 PINE CONE CT MILFORD MI 48381	19-46-24-W4-00402.0010 1661 ESTERO BLVD FORT MYERS BEACH FL 33931	HILLS T P SUBD PB 3 PG 84 PT LT 11 DESC OR 1468 PG 1697 LESS N 275 FT	3
REALBOOK LLC 12 SEQUOIA DR DAYTON NJ 08810	19-46-24-W4-00402.001A 200 CAROLINA AVE FORT MYERS BEACH FL 33931	HILLS T P SUBD PB 3 PG 84 PT LT 11 N 275 FT OF OR 1468 PG 1697	4
GH3 RB CAPITAL LLC 1700 MEDICAL LN #101 FORT MYERS FL 33907	19-46-24-W4-00402.0030 211 OSTEGO DR FORT MYERS BEACH FL 33931	HILLS T P SUBD PB 3 PG 84 PT LOT 11 DESC OR 1352 PG 613 AKA BLK J LOT 13 1ST EDITION VENETIAM GARDENS	5
AMBERJACK PROPERTIES LLC PO BOX 446	19-46-24-W4-00402.0050 210 OSTEGO DR	HILLS T P SUBD PB 3 PG 84 PT LOT 11	6

OTTOVILLE OH 45876	FORT MYERS BEACH FL 33931	DESC IN OR 1351 PG 1680	
PIEC DANIEL J & JOYCE A TR 230 CAROLINA AVE FORT MYERS BEACH FL 33931	19-46-24-W4-00402.0120 230 CAROLINA AVE FORT MYERS BEACH FL 33931	HILLS TP SUBD PB 3 PG 84 PT LOT 11 DESC OR 1365 PG 760	7
MOORE ERIK & SUSAN + 8136 KRONLOKKEN LANE LAFAYETTE IN 47909	19-46-24-W4-00402.0200 231 OSTEGO DR FORT MYERS BEACH FL 33931	PARL IN S 1/4 AS DESC IN OR 1361 PG 1551 AKA BLK J LOT 15 VENETIAN GARDENS	8
EE44 LLC 1951 PINE RIDGE DR JENISON MI 49428	19-46-24-W4-00600.Y000 125/127 PALERMO CIR FORT MYERS BEACH FL 33931	VENETIAN GARDENS BLK Y PB 6 PG 70 ALL BLK Y EXC NLY 11 FT	9
COLLIN JAMES GROUP LLC 15 CARROTWOOD CT FORT MYERS FL 33919	19-46-24-W4-0060A.0110 259 CAROLINA AVE FORT MYERS BEACH FL 33931	VENETIAN GARDENS BLK.A PB 6 PG 70 LOT 11	10
COLLIN JAMES GROUP LLC 15 CARROTWOOD CT FORT MYERS FL 33919	19-46-24-W4-0060A.0120 257 CAROLINA AVE FORT MYERS BEACH FL 33931	VENETIAN GARDENS BLK.A PB 6 PG 70 LOT 12	11
RATISBONA INC 3665 BONITA BEACH RD SW #1-3 BONITA SPRINGS FL 34134	19-46-24-W4-0060A.0130 251/255 CAROLINA AVE FORT MYERS BEACH FL 33931	VENETIAN GARDENS BLK.A PB 6 PG 70 LOT 13	12
ZIEGLER MICHAEL W & NANCY A 437 AUBURN ST ALLEN TOWN PA 18103	19-46-24-W4-0060A.0140 249 CAROLINA AVE FORT MYERS BEACH FL 33931	VENETIAN GARDENS BLK A PB 6 PG 70 LOT 14	13
CANTRELL JASON ALAN & DEBRA 620 GREENFORD TRAIL W CARMEL IN 46032	19-46-24-W4-0060A.0150 245 CAROLINA AVE FORT MYERS BEACH FL 33931	VENETIAN GARDENS BLK A PB 6 PG 70 LOT 15	14
PETERSON DAVID CHARLES 85 LAKEVIEW AVE EXCELSIOR MN 55331	19-46-24-W4-0060A.0160 239 CAROLINA AVE FORT MYERS BEACH FL 33931	VENETIAN GARDENS BLK A PB 6 PG 70 LOT 16	15
WIDMEIER INVESTMENTS LLC 4390 DODGE ST DUBUQUE IA 52003	19-46-24-W4-0060A.0170 237 CAROLINA AVE FORT MYERS BEACH FL 33931	VENETIAN GARDENS BLK.A PB 6 PG 70 LOT 17	16
MALONEY JAMES P TR 235 CAROLINA AVE FORT MYERS BEACH FL 33931	19-46-24-W4-0060A.0180 233/235 CAROLINA AVE FORT MYERS BEACH FL 33931	VENETIAN GARDENS BLK A PB 6 PG 70 LOT 18 + N 25 FT LOT 19	17
ESH ANDREW CHARLES + 15833 SUNSET RD MINNETONKA MN 55345	19-46-24-W4-0060A.0200 223 CAROLINA AVE FORT MYERS BEACH FL 33931	VENETIAN GARDENS BLK.A PB 6 PG 70 LOT 20 + S 1/2 OF LOT 19	18
SZYPERSKI KEITH P 219 CAROLINA AV FORT MYERS BEACH FL 33931	19-46-24-W4-0060A.0210 219 CAROLINA AVE FORT MYERS BEACH FL 33931	VENETIAN GARDENS BLK.A PB 6 PG 70 LOT 21	19
LANI KAI LP 1400 ESTERO BLVD FORT MYERS BEACH FL 33931	19-46-24-W4-0060A.0300 1403 SANTOS RD FORT MYERS BEACH FL 33931	VENETIAN GARDENS BLK A PB 6 PG 70 LOTS 30 31 LESS W 12 FT	20
LANI KAI LP 1400 ESTERO RD FORT MYERS BEACH FL 33931	19-46-24-W4-0060A.0320 1401 SANTOS RD FORT MYERS BEACH FL 33931	VENETIAN GARDENS BLK A PB 6 PG 70 LOTS 32 + W 12 FT LOT 31	21
AULLS PATRICIA E L/E 7241 BERGAMO WAY UNIT 101 FORT MYERS FL 33966	19-46-24-W4-0060A.0330 1351 SANTOS RD FORT MYERS BEACH FL 33931	VENETIAN GARDENS BLK A PB 6 PG 70 LOT 33	22
WILCOX LANCE 1339 SANTOS RD FORT MYERS BEACH FL 33931	19-46-24-W4-0060A.0340 1339 SANTOS RD FORT MYERS BEACH FL 33931	VENETIAN GARDENS BLK.A PB 6 PG 70 LOT 34	23
PARILLA DAVID R TR 1335 SANTOS RD FORT MYERS BEACH FL 33931	19-46-24-W4-0060A.0350 1335 SANTOS RD FORT MYERS BEACH FL 33931	VENETIAN GARDENS BLK A PB 6 PG 70 LOT 35	24
CONNER CHARLES R & GAIL D 53 POMPAÑO ST FORT MYERS BEACH FL 33931	19-46-24-W4-0060A.0360 126 PALERMO CIR FORT MYERS BEACH FL 33931	VENETIAN GARDENS BLK A PB 6 PG 70	25

		LOT 36 + S 1/2 OF BLK X LESS THE N 20 FT	
PARILLA DAVID R TR 1335 SANTOS RD FORT MYERS BEACH FL 33931	19-46-24-W4-0060A.0370 1321 SANTOS RD FORT MYERS BEACH FL 33931	VENETIAN GARDENS BLK.A PB 6 PG 70 LOT 37	26
KLC SURF LLC CHRISTOPHER PRIMEAU 4625 W EUCLID AVE TAMPA FL 33629	19-46-24-W4-0060B.0100 1397 ESTERO BLVD FORT MYERS BEACH FL 33931	VENETIAN GARDENS BLK B PB 6 PG 70 W 1/2 LOT 9 LOTS 10 + 11	27
KLC SURF LLC CHRISTOPHER PRIMEAU 4625 W EUCLID AVE TAMPA FL 33629	19-46-24-W4-0060B.0120 1365/1375 ESTERO BLVD FORT MYERS BEACH FL 33931	VENETIAN GARDENS BLK B PB 6 PG 70 LOT 12	28
LANI KAI LP ROBERT G CONIDARIS 1400 ESTERO BLVD FORT MYERS BEACH FL 33931	19-46-24-W4-0060B.0130 1345 ESTERO BLVD FORT MYERS BEACH FL 33931	VENETIAN GARDENS BLK B PB 6 PG 70 LOT 13	29
LANI KAI LP ROBERT G CONIDARIS 1400 ESTERO BLVD FORT MYERS BEACH FL 33931	19-46-24-W4-0060B.0140 1331 ESTERO BLVD FORT MYERS BEACH FL 33931	VENETIAN GARDENS BLK B PB 6 PG 70 LOT 14	30
LANI KAI LP ROBERT G CONIDARIS 1400 ESTERO BLVD FORT MYERS BEACH FL 33931	19-46-24-W4-0060B.0150 1325 ESTERO BLVD FORT MYERS BEACH FL 33931	VENETIAN GARDENS BLK B PB 6 PG 70 LOTS 15	31
7-ELEVEN INC CORP INCOME TAX DEPT 3200 HYACKBERRY RD IRVING TX 75063	19-46-24-W4-0060B.0160 1301 ESTERO BLVD FORT MYERS BEACH FL 33931	VENETAIN GARDENS BLK B PB 6 PG 70 LOTS 16 + 17	32
455 PALERMO CIRCLE LLC 1421 EAST LAKE SHORE DR SPRINGFIELD IL 62712	19-46-24-W4-0060D.0100 455 PALERMO CIR FORT MYERS BEACH FL 33931	VENETIAN GARDENS BLK.D PB 6 PG 70 LOT 10	33
VAN FAM PROPERTIES LLC 7323 INDIGO RIDGE SW BYRON CENTER MI 49315	19-46-24-W4-0060D.0110 459 PALERMO CIR FORT MYERS BEACH FL 33931	VENETIAN GARDENS BLK D PB 6 PG 70 LOT 11	34
DAR LAND HOLDINGS LLC 3487 COUNTY LINE RD LUXEMBURG WI 54217	19-46-24-W4-0060D.0120 461 PALERMO CIR FORT MYERS BEACH FL 33931	VENETIAN GARDENS BLK.D PB 6 PG 70 LOT 12	35
463 PALMERO LLC 1421 E LAKE SHORE DR SPRINGFIELD IL 62712	19-46-24-W4-0060D.0130 463 PALERMO CIR FORT MYERS BEACH FL 33931	VENETIAN GARDENS BLK D PB 6 PG 70 LOT 13 + N 1/2 OF LOT 14	36
499 PALERMO LLC 1421 E LAKE SHORE DR SPRINGFIELD IL 62712	19-46-24-W4-0060D.0150 499 PALERMO CIR FORT MYERS BEACH FL 33931	VENETIAN GARDENS BLK D PB 6 PG 70 PT LOT 15 + S 1/2 LOT 14 DESC IN OR BK 3404 PG 4545	37
MILLER JONATHAN T PO BOX 80490 FORT WAYNE IN 46898	19-46-24-W4-0060E.0010 501 PALERMO CIR FORT MYERS BEACH FL 33931	VENETIAN GARDENS BLK E PB 6 PG 70 LOTS 1 + 2 + PT LOT 15 + 20 FT STRIP N OF AND ADJ TO LTS 1 + 2 DESC IN OR BK 3404 PG 4545	38
TEZAK HELEN C TR 50 CHAPEL ST APT 4 FORT MYERS BEACH FL 33931	19-46-24-W4-0060E.0030 505 PALERMO CIR FORT MYERS BEACH FL 33931	VENETIAN GARDENS BLK E PB 6 PG 70 LOTS 3 + 4	39
R & D ENTERPRISES OF 3436 CHURCH ST STEVENS POINT WI 54481	19-46-24-W4-0060E.0050 551 PALERMO CIR FORT MYERS BEACH FL 33931	VENETIAN GARDENS BLK E PB 6 PG 70 LOT 5	40
WEIGERT ANTJE & MARTIN 415 CAPE CORAL PKWY W	19-46-24-W4-0060E.0060 561 PALERMO CIR	VENETIAN GARDENS BLK E PB 6 PG 70	41

CAPE CORAL FL 33914	FORT MYERS BEACH FL 33931	LOT 6	
JAMES R BRATLEY & JOAN E BRATL 15120 W ILIFF PL LAKEWOOD CO 80228	19-46-24-W4-0060E.0070 571 PALERMO CIR FORT MYERS BEACH FL 33931	VENETIAN GARDENS BLK E PB 6 PG 70 LOT 7	42
GNIRCK RAPHAEL + AM MUEHLBERG 39A BAD HOMBURG VD HOEHE 61348 GERMANY	19-46-24-W4-0060E.0080 581 PALERMO CIR FORT MYERS BEACH FL 33931	VENETIAN GARDENS BLK.E PB 6 PG 70 LOT 8 + LOT PT 9	43
STRICK RICHARD A & 5804 PARK RIDGE CT FORT COLLINS CO 80528	19-46-24-W4-0060E.0090 130 PALERMO CIR FORT MYERS BEACH FL 33931	VENETIAN GARDENS PB 6/70 BLK E S 1/2 OF LOT 9 + ALL OF BLK X LESS S 20 FT	44
HENNESSEY PATRICIA J & 460 PALERMO CIR FORT MYERS BEACH FL 33931	19-46-24-W4-0060F.0010 460 PALERMO CIR FORT MYERS BEACH FL 33931	VENETIAN GARDENS BLK.F PB 6 PG 70 LOT 1	45
NORTH KEY INC 7150 RED LION FIVE POINTS RD SPRINGBORO OH 45066	19-46-24-W4-0060F.0020 552 PALERMO CIR FORT MYERS BEACH FL 33931	VENETIAN GARDENS BLK.F PB 6 PG 70 LOT 2	46
DONNA M BYRD TRUST + 5701 BLUNK KNOB RD ELIZABETH IN 47117	19-46-24-W4-0060F.0030 580 PALERMO CIR FORT MYERS BEACH FL 33931	VENETIAN GARDENS BLK.F PB 6 PG 70 LOT 3	47
RELAAX LLC 2201 E WILLOW ST STE D 363 SIGNAL HILL CA 90755	19-46-24-W4-0060F.0040 584/586 PALERMO CIR FORT MYERS BEACH FL 33931	VENETIAN GARDENS BLK F PB 6 PG 70 LOT 4	48
RELAAX LLC 2201 E WILLOW ST STE D 363 SIGNAL HILL CA 90755	19-46-24-W4-0060F.0050 588/590 PALERMO CIR FORT MYERS BEACH FL 33931	VENETIAN GARDENS BLK F PB 6 PG 70 LOT 5	49
DEL BUSTO GEORGE & 2212 EVEREST PKWY CAPE CORAL FL 33904	19-46-24-W4-0060F.0060 456 PALERMO CIR FORT MYERS BEACH FL 33931	VENETIAN GARDENS BLK.F PB 6 PG 70 LOT 6	50
450 PALERMO LLC 1421 E LAKE SHR SPRINGFIELD IL 62712	19-46-24-W4-0060F.0070 450 PALERMO CIR FORT MYERS BEACH FL 33931	VENETIAN GARDENS BLK F PB 6 PG 70 LOT 7	51
LUSSIER TARA CORBISHLEY & 745 BIMINI LN PUNTA GORDA FL 33950	19-46-24-W4-0060F.0280 212 PALERMO CIR FORT MYERS BEACH FL 33931	VENETIAN GARDENS BLK F PB 6 PG 70 PORTION OF LOT 28 DESC IN INSTRUMENT 2020000115871	52
RELAAX LLC 2201 E WILLOW ST STE D 363 SIGNAL HILL CA 90755	19-46-24-W4-0060F.028A ACCESS UNDETERMINED FORT MYERS BEACH FL	VENETIAN GARDENS BLK F PB 6 PG 70 REMAINING PORTION OF LOT 28 DESC IN INSTRUMENT 2020000115871	53
DAY BILLY WAYNE 3708 SHANNON RUN TRL LOUISVILLE KY 40299	19-46-24-W4-0060G.0170 155 PALERMO CIR FORT MYERS BEACH FL 33931	VENETIAN GARDENS BLK G PB 6 PG 70 LOT 17	54
LUMP THOMAS F & ANN C 145 PALERMO CIR FORT MYERS BEACH FL 33931	19-46-24-W4-0060G.0180 145 PALERMO CIR FORT MYERS BEACH FL 33931	VENETIAN GARDENS BLK.G PB 6 PG 70 LOT 18	55
SLOMSKI STEVEN A & PO BOX 2428 PMB 25382 PENSACOLA FL 32513	19-46-24-W4-0060G.0190 139 PALERMO CIR FORT MYERS BEACH FL 33931	VENETIAN GARDENS BLK G PB 6 PG 70 LOT 19 NLY 11 FT BLK Y	56
ARLINGTON GREEN HOMES LLC LARRY SMITH 434 SPINNAKER DR MARCO ISLAND FL 34145	19-46-24-W4-0060H.0270 121 PALERMO CIR FORT MYERS BEACH FL 33931	VENETIAN GARDENS BLK.H PB 6 PG 70 LOT 27	57
KALIDINDI RAMA USHA + 44354 APACHE CIR ASHBURN VA 20147	19-46-24-W4-0060H.0280 117 PALERMO CIR FORT MYERS BEACH FL 33931	VENETIAN GARDENS BLK H PB 6 PG 70 LOT 28 + PT LOTS 26 + 29	58
1249 ESTERO ADVENTURES LLC 290 BAHIA VIA	19-46-24-W4-0060H.0300 1249 ESTERO BLVD	VENETIAN GARDENS BLK H PB 6 PG 70 LOTS 30 31+32	59

FORT MYERS BEACH FL 33931	FORT MYERS BEACH FL 33931	+ PT LT 29 OR2414/2433	
NAUTICAL MARKETING LLC 189 SABAL DR FORT MYERS BEACH FL 33931	19-46-24-W4-0070B.001A 1698 ESTERO BLVD FORT MYERS BEACH FL 33931	CRESCENT BEACH BLK B PB 4 PG 45 E 1/2 OF LT 1 + N 1/2 OF E 1/2 OF LT 4	60
MOFFA ROBERT H 37728 LOIS DR STERLING HEIGHTS MI 48310	19-46-24-W4-0070B.001B 1660 ESTERO BLVD FORT MYERS BEACH FL 33931	CRESCENT BEACH BLK B PB 4 PG 45 W 1/2 LOTS 1 + 4	61
WEIT MARTIN & DAWN + 275 TROPICAL SHORES WAY FORT MYERS BEACH FL 33931	19-46-24-W4-0070B.004A 71 AVENUE E FORT MYERS BEACH FL 33931	CRESCENT BEACH BLK B PB 4 PG 45 S 1/2 OF E 1/2 OF LOT 4 + E 1/2 OF LOT 5	62
BLODHAHL LEASING LLC 3538 TIMBER RIDGE TRAIL CEDAR RAPIDS IA 52411	19-46-24-W4-0070B.005A 1667 I ST FORT MYERS BEACH FL 33931	CRESCENT BEACH BLK B PB 4 PG 45 W 1/2 OF LOT 5	63
CROWLEY THERESA M 60 ALVA DR FORT MYERS BEACH FL 33931	19-46-24-W4-0070B.0070 60 ALVA DR FORT MYERS BEACH FL 33931	CRESCENT BEACH BLK.B PB 4 PG 45 LOT 7	64
BERTSCHINGER INVESTMENTS LLC SEEBLICK 13 WOLLERAU 8832 SWITZERLAND	19-46-24-W4-0070B.0080 1662 I ST FORT MYERS BEACH FL 33931	CRESCENT BEACH BLK B PB 4 PG 45 LOT 8	65
BERTSCHINGER INVESTMENTS LLC SEEBLICK 13 8832 WOLLERAU SWITZERLAND	19-46-24-W4-0070B.0090 1664 I ST FORT MYERS BEACH FL 33931	CRESCENT BEACH BLK B PB 4 PG 45 LOT 9 + LOT PT 10	66
CGRT LLC + 573 LONGWOOD AVE GLENCOE IL 60022	19-46-24-W4-0070B.010B 1666 I ST FORT MYERS BEACH FL 33931	CRESCENT BEACH BLK B PB 4 PG 45 LOT PT 10	67
MAUHI ENTERPRISES INC 4411 CLEVELAND AV FORT MYERS FL 33901	19-46-24-W4-0070C.0010 1560 ESTERO BLVD FORT MYERS BEACH FL 33931	CRESCENT BEACH BLK.C PB 4 PG 45 LOTS 1 + 4	68
SMART PARK OF FMB LLC 11330 LONG WATER CHASE COURT FORT MYERS FL 33908	19-46-24-W4-0070C.0020 1510 ESTERO BLVD FORT MYERS BEACH FL 33931	CRESCENT BEACH BLK C PB 4 PG 45 LOTS 2 3 6	69
WATERFRONT PROPERTIES LLC 4411 CLEVELAND AVE FORT MYERS FL 33901	19-46-24-W4-0070C.0050 71/73 ALVA DR FORT MYERS BEACH FL 33931	CRESCENT BEACH BLK C PB 4 PG 45 LOT 5	70
HASSELHOFF LLC 414 MARKET ST IOWA CITY IA 52245	19-46-24-W4-0070C.0070 60/64 AVENUE C FORT MYERS BEACH FL 33931	CRESCENT BEACH BLK C PB 4 PG 45 LOTS 7 + PT LOT 8 W 1/2 OF	71
1560 I STREET 62 LLC 4705 LELAND DR CUMMING GA 30041	19-46-24-W4-0070C.0090 1560 I ST #62 FORT MYERS BEACH FL 33931	CRESCENT BEACH BLK C PB 4 PG 45 LT9 + E1/2 LT 8+ VAC ALLEY	72
UNDERWOOD LLC 414 MARKET ST IOWA CITY IA 52245	19-46-24-W4-0070C.0100 1550 I ST FORT MYERS BEACH FL 33931	CRESCENT BEACH BLK C PB 4 PG 45 LOT 10	73
HOY MARSHA L/E 61 ALVA DR FORT MYERS BEACH FL 33931	19-46-24-W4-0070C.0110 61 ALVA DR FORT MYERS BEACH FL 33931	CRESCENT BEACH BLK C PB 4 PG 45 LOT 11	74
GANIM GEORGE W & JOSEPHINE TR 4666 MAIN ST BRIDGEPORT CT 06606	19-46-24-W4-0070D.001A 1478 ESTERO BLVD FORT MYERS BEACH FL 33931	CRESCENT BEACH BLK D PB 4 PG 45 LOTS 1 + 4 LESS WLY 43 FT	75
GANIM GEORGE W & JOSEPHINE TR 4666 MAIN ST BRIDGEPORT CT 06606	19-46-24-W4-0070D.001B 1450 ESTERO BLVD FORT MYERS BEACH FL 33931	CRESCENT BEACH BLK.D PB 4 PG 45 WLY 43 FT LOTS 1 + 4	76
LANI KAI LP ROBERT G CONIDARIS 1400 ESTERO BLVD FORT MYERS BEACH FL 33931	19-46-24-W4-0070D.0020 1400 ESTERO BLVD FORT MYERS BEACH FL 33931	CRESCENT BEACH PB 4 PG 45 BLKS D + E + VAC R/W DESC OR 1293 PG 1208	77

STEPNEY LLC 4666 MAIN ST BRIDGEPORT CT 06606	19-46-24-W4-0070D.0050 71 AVENUE C FORT MYERS BEACH FL 33931	CRESCENT BEACH BLK.D PB 4 PG 45 LOT 5	78
GANIM GEORGE W SR & 4666 MAIN ST BRIDGEPORT CT 06606	19-46-24-W4-0070D.0100 1480 I ST FORT MYERS BEACH FL 33931	CRESCENT BEACH BLK.D PB 4 PG 45 LOT 10	79
ATWATTER LLC WALTER RAY SIMMONS 12711 CHATHAM DR FORT MYERS FL 33908	19-46-24-W4-0070D.0110 61/65 AVENUE C FORT MYERS BEACH FL 33931	CRESCENT BEACH BLK D PB 4 PG 45 LOT 11	80
RIGHT CHOICE INVESTMENTS LLC 13500 TELEGRAPH RD TAYLOR MI 48180	19-46-24-W4-0070F.0010 1250 ESTERO BLVD FORT MYERS BEACH FL 33931	CRESCENT PARK LTS 1 + 2 + ESTRY 2.5 FT LT 3 + CRESCENT BEACH LTS 1-5 BLK F LESS ESTRLY 45FT OF NRTHLY 2.7 LT 3	81
OUR BEACH SAND LLC 12483 SUMMERWOOD DR FORT MYERS FL 33908	19-46-24-W4-0070F.001A 1270 ESTERO BLVD FORT MYERS BEACH FL 33931	CRESCENT BEACH BLK F PB 4 PG 45 PT LOTS 1 2 & 3 DESC IN OR 1319 PG 1459	82
PE RENTALS LLC 1107 KANE ST LA CROSSE WI 54603	19-46-24-W4-0080B.0080 157 MIRAMAR ST FORT MYERS BEACH FL 33931	MIRAMAR BLK B PB 6 PG 31 LOT 8	83
BARKER JOHN + 5262 OLYMPIA DR INDIANAPOLIS IN 46228	19-46-24-W4-0080B.0090 159 MIRAMAR ST FORT MYERS BEACH FL 33931	MIRAMAR BLK B PB 6 PG 31 LOT 9	84
VALAZQUEZ TIMOTHY + 163 MIRAMAR ST FORT MYERS BEACH FL 33931	19-46-24-W4-0080B.0100 163 MIRAMAR ST FORT MYERS BEACH FL 33931	MIRAMAR BLK.B PB 6 PG 31 LOT 10	85
RUSK CHRISTOPHER J & 193 MIRAMAR ST FORT MYERS BEACH FL 33931	19-46-24-W4-0080B.0110 193 MIRAMAR ST FORT MYERS BEACH FL 33931	MIRAMAR BLK B PB 6 PG 31 LOT 11	86
KOSTER RODNEY A & THERESE A 880 3RD ST FORT MYERS BEACH FL 33931	19-46-24-W4-0080B.0120 201 MIRAMAR ST FORT MYERS BEACH FL 33931	MIRAMAR BLK B PB 6 PG 31 LOT 12	87
BATIKI WEST CONDO ASSN INC SUITOR MIDDLETON COX + ASSOC 15751 SAN CARLOS BLVD STE 8 FORT MYERS FL 33908	19-46-24-W4-02200.00CE BATIKI WEST CONDO C/E FORT MYERS BEACH FL 33931	BATIKI WEST CONDO DESC OR BK 1055 PG 1455 COMMON ELEMENTS POOL/DOCK	88
TROPICAL CENTER CONDO ASSOC 1300 ESTERO BLVD FORT MYERS BEACH FL 33931	19-46-24-W4-02300.00CE TROPICAL CENTER C/E FORT MYERS BEACH FL 33931	CONDO IN SW 1/4 SEC 19 TWP 46 R 24 RECORDED IN OR 1123 P 323 THRU 364 COMMON ELEMENTS	89
CRESCENT SHORE CONDO ASSOC PO BOX 2990 FORT MYERS BEACH FL 33932	19-46-24-W4-02600.00CE CRESCENT SHORE C/E FORT MYERS BEACH FL 33931	A CONDO LOCATED IN SEC 19 TWP 46 RGE 24 AS DESC IN OR 1464 PG 445 COMMON ELEMENTS	90
PARKER HARRY W & BEVERLY J 17858 US HIGHWAY 61 SIKESTON MO 63801	19-46-24-W4-02200.2000 1511 ESTERO BLVD #200 FORT MYERS BEACH FL 33931	BATIKI WEST CONDO OR 1055 PG 1455 UNIT 200	91
PETRICH PAUL E & GAY G TR 860 HENN HYDE RD WARREN OH 44484	19-46-24-W4-02200.2010 1511 ESTERO BLVD #201 FORT MYERS BEACH FL 33931	BATIKI WEST CONDO OR 1055 PG 1455 UNIT 201	91
WILLIAM L & JOYCE J HENDREN T 28033 N 1850 EAST RD GRIDLEY IL 61744	19-46-24-W4-02200.2020 1511 ESTERO BLVD #202 FORT MYERS BEACH FL 33931	BATIKI WEST CONDO OR 1055 PG 1455 UNIT 202	91
WILLIAMS JEANNE L TR 1511 ESTERO BLVD # PHH FORT MYERS BEACH FL 33931	19-46-24-W4-02200.2030 1511 ESTERO BLVD #203 FORT MYERS BEACH FL 33931	BATIKI WEST CONDO OR 1055 PG 1455 UNIT 203	91
HANY JOHN A TR 3405 STEPHANIE RD	19-46-24-W4-02200.2040 1511 ESTERO BLVD #204	BATIKI WEST CONDO OR 1055 PG 1455	91

BLOOMINGTON IL 61704	FORT MYERS BEACH FL 33931	UNIT 204	
BUTLER JAMES H & TERESA A 1511 ESTERO BLVD #205 FORT MYERS BEACH FL 33931	19-46-24-W4-02200.2050 1511 ESTERO BLVD #205 FORT MYERS BEACH FL 33931	BATIKI WEST CONDO OR 1055 PG 1455 UNIT 205	91
LAY DANIEL F TR 7583 N 1300 E ROAD SHIRLEY IL 61772	19-46-24-W4-02200.2060 1511 ESTERO BLVD #206 FORT MYERS BEACH FL 33931	BATIKI WEST CONDO OR 1055 PG 1455 UNIT 206	91
FRANKLIN JAY STAHAN TRUST 1511 ESTERO BLVD #207 FORT MYERS BEACH FL 33931	19-46-24-W4-02200.2070 1511 ESTERO BLVD #207 FORT MYERS BEACH FL 33931	BATIKI WEST CONDO OR 1055 PG 1455 UNIT 207	91
FILM CAROLYN A 64 CARROLLS GROVE RD TROY NY 12180	19-46-24-W4-02200.2080 1511 ESTERO BLVD #208 FORT MYERS BEACH FL 33931	BATIKI WEST CONDO OR 1055 PG 1455 UNIT 208	91
BROWN JOANNE M TR PO BOX 96 OMENA MI 49674	19-46-24-W4-02200.2090 1511 ESTERO BLVD #209 FORT MYERS BEACH FL 33931	BATIKI WEST CONDO OR 1055 PG 1455 UNIT 209	91
JONES MALINDA ETZLER 2445 S FILLMORE ST DENVER CO 80210	19-46-24-W4-02200.3000 1511 ESTERO BLVD #300 FORT MYERS BEACH FL 33931	BATIKI WEST CONDO OR 1055 PG 1455 UNIT 300	91
FENN CYNTHIA TR 14248 FOUNTAIN HILLS CT NE PRIOR LAKE MN 55372	19-46-24-W4-02200.3010 1511 ESTERO BLVD #301 FORT MYERS BEACH FL 33931	BATIKI WEST CONDO OR 1055 PG 1455 UNIT 301	91
FRANA THERESA L 2789 TRAILWOOD LN LEXINGTON KY 40511	19-46-24-W4-02200.3020 1511 ESTERO BLVD #302 FORT MYERS BEACH FL 33931	BATIKI WEST CONDO OR 1055 PG 1455 UNIT 302	91
1511 ESTERO 303 LLC MICHELLE YOUKHANA 495 THOMAS DR NORTH BARRINGTON IL 60010	19-46-24-W4-02200.3030 1511 ESTERO BLVD #303 FORT MYERS BEACH FL 33931	BATIKI WEST CONDO OR 1055 PG 1455 UNIT 303	91
OBRIEN CAROL & WINSTON 1511 ESTERO BLVD #304 FORT MYERS BEACH FL 33931	19-46-24-W4-02200.3040 1511 ESTERO BLVD #304 FORT MYERS BEACH FL 33931	BATIKI WEST CONDO OR 1055 PG 1455 UNIT 304	91
DANIELSON BRIAN 1300 WILD ROSE TRAIL EDMOND OK 73034	19-46-24-W4-02200.3050 1511 ESTERO BLVD #305 FORT MYERS BEACH FL 33931	BATIKI WEST CONDO OR 1055 PG 1455 UNIT 305	91
KARBLER LARRY L L/E 6558 OHENRY CIR NORTH RIDGEVILLE OH 44039	19-46-24-W4-02200.3060 1511 ESTERO BLVD #306 FORT MYERS BEACH FL 33931	BATIKI WEST CONDO OR 1055 PG 1455 UNIT 306	91
JOHNSTON DALE MICHAEL & 118 MEADOW CREEK CT LEXINGTON IL 61753	19-46-24-W4-02200.3070 1511 ESTERO BLVD #307 FORT MYERS BEACH FL 33931	BATIKI WEST CONDO OR 1055 PG 1455 UNIT 307	91
SEXTON MICHAEL ZEPH & 1511 ESTERO BLVD # 308 FORT MYERS BEACH FL 33931	19-46-24-W4-02200.3080 1511 ESTERO BLVD #308 FORT MYERS BEACH FL 33931	BARIKI WEST CONDO OR 1055 PG 1055 UNIT 308	91
RAPP DALE A & RUTH ANN 104 PRAIRIE DR LEXINGTON IL 61753	19-46-24-W4-02200.3090 1511 ESTERO BLVD #309 FORT MYERS BEACH FL 33931	BATIKI WEST CONDO OR 1055 PG 1455 UNIT 309	91
LAW MICHAEL M & SHEILA K PO BOX 584 HEYWORTH IL 61745	19-46-24-W4-02200.4000 1511 ESTERO BLVD #400 FORT MYERS BEACH FL 33931	BATIKI WEST CONDO OR 1055 PG 1455 UNIT 400	91
MEZERA CHRISTINA M TR 5229 W 62ND ST EDINA MN 55436	19-46-24-W4-02200.4010 1511 ESTERO BLVD #401 FORT MYERS BEACH FL 33931	BATIKI WEST CONDO OR 1055 PG 1455 UNIT 401	91
QUARTELLO BETTY A TR 1511 ESTERO BLVD # 402 FORT MYERS BEACH FL 33931	19-46-24-W4-02200.4020 1511 ESTERO BLVD #402 FORT MYERS BEACH FL 33931	BATIKI WEST CONDO OR 1055 PG 1455 UNIT 402	91
SUNSET VIEWS LLC PO BOX 70	19-46-24-W4-02200.4030 1511 ESTERO BLVD #403	BATIKI WEST CONDO OR 1055 PG 1455	91

AUBURN IN 46706	FORT MYERS BEACH FL 33931	UNIT 403	
DARIANO KELLI R TR 79 SUNNY LN TIFFIN OH 44883	19-46-24-W4-02200.4040 1511 ESTERO BLVD #404 FORT MYERS BEACH FL 33931	BATIKI WEST CONDO OR 1055 PG 1455 UNIT 404	91
MOORE ROBERT J & CYNTHIA S 1511 ESTERO BLVD #405 FORT MYERS BEACH FL 33931	19-46-24-W4-02200.4050 1511 ESTERO BLVD #405 FORT MYERS BEACH FL 33931	BATIKI WEST CONDO OR 1055 PG 1455 UNIT 405	91
STRIBLING MARK TR PO BOX 408 ASHLAND IL 62612	19-46-24-W4-02200.4060 1511 ESTERO BLVD #406 FORT MYERS BEACH FL 33931	BATIKI WEST CONDO OR 1055 PG 1455 UNIT 406	91
STOCKER REBECCA L & JAMES A APT 407 1511 ESTERO BLVD JACKSONVILLE IL 62650	19-46-24-W4-02200.4070 1511 ESTERO BLVD #407 FORT MYERS BEACH FL 33931	BATIKI WEST CONDO OR 1055 PG 1455 UNIT 407	91
SMITH GARY B & ROXY R 3734 WESLEY CHAPEL RD ZANESVILLE OH 43701	19-46-24-W4-02200.4080 1511 ESTERO BLVD #408 FORT MYERS BEACH FL 33931	BATIKI WEST CONDO OR 1055 PG 1455 UNIT 408	91
HOLZAPFEL CHARLES JOHN & 801 S 4TH CIR BRANDON SD 57005	19-46-24-W4-02200.4090 1511 ESTERO BLVD #409 FORT MYERS BEACH FL 33931	BATIKI WEST CONDO OR 1055 PG 1455 UNIT 409	91
GREEN BURLEY & TAMMY PO BOX 44 OWENSVILLE MO 65066	19-46-24-W4-02200.5000 1511 ESTERO BLVD #500 FORT MYERS BEACH FL 33931	BATIKI WEST CONDO OR 1055 PG 1455 UNIT 500	91
SUNSET VIEWS LLC PO BOX 70 AUBURN IN 46706	19-46-24-W4-02200.5010 1511 ESTERO BLVD #501 FORT MYERS BEACH FL 33931	BATIKI WEST CONDO OR 1055 PG 1455 UNIT 501	91
CHARLES DANNY TR 9751 EASTERN AVE BYRON CENTER MI 49315	19-46-24-W4-02200.5020 1511 ESTERO BLVD #502 FORT MYERS BEACH FL 33931	BATIKI WEST CONDO OR 1055 PG 1455 UNIT 502	91
DOUGLAS RAYMOND & JENNIFER 3 PELHAM RD BARGATE GRIMSBY LINCOLNSHIRE DN34 4SU UNITED KINGDOM	19-46-24-W4-02200.5030 1511 ESTERO BLVD #503 FORT MYERS BEACH FL 33931	BATIKI WEST CONDO OR 1055 PG 1455 UNIT 503	91
41 DEVOE STREET CORP 26 UPLAND RD GREAT NECK NY 11020	19-46-24-W4-02200.5040 1511 ESTERO BLVD #504 FORT MYERS BEACH FL 33931	BATIKI WEST CONDO OR 1055 PG 1455 UNIT 504	91
GLACKIN BARBARA Q TR 1673 MOUNT EVEREST LN TOMS RIVER NJ 08753	19-46-24-W4-02200.5050 1511 ESTERO BLVD #505 FORT MYERS BEACH FL 33931	BATIKI WEST CONDO OR 1055 PG 1455 UNIT 505	91
SPIDEL LYNN R & DEANNA J TR 700 LAKESIDE DR ROME CITY IN 46784	19-46-24-W4-02200.5060 1511 ESTERO BLVD #506 FORT MYERS BEACH FL 33931	BATIKI WEST CONDO OR 1055 PG 1455 UNIT 506	91
SPIDEL LYNN R & DEANNA J TR 700 LAKESIDE DR ROME CITY IN 46784	19-46-24-W4-02200.5070 1511 ESTERO BLVD #507 FORT MYERS BEACH FL 33931	BATIKI WEST CONDO OR 1055 PG 1455 UNIT 507	91
GUILES JON R TR PO BOX 2706 FORT MYERS BEACH FL 33932	19-46-24-W4-02200.5080 1511 ESTERO BLVD #508 FORT MYERS BEACH FL 33931	BATIKI WEST CONDO OR 1055 PG 1455 UNIT 508	91
STERNER RACHEL V TR 2803 KINGS CROSSING DR # 321 KINGWOOD TX 77345	19-46-24-W4-02200.5090 1511 ESTERO BLVD #509 FORT MYERS BEACH FL 33931	BATIKI WEST CONDO OR 1055 PG 1455 UNIT 509	91
WOOD SAMUEL L PO BOX 342 PETERSBURG IL 62675	19-46-24-W4-02200.6000 1511 ESTERO BLVD #600 FORT MYERS BEACH FL 33931	BATIKI WEST CONDO OR 1055 PG 1455 UNIT 600	91
SMITH BRIAN T + PO BOX 235 HEY WORTH IL 61745	19-46-24-W4-02200.6010 1511 ESTERO BLVD #601 FORT MYERS BEACH FL 33931	BATIKI WEST CONDO OR 1055 PG 1455 UNIT 601	91
WOOD SAMUEL L + PO BOX 342	19-46-24-W4-02200.6020 1511 ESTERO BLVD #602	BATIKI WEST CONDO OR 1055 PG 1455	91

PETERSBURG IL 62675	FORT MYERS BEACH FL 33931	UNIT 602	
HANSEN LOUISE E TR 1511 ESTERO BLVD #603 FORT MYERS BEACH FL 33931	19-46-24-W4-02200.6030 1511 ESTERO BLVD #603 FORT MYERS BEACH FL 33931	BATIKI WEST CONDO OR 1055 PG 1455 UNIT 603	91
RICCIO JOSEPH MICHAEL 26 SECLUDED HOLLOW RD CAPE MAY COURT HOUSE NJ 08210	19-46-24-W4-02200.6040 1511 ESTERO BLVD #604 FORT MYERS BEACH FL 33931	BATIKI WEST CONDO OR 1055 PG 1455 UNIT 604	91
NELSON BRADLEY A TR 803 IRONWOOD CC DR NORMAL IL 61761	19-46-24-W4-02200.6050 1511 ESTERO BLVD #605 FORT MYERS BEACH FL 33931	BATIKI WEST CONDO OR 1055 PG 1455 UNIT 605	91
FOUR P INVESTMENTS LTD 1511 ESTERO BLVD APT 606 FORT MYERS BEACH FL 33931	19-46-24-W4-02200.6060 1511 ESTERO BLVD #606 FORT MYERS BEACH FL 33931	BATIKI WEST CONDO OR 1055 PG 1455 UNIT 606	91
WOLOS MICHAEL C & SHAREN A PO BOX 381 FLUSHING MI 48433	19-46-24-W4-02200.6070 1511 ESTERO BLVD #607 FORT MYERS BEACH FL 33931	BATIKI WEST CONDO OR 1055 PG 1455 UNIT 607	91
TMS INVESTMENTS 185 HIGH ST NE WARREN OH 44481	19-46-24-W4-02200.6080 1511 ESTERO BLVD #608 FORT MYERS BEACH FL 33931	BATIKI WEST CONDO OR 1055 PG 1455 UNIT 608	91
SUNSET VIEWS LLC PO BOX 70 AUBURN IN 46706	19-46-24-W4-02200.6090 1511 ESTERO BLVD #609 FORT MYERS BEACH FL 33931	BATIKI WEST CONDO OR 1055 PG 1455 UNIT 609	91
SMITH JULIA V TR 1511 ESTERO BLVD #PHA FORT MYERS BEACH FL 33931	19-46-24-W4-022PH.00A0 1511 ESTERO BLVD #PHA FORT MYERS BEACH FL 33931	BATIKI WEST CONDO OR 1055 PG 1455 UNIT PENTHOUSE A	92
CALHAN FLP 189 SADDLEBROOK DR OAK BROOK IL 60523	19-46-24-W4-022PH.00B0 1511 ESTERO BLVD #PHB FORT MYERS BEACH FL 33931	BATIKI WEST CONDO OR 1055 PG 1455 UNIT PENTHOUSE B	92
CALHAN LEO D & JOAN C 1511 ESTERO BLVD #PHC FORT MYERS BEACH FL 33931	19-46-24-W4-022PH.00C0 1511 ESTERO BLVD #PHC FORT MYERS BEACH FL 33931	BATIKI WEST CONDO OR 1055 PG 1455 UNIT PENTHOUSE C	92
LADWIG MARY TR 10019 ISOLA WAY MIROMAR LAKES FL 33913	19-46-24-W4-022PH.00D0 1511 ESTERO BLVD #PHD FORT MYERS BEACH FL 33931	BATIKI WEST CONDO OR 1055 PG 1455 UNIT PENTHOUSE D	92
MALAGOTTA PROPERTIES LLC ANTHONY MIRAGLIOTTA 31 JOHN ALDEN ST CLIFTON NJ 07013	19-46-24-W4-022PH.00E0 1511 ESTERO BLVD #PHE FORT MYERS BEACH FL 33931	BATIKI WEST CONDO OR 1055 PG 1455 UNIT PENTHOUSE E	92
LONI RODGER J + 2054 N NORDICA AVE CHICAGO IL 60707	19-46-24-W4-022PH.00F0 1511 ESTERO BLVD #PHF FORT MYERS BEACH FL 33931	BATIKI WEST CONDO OR 1055 PG 1455 UNIT PENTHOUSE F	92
RICCIO NICHOLAS J & 1511 ESTERO BLVD #PHG FORT MYERS BEACH FL 33931	19-46-24-W4-022PH.00G0 1511 ESTERO BLVD #PHG FORT MYERS BEACH FL 33931	BATIKI WEST CONDO OR 1055 PG 1455 UNIT PENTHOUSE G	92
WILLIAMS JEFFREY M TR 1511 ESTERO BLVD #PHH FORT MYERS BEACH FL 33931	19-46-24-W4-022PH.00H0 1511 ESTERO BLVD #PHH FORT MYERS BEACH FL 33931	BATIKI WEST CONDO OR 1055 PG 1455 UNIT PENTHOUSE H	92
LOIZZO DIANE L TR 8453 ROB ROY DR ORLAND PARK IL 60462	19-46-24-W4-022PH.00I0 1511 ESTERO BLVD #PHI FORT MYERS BEACH FL 33931	BATIKI WEST CONDO OR 1055 PG 1455 UNIT PENTHOUSE I	92
BUTLER WILLIAM PATRICK 732 OKUMA DR CHESTER VA 23836	19-46-24-W4-022PH.0J00 1511 ESTERO BLVD #PHJ FORT MYERS BEACH FL 33931	BATIKI WEST CONDO OR 1055 PG 1455 UNIT PENTHOUSE J	92
MAUHI ENTERPRISES INC 4411 CLEVELAND AV FORT MYERS FL 33901	19-46-24-W4-0230A.0000 1600 ESTERO BLVD #A FORT MYERS BEACH FL 33931	TROPICAL CENTER COND OR 1123 PG 323 UNIT A	93
MAUHI ENTERPRISES INC 4411 CLEVELAND AV	19-46-24-W4-0230B.0000 1600 ESTERO BLVD #B	TROPICAL CENTER COND OR 1123 PG 323	94

FORT MYERS FL 33901	FORT MYERS BEACH FL 33931	UNIT B	
MAUHI ENTERPRISES INC 4411 CLEVELAND AV FORT MYERS FL 33901	19-46-24-W4-0230C.0000 1600 ESTERO BLVD #C FORT MYERS BEACH FL 33931	TROPICAL CENTER CONDO OR 1123 PG 323 UNIT C	95
MAUHI ENTERPRISES INC 4411 CLEVELAND AV FORT MYERS FL 33901	19-46-24-W4-0230D.0000 1600 ESTERO BLVD #D FORT MYERS BEACH FL 33931	TROPICAL CENTER COND OR 1123 PG 323 UNIT D	96
MAUHI ENTERPRISES INC 4411 CLEVELAND AV FORT MYERS FL 33901	19-46-24-W4-0230E.0000 1600 ESTERO BLVD #E FORT MYERS BEACH FL 33931	TROPICAL CENTER CONDO OR 1123 PG 323 UNIT E	97
1300 ESTERO BLVD LLC 32 BAYVIEW BLVD FORT MYERS BEACH FL 33931	19-46-24-W4-02600.1010 1300 ESTERO BLVD #101 FORT MYERS BEACH FL 33931	CRESCENT SHORE CONDO OR 1464 PG 445 UNITS 101 102 + 103	98
BEYER TAMMY E TR 9656 HALYARDS CT # 24 FORT MYERS FL 33919	19-46-24-W4-02600.1040 1300 ESTERO BLVD #104 FORT MYERS BEACH FL 33931	CRESCENT SHORE CONDO OR 1464 PG 445 UNIT 104	98
ANDRESEN EDWIN TR 7960 PRESERVATION DR INDIANAPOLIS IN 46278	19-46-24-W4-02600.1050 1300 ESTERO BLVD #105 FORT MYERS BEACH FL 33931	CRESCENT SHORE CONDO OR 1464 PG 445 UNIT 105	98
BOCCELLA SALVATORE 4 POINT VIEW CT SICKLERVILLE NJ 08081	19-46-24-W4-02600.1060 1300 ESTERO BLVD #106 FORT MYERS BEACH FL 33931	CRESCENT SHORE CONDO OR 1464 PG 445 UNIT 106	98
JOHNSON NANCY ANN L/E 9 NANCY LN FORT MYERS BEACH FL 33931	19-46-24-W4-02600.2010 1300 ESTERO BLVD #201 FORT MYERS BEACH FL 33931	CRESCENT SHORE CONDO OR 1464 PG 445 UNIT 201	98
HECK LLC 15561 CATALPA COVE DR FORT MYERS FL 33908	19-46-24-W4-02600.2020 1300 ESTERO BLVD #202 FORT MYERS BEACH FL 33931	CRESCENT SHORE CONDO OR 1464 PG 445 UNIT 202	98
CONANT DONNA TR 8122 S FOREST HILL CIR FRANKLIN WI 53132	19-46-24-W4-02600.2030 1300 ESTERO BLVD #203 FORT MYERS BEACH FL 33931	CRESCENT SHORE CONDO OR 1464 PG 445 UNIT 203	98
DENNIS R + CYNTHIA L LOKEN TRU 106 ICHABOD LN MANKATO MN 56001	19-46-24-W4-02600.2040 1300 ESTERO BLVD #204 FORT MYERS BEACH FL 33931	CRESCENT SHORE CONDO OR 1464 PG 445 UNIT 204	98
LANDOLFI STEVEN J 22 VETO ST PROVIDENCE RI 02908	19-46-24-W4-02600.2050 1300 ESTERO BLVD #205 FORT MYERS BEACH FL 33931	CRESCENT SHORE CONDO OR 1464 PG 445 UNIT 205	98
NIEMEIER RYAN & SUMMER 106 S WALNUT ST LA CRESCENT MN 55947	19-46-24-W4-02600.2060 1300 ESTERO BLVD #206 FORT MYERS BEACH FL 33931	CRESCENT SHORE CONDO OR 1464 PG 445 UNIT 206	98

VENETIAN GARDENS CANAL
PALERMO CIR
FORT MYERS BEACH FL 33931

VENETIAN GARDENS CANAL
PALERMO CIR
FORT MYERS BEACH FL 33931

KEY ESTERO SHOPS LLC
3220 PINE CONE CT
MILFORD MI 48381

REALBOOK LLC
12 SEQUOIA DR
DAYTON NJ 08810

GH3 RB CAPITAL LLC
1700 MEDICAL LN #101
FORT MYERS FL 33907

AMBERJACK PROPERTIES LLC
PO BOX 446
OTTOVILLE OH 45876

PIEC DANIEL J & JOYCE A TR
230 CAROLINA AVE
FORT MYERS BEACH FL 33931

MOORE ERIK & SUSAN +
8136 KRONLOKKEN LANE
LAFAYETTE IN 47909

EE44 LLC
1951 PINE RIDGE DR
JENISON MI 49428

COLLIN JAMES GROUP LLC
15 CARROTWOOD CT
FORT MYERS FL 33919

COLLIN JAMES GROUP LLC
15 CARROTWOOD CT
FORT MYERS FL 33919

RATISBONA INC
3665 BONITA BEACH RD SW #1-3
BONITA SPRINGS FL 34134

ZIEGLER MICHAEL W & NANCY A
437 AUBURN ST
ALLENTOWN PA 18103

CANTRELL JASON ALAN & DEBRA
620 GREENFORD TRAIL W
CARMEL IN 46032

PETERSON DAVID CHARLES
85 LAKEVIEW AVE
EXCELSIOR MN 55331

WIDMEIER INVESTMENTS LLC
4390 DODGE ST
DUBUQUE IA 52003

MALONEY JAMES P TR
235 CAROLINA AVE
FORT MYERS BEACH FL 33931

ESH ANDREW CHARLES +
15833 SUNSET RD
MINNETONKA MN 55345

SZYPERSKI KEITH P
219 CAROLINA AV
FORT MYERS BEACH FL 33931

LANI KAI LP
1400 ESTERO BLVD
FORT MYERS BEACH FL 33931

LANI KAI LP
1400 ESTERO RD
FORT MYERS BEACH FL 33931

AULLS PATRICIA E L/E
7241 BERGAMO WAY UNIT 101
FORT MYERS FL 33966

WILCOX LANCE
1339 SANTOS RD
FORT MYERS BEACH FL 33931

PARILLA DAVID R TR
1335 SANTOS RD
FORT MYERS BEACH FL 33931

CONNER CHARLES R & GAIL D
53 POMPAÑO ST
FORT MYERS BEACH FL 33931

PARILLA DAVID R TR
1335 SANTOS RD
FORT MYERS BEACH FL 33931

KLC SURF LLC
CHRISTOPHER PRIMEAU
4625 W EUCLID AVE
TAMPA FL 33629

KLC SURF LLC
CHRISTOPHER PRIMEAU
4625 W EUCLID AVE
TAMPA FL 33629

LANI KAI LP
ROBERT G CONIDARIS
1400 ESTERO BLVD
FORT MYERS BEACH FL 33931

LANI KAI LP
ROBERT G CONIDARIS
1400 ESTERO BLVD
FORT MYERS BEACH FL 33931

LANI KAI LP
ROBERT G CONIDARIS
1400 ESTERO BLVD
FORT MYERS BEACH FL 33931

7-ELEVEN INC
CORP INCOME TAX DEPT
3200 HYACKBERRY RD
IRVING TX 75063

455 PALERMO CIRCLE LLC
1421 EAST LAKE SHORE DR
SPRINGFIELD IL 62712

VAN FAM PROPERTIES LLC
7323 INDIGO RIDGE SW
BYRON CENTER MI 49315

DAR LAND HOLDINGS LLC
3487 COUNTY LINE RD
LUXEMBURG WI 54217

463 PALMERO LLC
1421 E LAKE SHORE DR
SPRINGFIELD IL 62712

499 PALERMO LLC
1421 E LAKE SHORE DR
SPRINGFIELD IL 62712

MILLER JONATHAN T
PO BOX 80490
FORT WAYNE IN 46898

TEZAK HELEN C TR
50 CHAPEL ST APT 4
FORT MYERS BEACH FL 33931

R & D ENTERPRISES OF
3436 CHURCH ST
STEVENS POINT WI 54481

WEIGERT ANTJE & MARTIN
415 CAPE CORAL PKWY W
CAPE CORAL FL 33914

JAMES R BRATLEY & JOAN E BRATL
15120 W ILIFF PL
LAKEWOOD CO 80228

GNIRCK RAPHAEL +
AM MUEHLBERG 39A
BAD HOMBURG VD HOEHE 61348
GERMANY

STRICK RICHARD A &
5804 PARK RIDGE CT
FORT COLLINS CO 80528

HENNESSEY PATRICIA J &
460 PALERMO CIR
FORT MYERS BEACH FL 33931

NORTH KEY INC
7150 RED LION FIVE POINTS RD
SPRINGBORO OH 45066

DONNA M BYRD TRUST +
5701 BLUNK KNOB RD
ELIZABETH IN 47117

RELAAX LLC
2201 E WILLOW ST STE D 363
SIGNAL HILL CA 90755

RELAAX LLC
2201 E WILLOW ST STE D 363
SIGNAL HILL CA 90755

DEL BUSTO GEORGE &
2212 EVEREST PKWY
CAPE CORAL FL 33904

450 PALERMO LLC
1421 E LAKE SHR
SPRINGFIELD IL 62712

LUSSIER TARA CORBISHLEY &
745 BIMINI LN
PUNTA GORDA FL 33950

RELAAX LLC
2201 E WILLOW ST STE D 363
SIGNAL HILL CA 90755

DAY BILLY WAYNE
3708 SHANNON RUN TRL
LOUISVILLE KY 40299

LUMP THOMAS F & ANN C
145 PALERMO CIR
FORT MYERS BEACH FL 33931

SLOMSKI STEVEN A &
PO BOX 2428 PMB 25382
PENSACOLA FL 32513

ARLINGTON GREEN HOMES LLC
LARRY SMITH
434 SPINNAKER DR
MARCO ISLAND FL 34145

KALIDINDI RAMA USHA +
44354 APACHE CIR
ASHBURN VA 20147

1249 ESTERO ADVENTURES LLC
290 BAHIA VIA
FORT MYERS BEACH FL 33931

NAUTICAL MARKETING LLC
189 SABAL DR
FORT MYERS BEACH FL 33931

MOFFA ROBERT H
37728 LOIS DR
STERLING HEIGHTS MI 48310

WEIT MARTIN & DAWN +
275 TROPICAL SHORES WAY
FORT MYERS BEACH FL 33931

BLOCD AHL LEASING LLC
3538 TIMBER RIDGE TRAIL
CEDAR RAPIDS IA 52411

CROWLEY THERESA M
60 ALVA DR
FORT MYERS BEACH FL 33931

BERTSCHINGER INVESTMENTS LLC
SEEBLICK 13
WOLLERAU 8832
SWITZERLAND

BERTSCHINGER INVESTMENTS LLC
SEEBLICK 13
8832 WOLLERAU
SWITZERLAND

CGRT LLC +
573 LONGWOOD AVE
GLENCOE IL 60022

MAUHI ENTERPRISES INC
4411 CLEVELAND AV
FORT MYERS FL 33901

SMART PARK OF FMB LLC
11330 LONG WATER CHASE COURT
FORT MYERS FL 33908

WATERFRONT PROPERTIES LLC
4411 CLEVELAND AVE
FORT MYERS FL 33901

HASSELHOFF LLC
414 MARKET ST
IOWA CITY IA 52245

1560 I STREET 62 LLC
4705 LELAND DR
CUMMING GA 30041

UNDERWOOD LLC
414 MARKET ST
IOWA CITY IA 52245

HOY MARSHA L/E
61 ALVA DR
FORT MYERS BEACH FL 33931

GANIM GEORGE W & JOSEPHINE TR
4666 MAIN ST
BRIDGEPORT CT 06606

GANIM GEORGE W & JOSEPHINE TR
4666 MAIN ST
BRIDGEPORT CT 06606

LANI KAI LP
ROBERT G CONIDARIS
1400 ESTERO BLVD
FORT MYERS BEACH FL 33931

STEPNEY LLC
4666 MAIN ST
BRIDGEPORT CT 06606

GANIM GEORGE W SR &
4666 MAIN ST
BRIDGEPORT CT 06606

ATWATER LLC
WALTER RAY SIMMONS
12711 CHATHAM DR
FORT MYERS FL 33908

RIGHT CHOICE INVESTMENTS LLC
13500 TELEGRAPH RD
TAYLOR MI 48180

OUR BEACH SAND LLC
12483 SUMMERWOOD DR
FORT MYERS FL 33908

PE RENTALS LLC
1107 KANE ST
LA CROSSE WI 54603

BARKER JOHN +
5262 OLYMPIA DR
INDIANAPOLIS IN 46228

VALAZQUEZ TIMOTHY +
163 MIRAMAR ST
FORT MYERS BEACH FL 33931

RUSK CHRISTOPHER J &
193 MIRAMAR ST
FORT MYERS BEACH FL 33931

KOSTER RODNEY A & THERESE A
880 3RD ST
FORT MYERS BEACH FL 33931

BATIKI WEST CONDO ASSN INC
SUITOR MIDDLETON COX + ASSOC
15751 SAN CARLOS BLVD STE 8
FORT MYERS FL 33908

TROPICAL CENTER CONDO ASSOC
1300 ESTERO BLVD
FORT MYERS BEACH FL 33931

CRESCENT SHORE CONDO ASSOC
PO BOX 2990
FORT MYERS BEACH FL 33932

PARKER HARRY W & BEVERLY J
17858 US HIGHWAY 61
SIKESTON MO 63801

PETRICH PAUL E & GAY G TR
860 HENN HYDE RD
WARREN OH 44484

WILLIAM L & JOYCE J HENDREN T
28033 N 1850 EAST RD
GRIDLEY IL 61744

WILLIAMS JEANNE L TR
1511 ESTERO BLVD # PHH
FORT MYERS BEACH FL 33931

HANY JOHN A TR
3405 STEPHANIE RD
BLOOMINGTON IL 61704

BUTLER JAMES H & TERESA A
1511 ESTERO BLVD #205
FORT MYERS BEACH FL 33931

LAY DANIEL F TR
7583 N 1300 E ROAD
SHIRLEY IL 61772

FRANKLIN JAY STAHAN TRUST
1511 ESTERO BLVD #207
FORT MYERS BEACH FL 33931

FILM CAROLYN A
64 CARROLLS GROVE RD
TROY NY 12180

BROWN JOANNE M TR
PO BOX 96
OMENA MI 49674

JONES MALINDA ETZLER
2445 S FILLMORE ST
DENVER CO 80210

FENN CYNTHIA TR
14248 FOUNTAIN HILLS CT NE
PRIOR LAKE MN 55372

FRANA THERESA L
2789 TRAILWOOD LN
LEXINGTON KY 40511

1511 ESTERO 303 LLC
MICHELLE YOUKHANA
495 THOMAS DR
NORTH BARRINGTON IL 60010

OBRIEN CAROL & WINSTON
1511 ESTERO BLVD #304
FORT MYERS BEACH FL 33931

DANIELSON BRIAN
1300 WILD ROSE TRAIL
EDMOND OK 73034

KARBLER LARRY L L/E
6558 OHENRY CIR
NORTH RIDGEVILLE OH 44039

JOHNSTON DALE MICHAEL &
118 MEADOW CREEK CT
LEXINGTON IL 61753

SEXTON MICHAEL ZEPH &
1511 ESTERO BLVD # 308
FORT MYERS BEACH FL 33931

RAPP DALE A & RUTH ANN
104 PRAIRIE DR
LEXINGTON IL 61753

LAW MICHAEL M & SHEILA K
PO BOX 584
HEYWORTH IL 61745

MEZERA CHRISTINA M TR
5229 W 62ND ST
EDINA MN 55436

QUARTELLO BETTY A TR
1511 ESTERO BLVD # 402
FORT MYERS BEACH FL 33931

SUNSET VIEWS LLC
PO BOX 70
AUBURN IN 46706

DARIANO KELLI R TR
79 SUNNY LN
TIFFIN OH 44883

MOORE ROBERT J & CYNTHIA S
1511 ESTERO BLVD #405
FORT MYERS BEACH FL 33931

STRIBLING MARK TR
PO BOX 408
ASHLAND IL 62612

STOCKER REBECCA L & JAMES A
APT 407
1511 ESTERO BLVD
JACKSONVILLE IL 62650

SMITH GARY B & ROXY R
3734 WESLEY CHAPEL RD
ZANESVILLE OH 43701

HOLZAPFEL CHARLES JOHN &
801 S 4TH CIR
BRANDON SD 57005

GREEN BURLEY & TAMMY
PO BOX 44
OWENSVILLE MO 65066

SUNSET VIEWS LLC
PO BOX 70
AUBURN IN 46706

CHARLES DANNY TR
9751 EASTERN AVE
BYRON CENTER MI 49315

DOUGLAS RAYMOND & JENNIFER
3 PELHAM RD BARGATE GRIMSBY
LINCOLNSHIRE DN34 4SU
UNITED KINGDOM

41 DEVOE STREET CORP
26 UPLAND RD
GREAT NECK NY 11020

GLACKIN BARBARA Q TR
1673 MOUNT EVEREST LN
TOMS RIVER NJ 08753

SPIDEL LYNN R & DEANNA J TR
700 LAKESIDE DR
ROME CITY IN 46784

SPIDEL LYNN R & DEANNA J TR
700 LAKESIDE DR
ROME CITY IN 46784

GUILES JON R TR
PO BOX 2706
FORT MYERS BEACH FL 33932

STERNER RACHEL V TR
2803 KINGS CROSSING DR # 321
KINGWOOD TX 77345

WOOD SAMUEL L
PO BOX 342
PETERSBURG IL 62675

SMITH BRIAN T +
PO BOX 235
HEYWORTH IL 61745

WOOD SAMUEL L +
PO BOX 342
PETERSBURG IL 62675

HANSEN LOUISE E TR
1511 ESTERO BLVD #603
FORT MYERS BEACH FL 33931

RICCIO JOSEPH MICHAEL
26 SECLUDED HOLLOW RD
CAPE MAY COURT HOUSE NJ 08210

NELSON BRADLEY A TR
803 IRONWOOD CC DR
NORMAL IL 61761

FOUR P INVESTMENTS LTD
1511 ESTERO BLVD APT 606
FORT MYERS BEACH FL 33931

WOLOS MICHAEL C & SHAREN A
PO BOX 381
FLUSHING MI 48433

TMS INVESTMENTS
185 HIGH ST NE
WARREN OH 44481

SUNSET VIEWS LLC
PO BOX 70
AUBURN IN 46706

SMITH JULIA V TR
1511 ESTERO BLVD #PHA
FORT MYERS BEACH FL 33931

CALHAN FLP
189 SADDLEBROOK DR
OAK BROOK IL 60523

CALHAN LEO D & JOAN C
1511 ESTERO BLVD #PHC
FORT MYERS BEACH FL 33931

LADWIG MARY TR
10019 ISOLA WAY
MIROMAR LAKES FL 33913

MALAGOTTA PROPERTIES LLC
ANTHONY MIRAGLIOTTA
31 JOHN ALDEN ST
CLIFTON NJ 07013

LONI RODGER J+
2054 N NORDICA AVE
CHICAGO IL 60707

RICCIO NICHOLAS J &
1511 ESTERO BLVD #PHG
FORT MYERS BEACH FL 33931

WILLIAMS JEFFREY M TR
1511 ESTERO BLVD #PHH
FORT MYERS BEACH FL 33931

LOIZZO DIANE L TR
8453 ROB ROY DR
ORLAND PARK IL 60462

BUTLER WILLIAM PATRICK
732 OKUMA DR
CHESTER VA 23836

MAUHI ENTERPRISES INC
4411 CLEVELAND AV
FORT MYERS FL 33901

MAUHI ENTERPRISES INC
4411 CLEVELAND AV
FORT MYERS FL 33901

MAUHI ENTERPRISES INC
4411 CLEVELAND AV
FORT MYERS FL 33901

MAUHI ENTERPRISES INC
4411 CLEVELAND AV
FORT MYERS FL 33901

MAUHI ENTERPRISES INC
4411 CLEVELAND AV
FORT MYERS FL 33901

1300 ESTERO BLVD LLC
32 BAYVIEW BLVD
FORT MYERS BEACH FL 33931

BEYER TAMMY E TR
9656 HALYARDS CT # 24
FORT MYERS FL 33919

ANDRESEN EDWIN TR
7960 PRESERVATION DR
INDIANAPOLIS IN 46278

BOCCELLA SALVATORE
4 POINT VIEW CT
SICKLERVILLE NJ 08081

JOHNSON NANCY ANN L/E
9 NANCY LN
FORT MYERS BEACH FL 33931

HECK LLC
15561 CATALPA COVE DR
FORT MYERS FL 33908

CONANT DONNA TR
8122 S FOREST HILL CIR
FRANKLIN WI 53132

DENNIS R + CYNTHIA L LOKEN TRU
106 ICHABOD LN
MANKATO MN 56001

LANDOLFI STEVEN J
22 VETO ST
PROVIDENCE RI 02908

NIEMEIER RYAN & SUMMER
106 S WALNUT ST
LA CRESCENT MN 55947

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Index	Subject	FolioId	STRAP	OwnerNam	OwnerNam	MailAddress	MailAddress	MailCity	MailState	MailZip	MailCountr	SiteNumbe
0	TRUE	10477703	19-46-24-V	LKLB OF FLORIDA INC	1400 ESTERO BLVD	FORT MYER FL		FORT MYER FL		33931		1479
1	FALSE	10617008	19-46-24-V	VENETIAN GARDENS C	PALERMO CIR	FORT MYER FL		FORT MYER FL		33931		
2	FALSE	10617009	19-46-24-V	VENETIAN GARDENS C	PALERMO CIR	FORT MYER FL		FORT MYER FL		33931		
3	FALSE	10227974	19-46-24-V	KEY ESTERO SHOPS LL	3220 PINE CONE CT	MILFORD MI		MILFORD MI		48381		1661
4	FALSE	10227975	19-46-24-V	REALBOOK LLC	12 SEQUOIA DR	DAYTON NJ		DAYTON NJ		8810		200
5	FALSE	10227976	19-46-24-V	GH3 RB CAPITAL LLC	1700 MEDICAL LN #10	FORT MYER FL		FORT MYER FL		33907		211
6	FALSE	10227978	19-46-24-V	AMBERJACK PROPERTI	PO BOX 446	OTTOVILLE OH		OTTOVILLE OH		45876		210
7	FALSE	10227985	19-46-24-V	PIEC DANIEL J & JOYCE	230 CAROLINA AVE	FORT MYER FL		FORT MYER FL		33931		230
8	FALSE	10227993	19-46-24-V	MOORE ERIK & SUSAN	8136 KRONLOKKEN LA	LAFAYETTE IN		LAFAYETTE IN		47909		231
9	FALSE	10228046	19-46-24-V	EE44 LLC	1951 PINE RIDGE DR	JENISON MI		JENISON MI		49428		125/127
10	FALSE	10626630	19-46-24-V	COLLIN JAMES GROUP	15 CARROTWOOD CT	FORT MYER FL		FORT MYER FL		33919		259
11	FALSE	10626631	19-46-24-V	COLLIN JAMES GROUP	15 CARROTWOOD CT	FORT MYER FL		FORT MYER FL		33919		257
12	FALSE	10228054	19-46-24-V	RATISBONA INC	3665 BONITA BEACH R	BONITA SPI FL		BONITA SPI FL		34134		251/255
13	FALSE	10228055	19-46-24-V	ZIEGLER MICHAEL W &	437 AUBURN ST	ALLEN TOW PA		ALLEN TOW PA		18103		249
14	FALSE	10228056	19-46-24-V	CANTRELL JASON ALAN	620 GREENFORD TRAIL	CARMEL IN		CARMEL IN		46032		245
15	FALSE	10228057	19-46-24-V	PETERSON DAVID CHA	85 LAKEVIEW AVE	EXCELSIOR MN		EXCELSIOR MN		55331		239
16	FALSE	10228058	19-46-24-V	WIDMEIER INVESTMEN	4390 DODGE ST	DUBUQUE IA		DUBUQUE IA		52003		237
17	FALSE	10228059	19-46-24-V	MALONEY JAMES P TR	235 CAROLINA AVE	FORT MYER FL		FORT MYER FL		33931		233/235
18	FALSE	10228060	19-46-24-V	ESH ANDREW CHARLE	15833 SUNSET RD	MINNETON MN		MINNETON MN		55345		223
19	FALSE	10228061	19-46-24-V	SZYPSKI KEITH P	219 CAROLINA AV	FORT MYER FL		FORT MYER FL		33931		219
20	FALSE	10228062	19-46-24-V	LANI KAI LP	1400 ESTERO BLVD	FORT MYER FL		FORT MYER FL		33931		1403
21	FALSE	10228063	19-46-24-V	LANI KAI LP	1400 ESTERO RD	FORT MYER FL		FORT MYER FL		33931		1401
22	FALSE	10228064	19-46-24-V	AULLS PATRICIA E L/E	7241 BERGAMO WAY U	FORT MYER FL		FORT MYER FL		33966		1351
23	FALSE	10228065	19-46-24-V	WILCOX LANCE	1339 SANTOS RD	FORT MYER FL		FORT MYER FL		33931		1339
24	FALSE	10228066	19-46-24-V	PARILLA DAVID R TR	1335 SANTOS RD	FORT MYER FL		FORT MYER FL		33931		1335
25	FALSE	10228067	19-46-24-V	CONNER CHARLES R &	53 POMPAO ST	FORT MYER FL		FORT MYER FL		33931		126
26	FALSE	10228068	19-46-24-V	PARILLA DAVID R TR	1335 SANTOS RD	FORT MYER FL		FORT MYER FL		33931		1321
27	FALSE	10228069	19-46-24-V	KLC SURF L CHRISTOPH	4625 W EUCLID AVE	TAMPA FL		TAMPA FL		33629		1397
28	FALSE	10228070	19-46-24-V	KLC SURF L CHRISTOPH	4625 W EUCLID AVE	TAMPA FL		TAMPA FL		33629		1365/1375
29	FALSE	10228071	19-46-24-V	LANI KAI LP ROBERT G	1400 ESTERO BLVD	FORT MYER FL		FORT MYER FL		33931		1345
30	FALSE	10228072	19-46-24-V	LANI KAI LP ROBERT G	1400 ESTERO BLVD	FORT MYER FL		FORT MYER FL		33931		1331

31	FALSE	10228073	19-46-24-V LANI KAI LP ROBERT G (1400 ESTERO BLVD	FORT MYER FL	33931	1325
32	FALSE	10228074	19-46-24-V 7-ELEVEN I CORP INCC 3200 HYACKBERRY RD IRVING	TX	75063	1301
33	FALSE	10228089	19-46-24-V 455 PALERMO CIRCLE 1421 EAST LAKE SHOR	SPRINGFIELD IL	62712	455
34	FALSE	10463011	19-46-24-V VAN FAM PROPERTIES 17323 INDIGO RIDGE SV BYRON	CEI MI	49315	459
35	FALSE	10228090	19-46-24-V DAR LAND HOLDINGS 13487 COUNTY LINE RD LUXEMBUR	WI	54217	461
36	FALSE	10469664	19-46-24-V 463 PALMERO LLC 1421 E LAKE SHORE DF	SPRINGFIELD IL	62712	463
37	FALSE	10228091	19-46-24-V 499 PALERMO LLC 1421 E LAKE SHORE DF	SPRINGFIELD IL	62712	499
38	FALSE	10228092	19-46-24-V MILLER JONATHAN T PO BOX 80490	FORT WAYN IN	46898	501
39	FALSE	10228093	19-46-24-V TEZAK HELEN C TR 50 CHAPEL ST APT 4	FORT MYER FL	33931	505
40	FALSE	10228094	19-46-24-V R & D ENTERPRISES OF 3436 CHURCH ST	STEVENS P WI	54481	551
41	FALSE	10558864	19-46-24-V WEIGERT ANTJE & MAR 415 CAPE CORAL PKW	CAPE COR FL	33914	561
42	FALSE	10228095	19-46-24-V JAMES R BRATLEY & JO 15120 W ILIFF PL	LAKEWOOD CO	80228	571
43	FALSE	10228096	19-46-24-V GNIRCK RAPHAEL + AM MUEHLBERG 39A	BAD HOMBURG VD HO	61348	GERMANY 581
44	FALSE	10228097	19-46-24-V STRICK RICHARD A & 5804 PARK RIDGE CT	FORT COLL CO	80528	130
45	FALSE	10228098	19-46-24-V HENNESSEY PATRICIA 460 PALERMO CIR	FORT MYER FL	33931	460
46	FALSE	10228099	19-46-24-V NORTH KEY INC 7150 RED LION FIVE PC	SPRINGBO OH	45066	552
47	FALSE	10228100	19-46-24-V DONNA M BYRD TRUST 5701 BLUNK KNOB RD	ELIZABETH IN	47117	580
48	FALSE	10228101	19-46-24-V RELAAX LLC 2201 E WILLOW ST	STE SIGNAL HIL CA	90755	584/586
49	FALSE	10228102	19-46-24-V RELAAX LLC 2201 E WILLOW ST	STE SIGNAL HIL CA	90755	588/590
50	FALSE	10228103	19-46-24-V DEL BUSTO GEORGE & 2212 EVEREST PKWY	CAPE COR FL	33904	456
51	FALSE	10228104	19-46-24-V 450 PALERMO LLC 1421 E LAKE SHR	SPRINGFIELD IL	62712	450
52	FALSE	10599453	19-46-24-V LUSSIER TARA CORBISI 745 BIMINI LN	PUNTA GOI FL	33950	212
53	FALSE	10599454	19-46-24-V RELAAX LLC 2201 E WILLOW ST	STE SIGNAL HIL CA	90755	
54	FALSE	10228136	19-46-24-V DAY BILLY WAYNE 3708 SHANNON RUN T	LOUISVILLE KY	40299	155
55	FALSE	10228137	19-46-24-V LUMP THOMAS F & ANN 145 PALERMO CIR	FORT MYER FL	33931	145
56	FALSE	10228138	19-46-24-V SLOMSKI STEVEN A & PO BOX 24 PMB 25382	PENSACOL FL	32513	139
57	FALSE	10228164	19-46-24-V ARLINGTON LARRY SMIT 434 SPINNAKER DR	MARCO ISL FL	34145	121
58	FALSE	10228165	19-46-24-V KALIDINDI RAMA USHA 44354 APACHE CIR	ASHBURN VA	20147	117
59	FALSE	10228167	19-46-24-V 1249 ESTERO ADVENTI 290 BAHIA VIA	FORT MYER FL	33931	1249
60	FALSE	10228174	19-46-24-V NAUTICAL MARKETING 189 SABAL DR	FORT MYER FL	33931	1698
61	FALSE	10228175	19-46-24-V MOFFA ROBERT H 37728 LOIS DR	STERLING MI	48310	1660
62	FALSE	10228176	19-46-24-V WEIT MARTIN & DAWN 275 TROPICAL SHORES	FORT MYER FL	33931	71
63	FALSE	10228177	19-46-24-V BLOCD AHL LEASING LI 3538 TIMBER RIDGE TR	CEDAR RA IA	52411	1667

64	FALSE	10228178	19-46-24-V CROWLEY THERESA M	60 ALVA DR	FORT MYER FL	33931	60
65	FALSE	10228179	19-46-24-V BERTSCHINGER INVE'S	SEEBLICK 13	WOLLERAU	8832 SWITZERLA	1662
66	FALSE	10228180	19-46-24-V BERTSCHINGER INVE'S	SEEBLICK 13	8832 WOLLERAU	SWITZERLA	1664
67	FALSE	10228181	19-46-24-V CGRT LLC +	573 LONGWOOD AVE	GLENCOE IL	60022	1666
68	FALSE	10228183	19-46-24-V MAUHI ENTERPRISES II	4411 CLEVELAND AV	FORT MYER FL	33901	1560
69	FALSE	10228184	19-46-24-V SMART PARK OF FMB LI	11330 LONG WATER CIR	FORT MYER FL	33908	1510
70	FALSE	10228185	19-46-24-V WATERFRONT PROPER	4411 CLEVELAND AVE	FORT MYER FL	33901	71/73
71	FALSE	10228186	19-46-24-V HASSELHOFF LLC	414 MARKET ST	IOWA CITY IA	52245	60/64
72	FALSE	10228187	19-46-24-V 1560 I STREET 62 LLC	4705 LELAND DR	CUMMING GA	30041	1560
73	FALSE	10228188	19-46-24-V UNDERWOOD LLC	414 MARKET ST	IOWA CITY IA	52245	1550
74	FALSE	10228189	19-46-24-V HOY MARSHA L/E	61 ALVA DR	FORT MYER FL	33931	61
75	FALSE	10228190	19-46-24-V GANIM GEORGE W & JC	4666 MAIN ST	BRIDGEPOICT	6606	1478
76	FALSE	10228191	19-46-24-V GANIM GEORGE W & JC	4666 MAIN ST	BRIDGEPOICT	6606	1450
77	FALSE	10228192	19-46-24-V LANI KAI LP ROBERT G	1400 ESTERO BLVD	FORT MYER FL	33931	1400
78	FALSE	10228193	19-46-24-V STEPNEY LLC	4666 MAIN ST	BRIDGEPOICT	6606	71
79	FALSE	10228194	19-46-24-V GANIM GEORGE W SR	4666 MAIN ST	BRIDGEPOICT	6606	1480
80	FALSE	10228195	19-46-24-V ATWATTER WALTER RA	12711 CHATHAM DR	FORT MYER FL	33908	61/65
81	FALSE	10228196	19-46-24-V RIGHT CHOICE INVEST	13500 TELEGRAPH RD	TAYLOR MI	48180	1250
82	FALSE	10228197	19-46-24-V OUR BEACH SAND LLC	12483 SUMMERWOOD	FORT MYER FL	33908	1270
83	FALSE	10228229	19-46-24-V PE RENTALS LLC	1107 KANE ST	LA CROSSE WI	54603	157
84	FALSE	10228230	19-46-24-V BARKER JOHN +	5262 OLYMPIA DR	INDIANAPC IN	46228	159
85	FALSE	10228231	19-46-24-V VALAZQUEZ TIMOTHY +	163 MIRAMAR ST	FORT MYER FL	33931	163
86	FALSE	10228232	19-46-24-V RUSK CHRISTOPHER J	193 MIRAMAR ST	FORT MYER FL	33931	193
87	FALSE	10228233	19-46-24-V KOSTER RODNEY A & TI	880 3RD ST	FORT MYER FL	33931	201
88	FALSE	10228395	19-46-24-V BATIKI WES SUIOR MII	15751 SAN CARLOS BL	FORT MYER FL	33908	
89	FALSE	10462574	19-46-24-V TROPICAL CENTER COI	1300 ESTERO BLVD	FORT MYER FL	33931	
90	FALSE	10462572	19-46-24-V CRESCENT SHORE COI	PO BOX 2990	FORT MYER FL	33932	
91	FALSE	10228396	19-46-24-V PARKER HARRY W & BE	17858 US HIGHWAY 61	SIKESTON MO	63801	1511
91	FALSE	10228397	19-46-24-V PETRICH PAUL E & GAY	860 HENN HYDE RD	WARREN OH	44484	1511
91	FALSE	10228398	19-46-24-V WILLIAM L & JOYCE J H	28033 N 1850 EAST RD	GRIDLEY IL	61744	1511
91	FALSE	10228399	19-46-24-V WILLIAMS JEANNE L TR	1511 ESTERO BLVD # P	FORT MYER FL	33931	1511
91	FALSE	10228400	19-46-24-V HANY JOHN A TR	3405 STEPHANIE RD	BLOOMING IL	61704	1511
91	FALSE	10228401	19-46-24-V BUTLER JAMES H & TER	1511 ESTERO BLVD #2	FORT MYER FL	33931	1511

91	FALSE	10228402	19-46-24-V LAY DANIEL F TR	7583 N 1300 E ROAD	SHIRLEY IL	61772	1511
91	FALSE	10228403	19-46-24-V FRANKLIN JAY STAHAN	1511 ESTERO BLVD #2	FORT MYER FL	33931	1511
91	FALSE	10228404	19-46-24-V FILM CAROLYN A	64 CARROLLS GROVE	FT TROY NY	12180	1511
91	FALSE	10228405	19-46-24-V BROWN JOANNE M TR	PO BOX 96	OMENA MI	49674	1511
91	FALSE	10228406	19-46-24-V JONES MALINDA ETZLE	2445 S FILLMORE ST	DENVER CO	80210	1511
91	FALSE	10228407	19-46-24-V FENN CYNTHIA TR	14248 FOUNTAIN HILL	PRIOR LAKE MN	55372	1511
91	FALSE	10228408	19-46-24-V FRANA THERESA L	2789 TRAILWOOD LN	LEXINGTON KY	40511	1511
91	FALSE	10228409	19-46-24-V 1511 ESTEF MICHELLE	495 THOMAS DR	NORTH BAF IL	60010	1511
91	FALSE	10228410	19-46-24-V OBRIEN CAROL & WIN	1511 ESTERO BLVD #3	FORT MYER FL	33931	1511
91	FALSE	10228411	19-46-24-V DANIELSON BRIAN	1300 WILD ROSE TRAIL	EDMOND OK	73034	1511
91	FALSE	10228412	19-46-24-V KARBLER LARRY L/E	6558 OHENRY CIR	NORTH RID OH	44039	1511
91	FALSE	10228413	19-46-24-V JOHNSTON DALE MICH	118 MEADOW CREEK C	LEXINGTON IL	61753	1511
91	FALSE	10228414	19-46-24-V SEXTON MICHAEL ZEP	1511 ESTERO BLVD # 3	FORT MYER FL	33931	1511
91	FALSE	10228415	19-46-24-V RAPP DALE A & RUTH A	104 PRAIRIE DR	LEXINGTON IL	61753	1511
91	FALSE	10228416	19-46-24-V LAW MICHAEL M & SHE	PO BOX 584	HEYWORTH IL	61745	1511
91	FALSE	10228417	19-46-24-V MEZERA CHRISTINA M	5229 W 62ND ST	EDINA MN	55436	1511
91	FALSE	10228418	19-46-24-V QUARTELLO BETTY A TF	1511 ESTERO BLVD # 4	FORT MYER FL	33931	1511
91	FALSE	10228419	19-46-24-V SUNSET VIEWS LLC	PO BOX 70	AUBURN IN	46706	1511
91	FALSE	10228420	19-46-24-V DARIANO KELLI R TR	79 SUNNY LN	TIFFIN OH	44883	1511
91	FALSE	10228421	19-46-24-V MOORE ROBERT J & CY	1511 ESTERO BLVD #4	FORT MYER FL	33931	1511
91	FALSE	10228422	19-46-24-V STRIBLING MARK TR	PO BOX 408	ASHLAND IL	62612	1511
91	FALSE	10228423	19-46-24-V STOCKER REBECCA L	8 APT 407	1511 ESTEF JACKSONVIL IL	62650	1511
91	FALSE	10228424	19-46-24-V SMITH GARY B & ROXY	3734 WESLEY CHAPEL	ZANESVILLE OH	43701	1511
91	FALSE	10228425	19-46-24-V HOLZAPFEL CHARLES J	801 S 4TH CIR	BRANDON SD	57005	1511
91	FALSE	10228426	19-46-24-V GREEN BURLEY & TAM	PO BOX 44	OWENSVIL MO	65066	1511
91	FALSE	10228427	19-46-24-V SUNSET VIEWS LLC	PO BOX 70	AUBURN IN	46706	1511
91	FALSE	10228428	19-46-24-V CHARLES DANNY TR	9751 EASTERN AVE	BYRON CEI MI	49315	1511
91	FALSE	10228429	19-46-24-V DOUGLAS RAYMOND & 3	PELHAM I GRIMSBY	LINCOLNSHIRE	DN34 4SU	UNITED KIN
91	FALSE	10228430	19-46-24-V 41 DEVOE STREET	COR 26 UPLAND RD	GREAT NEC NY	11020	1511
91	FALSE	10228431	19-46-24-V GLACKIN BARBARA Q T	1673 MOUNT EVEREST	TOMS RIVE NJ	8753	1511
91	FALSE	10228432	19-46-24-V SPIDEL LYNN R & DEAN	700 LAKESIDE DR	ROME CITY IN	46784	1511
91	FALSE	10228433	19-46-24-V SPIDEL LYNN R & DEAN	700 LAKESIDE DR	ROME CITY IN	46784	1511
91	FALSE	10228434	19-46-24-V GUILLES JON R TR	PO BOX 2706	FORT MYER FL	33932	1511

91	FALSE	10228435	19-46-24-V STERNER RACHEL V TR 2803 KINGS CROSSING KINGWOOD TX	77345	1511
91	FALSE	10228436	19-46-24-V WOOD SAMUEL L PO BOX 342 PETERSBURG IL	62675	1511
91	FALSE	10228437	19-46-24-V SMITH BRIAN T + PO BOX 235 HEYWORTH IL	61745	1511
91	FALSE	10228438	19-46-24-V WOOD SAMUEL L + PO BOX 342 PETERSBURG IL	62675	1511
91	FALSE	10228439	19-46-24-V HANSEN LOUISE E TR 1511 ESTERO BLVD #6 FORT MYER FL	33931	1511
91	FALSE	10228440	19-46-24-V RICCIO JOSEPH MICHA 26 SECLUDED HOLLOV CAPE MAY NJ	8210	1511
91	FALSE	10228441	19-46-24-V NELSON BRADLEY A TR 803 IRONWOOD CC DF NORMAL IL	61761	1511
91	FALSE	10228442	19-46-24-V FOUR P INVESTMENTS 1511 ESTERO BLVD AP FORT MYER FL	33931	1511
91	FALSE	10228443	19-46-24-V WOLOS MICHAEL C & S PO BOX 381 FLUSHING MI	48433	1511
91	FALSE	10228444	19-46-24-V TMS INVESTMENTS 185 HIGH ST NE WARREN OH	44481	1511
91	FALSE	10228445	19-46-24-V SUNSET VIEWS LLC PO BOX 70 AUBURN IN	46706	1511
92	FALSE	10228446	19-46-24-V SMITH JULIA V TR 1511 ESTERO BLVD #PI FORT MYER FL	33931	1511
92	FALSE	10228447	19-46-24-V CALHAN FLP 189 SADDLEBROOK DF OAK BROOK IL	60523	1511
92	FALSE	10228448	19-46-24-V CALHAN LEO D & JOAN 1511 ESTERO BLVD #PI FORT MYER FL	33931	1511
92	FALSE	10228449	19-46-24-V LADWIG MARY TR 10019 ISOLA WAY MIOMAR IL FL	33913	1511
92	FALSE	10228450	19-46-24-V MALAGOTT ANTHONY I 31 JOHN ALDEN ST CLIFTON NJ	7013	1511
92	FALSE	10228451	19-46-24-V LONI RODGER J + 2054 N NORDICA AVE CHICAGO IL	60707	1511
92	FALSE	10228452	19-46-24-V RICCIO NICHOLAS J & 1511 ESTERO BLVD #PI FORT MYER FL	33931	1511
92	FALSE	10228453	19-46-24-V WILLIAMS JEFFREY M TI 1511 ESTERO BLVD #PI FORT MYER FL	33931	1511
92	FALSE	10228454	19-46-24-V LOIZZO DIANE L TR 8453 ROB ROY DR ORLAND P IL	60462	1511
92	FALSE	10228455	19-46-24-V BUTLER WILLIAM PATRI 732 OKUMA DR CHESTER VA	23836	1511
93	FALSE	10228457	19-46-24-V MAUHI ENTERPRISES II 4411 CLEVELAND AV FORT MYER FL	33901	1600
94	FALSE	10228458	19-46-24-V MAUHI ENTERPRISES II 4411 CLEVELAND AV FORT MYER FL	33901	1600
95	FALSE	10228459	19-46-24-V MAUHI ENTERPRISES II 4411 CLEVELAND AV FORT MYER FL	33901	1600
96	FALSE	10228460	19-46-24-V MAUHI ENTERPRISES II 4411 CLEVELAND AV FORT MYER FL	33901	1600
97	FALSE	10228461	19-46-24-V MAUHI ENTERPRISES II 4411 CLEVELAND AV FORT MYER FL	33901	1600
98	FALSE	10228463	19-46-24-V 1300 ESTERO BLVD LLC 32 BAYVIEW BLVD FORT MYER FL	33931	1300
98	FALSE	10228464	19-46-24-V BEYER TAMMY E TR 9656 HALYARDS CT # 2 FORT MYER FL	33919	1300
98	FALSE	10228465	19-46-24-V ANDRESEN EDWIN TR 7960 PRESERVATION C INDIANAPC IN	46278	1300
98	FALSE	10228466	19-46-24-V BOCCELLA SALVATORE 4 POINT VIEW CT SICKLERVIL NJ	8081	1300
98	FALSE	10228467	19-46-24-V JOHNSON NANCY ANN 9 NANCY LN FORT MYER FL	33931	1300
98	FALSE	10228468	19-46-24-V HECK LLC 15561 CATALPA COVE FORT MYER FL	33908	1300
98	FALSE	10228469	19-46-24-V CONANT DONNA TR 8122 S FOREST HILL CI FRANKLIN WI	53132	1300

98	FALSE	10228470	19-46-24-V DENNIS R + CYNTHIA L 106 ICHABOD LN	MANKATO MN	56001	1300
98	FALSE	10228471	19-46-24-V LANDOLFI STEVEN J 22 VETO ST	PROVIDENCE RI	2908	1300
98	FALSE	10228472	19-46-24-V NIEMEIER RYAN & SUM 106 S WALNUT ST	LA CRESCENTE MN	55947	1300

SiteStreet	SiteUnit	SiteCity	SiteZip	Legal
ESTERO BLVD		FORT MYER	33931	VENETIAN GARDENS <CR>BLK B PB 6 PG 70 <CR>LOTS 7 + 8 + E 1/2 OF LOT 9<CR>+ 28 + 29 +
SUBMERGED		FORT MYER	33931	VENETIAN GARDENS<CR>PB 6 PG 70<CR>RIO DEL LIDO CANAL
SUBMERGED		FORT MYER	33931	VENETIAN GARDENS<CR>PB 6 PG 70<CR>CANAL GRANDE CANAL
ESTERO BLVD		FORT MYER	33931	HILLS T P SUBD PB 3 PG 84<CR>PT LT 11 DESC OR 1468<CR>PG 1697 LESS N 275 FT
CAROLINA AVE		FORT MYER	33931	HILLS T P SUBD PB 3 PG 84<CR>PT LT 11 N 275 FT OF<CR>OR 1468 PG 1697
OSTEGO DR		FORT MYER	33931	HILLS T P SUBD PB 3 PG 84 PT LOT 11 DESC OR 1352 PG 613 AKA BLK J LOT 13 1ST EDITION VENETIAM GAI
OSTEGO DR		FORT MYER	33931	HILLS T P SUBD<CR>PB 3 PG 84 PT LOT 11<CR>DESC IN OR 1351 PG 1680
CAROLINA AVE		FORT MYER	33931	HILLS TP SUBD<CR>PB 3 PG 84 PT LOT 11<CR>DESC OR 1365 PG 760
OSTEGO DR		FORT MYER	33931	PARL IN S 1/4 AS DESC IN<CR>OR 1361 PG 1551 AKA BLK J<CR>LOT 15 VENETIAN GARDENS
PALERMO CIR		FORT MYER	33931	VENETIAN GARDENS<CR>BLK Y PB 6 PG 70<CR>ALL BLK Y EXC NLY 11 FT
CAROLINA AVE		FORT MYER	33931	VENETIAN GARDENS<CR>BLK A PB 6 PG 70<CR>LOT 11
CAROLINA AVE		FORT MYER	33931	VENETIAN GARDENS<CR>BLK A PB 6 PG 70<CR>LOT 12
CAROLINA AVE		FORT MYER	33931	VENETIAN GARDENS<CR>BLK A PB 6 PG 70<CR>LOT 13
CAROLINA AVE		FORT MYER	33931	VENETIAN GARDENS<CR>BLK A PB 6 PG 70<CR>LOT 14
CAROLINA AVE		FORT MYER	33931	VENETIAN GARDENS<CR>BLK A PB 6 PG 70<CR>LOT 15
CAROLINA AVE		FORT MYER	33931	VENETIAN GARDENS<CR>BLK A PB 6 PG 70<CR>LOT 16
CAROLINA AVE		FORT MYER	33931	VENETIAN GARDENS<CR>BLK A PB 6 PG 70<CR>LOT 17
CAROLINA AVE		FORT MYER	33931	VENETIAN GARDENS<CR>BLK A PB 6 PG 70<CR>LOT 18 + N 25 FT LOT 19
CAROLINA AVE		FORT MYER	33931	VENETIAN GARDENS<CR>BLK A PB 6 PG 70<CR>LOT 20 + S 1/2 OF LOT 19
CAROLINA AVE		FORT MYER	33931	VENETIAN GARDENS<CR>BLK A PB 6 PG 70<CR>LOT 21
SANTOS RD		FORT MYER	33931	VENETIAN GARDENS<CR>BLK A PB 6 PG 70<CR>LOTS 30 31 LESS W 12 FT
SANTOS RD		FORT MYER	33931	VENETIAN GARDENS<CR>BLK A PB 6 PG 70<CR>LOTS 32 + W 12 FT LOT 31
SANTOS RD		FORT MYER	33931	VENETIAN GARDENS<CR>BLK A PB 6 PG 70<CR>LOT 33
SANTOS RD		FORT MYER	33931	VENETIAN GARDENS<CR>BLK A PB 6 PG 70<CR>LOT 34
SANTOS RD		FORT MYER	33931	VENETIAN GARDENS<CR>BLK A PB 6 PG 70<CR>LOT 35
PALERMO CIR		FORT MYER	33931	VENETIAN GARDENS<CR>BLK A PB 6 PG 70<CR>LOT 36 + S 1/2 OF BLK X<CR>LESS THEN N 20 FT
SANTOS RD		FORT MYER	33931	VENETIAN GARDENS<CR>BLK A PB 6 PG 70<CR>LOT 37
ESTERO BLVD		FORT MYER	33931	VENETIAN GARDENS<CR>BLK B PB 6 PG 70<CR>W 1/2 LOT 9 LOTS 10 + 11
ESTERO BLVD		FORT MYER	33931	VENETIAN GARDENS<CR>BLK B PB 6 PG 70<CR>LOT 12
ESTERO BLVD		FORT MYER	33931	VENETIAN GARDENS<CR>BLK B PB 6 PG 70<CR>LOT 13
ESTERO BLVD		FORT MYER	33931	VENETIAN GARDENS<CR>BLK B PB 6 PG 70<CR>LOT 14

ESTERO BLVD	FORT MYER	33931 VENETIAN GARDENS<CR>BLK B PB 6 PG 70<CR>LOTS 15
ESTERO BLVD	FORT MYER	33931 VENETIAN GARDENS<CR>BLK B PB 6 PG 70<CR>LOTS 16 + 17
PALERMO CIR	FORT MYER	33931 VENETIAN GARDENS<CR>BLK.D PB 6 PG 70<CR>LOT 10
PALERMO CIR	FORT MYER	33931 VENETIAN GARDENS <CR>BLK D PB 6 PG 70 <CR>LOT 11
PALERMO CIR	FORT MYER	33931 VENETIAN GARDENS<CR>BLK.D PB 6 PG 70<CR>LOT 12
PALERMO CIR	FORT MYER	33931 VENETIAN GARDENS <CR>BLK D PB 6 PG 70 <CR>LOT 13 + N 1/2 OF LOT 14
PALERMO CIR	FORT MYER	33931 VENETIAN GARDENS<CR>BLK D PB 6 PG 70<CR>PT LOT 15 + S 1/2 LOT 14<CR>DESC IN OR BK 3404 PG 4:
PALERMO CIR	FORT MYER	33931 VENETIAN GARDENS<CR>BLK E PB 6 PG 70<CR>LOTS 1 + 2 + PT LOT 15 +<CR>20 FT STRIP N OF AND ADJ.
PALERMO CIR	FORT MYER	33931 VENETIAN GARDENS<CR>BLK E PB 6 PG 70<CR>LOTS 3 + 4
PALERMO CIR	FORT MYER	33931 VENETIAN GARDENS<CR>BLK E PB 6 PG 70<CR>LOT 5
PALERMO CIR	FORT MYER	33931 VENETIAN GARDENS<CR>BLK E PB 6 PG 70<CR>LOT 6
PALERMO CIR	FORT MYER	33931 VENETIAN GARDENS<CR>BLK E PB 6 PG 70<CR>LOT 7
PALERMO CIR	FORT MYER	33931 VENETIAN GARDENS<CR>BLK.E PB 6 PG 70<CR>LOT 8 + LOT PT 9
PALERMO CIR	FORT MYER	33931 VENETIAN GARDENS PB 6/70<CR>BLK E S 1/2 OF LOT 9 +<CR>ALL OF BLK X LESS S 20 FT
PALERMO CIR	FORT MYER	33931 VENETIAN GARDENS<CR>BLK.F PB 6 PG 70<CR>LOT 1
PALERMO CIR	FORT MYER	33931 VENETIAN GARDENS<CR>BLK.F PB 6 PG 70<CR>LOT 2
PALERMO CIR	FORT MYER	33931 VENETIAN GARDENS<CR>BLK.F PB 6 PG 70<CR>LOT 3
PALERMO CIR	FORT MYER	33931 VENETIAN GARDENS<CR>BLK F PB 6 PG 70<CR>LOT 4
PALERMO CIR	FORT MYER	33931 VENETIAN GARDENS<CR>BLK F PB 6 PG 70<CR>LOT 5
PALERMO CIR	FORT MYER	33931 VENETIAN GARDENS<CR>BLK.F PB 6 PG 70<CR>LOT 6
PALERMO CIR	FORT MYER	33931 VENETIAN GARDENS<CR>BLK F PB 6 PG 70<CR>LOT 7
PALERMO CIR	FORT MYER	33931 VENETIAN GARDENS<CR>BLK F PB 6 PG 70<CR>PORTION OF LOT 28 DESC IN INSTRUMENT 2020000115
ACCESS UNDETERMINED	FORT MYERS BEACH	VENETIAN GARDENS<CR>BLK F PB 6 PG 70<CR>REMAINING PORTION OF LOT 28 DESC IN INSTRUMENT 2
PALERMO CIR	FORT MYER	33931 VENETIAN GARDENS<CR>BLK G PB 6 PG 70<CR>LOT 17
PALERMO CIR	FORT MYER	33931 VENETIAN GARDENS<CR>BLK.G PB 6 PG 70<CR>LOT 18
PALERMO CIR	FORT MYER	33931 VENETIAN GARDENS<CR>BLK G PB 6 PG 70<CR>LOT 19 NLY 11 FT BLKY
PALERMO CIR	FORT MYER	33931 VENETIAN GARDENS<CR>BLK.H PB 6 PG 70<CR>LOT 27
PALERMO CIR	FORT MYER	33931 VENETIAN GARDENS<CR>BLK H PB 6 PG 70<CR>LOT 28 + PT LOTS 26 + 29
ESTERO BLVD	FORT MYER	33931 VENETIAN GARDENS BLK H<CR>PB 6 PG 70 LOTS 30 31+32<CR>+ PT LT 29 OR 2414/2433
ESTERO BLVD	FORT MYER	33931 CRESCENT BEACH BLK B<CR>PB 4 PG 45 E 1/2 OF LT 1<CR>+ N 1/2 OF E 1/2 OF LT 4
ESTERO BLVD	FORT MYER	33931 CRESCENT BEACH<CR>BLK B PB 4 PG 45<CR>W 1/2 LOTS 1 + 4
AVENUE E	FORT MYER	33931 CRESCENT BEACH BLK B PB 4 PG 45 S 1/2 OF E 1/2 OF LOT 4 + E 1/2 OF LOT 5
I ST	FORT MYER	33931 CRESCENT BEACH<CR>BLK B PB 4 PG 45<CR>W 1/2 OF LOT 5

ALVA DR	FORT MYER	33931 CRESCENT BEACH<CR>BLK.B PB 4 PG 45<CR>LOT 7
I ST	FORT MYER	33931 CRESCENT BEACH<CR>BLK B PB 4 PG 45<CR>LOT 8
I ST	FORT MYER	33931 CRESCENT BEACH<CR>BLK B PB 4 PG 45<CR>LOT 9 + LOT PT 10
I ST	FORT MYER	33931 CRESCENT BEACH<CR>BLK B PB 4 PG 45<CR>LOT PT 10
ESTERO BLVD	FORT MYER	33931 CRESCENT BEACH<CR>BLK.C PB 4 PG 45<CR>LOTS 1 + 4
ESTERO BLVD	FORT MYER	33931 CRESCENT BEACH<CR>BLK C PB 4 PG 45<CR>LOTS 2 3 6
ALVA DR	FORT MYER	33931 CRESCENT BEACH<CR>BLK C PB 4 PG 45<CR>LOT 5
AVENUE C	FORT MYER	33931 CRESCENT BEACH<CR>BLK C PB 4 PG 45<CR>LOTS 7 + PT LOT 8 W 1/2 OF
I ST	62 FORT MYER	33931 CRESCENT BEACH<CR>BLK C PB 4 PG 45<CR>LT9 + E1/2 LT 8+ VAC ALLEY
I ST	FORT MYER	33931 CRESCENT BEACH<CR>BLK C PB 4 PG 45<CR>LOT 10
ALVA DR	FORT MYER	33931 CRESCENT BEACH<CR>BLK C PB 4 PG 45<CR>LOT 11
ESTERO BLVD	FORT MYER	33931 CRESCENT BEACH<CR>BLK D PB 4 PG 45<CR>LOTS 1 + 4 LESS WLY 43 FT
ESTERO BLVD	FORT MYER	33931 CRESCENT BEACH<CR>BLK.D PB 4 PG 45<CR>WLY 43 FT LOTS 1 + 4
ESTERO BLVD	FORT MYER	33931 CRESCENT BEACH PB 4 PG 45<CR>BLKS D + E + VAC R/W DESC<CR>OR 1293 PG 1208
AVENUE C	FORT MYER	33931 CRESCENT BEACH<CR>BLK.D PB 4 PG 45<CR>LOT 5
I ST	FORT MYER	33931 CRESCENT BEACH<CR>BLK.D PB 4 PG 45<CR>LOT 10
AVENUE C	FORT MYER	33931 CRESCENT BEACH<CR>BLK D PB 4 PG 45<CR>LOT 11
ESTERO BLVD	FORT MYER	33931 CRESCENT PARK LTS 1 + 2 + ESTRY 2.5 FT LT 3 + CRESCENT BEACH LTS 1-5 BLK F LESS ESTRLY 45FT OF NF
ESTERO BLVD	FORT MYER	33931 CRESCENT BEACH BLK F<CR>PB 4 PG 45 PT LOTS 1 2 & 3<CR>DESC IN OR 1319 PG 1459
MIRAMAR ST	FORT MYER	33931 MIRAMAR<CR>BLK B PB 6 PG 31<CR>LOT 8
MIRAMAR ST	FORT MYER	33931 MIRAMAR<CR>BLK B PB 6 PG 31<CR>LOT 9
MIRAMAR ST	FORT MYER	33931 MIRAMAR<CR>BLK.B PB 6 PG 31<CR>LOT 10
MIRAMAR ST	FORT MYER	33931 MIRAMAR<CR>BLK B PB 6 PG 31<CR>LOT 11
MIRAMAR ST	FORT MYER	33931 MIRAMAR<CR>BLK B PB 6 PG 31<CR>LOT 12
BATIKI WEST CONDO C	FORT MYER	33931 BATIKI WEST CONDO<CR>DESC OR BK 1055 PG 1455<CR>COMMON ELEMENTS POOL/DOCK
TROPICAL CENTER C/E	FORT MYER	33931 CONDO IN SW 1/4 SEC 19<CR>TWP 46 R 24 RECORDED IN<CR>OR 1123 P 323 THRU 364<CR>COMMON
CRESCENT SHORE C/E	FORT MYER	33931 A CONDO LOCATED IN SEC 19<CR>TWP 46 RGE 24 AS DESC IN<CR>OR 1464 PG 445<CR>COMMON ELEI
ESTERO BL'	200 FORT MYER	33931 BATIKI WEST CONDO<CR>OR 1055 PG 1455<CR>UNIT 200
ESTERO BL'	201 FORT MYER	33931 BATIKI WEST CONDO<CR> OR 1055 PG 1455<CR>UNIT 201
ESTERO BL'	202 FORT MYER	33931 BATIKI WEST CONDO<CR> OR 1055 PG 1455<CR>UNIT 202
ESTERO BL'	203 FORT MYER	33931 BATIKI WEST CONDO<CR> OR 1055 PG 1455<CR>UNIT 203
ESTERO BL'	204 FORT MYER	33931 BATIKI WEST CONDO<CR>OR 1055 PG 1455<CR>UNIT 204
ESTERO BL'	205 FORT MYER	33931 BATIKI WEST CONDO<CR> OR 1055 PG 1455<CR>UNIT 205

ESTERO BL'	206 FORT MYER	33931 BATIKI WEST CONDO<CR>	OR 1055 PG 1455<CR>UNIT 206
ESTERO BL'	207 FORT MYER	33931 BATIKI WEST CONDO<CR>OR 1055 PG 1455<CR>UNIT 207	
ESTERO BL'	208 FORT MYER	33931 BATIKI WEST CONDO<CR>	OR 1055 PG 1455<CR>UNIT 208
ESTERO BL'	209 FORT MYER	33931 BATIKI WEST CONDO<CR>	OR 1055 PG 1455<CR>UNIT 209
ESTERO BL'	300 FORT MYER	33931 BATIKI WEST CONDO<CR>OR 1055 PG 1455<CR>UNIT 300	
ESTERO BL'	301 FORT MYER	33931 BATIKI WEST CONDO<CR>	OR 1055 PG 1455<CR>UNIT 301
ESTERO BL'	302 FORT MYER	33931 BATIKI WEST CONDO<CR>	OR 1055 PG 1455<CR>UNIT 302
ESTERO BL'	303 FORT MYER	33931 BATIKI WEST CONDO<CR>OR 1055 PG 1455<CR>UNIT 303	
ESTERO BL'	304 FORT MYER	33931 BATIKI WEST CONDO<CR>	OR 1055 PG 1455<CR>UNIT 304
ESTERO BL'	305 FORT MYER	33931 BATIKI WEST CONDO<CR>	OR 1055 PG 1455<CR>UNIT 305
ESTERO BL'	306 FORT MYER	33931 BATIKI WEST CONDO<CR>	OR 1055 PG 1455<CR>UNIT 306
ESTERO BL'	307 FORT MYER	33931 BATIKI WEST CONDO<CR>OR 1055 PG 1455<CR>UNIT 307	
ESTERO BL'	308 FORT MYER	33931 BARIKI WEST CONDO<CR>	OR 1055 PG 1055<CR>UNIT 308
ESTERO BL'	309 FORT MYER	33931 BATIKI WEST CONDO<CR>	OR 1055 PG 1455<CR>UNIT 309
ESTERO BL'	400 FORT MYER	33931 BATIKI WEST CONDO<CR>OR 1055 PG 1455<CR>UNIT 400	
ESTERO BL'	401 FORT MYER	33931 BATIKI WEST CONDO<CR>OR 1055 PG 1455<CR>UNIT 401	
ESTERO BL'	402 FORT MYER	33931 BATIKI WEST CONDO<CR>	OR 1055 PG 1455<CR>UNIT 402
ESTERO BL'	403 FORT MYER	33931 BATIKI WEST CONDO<CR>	OR 1055 PG 1455<CR>UNIT 403
ESTERO BL'	404 FORT MYER	33931 BATIKI WEST CONDO<CR>	OR 1055 PG 1455<CR>UNIT 404
ESTERO BL'	405 FORT MYER	33931 BATIKI WEST CONDO<CR>	OR 1055 PG 1455<CR>UNIT 405
ESTERO BL'	406 FORT MYER	33931 BATIKI WEST CONDO<CR>OR 1055 PG 1455<CR>UNIT 406	
ESTERO BL'	407 FORT MYER	33931 BATIKI WEST CONDO<CR>	OR 1055 PG 1455<CR>UNIT 407
ESTERO BL'	408 FORT MYER	33931 BATIKI WEST CONDO<CR>	OR 1055 PG 1455<CR>UNIT 408
ESTERO BL'	409 FORT MYER	33931 BATIKI WEST CONDO<CR>OR 1055 PG 1455<CR>UNIT 409	
ESTERO BL'	500 FORT MYER	33931 BATIKI WEST CONDO<CR>OR 1055 PG 1455<CR>UNIT 500	
ESTERO BL'	501 FORT MYER	33931 BATIKI WEST CONDO<CR>	OR 1055 PG 1455<CR>UNIT 501
ESTERO BL'	502 FORT MYER	33931 BATIKI WEST CONDO<CR>	OR 1055 PG 1455<CR>UNIT 502
ESTERO BL'	503 FORT MYER	33931 BATIKI WEST CONDO<CR>	OR 1055 PG 1455<CR>UNIT 503
ESTERO BL'	504 FORT MYER	33931 BATIKI WEST CONDO<CR>	OR 1055 PG 1455<CR>UNIT 504
ESTERO BL'	505 FORT MYER	33931 BATIKI WEST CONDO<CR>	OR 1055 PG 1455<CR>UNIT 505
ESTERO BL'	506 FORT MYER	33931 BATIKI WEST CONDO<CR>	OR 1055 PG 1455<CR>UNIT 506
ESTERO BL'	507 FORT MYER	33931 BATIKI WEST CONDO<CR>	OR 1055 PG 1455<CR>UNIT 507
ESTERO BL'	508 FORT MYER	33931 BATIKI WEST CONDO<CR>OR 1055 PG 1455<CR>UNIT 508	

ESTERO BL'	509 FORT MYER	33931 BATIKI WEST CONDO<CR>	OR 1055 PG 1455<CR>UNIT 509
ESTERO BL'	600 FORT MYER	33931 BATIKI WEST CONDO<CR>	OR 1055 PG 1455<CR>UNIT 600
ESTERO BL'	601 FORT MYER	33931 BATIKI WEST CONDO<CR>	OR 1055 PG 1455<CR>UNIT 601
ESTERO BL'	602 FORT MYER	33931 BATIKI WEST CONDO<CR>	OR 1055 PG 1455<CR>UNIT 602
ESTERO BL'	603 FORT MYER	33931 BATIKI WEST CONDO<CR>	OR 1055 PG 1455<CR>UNIT 603
ESTERO BL'	604 FORT MYER	33931 BATIKI WEST CONDO<CR>	OR 1055 PG 1455<CR>UNIT 604
ESTERO BL'	605 FORT MYER	33931 BATIKI WEST CONDO<CR>	OR 1055 PG 1455<CR>UNIT 605
ESTERO BL'	606 FORT MYER	33931 BATIKI WEST CONDO<CR>	OR 1055 PG 1455<CR>UNIT 606
ESTERO BL'	607 FORT MYER	33931 BATIKI WEST CONDO<CR>	OR 1055 PG 1455<CR>UNIT 607
ESTERO BL'	608 FORT MYER	33931 BATIKI WEST CONDO<CR>	OR 1055 PG 1455<CR>UNIT 608
ESTERO BL'	609 FORT MYER	33931 BATIKI WEST CONDO<CR>	OR 1055 PG 1455<CR>UNIT 609
ESTERO BL' PHA	FORT MYER	33931 BATIKI WEST CONDO<CR>	OR 1055 PG 1455<CR>UNIT PENTHOUSE A
ESTERO BL' PHB	FORT MYER	33931 BATIKI WEST CONDO<CR>	OR 1055 PG 1455<CR>UNIT PENTHOUSE B
ESTERO BL' PHC	FORT MYER	33931 BATIKI WEST CONDO<CR>	OR 1055 PG 1455<CR>UNIT PENTHOUSE C
ESTERO BL' PHD	FORT MYER	33931 BATIKI WEST CONDO<CR>	OR 1055 PG 1455<CR>UNIT PENTHOUSE D
ESTERO BL' PHE	FORT MYER	33931 BATIKI WEST CONDO<CR>	OR 1055 PG 1455<CR>UNIT PENTHOUSE E
ESTERO BL' PHF	FORT MYER	33931 BATIKI WEST CONDO<CR>	OR 1055 PG 1455<CR>UNIT PENTHOUSE F
ESTERO BL' PHG	FORT MYER	33931 BATIKI WEST CONDO<CR>	OR 1055 PG 1455<CR>UNIT PENTHOUSE G
ESTERO BL' PHH	FORT MYER	33931 BATIKI WEST CONDO<CR>	OR 1055 PG 1455<CR>UNIT PENTHOUSE H
ESTERO BL' PHI	FORT MYER	33931 BATIKI WEST CONDO<CR>	OR 1055 PG 1455<CR>UNIT PENTHOUSE I
ESTERO BL' PHJ	FORT MYER	33931 BATIKI WEST CONDO<CR>	OR 1055 PG 1455<CR>UNIT PENTHOUSE J
ESTERO BL' A	FORT MYER	33931 TROPICAL CENTER CONDO<CR>	OR 1123 PG 323<CR>UNIT A
ESTERO BL' B	FORT MYER	33931 TROPICAL CENTER CONDO<CR>	OR 1123 PG 323<CR>UNIT B
ESTERO BL' C	FORT MYER	33931 TROPICAL CENTER CONDO<CR>	OR 1123 PG 323<CR>UNIT C
ESTERO BL' D	FORT MYER	33931 TROPICAL CENTER CONDO<CR>	OR 1123 PG 323<CR>UNIT D
ESTERO BL' E	FORT MYER	33931 TROPICAL CENTER CONDO<CR>	OR 1123 PG 323<CR>UNIT E
ESTERO BL'	101 FORT MYER	33931 CRESCENT SHORE CONDO<CR>	OR 1464 PG 445<CR>UNITS 101 102 + 103
ESTERO BL'	104 FORT MYER	33931 CRESCENT SHORE CONDO<CR>	OR 1464 PG 445<CR>UNIT 104
ESTERO BL'	105 FORT MYER	33931 CRESCENT SHORE CONDO<CR>	OR 1464 PG 445<CR>UNIT 105
ESTERO BL'	106 FORT MYER	33931 CRESCENT SHORE CONDO<CR>	OR 1464 PG 445<CR>UNIT 106
ESTERO BL'	201 FORT MYER	33931 CRESCENT SHORE CONDO<CR>	OR 1464 PG 445<CR>UNIT 201
ESTERO BL'	202 FORT MYER	33931 CRESCENT SHORE CONDO<CR>	OR 1464 PG 445<CR>UNIT 202
ESTERO BL'	203 FORT MYER	33931 CRESCENT SHORE CONDO<CR>	OR 1464 PG 445<CR>UNIT 203

ESTERO BL'	204 FORT MYER	33931 CRESCENT SHORE CONDO<CR>OR 1464 PG 445<CR>UNIT 204
ESTERO BL'	205 FORT MYER	33931 CRESCENT SHORE CONDO<CR>OR 1464 PG 445<CR>UNIT 205
ESTERO BL'	206 FORT MYER	33931 CRESCENT SHORE CONDO<CR>OR 1464 PG 445<CR>UNIT 206

·<CR>VAC RD R/W OR 553 PG 797

RDENS

545
TO LTS 1 + 2<CR>DESC IN OR BK 3404 PG 4545

371
:020000115871

ETHLY 2.7 LT 3

ELEMENTS
MENTS



July 24, 2024

LKLB of Florida Inc.
1400 Estero Blvd.
Fort Myers Beach, FL 33931

Re: 1479 Estero Blvd, Fort Myers Beach
Strap # 19-46-24-W4-0060.B0070
SEZ20240186- Bayside Parking lot

Dear Applicant,

The Community Development Department has reviewed the submission package for the above-referenced ZVL application. At this time, the application is found insufficient and requires additional information.

Zoning Review: Jason Smalley 7/24/2024

Concerns:

1. It is unclear whether sufficient parking is provided for the 25-unit hotel/motel use at the property. Any commercial parking would be in spaces that are in addition to the minimum required spaces. Please see the formula below for calculating the required minimum spaces for the primary site use. If the hotel/motel use requires 30 parking spaces, then 13 would be available for a commercial parking lot.
2. The parking lot area will need to be redesigned to comply with parking space and drive aisle minimums.
 - a. Parking spaces do not appear to meet minimum standards of 18'x9' with 2' overhand from wheel blocks
 - b. Drive aisles appear deficient in size. Plans call for 20' wide drive aisles, but there is not internal connection to allow for one-way only navigation through the parking lot, unless redesigned the aisle width doesn't provide the minimum 22' width for two-way traffic through the lot.
3. Current code requirements for landscaping, space separation and stormwater draining are not able to be met with the present lot configuration and several variances will be required.

Additional Information Needed:

1. To determine the minimum number of parking spaces required to accommodate the 25 guest units, staff needs to know the unit sizes (<450s.f. = 1.2 spaces per unit; >450s.f. = 1.5 spaces per unit)
2. Provide parking lot configuration plan that complies with spaces and drive aisle minimums.
 - a. On the parking plan, please show the existing light poles, heights and compliance with turtle-lighting standards.
3. A list of variances necessary to accommodate the redesigned parking plan.



Staff recommends that the following could be incorporated into the parking plan

- Improvements to the landscaping along Estero Blvd
- Reduce the entry driveway width from Estero Blvd. There appears to be two large entrances/exits from Estero Blvd. This could be reduced to one.

Please respond to each sufficiency review comment. If you do not provide the requested supplements or corrections within 60 calendar days of this letter, the Code requires that this application be considered withdrawn. If additional time is needed, the applicant may ask for additional time. If you have any questions concerning this matter, please contact the Community Development Department office by emailing zoningpermits@fmbgov.com.

Sincerely,
Jason Smalley
Planner
Community Development Services

From: [Sarah Propst](#)
To: [Robert Burandt](#); [Kendra Rosa](#)
Cc: [zoning.permits](#); [Judith Frankel](#)
Subject: RE: SEZ20240186- 1479 Estero Blvd- Insufficiency letter
Date: Tuesday, July 30, 2024 11:33:52 AM
Attachments: [image008.png](#)
[image009.png](#)
[image011.png](#)
[image012.png](#)
[image013.png](#)
[image014.png](#)
[image015.png](#)
[image016.png](#)
[image017.png](#)
[image018.png](#)
[image019.png](#)
[image020.png](#)
[image021.png](#)
[image022.png](#)
[image002.png](#)

Good morning Mr. Burandt, staff is unable to determine what variances are needed without a dimensioned plan that indicates the aisle width, the parking space sizes, and any landscaping areas. Please provide that plan/information, along with the size of the guest units that the parking lot accommodates (units up to 450 sf. = 1.2 spaces, greater than 450 sf = 1.5 spaces) to help us determine the number of spaces available for public use.

Please reach out if this is unclear or we can assist.



Sarah Propst, AICP, PMP
Sr. Planner/Project Manager
Town of Fort Myers Beach
2731 Oak St
Fort Myers Beach, FL. 33931
Cell: (757) 269-1203



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.

From: Robert Burandt <robert@capecoralattorney.com>
Sent: Monday, July 29, 2024 11:12 AM
To: Kendra Rosa <Kendra@fmbgov.com>
Cc: [zoning.permits](#) <zoningpermits@fmbgov.com>; Sarah Propst <sarah.propst@fmbgov.com>;
Judith Frankel <jfrankel@fmbgov.com>
Subject: RE: SEZ20240186- 1479 Estero Blvd- Insufficiency letter

Thank you for your letter of insufficiency, this lot has been used for parking for over 40 years and we are trying to come into compliance as requested by town officials even though we believe we are currently compliant with existing codes. Please advise what additional

variances will be required if we decide to continue with our existing application.

Thank you and have a nice day.

Robert B. Burandt, Esq.
BURANDT, ADAMSKI, FEICHTHALER, & SANCHEZ, PLLC
1714 Cape Coral Parkway East
Cape Coral, Florida 33904

Phone: (239) 542-4733
Fax: (239) 542-9203
Email: Robert@capecoralattorney.com

Confidentiality Notice - This message is being sent by or on behalf of an attorney. It is intended exclusively for the individual or entity to which it is addressed. This communication may contain information that is proprietary, privileged or confidential or otherwise legally exempt from disclosure. If you are not the named addressee, you are not authorized to read, print, retain, copy or disseminate this message or any part of it. If you have received this message in error, please notify the sender immediately by e-mail and delete all copies of this message.

This Communication Is From A Debt Collector- Unless you dispute the validity of this debt within thirty days of your receipt of this notice, we will assume that the debt is valid. If you notify us in writing within the thirty day period that the debt is disputed, we will take the steps necessary to obtain verification of the debt from the creditor and forward the same to you. Pursuant to the Fair Debt Collection Practices Act (15 U.S.C. 1692 et seq.) we are required to state that this information is an attempt to collect a debt and any information obtained will be used for that purpose.

From: Kendra Rosa <Kendra@fmbgov.com>
Sent: Wednesday, July 24, 2024 3:17 PM
To: Robert Burandt <robert@capecoralattorney.com>
Cc: zoning.permits <zoningpermits@fmbgov.com>; Sarah Propst <sarah.propst@fmbgov.com>;
Judith Frankel <jfrankel@fmbgov.com>
Subject: SEZ20240186- 1479 Estero Blvd- Insufficiency letter

Good afternoon,

Please find the attached insufficiency letter for 1479 Estero Blvd.

Kendra Rosa
*Zoning Coordinator,
Community Development
Town of Fort Myers Beach
2731 Oak St
Fort Myers Beach, FL 33931
Phone: (239) 765-0202*



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.

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.

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

Yellow Sheet Number: **2025-106**

1. Request:

Meeting Date: December 10, 2024

A RESOLUTION OF THE FORT MYERS BEACH LOCAL PLANNING AGENCY APPROVING/ APPROVING WITH CONDITIONS/ DENYING VARIANCE 20240233, REQUESTING FOUR VARIANCES FROM THE LDC FOR THE PROPERTY LOCATED AT 1479 ESTERO BLVD., GENERALLY REFERRED TO AS "LANI KAI" STRAP NUMBER 19-46-24-W4-0060B.0070, IN FORT MYERS BEACH 1) WAIVING REQUIRED PARKING FOR THE 25-UNIT HOTEL, REQUIREMENTS FOR 2) PARKING LOT CONFIGURATION, 3) LANDSCAPING REQUIREMENTS AND 4) DRIVEWAY WIDTH REDUCTIONS FOR ENTRANCES ON ESTERO BLVD.; PROVIDING FOR OTHER CLARIFICATIONS AS NECESSARY; PROVIDING FOR CONFLICTS OF LAW, SCRIVENER'S ERRORS, SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

Why the action is necessary:

The applicant must design their parking lot to meet the LDC requirements, the applicant has proposed to variance those non-compliant aspects of the existing lot and they will be held to the plan approved in a previous Limited Development Order (LDO) from 2020.

What the action accomplishes:

Allows the applicant an exemption from bringing non-compliant aspects of the parking lot into conformity with the current LDC.

2. Agenda:

PUBLIC HEARINGS

3. Requirement/Purpose:

Resolution

5. Background:

The applicant was notified that they must obtain prior approval from Town Council before engaging in commercial parking at their 1479 Estero site. The applicant wishes to remove parking requirements for the 25-unit hotel building on this site, allowing for the use of all parking spaces to be used for commercial parking, while also requesting to remove landscape buffers, required parking lot configuration requirements and LDC-required reductions of their driveway width.

Attachments:

1. NS 24-XXX -- Lani Kai Special Exception Resolution
2. LPA Staff Report
3. Variance Application and Supporting Documents
4. [Historical] Adjacent Neighbor's LDO

Financial Impact:

N/A

6. Alternative Action

Approve with conditions

7. Staff Recommendations:

N/A

8. Recommended Approval:

Judith Frankel, Principal Planner

Date: December 03, 2024

Frankie Kropacek, Operations & Compliance Director

Date: December 04, 2024

nancy stuparich, Town Attorney

Date: December 04, 2024

Amy Baker, Town Clerk

Date: December 04, 2024

RESOLUTION NUMBER 24-XXX

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA APPROVING/ APPROVING WITH CONDITIONS/ DENYING SPECIAL EXCEPTION SEZ20240186 FOR USE OF AN EXISTING LOT TO PROVIDE 43 COMMERCIAL PARKING SPACES IN THE DOWNTOWN ZONING DISTRICT OF THE TOWN OF FORT MYERS BEACH LAND DEVELOPMENT CODE FOR PROPERTY LOCATED AT 1479 ESTERO BOULEVARD; PROVIDING FOR SCRIVENER'S ERRORS, SEVERABILITY, AND 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 Robert Burandt on behalf of LKLB of Florida Inc. is requesting use of an existing lot to provide 43 commercial parking spaces in the Downtown zoning district per Sections 34-2011(2)(a) and 34-2019(a) of the Town of Fort Myers Beach Land Development Code; and

WHEREAS, the STRAP number for the subject property is 19-46-24-W4-0060B.0100; and

WHEREAS, the Property is located in the “Pedestrian Commercial” category of the Future Land Use Map of the Comprehensive Plan; and

WHEREAS, the Property is located in 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 noticed and held before the Local Planning Agency (LPA) on December 10, 2024, and at the hearing the LPA gave full and complete consideration to the request of the Applicant recommendations of staff, the documents in the record, and the testimony of all interested persons, as required by Section 34-88 of the LDC. The LPA found that the request is/ is not consistent with the comprehensive plan and the requirements of the LDC and voted ___ to ___ recommending approval with conditions of the Special Exception; and

WHEREAS, on the ___ day of _____, 2024 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/ is not in the best interest of the Town to approve/approve with conditions/deny the request for a Special Exception.

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/ did not meet its burden of proof that the requested Special Exception does/ does not meet the requirements of the Town Comprehensive Plan and LDC, and approving the Special Exception is/ is not in the best interest of the Town to approve. Therefore, based upon the recommendations, testimony, and evidence presented by the Applicant, Town staff, and interested parties and public, the Town Council **APPROVES/APPROVES WITH CONDITIONS/DENIES** the Special Exception to allow reconstruction of a major accessory structure in the EC zoning district per section 6-366.

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

- A. 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 all performance and locational standards 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 use will be in compliance with the applicable general zoning provisions and supplemental regulations set forth in Chapter 34 of the Land Development Code; and

Section 4. If the Town Council approves/denies the requested Special Exception and the following conditions of approval are imposed on the Applicant and the subject property:

1. A new special exception must be applied for each time an LDO/ DO is applied for, or any structures are developed/ reconstructed.
2. Approval of this special exception does not give the Applicant an undeniable right to permit approval. Development 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.

3. The applicant must apply for and receive all state and local permits required for the reconstruction of all proposed structures.
4. Any violation of the conditions of approval shall render the special exception null and void.
5. Property owners shall develop a plan to engage with customers of the commercial lot no less than 40-feet into the property to allow for stacking that approximates requirements for lots which are developing gates within 100-feet of Estero Blvd.
6. Two-way drive aisles must meet minimum Fire Department widths, this will be assessed during an LDO/ DO as required by the LDC.
7. The applicant must obtain an approved lighting plan as outlined in LDC Sec. 34-1834.

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

Dan Allers, Mayor	_____
Jim Atterholt, Vice-Mayor	_____
John R. King, Council Member	_____
Karen Woodson, Council Member	_____
Scott Safford, Council Member	_____

ADOPTED this ____ day of _____, 2024 by the Town Council of the Town of Fort Myers Beach, Florida.

FORT MYERS BEACH TOWN COUNCIL

Dan Allers, 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:**

Vose Law Firm, Town Attorney

This Resolution was filed in the Office of the Town Clerk on this ____ day of January, 2024.



Town of Fort Myers Beach

COMMUNITY DEVELOPMENT DEPARTMENT

STAFF REPORT

TYPE OF CASE: Variance

CASE NUMBER: VAR20240233

CASE NAME: 1479 Estero Blvd.; requesting a variance from Sec. 34-2020(d)(2)(e) for the removal of required parking spaces to serve 25 hotel/ motel units, Sec. 34-2015 removing requirements to design the parking lot with sufficient lighting, on-site turnaround area, vehicle stacking and drainage and landscaping design, Sec. 34-2016(1) requiring two-way drive-aisle widths to be at least 22-feet wide, Sec. 34-2013 requiring minimum and maximum driveway widths at the entrance/ exit.

LPA

HEARING DATE: December 10, 2024, at 9 AM

STAFF

RECOMMENDATION: DENIAL

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

I. APPLICATION SUMMARY

Applicant/Owner: Robert Burandt, Esq./ LKLB of Florida Inc.

Request(s): **1)** A variance to remove required parking associated with the use of the lot as a 25-unit hotel/ motel; and **2)** A variance to remove site design requirements such as providing lighting for vehicle and pedestrian uses, turn-around area sufficient to allow 90-degree parking at the end of a row, the ability to turn-around and exit the lot in a forward orientation, stacking requirements, additional drainage and parking lot landscape requirements as described in Sec. 10-416(c); **3)** A variance to remove requirements which limit driveway widths to a maximum of 25-feet; and **4)** A variance to allow internal aisle width for two-way traffic be no less than 22-feet in width.

Subject property: See attached site plan
Physical Address: 1479 Estero Blvd
STRAP #: 19-46-24-W4-0060B.0070
FLU: Pedestrian Commercial
Zoning: Downtown

Adjacent zoning and land uses:

North: CANAL
South: DOWNTOWN
Commercial Parking Lot
East: DOWNTOWN
Multi-Family Condominium
West: DOWNTOWN
Commercial Parking Lot

II. BACKGROUND AND ANALYSIS

Background:

Robert Burandt, Esq., the authorized representative for 1479 Estero Blvd, is requesting four variances from the Town's Land Development Code (LDC). The first (1) is a variance from LDC 34-2020(d)(2)(e) requiring a minimum of 30 parking spaces to accommodate the hotel/ motel use of 25-units which are less than 450 square-feet per room (25 units x 1.2/ unit $\leq$ 450 s.f. = 30 required spaces; 13 remaining spaces which can be utilized for commercial parking should that use be approved by Council).

The second (2) is a variance from the Town's LDC 34-2015 which requires parking lots to be designed with internal landscaping and drainage to meet current land development code standards. The applicant is also seeking relief from stacking, turning radius and lighting requirements. The elimination of these requirements may impact the free-flow of traffic on Estero Blvd.,

The third (3) variance is from the Town's LDC 34-2013 which limits maximum driveway widths is 25-feet, the northernmost driveway is approximately 30-feet wide.

The fourth (4) is a variance from the Town's LDC 34-2016 which requires drive aisle widths of at least 22-feet, the applicant's previously approved Limited Development Order (LDO) shows that the existing aisle width is approximately 20-feet according to Lee Property Appraisers online GIS tools.

Analysis:

The first (1) variance request is for a reduction of the minimum required parking to accommodate the hotel/ motel use which calls for 1.2 spaces per accommodation unit which are ≤450 s.f. The Town's LDC Sec. 34-2020 (d)(2)(e) would require that 30 of the 43 available parking spaces would need to be dedicated for use by the 25 hotel/ motel units, allowing them a maximum of 13 spaces dedicated to commercial use. The applicant is requesting that all 43 spaces be allocated for a commercial parking lot, a 100-percent reduction of required parking associated with the hotel/ motel use

The second (2) variance request is to remove parking lot design requirements. The Town's LDC Sec. 34-2015 states that applicants shall provide landscaping, drainage to accommodate the use of the site as a 25-unit hotel/ motel, space to allow for stacking to occur entirely on the applicant's site, vehicle/ pedestrian lighting and end spaces to provide sufficient turn-around space in dead-end aisles. The applicant is seeking to keep the site as it currently exists. A commercial parking lot is anticipated to have a greater impact to Estero Blvd, with an increase to vehicle move in and out of the property.

The third (3) variance request is to remove requirements in the Town's LDC Sec. 34-2013 that driveways/ entrances/ exits cannot be wider than 25-feet, the current northernmost driveway is between 25-30 wide.

The fourth (4) variance request is to remove requirements in the Town's LDC Sec. 34-2016 which requires that two-way drive-aisles be a minimum of 22-feet wide when vehicles utilize 90-degree parking spaces, perpendicular to the drive-aisle. This requirement would be addressed during the Fire Department's eventual review of a LDO/ DO, the applicant has not provided assurances to staff that even if given approval to remove that aisle width requirement that the Fire reviewer would be able to approve the parking lot layout as has been presented in this variance application.

"The purpose of the Downtown district is [to] create the desired quality and character for the center of pedestrian-oriented commercial activities within the town. New commercial buildings are expected to accommodate pedestrians by providing storefronts near sidewalks and by offering shade and shelter along major streets." The lot varies in width from approximately 108 feet to 130 feet. The lot depth is approximately 270-feet with a portion that extends into the adjoining waterway.

Neighborhood Compatibility:

The subject property is a 25-unit hotel/ motel use with 43 parking spaces including one ADA-compliant space (per LDO20230196; attached). The lot sits directly adjacent

to a condominium and an existing commercial parking lot (1397 Estero Blvd) and another commercial parking lot across Estero Blvd. (1450 and 1478 Estero Blvd.)

While the commercial parking use is in-line with the mix of uses in the area, the proposed layout would not be in-line with the previously approved Special Exception for 1397 Estero Blvd. (SEZ 2003-00028).

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 already developed and has been in generally the same layout going back to at least 1998, which is as far back as LEEPA aerials can be obtained through the LEEPA website. Staff cannot assess whether commercial parking had been allowed previously by the Town or the County on this site. Asking to utilize all 43 parking spaces, rather than the 13 spaces which would be allowed if the parking requirements were applied to this lot is not a de minimis ask.

- 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 applicant has stated that there had been commercial parking for decades, even prior to the Town's incorporation, the staff cannot assess the validity of this claim, but there have been no measurable changes to the site since Hurricane Ian.

- 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 applicant can develop commercial parking on this site and provide for the minimum requirements that they are asking for relief from.

- 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 the variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare. The proposed variances will not materially affect the existing uses if they continue their uses as they have been.

- 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 **1)** a variance to remove required parking associated with the use of the lot as a 25-unit hotel/ motel; and **2)** a variance to remove site design requirements such as providing lighting for vehicle and pedestrian uses, turn-around area sufficient to allow 90-degree parking at the end of a row the ability to turn-around and exist the lot in a forward orientation, stacking requirements, additional drainage and parking lot landscape requirements as described in Sec. 10-416(c); **3)** a variance to remove requirements which limit driveway widths to a maximum of 25-feet; and **4)** a variance to allow internal aisle width for two-way traffic be no less than 22-feet in width and found that the variance requests does not meet the requirements set forth in sec. 34-87.

It seems that the variance requests per LDC Sec. 34-87 do not meet the requirements outlined in sections A and C of the findings and conclusions of this staff report. However, they do meet the requirements set forth in sections B, D and E of the findings and conclusions of this staff report.

Therefore, staff recommends **Denial** of VAR20240233, a **1)** a variance to remove required parking associated with the use of the lot as a 25-unit hotel/ motel; and **2)** a variance to remove site design requirements such as providing lighting for vehicle and pedestrian uses, turn-around area sufficient to allow 90-degree parking at the end of a row the ability to turn-around and exist the lot in a forward orientation, stacking requirements, additional drainage and parking lot landscape requirements as described in Sec. 10-416(c); **3)** a variance to remove requirements which limit driveway widths to a maximum of 25-feet; and **4)** a variance to allow internal aisle width for two-way traffic be no less than 22-feet in width

IV. CONDITIONS FOR APPROVAL

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

- 1) Approval of these variances does not give the Applicant an undeniable right to permit approval. Development 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 lot as shown on the provided site plan. Demolition or substantial damage to the commercial structure shall render the variances to be null and void.
- 3) Property owners shall develop a plan to engage with customers of the commercial lot no less than 40-feet into the property to allow for stacking that approximates requirements for lots which are developing gates within 100-feet of Estero Blvd.
- 4) Requirements and agreements made in LDO20230196 including:
 - a. Minimum standard parking space dimensions (18' x 9') and ADA parking space (18' x 12' with a 5' wide striped loading aisle)
 - b. Two-way drive aisles must meet minimum Fire Department widths, this will be assessed during an LDO/ DO as required by the LDC.
 - c. Any lighting proposed must obtain proper permits and must obtain FDEP approval.

V. EXHIBITS

- A. Previously Approved LDO Site Plan
- B. Variance Application

BURANDT, ADAMSKI, FEICHTHALER & SANCHEZ, PLLC

ATTORNEYS AND COUNSELORS-AT-LAW

1714 CAPE CORAL PARKWAY EAST

CAPE CORAL, FLORIDA 33904

ROBERT B. BURANDT, ESQ.
ROBERT C. ADAMSKI, ESQ.
ERIC P. FEICHTHALER, ESQ.
ALVARO C. SANCHEZ, ESQ.
DAVID W. HOLLEY, ESQ.
LEE G. RENDEIRO, ESQ.
DREW D. LIPSCHER, ESQ.

Telephone No.: (239) 542-4733
Facsimile No.: (239) 542-9203
E-mail: Robert@capecoralattorney.com

SEPTEMBER 4, 2024

Via Email & Delivery

Jason Smalley

Senior Planner, Community Development

Town of Fort Myers Beach

2731 Oak St

Fort Myers, FL 33931

Re: Lani Kai Application

Dear Mr. Smalley:

The Lani Kai intends to continue to lease spaces only to their patrons and only agreed to this application after discussion with the Town of Fort Myers Beach staff. They don't intend to invest additional sums of money into their parking lot at this time.

Pursuant to your July 24, 2024, correspondence, my client (Lani Kai) needs the following variances.

1. Waiving the number of required spaces to accommodate the 25-guest unit calculation and allow the applicant to rely on the limited development order attached hereto (Bates stamp # 012).
2. Variance from providing a parking lot configuration and rely on the limited development order. (Bate stamp # 013).
3. Variance from landscaping requirements.
4. Variance requiring the applicant to reduce the entry driveway width from Estero Blvd. and to allow the existing two (2) driveways to be in compliance with the limited development order. (Bate stamp # 012 and 013).

Thank you for your time and consideration regarding this matter. If you have listed any additional variances, please let me know. If you have any questions or concerns, please do not hesitate to contact me.

Very truly yours,

/s/ Robert B. Burandt

Robert B. Burandt, Esq.

Attorney-At-Law

Burandt, Adamski, Feichthaler & Sanchez, PLLC

Town of Fort Myers Beach

SEP 5 2024

Received by: _____



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: 1479 Estero Blvd, Fort Myers Beach, FL 33931

STRAP Number: 19-46-24-W4-0060B.0070

Applicant: LKLB of Florida Inc. Phone: 239-463-3111

Contact Name: Robert B. Burandt, Esq. Phone: 239-542-4733

Email: robert@capecoralattorney.com Fax: 239-542-9203

Current Zoning District: Hotel/Motel

Future Land Use Map (FLUM) Category: Mixed Use

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*: LKLB of Florida Inc., Robert B. Burandt, Esq. Phone: 239-542-4733

**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: 1714 Cape Coral Parkway East, Cape Coral, FL 33904

Email: robert@capecoralattorney.com Fax: 239.542.9203

Contact Name: Robert B. Burandt Phone: 239-542-4733



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: Robert B. Burandt, Esq. Phone: 239-542-4733

Address: 1714 Cape Coral Parkway East, Cape Coral, FL 33904

Email: robert@capecoralattorney.com Fax: 239.542.9203

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: _____
- ☐ 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: Special Exception to allow paid public parking. Need the following
variances: #1 variance from only using 13 parking spaces. #2 need variance from re-design of parking.

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: _____ Phone: _____

Mailing Address: _____

Email: _____ Fax: _____

AFFIDAVIT

APPLICATION IS SIGNED BY AN INDIVIDUAL OWNER OR APPLICANT

I, Robert B. Burandt, Esq. 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

Robert Barandi

Printed Name

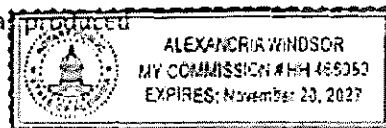
STATE OF FLORIDA COUNTY OF Lee

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

presence OR _____ online notarization, this 5 day of June, 2024, by

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

_____ as identification.



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
Robert Conidaris	100%

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, Robert B. Borandt, Esq. (name), as Attorney (title) of L.L.B. of Florida Inc. (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

LKLB of Florida Inc.
Name of Entity (corporation, partnership, LLP, LLC, etc)
[Signature] Attorney
Signature Title
Robert D. Burandt, Esq. 6/5/24
Typed or Printed Name Date

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 5 day of June, 2024 by [Signature], ☒ who is personally known to me OR ☐ who has produced _____ as identification.



PART VI- Property Information

A. Legal Description:

STRAP: 19-46-24-W4-00608,0070

Property Address: 1479 Estero Blvd., Fort Myers Beach, FL 33931

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: Venetian Gardens

Book: 6 Page: 70 Unit: _____ Block: B Lot(s): 7+8+E 1/2
of Lot 9+28+29+ VAC RD R/W OR 553 PG 797

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) Front 125' Back 100' _____ feet

Depth (please provide an average width if irregular in shape) 270 _____ feet

Frontage on street: 125 _____ feet. Frontage on waterbody: _____ feet

Total land area: 30,725 _____ ☐ acres ☒ square feet

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

Go over the bridge and turn left, go down 1/5 of a mile on your left-hand side.

☒ 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: Lani Kai Bay Front
Authorized Applicant: Robert B. Burandt, Esq.
LEPA STRAP Number(s): 19-46-24-W4-0060B.0070

Current Property Status:	
Current Zoning: Hotel/Motel	
Future Land Use Map (FLUM) Category: Proposed mixed use	
Platted Overlay?	yes no FLUM Density Range:

Requested Action:

☐	Use of premises in the EC (Environmentally Critical) zoning district for:
☒	Use of premises in the _____ zoning district for:
The Property is a 25-unit Motel with 43 parking spaces which are 18 x 9 feet. The drive aisle width is 20 feet with one handicapped parking space see Exhibit #1 attached hereto and incorporated herein	



Case# _____

Date Received: _____

PART I
Narrative Statements

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

Applicant is requesting to continue to use the parking lot for the Bayside Hotel for public paid parking.
without modifications to the parking lot, landscaping or other requirements.

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:

This property has been used for public paid parking since before the town was incorporated and will have no
adverse effect on the surrounding property or their use.
The Times Square area of the Beach needs more public parking. Traffic is very congested because visitors
have no place to park.



Case# _____ Date Received: _____

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

There would not be any adverse effect. The property is bordered by Norms parking to the North and property to the right of Norms parking which is owned by the Applicant or its affiliates

There is a canal to the right of the property and a Condominium to the South. This property has continually been used as public parking since the late 80s early 90s.

**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 \$3500.00/\$3300.00 for an amendment

For New Communication Towers:

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



Simon Holmes

November 10, 2023

RE: 1479 Estero Blvd, Fort Myers Beach
Strap # 19-46-24-W4-0060B.0070
LDO Application 20230196- Type 8- Resub 2

Dear Mr. Holmes,

Your application for a Limited Development Order has been **approved** by the Town of Ft. Myers Beach for the modifications proposed on the property located at 1479 Estero Blvd.

Request: request to reseal/ restripe of the parking lot and add 1 handicap stall will be striped.

THIS LIMITED DEVELOPMENT ORDER WILL BE VALID FOR A PERIOD OF UP TO THREE (3) YEARS AND IS SCHEDULED TO EXPIRE ON 11/10/2026.

Please contact the Town's Planning Department to schedule a final inspection once the job is complete by emailing zoningpermits@fmbgov.com.

This approval does not relieve the development from the responsibility to obtain all necessary Federal, State and Local permits. If you have any questions concerning this matter, please contact the Community Development Department office at (239) 765-0202.

Sincerely,
Sakshi
Planner
Town of Fort Myers Beach
Community Development Department

10/26/23, 10:00 AM

LDO20230196- Approved job site

Lani Kai permit 1.jpg

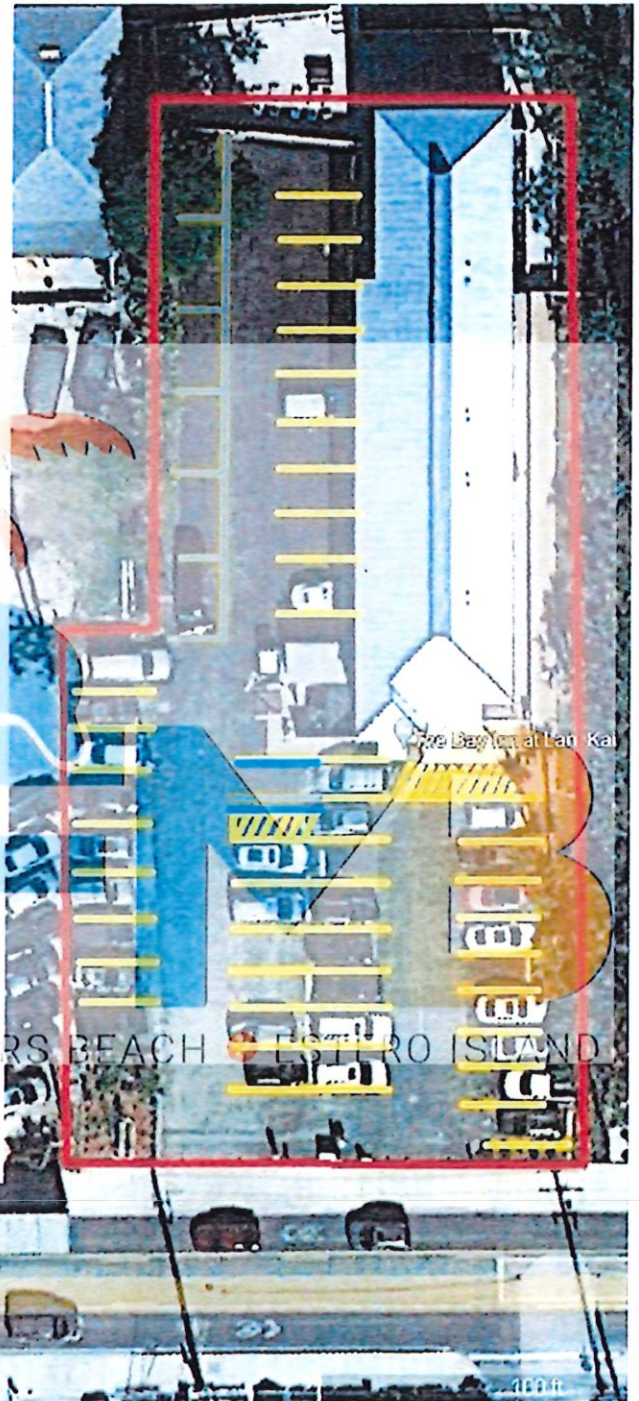
Lani Kai

Address:

1401 Estero Blvd
Fort Myers, FL

Work Description:

- Sealcoat parking lot within the red boundary line. Restripe all existing parking stall lines (yellow) and 6" linear line (yellow).
- No changes to parking lot, strictly sealcoating and restriping only. Each parking stall has the dimensions of 18' x 9'.
- The drive aisle width is 20 feet. There are a total of 43 regular parking spaces and no handicap spaces.
- We are adding zero pole mounted or building mounted lights on site.
- Parallel parking spaces will be removed to accommodate a wide enough drive aisle for the nearby parking.
- One (1) handicap stall will be striped. The dimensions are 18' x 12' with 5' access aisle (ADA compliant).



Property Data

STRAP: 19-46-24-W4-00608.0070 Folio ID: 10477703

Hurricane Ian Tax Roll Value Letter Tax Refund Status

Generated on 5/17/2024 3:44 PM

Owner Of Record - Sole Owner

[\[Change Mailing Address\]](#)

LKLB OF FLORIDA INC
1400 ESTERO BLVD
FORT MYERS BEACH FL 33931

[\[Tax Map Viewer\]](#) [\[View Comparables\]](#)



[\[Pictometry Aerial Viewer\]](#)

Site Address

Site Address maintained by 911 Program Addressing

1479 ESTERO BLVD
FORT MYERS BEACH FL 33931

ALTERNATE ADDRESS INFORMATION:

1401 ESTERO BLVD

Property Description

Do not use for legal documents!

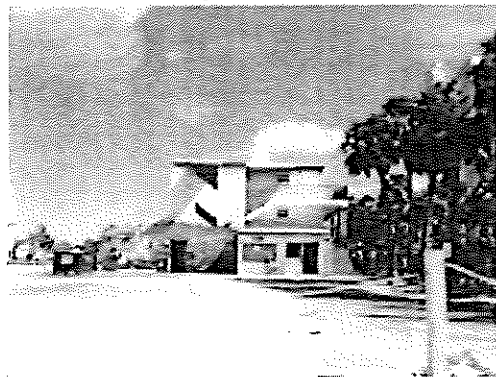
VENETIAN GARDENS BLK B PB 6 PG 70 LOTS 7 + 8 + E 1/2
OF LOT 9 + 28 + 29 + VAC RD RAW OR 553 PG 797

[View Recorded Plat at LeeClick.org](#) - Use this link to do an Official
Records search on the Lee County Clerk of Courts website, using 6 and
70 for the book and page numbers

Attributes and Location Details

Total Bedrooms / Bathrooms 0 / 24.0
Gross Building Area 11,128
1st Year Building on Tax Roll 1984
Historic Designation No

Image of Structure



< Photo Date March of 2023 > ☐ View other photos

Township 46 Range 24E Section 19 Block 00608 Lot 0070
Municipality Latitude Longitude
Town of Fort Myers Beach 26.45166 -81.95067

Last Inspection Date: 01/30/2024

[View Parcel on Google Maps](#)

Property Values / Exemptions / TRIM Notices

Generated on 5/17/2024 3:44 PM

No existing exemptions found for this property.

TRIM Notices	Tax Year	Just	Land	Market Assessed	Capped Assessed	Exemptions	Classified Use	Taxable
	Current	3,365,424	2,422,703	3,335,424	1,766,318	0	0	1,766,318
2023 Values / Additional Info	2023	2,422,713	2,422,703	2,422,713	1,523,925	0	0	1,023,925
2022 Values / Additional Info	2022	1,931,798	1,247,740	1,931,798	1,476,235	0	0	1,476,235
2021 Values / Additional Info	2021	1,430,932	968,123	1,430,932	1,342,066	0	0	1,342,066
2020 Values / Additional Info	2020	1,418,708	633,430	1,418,708	1,220,076	0	0	1,220,076
2019 Values / Additional Info	2019	1,192,733	632,550	1,192,733	1,109,182	0	0	1,109,182
2018 Values / Additional Info	2018	1,149,876	650,705	1,149,876	1,008,329	0	0	1,008,329
2017 Values / Additional Info	2017	1,232,621	697,531	1,232,621	916,663	0	0	916,663

2016 Values	2016	1,232,461	696,837	1,232,461	833,330	0	0	833,330
2015 Values	2015	1,159,494	533,520	1,159,494	757,573	0	0	757,573
2014 Values	2014	996,101	531,765	996,101	688,703	0	0	688,703
2013 Values	2013	1,098,712	650,000	1,098,712	628,094	0	0	628,094
2012 Values	2012	569,176	303,852	569,176	569,176	0	0	569,176
2011 Values	2011	521,836	278,579	521,836	521,836	0	0	521,836
2010 Values	2010	777,189	550,285	777,189	675,532	0	0	675,532
	2009	893,360	681,490	893,360	893,360	0	0	893,360
	2008	1,090,900	860,910	1,090,900	1,090,900	0	0	1,090,900
	2007	1,418,620	1,115,680	1,418,620	1,418,620	0	0	1,418,620
	2006	1,747,370	1,369,520	1,747,370	1,747,370	0	0	1,747,370
	2005	1,632,800	1,455,440	1,632,800	1,632,800	0	0	1,632,800
	2004	991,690	885,670	991,690	991,690	0	0	991,690
	2003	988,290	885,250	988,290	988,290	0	0	988,290

The **Just** value is the total parcel assessment (less any considerations for the cost of sale). This is the closest value to *Fair Market Value* we produce and is dated as of January 1st of the tax year in question (F.A.C. 12D-1.002).

The **Land** value is the portion of the total parcel assessment attributed to the land.

The **Market Assessed** value is the total parcel assessment (less any considerations for the cost of sale) based upon the assessment standard. Most parcels are assessed based either upon the *Highest and Best Use* standard or the *Present Use* standard (F.S. 193.011). For *Agriculturally Classified* parcels (or parts thereof), only agricultural uses are considered in the assessment (F.S. 193.461 (6)(a)).

The difference between the *Highest and Best Use/Present Use* and the *Agricultural Use* is often referred to as the *Agricultural Exemption*.

(i.e. Market Assessed = Just - Agricultural Exemption)

The **Capped Assessed** value is the *Market Assessment* after any *Save Our Homes* or *10% Assessment Limitation* cap is applied. This assessment cap is applied to all properties and limits year-to-year assessment increases to either the *Consumer Price Index* or 3%, whichever is lower for *Homestead* properties OR 10% for non-*Homestead* properties.

The **Exemptions** value is the total amount of all exemptions on the parcel.

The **Taxable** value is the *Capped Assessment* after exemptions (*Homestead*, etc.) are applied to it. This is the value that most taxing authorities use to calculate a parcel's taxes.
(i.e. Taxable = Capped Assessed - Exemptions)

Property Details (Current Working Values)

Generated on 5/17/2024 3:44 PM

Land

Land Tracts

Use Code	Use Code Description	Number of Units	Unit of Measure
3900	Motel	36753.00	Square Feet
2016	Boat Units - B	4.00	Units

Land Features

Description	Year Added	Units
SEAWALL - CONCRETE	1984	100
BLACK TOP - IMPROVED	1984	10,200
DOCK - BOAT - WOODEN	1984	1,000

Buildings

Building 1 of 1

Building Characteristics

Improvement Type	Model Type	Stories	Living Units
47 - Hotel/Motel - High Rise	7 - APT/HOTEL/CLUBS	3.0	0
Bedrooms	Bathrooms	Year Built	Effective Year Built
0	24.0	1984	1986

Building Subareas

Description	Heated / Under Air	Area (Sq Ft)
BAS - BASE	Y	3,627
FOF - FAIR OFFICE	Y	247

FCP - FINISHED OPEN PORCH	N	1,277
FCP - FINISHED OPEN PORCH	N	1,317
FCP - FINISHED OPEN PORCH	N	372
FUS - FINISHED UPPER STORY	Y	3,527
FUS - FINISHED UPPER STORY	Y	3,527
STP - STOOP	N	301
UST - UNFINISHED UTILITY	N	176

Building Front Photo

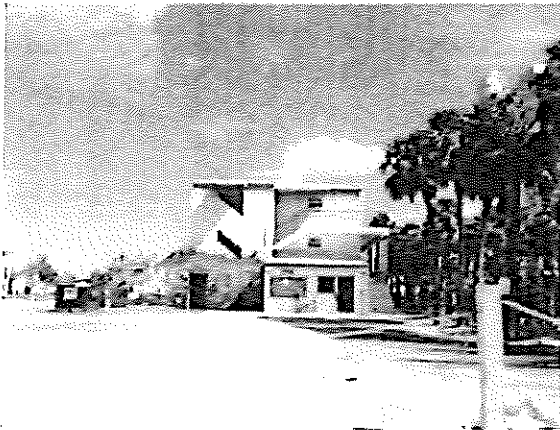
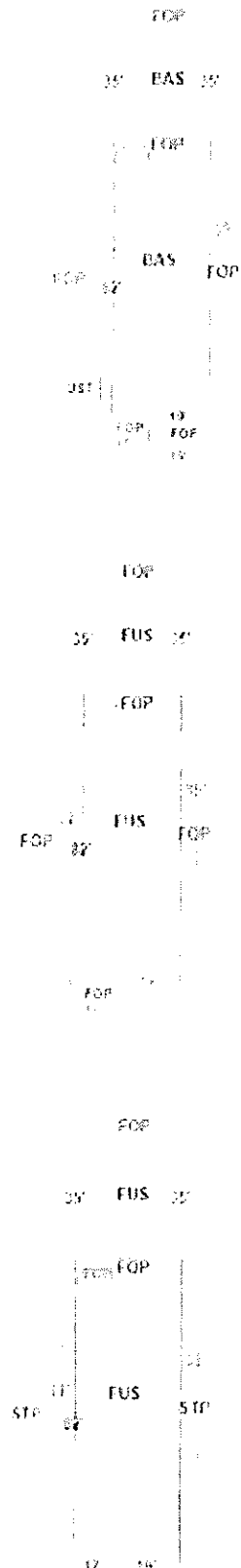


Photo Date: March of 2023

Building Footprint



Property Details (2023 Tax Roll)

Generated on 5/17/2024 3:44 PM

Land

Land Tracts

Use Code	Use Code Description	Number of Units	Unit of Measure
3900	Motel	30753.00	Square Feet
2016	Boat Units - B	4.00	Units

Land Features

Description	Year Added	Units
SEAWALL - CONCRETE	1984	100
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Buildings

Building 1 of 1

Building Characteristics

Improvement Type	Model Type	Stories	Living Units
47 - Hotel/Motel - High Rise	7 - APT/HOTEL/CLUBS	3.0	0
Bathrooms	Bathrooms	Year Built	Effective Year Built
0	24.0	1984	1985

Building Subareas

Description	Heated / Under Air	Area (Sq Ft)
BAS - BASE	Y	3,627
FOF - FAIR OFFICE	Y	247
FOP - FINISHED OPEN PORCH	N	1,277
FOP - FINISHED OPEN PORCH	N	1,317
FOP - FINISHED OPEN PORCH	N	372
FUS - FINISHED UPPER STORY	Y	3,627
FUS - FINISHED UPPER STORY	Y	3,627
STP - STOOP	N	801
UST - UNFINISHED UTILITY	N	176

Building Front Photo

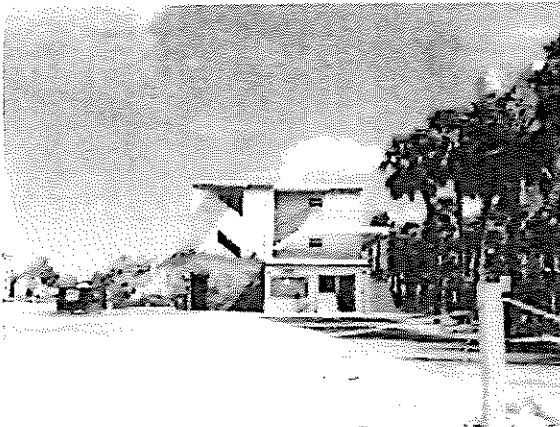
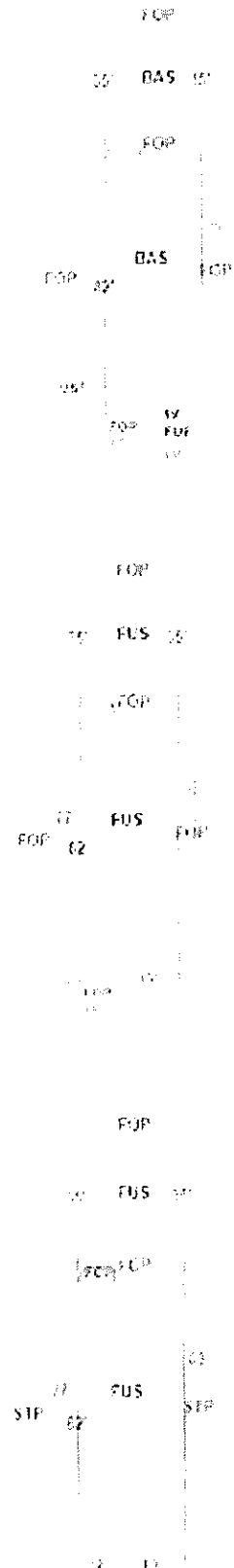


Photo Date: March of 2023

Building Footprint



Taxing Authorities

Generated on 5/17/2024 3:44 PM

TOWN OF FM BCH / FM BCH DOWNTOWN REDEV / 277

Item / Code	Category	Mailing Address
LEE CO GENERAL REVENUE / 044	County	LEE COUNTY OFFICE OF MGMT & BUDGET PO BOX 398 FORT MYERS FL 33902-0398
FORT MYERS BEACH FIRE CONTROL DIST / 032	Independent District	FORT MYERS BEACH FIRE CONTROL DIST 189 MOORHIS ST FORT MYERS BEACH FL 33931
FORT MYERS BEACH MOSQUITO CONTROL / 035	Independent District	FORT MYERS BEACH MOSQUITO CONTROL PO BOX 2817 FORT MYERS BEACH FL 33932-2817
FORT MYERS BEACH PUBLIC LIBRARY DIST / 033	Independent District	FORT MYERS BEACH PUBLIC LIBRARY DIST 2755 ESTERO BLVD FORT MYERS BEACH FL 33931
LEE CO HYACINTH CONTROL DIST / 051	Independent District	LEE CO HYACINTH CONTROL DIST 15191 HOMESTEAD RD LEHIGH ACRES FL 33971
WEST COAST INLAND NAVIGATION DIST / 098	Independent District	WEST COAST INLAND NAVIGATION DIST 200 MIAMI AVE E VENICE FL 34285-2480
TOWN OF FORT MYERS BEACH FLORIDA / 118	Municipal	TOWN OF FORT MYERS BEACH 2523 ESTERO BLVD FORT MYERS BEACH FL 33931
PUBLIC SCHOOL - BY LOCAL BOARD / 012	Public Schools	LEE COUNTY SCHOOL BOARD BUDGET DEPARTMENT 2855 COLONIAL BLVD FORT MYERS FL 33966
PUBLIC SCHOOL - BY STATE LAW / 013	Public Schools	LEE COUNTY SCHOOL BOARD BUDGET DEPARTMENT 2855 COLONIAL BLVD FORT MYERS FL 33966
SFWMD-DISTRICT-WIDE / 110	Water District	SFWMD 3301 GUN CLUB RD WEST PALM BEACH FL 33406
SFWMD-EVERGLADES CONSTRUCTION PROJECT / 084	Water District	SFWMD 3302 GUN CLUB RD WEST PALM BEACH FL 33406
SFWMD-OKEECHOBEE BASIN / 308	Water District	SFWMD 3301 GUN CLUB RD WEST PALM BEACH FL 33406

Sales / Transactions

Generated on 5/17/2024 3:44 PM

Sale Price	Date	Clerk File Number	Type	Notes	Variant Improved
618,400.00	08/22/2002	<u>3711/181</u>	03		I
100.00	07/01/1953	<u>1679/972</u>	04		I

[View Recorded Plat at LeeClerk.org](http://LeeClerk.org)

Use the above link to do a search on the Lee County Clerk of Records website using 553 and 70 for the book and page numbers and
Official Records for the book type.

Help safeguard your home against property fraud. Sign up for the Lee Clerk's free Property Fraud Alert.

Building / Construction Permit Data

Generated on 5/17/2024 3:44 PM

Permit Number	Permit Type	Date
<u>231223</u>	AC New / Change out	02/10/2023
<u>224606</u>	Electric	12/06/2022
<u>221248</u>	Electric	08/05/2022
<u>RGF17-0048</u>	Roof	06/07/2017
<u>SCN15-0023</u>	Building Miscellaneous	09/09/2015

IMPORTANT: THIS MAY NOT BE A COMPREHENSIVE OR TIMELY LISTING OF PERMITS ISSUED FOR THIS PROPERTY.

Note: The Lee County Property Appraiser's Office does not issue or maintain any permit information. The Building / Construction permit data displayed here represents only those records this Office may find necessary to conduct Property Appraiser business. Use of this information is with the understanding that in no way is this to be considered a comprehensive listing of permits for this or any other parcel.

The Date field represents the date the property appraiser received information regarding permit activity; it may or not represent the actual date of permit issuance or completion.

Full, accurate, active and valid permit information for parcels can only be obtained from the appropriate permit issuing agency.

Parcel Numbering History

Generated on 5/17/2024 3:44 PM

Prior STRAP	Prior Folio ID	Renumber Reason	Renumber Date
19-46-24-W4-0060A.0290	<u>10177752</u>	Split (From another Parcel)	05/09/2003
19-46-24-W4-03600.2040	<u>10228544</u>	Combined (With another parcel-Delete Occurs)	05/09/2003
19-46-24-W3-03500.2050	<u>N/A</u>	Combined (With another parcel-Delete Occurs)	05/09/2003
19-46-24-W4-03600.1010	<u>10228543</u>	Combined (With another parcel-Delete Occurs)	05/09/2003

Solid Waste (Garbage) Roll Data

Generated on 5/17/2024 3:44 PM

Solid Waste District	Roll Type	Category	Unit / Area	Tax Amount
001 - Service Area 1	C - Commercial Category	D	11855	1,243.75
Collection Days				
Garbage	Recycling	Horticulture		
Thursday	Thursday	Thursday		

Flood and Storm Information

Generated on 5/17/2024 3:44 PM

Flood Insurance Find my flood zone					Evacuation Zone
Community	Panel	Version	Date		
071C	0554	G	11/17/2022		A

Generated on 5/17/2024 3:44 PM

SECTION 19, TOWNSHIP 40 SOUTH, RANGE 24 EAST,
TOWN OF FORT MYERS BEACH, LEE COUNTY, FLORIDA

[illegible]

THEY WOULD BE THE SECOND PART OF A THREE PARTS. THE FIRST PART WOULD BE A THREE PARTS. THE SECOND PART WOULD BE A THREE PARTS. THE THIRD PART WOULD BE A THREE PARTS.

RECEIVED BY THE SECRETARY OF THE ARMY, WASHINGTON, D. C. 20315, JANUARY 10, 1961.

It is noted, however, that the subject's previous employment was not reported on the 1941-42 report, and that the subject's previous employment was not reported on the 1941-42 report, and that the subject's previous employment was not reported on the 1941-42 report.

[illegible]

CONFIDENTIAL

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 08-19-2006 BY 60322 UCBAW/SJS/KSP

CONFIDENTIAL - EYES ONLY DATE AND INDEX NO. 000000 1-17-2022

1997 and 1998. A 1% increase in the number of observations in 1997

100-442000, 100-442001, 100-442002.

1950年 1月 1日 星期日 晴 1月 1日 星期日 晴

[illegible]

1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100. 101. 102. 103. 104. 105. 106. 107. 108. 109. 110. 111. 112. 113. 114. 115. 116. 117. 118. 119. 120. 121. 122. 123. 124. 125. 126. 127. 128. 129. 130. 131. 132. 133. 134. 135. 136. 137. 138. 139. 140. 141. 142. 143. 144. 145. 146. 147. 148. 149. 150. 151. 152. 153. 154. 155. 156. 157. 158. 159. 160. 161. 162. 163. 164. 165. 166. 167. 168. 169. 170. 171. 172. 173. 174. 175. 176. 177. 178. 179. 180. 181. 182. 183. 184. 185. 186. 187. 188. 189. 190. 191. 192. 193. 194. 195. 196. 197. 198. 199. 200. 201. 202. 203. 204. 205. 206. 207. 208. 209. 210. 211. 212. 213. 214. 215. 216. 217. 218. 219. 220. 221. 222. 223. 224. 225. 226. 227. 228. 229. 230. 231. 232. 233. 234. 235. 236. 237. 238. 239. 240. 241. 242. 243. 244. 245. 246. 247. 248. 249. 250. 251. 252. 253. 254. 255. 256. 257. 258. 259. 260. 261. 262. 263. 264. 265. 266. 267. 268. 269. 270. 271. 272. 273. 274. 275. 276. 277. 278. 279. 280. 281. 282. 283. 284. 285. 286. 287. 288. 289. 290. 291. 292. 293. 294. 295. 296. 297. 298. 299. 300. 301. 302. 303. 304. 305. 306. 307. 308. 309. 310. 311. 312. 313. 314. 315. 316. 317. 318. 319. 320. 321. 322. 323. 324. 325. 326. 327. 328. 329. 330. 331. 332. 333. 334. 335. 336. 337. 338. 339. 340. 341. 342. 343. 344. 345. 346. 347. 348. 349. 350. 351. 352. 353. 354. 355. 356. 357. 358. 359. 360. 361. 362. 363. 364. 365. 366. 367. 368. 369. 370. 371. 372. 373. 374. 375. 376. 377. 378. 379. 380. 381. 382. 383. 384. 385. 386. 387. 388. 389. 390. 391. 392. 393. 394. 395. 396. 397. 398. 399. 400. 401. 402. 403. 404. 405. 406. 407. 408. 409. 410. 411. 412. 413. 414. 415. 416. 417. 418. 419. 420. 421. 422. 423. 424. 425. 426. 427. 428. 429. 430. 431. 432. 433. 434. 435. 436. 437. 438. 439. 440. 441. 442. 443. 444. 445. 446. 447. 448. 449. 450. 451. 452. 453. 454. 455. 456. 457. 458. 459. 460. 461. 462. 463. 464. 465. 466. 467. 468. 469. 470. 471. 472. 473. 474. 475. 476. 477. 478. 479. 480. 481. 482. 483. 484. 485. 486. 487. 488. 489. 490. 491. 492. 493. 494. 495. 496. 497. 498. 499. 500. 501. 502. 503. 504. 505. 506. 507. 508. 509. 510. 511. 512. 513. 514. 515. 516. 517. 518. 519. 520. 521. 522. 523. 524. 525. 526. 527. 528. 529. 530. 531. 532. 533. 534. 535. 536. 537. 538. 539. 540. 541. 542. 543. 544. 545. 546. 547. 548. 549. 550. 551. 552. 553. 554. 555. 556. 557. 558. 559. 560. 561. 562. 563. 564. 565. 566. 567. 568. 569. 570. 571. 572. 573. 574. 575. 576. 577. 578. 579. 580. 581. 582. 583. 584. 585. 586. 587. 588. 589. 590. 591. 592. 593. 594. 595. 596. 597. 598. 599. 600. 601. 602. 603. 604. 605. 606. 607. 608. 609. 610. 611. 612. 613. 614. 615. 616. 617. 618. 619. 620. 621. 622. 623. 624. 625. 626. 627. 628. 629. 630. 631. 632. 633. 634. 635. 636. 637. 638. 639. 640. 641. 642. 643. 644. 645. 646. 647. 648. 649. 650. 651. 652. 653. 654. 655. 656. 657. 658. 659. 660. 661. 662. 663. 664. 665. 666. 667. 668. 669. 670. 671. 672. 673. 674. 675. 676. 677. 678. 679. 680. 681. 682. 683. 684. 685. 686. 687. 688. 689. 690. 691. 692. 693. 694. 695. 696. 697. 698. 699. 700. 701. 702. 703. 704. 705. 706. 707. 708. 709. 710. 711. 712. 713. 714. 715. 716. 717. 718. 719. 720. 721. 722. 723. 724. 725. 726. 727. 728. 729. 730. 731. 732. 733. 734. 735. 736. 737. 738. 739. 740. 741. 742. 743. 744. 745. 746. 747. 748. 749. 750. 751. 752. 753. 754. 755. 756. 757. 758. 759. 760. 761. 762. 763. 764. 765. 766. 767. 768. 769. 770. 771. 772. 773. 774. 775. 776. 777. 778. 779. 780. 781. 782. 783. 784. 785. 786. 787. 788. 789. 790. 791. 792. 793. 794. 795. 796. 797. 798. 799. 800. 801. 802. 803. 804. 805. 806. 807. 808. 809. 810. 811. 812. 813. 814. 815. 816. 817. 818. 819. 820. 821. 822. 823. 824. 825. 826. 827. 828. 829. 830. 831. 832. 833. 834. 835. 836. 837. 838. 839. 840. 84

486-113
Shoules & Co.

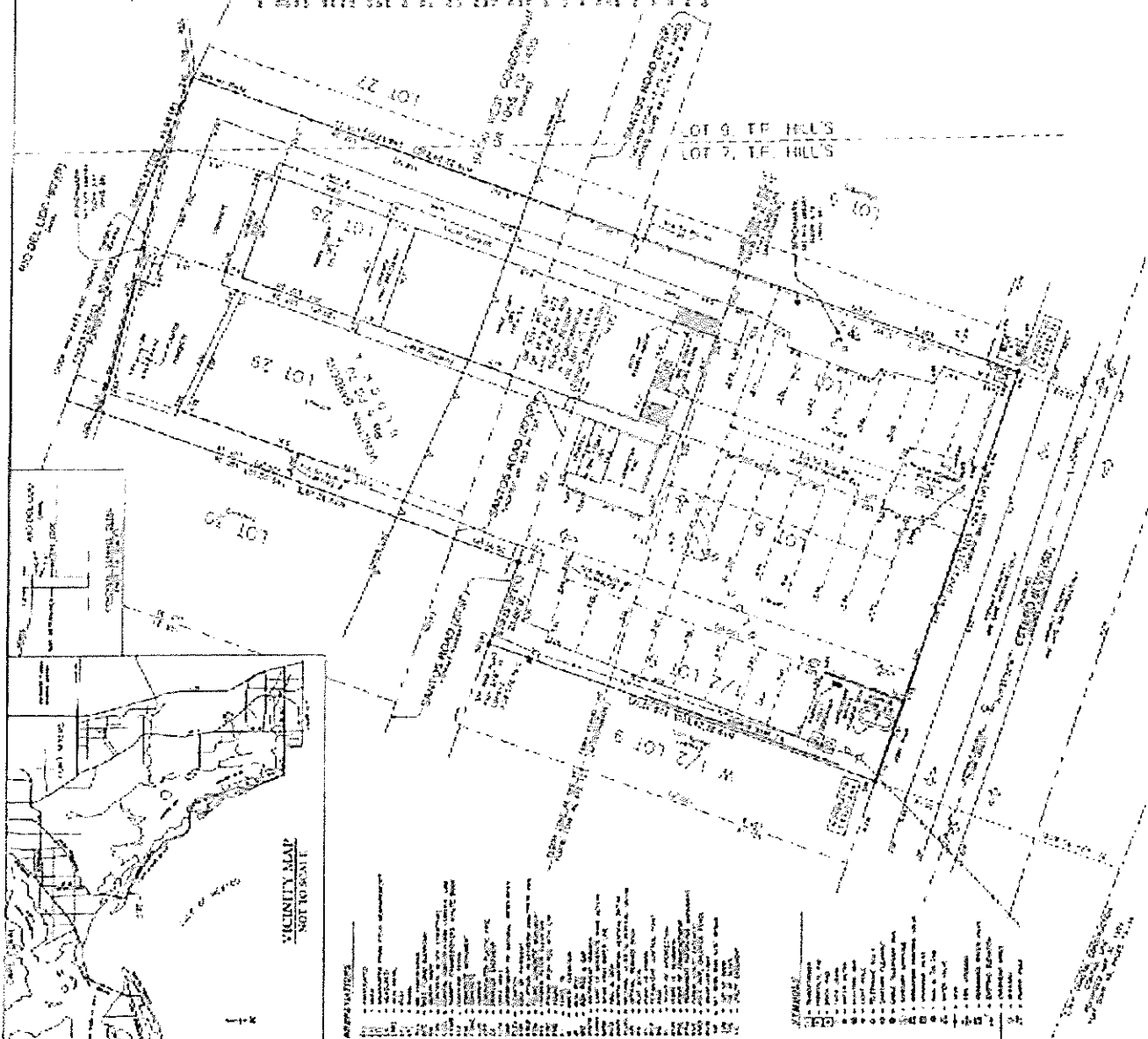
of the above firm
Alfred C. Co. (S.S.C.).
is a very common name for
advertising etc. printed after other

1. The first step is to identify the problem or question that needs to be answered. This involves understanding the context and the specific requirements of the task.

For more information, call 1-800-368-2772 or visit our website at www.3m.com. 3M is a leader in the development of innovative products and solutions for a wide range of applications. 3M is committed to providing high-quality products and services that meet the needs of our customers. 3M is a leader in the development of innovative products and solutions for a wide range of applications. 3M is committed to providing high-quality products and services that meet the needs of our customers.

LANI KAI AND BEACH RESORT • BOUNDARY SURV

<< HALEY WARD

[illegible]

LANI KAI AND BEACH RESORT - BOUNDARY SURVEY

HALEY WARD

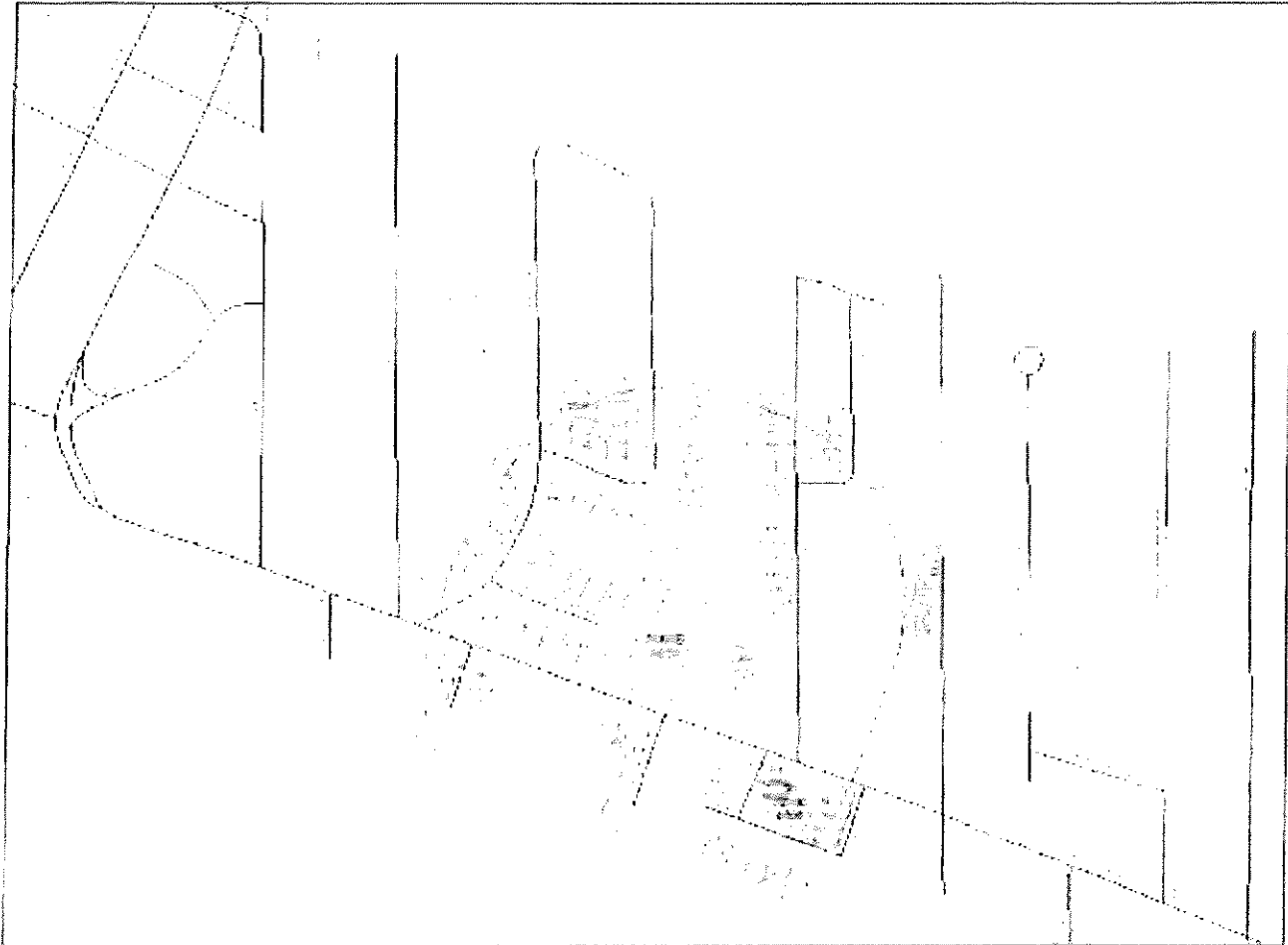
Page 1 of 1

[illegible]

Architectural drawing of a building with multiple wings and a central tower. The drawing includes a north arrow and a scale bar. The building is labeled "Bayside Motel" and "Bayside Motel Building". The drawing is a detailed architectural plan showing the layout of the building, including rooms, corridors, and outdoor areas. The drawing is oriented with the north arrow pointing towards the top right. The scale bar indicates a distance of 100 feet. The building has a central tower and several wings extending from it. The drawing is a technical architectural plan.

Bayside Motel





Date of Report: June 04, 2024

Buffer Distance: 500 feet

Parcels Affected: 165

Subject Parcel: 19-46-24-W4-0060B.0070

[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 |
|--|---|--|-----------|
| VENETIAN GARDENS CANAL
PALERMO CIR
FORT MYERS BEACH FL 33931 | 19-46-24-W4-00000.01CE
SUBMERGED
FORT MYERS BEACH FL 33931 | VENETIAN GARDENS
PB 6 PG 70
RIO DEL LIDO CANAL | 1 |
| VENETIAN GARDENS CANAL
PALERMO CIR
FORT MYERS BEACH FL 33931 | 19-46-24-W4-00000.02CE
SUBMERGED
FORT MYERS BEACH FL 33931 | VENETIAN GARDENS
PB 6 PG 70
CANAL GRANDE CANAL | 2 |
| KEY ESTERO SHOPS LLC
3220 PINE CONE CT
MILFORD NJ 08831 | 19-46-24-W4-00402.0010
1661 ESTERO BLVD
FORT MYERS BEACH FL 33931 | HILLS T P SUBD PB 3 PG 84
PT LT 11 DESC OR 1468
PG 1697 LESS N 275 FT | 3 |
| REALBOOK LLC
12 SEQUOIA DR
DAYTON NJ 08810 | 19-46-24-W4-00402.001A
200 CAROLINA AVE
FORT MYERS BEACH FL 33931 | HILLS T P SUBD PB 3 PG 84
PT LT 11 N 275 FT OF
OR 1468 PG 1697 | 4 |
| GIBB CAPITAL LLC
1700 MEDICAL LN #101
FORT MYERS FL 33907 | 19-46-24-W4-00402.0030
211 OSTEBO DR
FORT MYERS BEACH FL 33931 | HILLS T P SUBD PB 3 PG 84 PT
LOT 11 DESC OR 1352 PG 613
AKA BUK J LOT 13 1ST EDITION
VENETIAN GARDENS | 5 |
| AMBERJACK PROPERTIES LLC
PO BOX 446 | 19-46-24-W4-00402.0050
210 OSTEBO DR | HILLS T P SUBD
PB 3 PG 84 PT LOT 11 | 6 |

| | | | |
|---|---|---|----|
| OTTOVILLE OH 45876 | FORT MYERS BEACH FL 33931 | DESC IN OR 1351 PG 1680 | |
| PIEC DANIEL J & JOYCE A TR
230 CAROLINA AVE
FORT MYERS BEACH FL 33931 | 19-46-24-W4-00402.0120
230 CAROLINA AVE
FORT MYERS BEACH FL 33931 | HILL STP SURD
PB 3 PG 84 PT LOT 11
DESC OR 1365 PG 760 | 7 |
| MOORE ERIK & SUSAN +
8136 KRONLOKKEN LANE
LA FAYETTE IN 47909 | 19-46-24-W4-00402.0200
231 OSTEGO DR
FORT MYERS BEACH FL 33931 | PARLIN S 1/4 AS DESC IN
OR 1361 PG 1551 AKA BLK J
LOT 15 VENETIAN GARDENS | 8 |
| EE44 LLC
1951 PINE RIDGE DR
JENISON MI 49428 | 19-46-24-W4-00600.Y000
125/127 PALERMO CIR
FORT MYERS BEACH FL 33931 | VENETIAN GARDENS
BLK Y PB 6 PG 70
ALL BLK Y EXC NLY 11 FT | 9 |
| COLLIN JAMES GROUP LLC
15 CARROTWOOD CT
FORT MYERS FL 33919 | 19-46-24-W4-0060A.0110
259 CAROLINA AVE
FORT MYERS BEACH FL 33931 | VENETIAN GARDENS
BLK A PB 6 PG 70
LOT 11 | 10 |
| COLLIN JAMES GROUP LLC
15 CARROTWOOD CT
FORT MYERS FL 33919 | 19-46-24-W4-0060A.0120
257 CAROLINA AVE
FORT MYERS BEACH FL 33931 | VENETIAN GARDENS
BLK A PB 6 PG 70
LOT 12 | 11 |
| RATISBONA INC
3665 BONITA BEACH RD SW #1-3
BONITA SPRINGS FL 34134 | 19-46-24-W4-0060A.0130
251/255 CAROLINA AVE
FORT MYERS BEACH FL 33931 | VENETIAN GARDENS
BLK A PB 6 PG 70
LOT 13 | 12 |
| ZIEGLER MICHAEL W & NANCY A
437 AUBURN ST
ALLEN TOWN PA 18102 | 19-46-24-W4-0060A.0140
249 CAROLINA AVE
FORT MYERS BEACH FL 33931 | VENETIAN GARDENS
BLK A PB 6 PG 70
LOT 14 | 13 |
| CANTRELL JASON ALAN & DEBRA
620 GREENFORD TRAIL W
CARMEL IN 46032 | 19-46-24-W4-0060A.0150
245 CAROLINA AVE
FORT MYERS BEACH FL 33931 | VENETIAN GARDENS
BLK A PB 6 PG 70
LOT 15 | 14 |
| PETERSON DAVID CHARLES
85 LAKEVIEW AVE
EXCELSIOR MN 55331 | 19-46-24-W4-0060A.0160
239 CAROLINA AVE
FORT MYERS BEACH FL 33931 | VENETIAN GARDENS
BLK A PB 6 PG 70
LOT 16 | 15 |
| WIDMEIER INVESTMENTS LLC
4390 DODGE ST
DUBUQUE IA 52003 | 19-46-24-W4-0060A.0170
237 CAROLINA AVE
FORT MYERS BEACH FL 33931 | VENETIAN GARDENS
BLK A PB 6 PG 70
LOT 17 | 16 |
| MALONEY JAMES P TR
235 CAROLINA AVE
FORT MYERS BEACH FL 33931 | 19-46-24-W4-0060A.0180
233/235 CAROLINA AVE
FORT MYERS BEACH FL 33931 | VENETIAN GARDENS
BLK A PB 6 PG 70
LOT 18 + N 25 FT LOT 19 | 17 |
| ESH ANDREW CHARLES +
15833 SUNSET RD
MINNETONKA MN 55345 | 19-46-24-W4-0060A.0200
223 CAROLINA AVE
FORT MYERS BEACH FL 33931 | VENETIAN GARDENS
BLK A PB 6 PG 70
LOT 20 + S 1/2 OF LOT 19 | 18 |
| SZYBERSKI KEITH P
219 CAROLINA AV
FORT MYERS BEACH FL 33931 | 19-46-24-W4-0060A.0210
219 CAROLINA AVE
FORT MYERS BEACH FL 33931 | VENETIAN GARDENS
BLK A PB 6 PG 70
LOT 21 | 19 |
| LANI KAI LP
1400 ESTERO BLVD
FORT MYERS BEACH FL 33931 | 19-46-24-W4-0060A.0300
1403 SANTOS RD
FORT MYERS BEACH FL 33931 | VENETIAN GARDENS
BLK A PB 6 PG 70
LOTS 30 31 LESS W 12 FT | 20 |
| LANI KAI LP
1400 ESTERO RD
FORT MYERS BEACH FL 33931 | 19-46-24-W4-0060A.0320
1401 SANTOS RD
FORT MYERS BEACH FL 33931 | VENETIAN GARDENS
BLK A PB 6 PG 70
LOTS 32 + W 12 FT LOT 31 | 21 |
| AULLS PATRICIA E D/E
7241 BERGAMO WAY UNIT 101
FORT MYERS FL 33966 | 19-46-24-W4-0060A.0330
1351 SANTOS RD
FORT MYERS BEACH FL 33931 | VENETIAN GARDENS
BLK A PB 6 PG 70
LOT 33 | 22 |
| WILCOX LANCE
1339 SANTOS RD
FORT MYERS BEACH FL 33931 | 19-46-24-W4-0060A.0340
1339 SANTOS RD
FORT MYERS BEACH FL 33931 | VENETIAN GARDENS
BLK A PB 6 PG 70
LOT 34 | 23 |
| PARILLA DAVID R TR
1335 SANTOS RD
FORT MYERS BEACH FL 33931 | 19-46-24-W4-0060A.0350
1335 SANTOS RD
FORT MYERS BEACH FL 33931 | VENETIAN GARDENS
BLK A PB 6 PG 70
LOT 35 | 24 |
| CONNER CHARLES R & GAIL D
53 POMPAÑO ST
FORT MYERS BEACH FL 33931 | 19-46-24-W4-0060A.0360
126 PALERMO CIR
FORT MYERS BEACH FL 33931 | VENETIAN GARDENS
BLK A PB 6 PG 70 | 25 |

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|--|--|---|----|
| | | LOT 36 + S 1/2 OF BLK X
LESS THE N 20 FT | |
| PARILLA DAVID R TR
1335 SANTOS RD
FORT MYERS BEACH FL 33931 | 19-46-24-W4-0060A.0370
1331 SANTOS RD
FORT MYERS BEACH FL 33931 | VENETIAN GARDENS
BLK A PB 6 PG 70
LOT 37 | 26 |
| KLC SURF LLC
CHRISTOPHER PRIMEAU
4625 W EUCLID AVE
TAMPA FL 33629 | 19-46-24-W4-0060B.0100
1397 ESTERO BLVD
FORT MYERS BEACH FL 33931 | VENETIAN GARDENS
BLK B PB 6 PG 70
W 1/2 LOT 9 LOTS 10 - 11 | 27 |
| KLC SURF LLC
CHRISTOPHER PRIMEAU
4625 W EUCLID AVE
TAMPA FL 33629 | 19-46-24-W4-0060B.0120
1365/1375 ESTERO BLVD
FORT MYERS BEACH FL 33931 | VENETIAN GARDENS
BLK B PB 6 PG 70
LOT 12 | 28 |
| LANI KAI LP
ROBERT G CONIDARIS
1400 ESTERO BLVD
FORT MYERS BEACH FL 33931 | 19-46-24-W4-0060B.0130
1345 ESTERO BLVD
FORT MYERS BEACH FL 33931 | VENETIAN GARDENS
BLK B PB 6 PG 70
LOT 13 | 29 |
| LANI KAI LP
ROBERT G CONIDARIS
1400 ESTERO BLVD
FORT MYERS BEACH FL 33931 | 19-46-24-W4-0060B.0140
1331 ESTERO BLVD
FORT MYERS BEACH FL 33931 | VENETIAN GARDENS
BLK B PB 6 PG 70
LOT 14 | 30 |
| LANI KAI LP
ROBERT G CONIDARIS
1400 ESTERO BLVD
FORT MYERS BEACH FL 33931 | 19-46-24-W4-0060B.0150
1325 ESTERO BLVD
FORT MYERS BEACH FL 33931 | VENETIAN GARDENS
BLK B PB 6 PG 70
LOTS 15 | 31 |
| 7-ELEVEN INC
CORP INCOME TAX DEPT
3200 HYACKBERRY RD
IRVING TX 75063 | 19-46-24-W4-0060B.0160
1301 ESTERO BLVD
FORT MYERS BEACH FL 33931 | VENETIAN GARDENS
BLK B PB 6 PG 70
LOTS 16 + 17 | 32 |
| 455 PALERMO CIRCLE LLC
1421 EAST LAKE SHORE DR
SPRINGFIELD IL 62712 | 19-46-24-W4-0060D.0100
455 PALERMO CIR
FORT MYERS BEACH FL 33931 | VENETIAN GARDENS
BLK D PB 6 PG 70
LOT 10 | 33 |
| VAN FAM PROPERTIES LLC
7325 INDIGO RIDGE SW
BYRON CENTER MI 49315 | 19-46-24-W4-0060D.0110
459 PALERMO CIR
FORT MYERS BEACH FL 33931 | VENETIAN GARDENS
BLK D PB 6 PG 70
LOT 11 | 34 |
| DAR LAND HOLDINGS LLC
3487 COUNTY LINE RD
LUXEMBURG WI 53121 | 19-46-24-W4-0060D.0120
461 PALERMO CIR
FORT MYERS BEACH FL 33931 | VENETIAN GARDENS
BLK D PB 6 PG 70
LOT 12 | 35 |
| 463 PALERMO LLC
1421 E LAKE SHORE DR
SPRINGFIELD IL 62712 | 19-46-24-W4-0060D.0130
463 PALERMO CIR
FORT MYERS BEACH FL 33931 | VENETIAN GARDENS
BLK D PB 6 PG 70
LOT 13 + N 1/2 OF LOT 14 | 36 |
| 499 PALERMO LLC
1421 E LAKE SHORE DR
SPRINGFIELD IL 62712 | 19-46-24-W4-0060D.0150
499 PALERMO CIR
FORT MYERS BEACH FL 33931 | VENETIAN GARDENS
BLK D PB 6 PG 70
PT LOT 15 + S 1/2 LOT 14
DESC IN OR BK 3404 PG 4545 | 37 |
| MILLER JONATHAN T
PO BOX 80490
FORT WAYNE IN 46898 | 19-46-24-W4-0060E.0010
501 PALERMO CIR
FORT MYERS BEACH FL 33931 | VENETIAN GARDENS
BLK E PB 6 PG 70
LOTS 1 + 2 + PT LOT 15 +
20 FT STRIP N OF AND ADJ TO
LOTS 1 - 2
DESC IN OR BK 3404 PG 4545 | 38 |
| TEZAK HELEN C TR
50 CHAPEL ST APT 4
FORT MYERS BEACH FL 33931 | 19-46-24-W4-0060E.0030
505 PALERMO CIR
FORT MYERS BEACH FL 33931 | VENETIAN GARDENS
BLK E PB 6 PG 70
LOTS 3 + 4 | 39 |
| R & D ENTERPRISES OF
3436 CHURCH ST
STEVENS POINT WI 54481 | 19-46-24-W4-0060E.0050
551 PALERMO CIR
FORT MYERS BEACH FL 33931 | VENETIAN GARDENS
BLK E PB 6 PG 70
LOT 5 | 40 |
| WEIGERT ANTIJE & MARTIN
415 CAPE CORAL PKWY W | 19-46-24-W4-0060E.0060
561 PALERMO CIR | VENETIAN GARDENS
BLK E PB 6 PG 70 | 41 |

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|---|--|--|----|
| CAPE CORAL FL 33914 | FORT MYERS BEACH FL 33931 | LOT 6 | |
| JAMES R BRATLEY & JOAN E BRATLEY
15120 W ILIFF PL
LAKEWOOD CO 80228 | 19-46-24-W4-0060E.0070
571 PALERMO CIR
FORT MYERS BEACH FL 33931 | VENETIAN GARDENS
BLK E PB 6 PG 70
LOT 7 | 42 |
| GNIRCK RAPHAEL +
AM MUEHLBERG 39A
BAD HOMBURG VD HOEHE 61348
GERMANY | 19-46-24-W4-0060E.0080
581 PALERMO CIR
FORT MYERS BEACH FL 33931 | VENETIAN GARDENS
BLK E PB 6 PG 70
LOT 8 + LOT PT 9 | 43 |
| STRICK RICHARD A &
5804 PARK RIDGE CT
FORT COLLINS CO 80528 | 19-46-24-W4-0060E.0090
130 PALERMO CIR
FORT MYERS BEACH FL 33931 | VENETIAN GARDENS PB 6/70
BLK E S 1/2 OF LOT 9 +
ALL OF BLK X LESS S 20 FT | 44 |
| HENNESSEY PATRICIA J &
460 PALERMO CIR
FORT MYERS BEACH FL 33931 | 19-46-24-W4-0060E.0010
460 PALERMO CIR
FORT MYERS BEACH FL 33931 | VENETIAN GARDENS
BLK F PB 6 PG 70
LOT 1 | 45 |
| NORTH KEY INC
7150 RED LION FIVE POINTS RD
SPRINGBORO OH 45066 | 19-46-24-W4-0060E.0020
552 PALERMO CIR
FORT MYERS BEACH FL 33931 | VENETIAN GARDENS
BLK F PB 6 PG 70
LOT 2 | 46 |
| DONNA M BYRD TRUST +
5701 BLUNK KNOB RD
ELIZABETH IN 47117 | 19-46-24-W4-0060E.0030
580 PALERMO CIR
FORT MYERS BEACH FL 33931 | VENETIAN GARDENS
BLK F PB 6 PG 70
LOT 3 | 47 |
| RELAAX LLC
2201 E WILLOW ST STE D 363
SIGNAL HILL CA 90755 | 19-46-24-W4-0060E.0040
584/586 PALERMO CIR
FORT MYERS BEACH FL 33931 | VENETIAN GARDENS
BLK F PB 6 PG 70
LOT 4 | 48 |
| RELAAX LLC
2201 E WILLOW ST STE D 363
SIGNAL HILL CA 90755 | 19-46-24-W4-0060E.0050
588/590 PALERMO CIR
FORT MYERS BEACH FL 33931 | VENETIAN GARDENS
BLK F PB 6 PG 70
LOT 5 | 49 |
| DEL BUSTO GEORGE &
2212 EVEREST PKWY
CAPE CORAL FL 33904 | 19-46-24-W4-0060E.0060
456 PALERMO CIR
FORT MYERS BEACH FL 33931 | VENETIAN GARDENS
BLK F PB 6 PG 70
LOT 6 | 50 |
| 450 PALERMO LLC
1421 E LAKE STR
SPRINGFIELD IL 62712 | 19-46-24-W4-0060E.0070
450 PALERMO CIR
FORT MYERS BEACH FL 33931 | VENETIAN GARDENS
BLK F PB 6 PG 70
LOT 7 | 51 |
| LUSSIER TARA CORBISHLEY &
745 BIMINI LN
PUNTA GORDA FL 33950 | 19-46-24-W4-0060E.0280
312 PALERMO CIR
FORT MYERS BEACH FL 33931 | VENETIAN GARDENS
BLK F PB 6 PG 70
PORTION OF LOT 28 DESC IN
INSTRUMENT 2020000115871 | 52 |
| RELAAX LLC
2201 E WILLOW ST STE D 363
SIGNAL HILL CA 90755 | 19-46-24-W4-0060E.028A
ACCESS UNDETERMINED
FORT MYERS BEACH FL | VENETIAN GARDENS
BLK F PB 6 PG 70
REMAINING PORTION OF LOT 28
DESC IN INSTRUMENT
2020000115871 | 53 |
| DAY BILLY WAYNE
3708 SHANNON RUN TRL
LOUISVILLE KY 40299 | 19-46-24-W4-0060G.0170
155 PALERMO CIR
FORT MYERS BEACH FL 33931 | VENETIAN GARDENS
BLK G PB 6 PG 70
LOT 17 | 54 |
| LUMP THOMAS F & ANN C
145 PALERMO CIR
FORT MYERS BEACH FL 33931 | 19-46-24-W4-0060G.0180
145 PALERMO CIR
FORT MYERS BEACH FL 33931 | VENETIAN GARDENS
BLK G PB 6 PG 70
LOT 18 | 55 |
| SLOMSKI STEVEN A &
PO BOX 2428 PMB 25382
PENSACOLA FL 32513 | 19-46-24-W4-0060G.0190
139 PALERMO CIR
FORT MYERS BEACH FL 33931 | VENETIAN GARDENS
BLK G PB 6 PG 70
LOT 19 NLY 11 FT BLK Y | 56 |
| ARLINGTON GREEN HOMES LLC
LARRY SMITH
434 SPINNAKER DR
MARCO ISLAND FL 34145 | 19-46-24-W4-0060H.0270
121 PALERMO CIR
FORT MYERS BEACH FL 33931 | VENETIAN GARDENS
BLK H PB 6 PG 70
LOT 27 | 57 |
| KALIDINDI RAMA USHA +
44354 APACHE CIR
ASHBURN VA 20147 | 19-46-24-W4-0060H.0280
117 PALERMO CIR
FORT MYERS BEACH FL 33931 | VENETIAN GARDENS
BLK H PB 6 PG 70
LOT 28 + PT LOTS 26 + 29 | 58 |
| 1249 ESTERO ADVENTURES LLC
290 BAHIA VIA | 19-46-24-W4-0060H.0300
1249 ESTERO BLVD | VENETIAN GARDENS BLK H
PB 6 PG 70 LOTS 30 31-32 | 59 |

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| FORT MYERS BEACH FL 33931 | FORT MYERS BEACH FL 33931 | + PT LT 29 OR 2414-2433 | |
| NAUTICAL MARKETING LLC
189 SABAL DR
FORT MYERS BEACH FL 33931 | 19-46-24-W4-0070B.001A
1698 ESTERO BLVD
FORT MYERS BEACH FL 33931 | CRESCENT BEACH BLK B
PB 4 PG 45 E 1/2 OF LT 1
+ N 1/2 OF E 1/2 OF LT 4 | 60 |
| MOFFA ROBERT H
37728 LOIS DR
STERLING HEIGHTS MI 48316 | 19-46-24-W4-0070B.001B
1660 ESTERO BLVD
FORT MYERS BEACH FL 33931 | CRESCENT BEACH
BLK B PB 4 PG 45
W 1/2 LOTS 1 + 4 | 61 |
| WEIT MARTIN & DAWN +
275 TROPICAL SHORES WAY
FORT MYERS BEACH FL 33931 | 19-46-24-W4-0070B.004A
71 AVENUE E
FORT MYERS BEACH FL 33931 | CRESCENT BEACH BLK B PB 4
PG 45 S 1/2 OF E 1/2 OF LOT 4 + E
1/2 OF LOT 5 | 62 |
| BLODHAHL LEASING LLC
1538 TIMBER RIDGE TRAIL
CEDAR RAPIDS IA 52411 | 19-46-24-W4-0070B.005A
1667 1ST
FORT MYERS BEACH FL 33931 | CRESCENT BEACH
BLK B PB 4 PG 45
W 1/2 OF LOT 5 | 63 |
| CROWLEY THERESA M
60 ALVA DR
FORT MYERS BEACH FL 33931 | 19-46-24-W4-0070B.0070
60 ALVA DR
FORT MYERS BEACH FL 33931 | CRESCENT BEACH
BLK B PB 4 PG 45
LOT 7 | 64 |
| BERTSCHINGER INVESTMENTS LLC
SEEBLICK 13
WOLLERAU 8832
SWITZERLAND | 19-46-24-W4-0070B.0080
1662 1ST
FORT MYERS BEACH FL 33931 | CRESCENT BEACH
BLK B PB 4 PG 45
LOT 8 | 65 |
| BERTSCHINGER INVESTMENTS LLC
SEEBLICK 13
8832 WOLLERAU
SWITZERLAND | 19-46-24-W4-0070B.0090
1664 1ST
FORT MYERS BEACH FL 33931 | CRESCENT BEACH
BLK B PB 4 PG 45
LOT 9 + LOT PT 10 | 66 |
| CGRT LLC +
573 LONGWOOD AVE
GLENCOE IL 60022 | 19-46-24-W4-0070B.010B
1666 1ST
FORT MYERS BEACH FL 33931 | CRESCENT BEACH
BLK B PB 4 PG 45
LOT PT 10 | 67 |
| MAUHI ENTERPRISES INC
44 W CLEVELAND AV
FORT MYERS FL 33901 | 19-46-24-W4-0070C.0010
1560 ESTERO BLVD
FORT MYERS BEACH FL 33931 | CRESCENT BEACH
BLK C PB 4 PG 45
LOTS 1 + 4 | 68 |
| SMART PARK OF FMB LLC
11330 LONG WATER CHASE COURT
FORT MYERS FL 33908 | 19-46-24-W4-0070C.0020
1510 ESTERO BLVD
FORT MYERS BEACH FL 33931 | CRESCENT BEACH
BLK C PB 4 PG 45
LOTS 2 3 6 | 69 |
| WATERFRONT PROPERTIES LLC
4411 CLEVELAND AVE
FORT MYERS FL 33901 | 19-46-24-W4-0070C.0050
7173 ALVA DR
FORT MYERS BEACH FL 33931 | CRESCENT BEACH
BLK C PB 4 PG 45
LOT 5 | 70 |
| HASSELHOFF LLC
414 MARKET ST
IOWA CITY IA 52245 | 19-46-24-W4-0070C.0070
60/64 AVENUE C
FORT MYERS BEACH FL 33931 | CRESCENT BEACH
BLK C PB 4 PG 45
LOTS 7 + PT LOT 8 W 1/2 OF | 71 |
| 1560 I STREET 62 LLC
4795 LELAND DR
CUMMING GA 30041 | 19-46-24-W4-0070C.0090
1560 1ST #62
FORT MYERS BEACH FL 33931 | CRESCENT BEACH
BLK C PB 4 PG 45
LT9 + E1/2 LT 8 + VAC ALLEY | 72 |
| UNDERWOOD LLC
414 MARKET ST
IOWA CITY IA 52245 | 19-46-24-W4-0070C.0100
1550 1ST
FORT MYERS BEACH FL 33931 | CRESCENT BEACH
BLK C PB 4 PG 45
LOT 10 | 73 |
| HOY MARSHA L/E
61 ALVA DR
FORT MYERS BEACH FL 33931 | 19-46-24-W4-0070C.0110
61 ALVA DR
FORT MYERS BEACH FL 33931 | CRESCENT BEACH
BLK C PB 4 PG 45
LOT 11 | 74 |
| GANIM GEORGE W & JOSEPHINE TR
4666 MAIN ST
BRIDGEPORT CT 06606 | 19-46-24-W4-0070D.001A
1478 ESTERO BLVD
FORT MYERS BEACH FL 33931 | CRESCENT BEACH
BLK D PB 4 PG 45
LOTS 1 + 4 LESS WLY 43 FT | 75 |
| GANIM GEORGE W & JOSEPHINE TR
4666 MAIN ST
BRIDGEPORT CT 06606 | 19-46-24-W4-0070D.001B
1450 ESTERO BLVD
FORT MYERS BEACH FL 33931 | CRESCENT BEACH
BLK D PB 4 PG 45
WLY 43 FT LOTS 1 + 4 | 76 |
| LANI KAI LP
ROBERT G CONIDARIS
1400 ESTERO BLVD
FORT MYERS BEACH FL 33931 | 19-46-24-W4-0070D.0020
1400 ESTERO BLVD
FORT MYERS BEACH FL 33931 | CRESCENT BEACH PB 4 PG 45
BLKS D + E + VAC R/W DESC
OR 1293 PG 1208 | 77 |

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| STEPNEY LLC
4666 MAIN ST
BRIDGEPORT CT 06606 | 19-46-24-W4-0070D.0050
71 AVENUE C
FORT MYERS BEACH FL 33931 | CRESCENT BEACH
BLK D PB 4 PG 45
LOT 5 | 78 |
| GANIM GEORGE W SR &
4666 MAIN ST
BRIDGEPORT CT 06606 | 19-46-24-W4-0070D.0100
1450 1 ST
FORT MYERS BEACH FL 33931 | CRESCENT BEACH
BLK D PB 4 PG 45
LOT 10 | 79 |
| ATWATER LLC
WALTER RAY SIMMONS
12711 CHATHAM DR
FORT MYERS FL 33908 | 19-46-24-W4-0070D.0110
6165 AVENUE C
FORT MYERS BEACH FL 33931 | CRESCENT BEACH
BLK D PB 4 PG 45
LOT 11 | 80 |
| RIGHT CHOICE INVESTMENTS LLC
13500 TELEGRAPH RD
TAYLOR MI 48180 | 19-46-24-W4-0070F.0010
1250 ESTERO BLVD
FORT MYERS BEACH FL 33931 | CRESCENT PARK LTS 1 + 2 -
ESTRY 2.5 FT LT 3 - CRESCENT
BEACH LTS 1-5 BLK F LESS
ESTRLY 45FT OF NRTHLY 2.7 LT
3 | 81 |
| OUR BEACH SAND LLC
12483 SUMMERWOOD DR
FORT MYERS FL 33908 | 19-46-24-W4-0070F.001A
1270 ESTERO BLVD
FORT MYERS BEACH FL 33931 | CRESCENT BEACH BLK F
PB 4 PG 45 PT LOTS 1 2 & 3
DESC IN OR 1319 PG 1459 | 82 |
| PE RENTALS LLC
1107 KANE ST
LA CROSSE WI 54603 | 19-46-24-W4-0080B.0080
157 MIRAMAR ST
FORT MYERS BEACH FL 33931 | MIRAMAR
BLK B PB 6 PG 31
LOT 8 | 83 |
| BARKER JOHN +
5262 OLYMPIA DR
INDIANAPOLIS IN 46228 | 19-46-24-W4-0080B.0090
159 MIRAMAR ST
FORT MYERS BEACH FL 33931 | MIRAMAR
BLK B PB 6 PG 31
LOT 9 | 84 |
| VALAZQUEZ TIMOTHY +
163 MIRAMAR ST
FORT MYERS BEACH FL 33931 | 19-46-24-W4-0080B.0100
163 MIRAMAR ST
FORT MYERS BEACH FL 33931 | MIRAMAR
BLK B PB 6 PG 31
LOT 10 | 85 |
| RUSK CHRISTOPHER J &
193 MIRAMAR ST
FORT MYERS BEACH FL 33931 | 19-46-24-W4-0080B.0110
193 MIRAMAR ST
FORT MYERS BEACH FL 33931 | MIRAMAR
BLK B PB 6 PG 31
LOT 11 | 86 |
| KOSTER RODNEY A & THERESA A
880 3RD ST
FORT MYERS BEACH FL 33931 | 19-46-24-W4-0080B.0120
201 MIRAMAR ST
FORT MYERS BEACH FL 33931 | MIRAMAR
BLK B PB 6 PG 31
LOT 12 | 87 |
| BATIKI WEST CONDO ASSN INC
SUITOR MIDDLETON COX + ASSOC
15751 SAN CARLOS BLVD STE 8
FORT MYERS FL 33908 | 19-46-24-W4-02200.00CE
BATIKI WEST CONDO C/E
FORT MYERS BEACH FL 33931 | BATIKI WEST CONDO
DESC OR BK 1055 PG 1455
COMMON ELEMENTS
POOL/DOCK | 88 |
| TROPICAL CENTER CONDO ASSOC
1300 ESTERO BLVD
FORT MYERS BEACH FL 33931 | 19-46-24-W4-02300.00CE
TROPICAL CENTER C/E
FORT MYERS BEACH FL 33931 | CONDO IN SW 1/4 SEC 19
TWP 46 R 24 RECORDED IN
OR 1123 P 323 THRU 364
COMMON ELEMENTS | 89 |
| CRESCENT SHORE CONDO ASSOC
PO BOX 2990
FORT MYERS BEACH FL 33932 | 19-46-24-W4-02600.00CE
CRESCENT SHORE C/E
FORT MYERS BEACH FL 33931 | A CONDO LOCATED IN SEC 19
TWP 46 RGE 24 AS DESC IN
OR 1464 PG 445
COMMON ELEMENTS | 90 |
| PARKER HARRY W & BEVERLY J
17838 US HIGHWAY 61
SIKESTON MO 63801 | 19-46-24-W4-02200.2000
1511 ESTERO BLVD #200
FORT MYERS BEACH FL 33931 | BATIKI WEST CONDO
OR 1055 PG 1455
UNIT 200 | 91 |
| PETRICH PAUL E & GAY G TR
860 HENN HYDE RD
WARREN OH 44484 | 19-46-24-W4-02200.2010
1511 ESTERO BLVD #201
FORT MYERS BEACH FL 33931 | BATIKI WEST CONDO
OR 1055 PG 1455
UNIT 201 | 91 |
| WILLIAM L & JOYCE J HENDREN T
28033 N 1850 EAST RD
GRIDLEY IL 61744 | 19-46-24-W4-02200.2020
1511 ESTERO BLVD #202
FORT MYERS BEACH FL 33931 | BATIKI WEST CONDO
OR 1055 PG 1455
UNIT 202 | 91 |
| WILLIAMS JEANNE L TR
1511 ESTERO BLVD # PHH
FORT MYERS BEACH FL 33931 | 19-46-24-W4-02200.2030
1511 ESTERO BLVD #203
FORT MYERS BEACH FL 33931 | BATIKI WEST CONDO
OR 1055 PG 1455
UNIT 203 | 91 |
| HANY JOHN A TR
3405 STEPHANIE RD | 19-46-24-W4-02200.2040
1511 ESTERO BLVD #204 | BATIKI WEST CONDO
OR 1055 PG 1455 | 91 |

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|---|--|--|----|
| BLOOMINGTON IL 61704 | FORT MYERS BEACH FL 33931 | UNIT 204 | |
| BUTLER JAMES H & TERESA A
1511 ESTERO BLVD #205
FORT MYERS BEACH FL 33931 | 19-46-24-W4-02200.2050
1511 ESTERO BLVD #205
FORT MYERS BEACH FL 33931 | BATIKI WEST CONDO
OR 1055 PG 1455
UNIT 205 | 91 |
| LAY DANIEL F TR
7583 N 1300 E ROAD
SHIRLEY IL 61772 | 19-46-24-W4-02200.2060
1511 ESTERO BLVD #206
FORT MYERS BEACH FL 33931 | BATIKI WEST CONDO
OR 1055 PG 1455
UNIT 206 | 91 |
| FRANKLIN JAY STAHAN TRUST
1511 ESTERO BLVD #207
FORT MYERS BEACH FL 33931 | 19-46-24-W4-02200.2070
1511 ESTERO BLVD #207
FORT MYERS BEACH FL 33931 | BATIKI WEST CONDO
OR 1055 PG 1455
UNIT 207 | 91 |
| FILM CAROLYN A
64 CARROLLS GROVE RD
TROY NY 12180 | 19-46-24-W4-02200.2080
1511 ESTERO BLVD #208
FORT MYERS BEACH FL 33931 | BATIKI WEST CONDO
OR 1055 PG 1455
UNIT 208 | 91 |
| BROWN JOANNE M TR
PO BOX 96
OMEN A MI 49674 | 19-46-24-W4-02200.2090
1511 ESTERO BLVD #209
FORT MYERS BEACH FL 33931 | BATIKI WEST CONDO
OR 1055 PG 1455
UNIT 209 | 91 |
| JONES MALINDA ETZLER
2445 S FILLMORE ST
DENVER CO 80210 | 19-46-24-W4-02200.3000
1511 ESTERO BLVD #300
FORT MYERS BEACH FL 33931 | BATIKI WEST CONDO
OR 1055 PG 1455
UNIT 300 | 91 |
| PENN CYNTHIA TR
14248 FOUNTAIN HILLS CT NE
PRIOR LAKE MN 55372 | 19-46-24-W4-02200.3010
1511 ESTERO BLVD #301
FORT MYERS BEACH FL 33931 | BATIKI WEST CONDO
OR 1055 PG 1455
UNIT 301 | 91 |
| FRANA THERESA L
2789 TRAILWOOD LN
LEXINGTON KY 40511 | 19-46-24-W4-02200.3020
1511 ESTERO BLVD #302
FORT MYERS BEACH FL 33931 | BATIKI WEST CONDO
OR 1055 PG 1455
UNIT 302 | 91 |
| 1511 ESTERO 303 LLC
MICHELLE YOUNKHANA
495 THOMAS DR
NORTH BARRINGTON IL 60010 | 19-46-24-W4-02200.3030
1511 ESTERO BLVD #303
FORT MYERS BEACH FL 33931 | BATIKI WEST CONDO
OR 1055 PG 1455
UNIT 303 | 91 |
| OBRIEN CAROL & WINSTON
1511 ESTERO BLVD #304
FORT MYERS BEACH FL 33931 | 19-46-24-W4-02200.3040
1511 ESTERO BLVD #304
FORT MYERS BEACH FL 33931 | BATIKI WEST CONDO
OR 1055 PG 1455
UNIT 304 | 91 |
| DANIELSON BRIAN
1300 WILD ROSE TRAIL
EDMOND OK 73034 | 19-46-24-W4-02200.3050
1511 ESTERO BLVD #305
FORT MYERS BEACH FL 33931 | BATIKI WEST CONDO
OR 1055 PG 1455
UNIT 305 | 91 |
| KARBLER LARRY L L/E
6558 OHENRY CIR
NORTH RIDGEVILLE OH 44039 | 19-46-24-W4-02200.3060
1511 ESTERO BLVD #306
FORT MYERS BEACH FL 33931 | BATIKI WEST CONDO
OR 1055 PG 1455
UNIT 306 | 91 |
| JOHNSTON DALE MICHAEL &
118 MEADOW CREEK CT
LEXINGTON IL 61753 | 19-46-24-W4-02200.3070
1511 ESTERO BLVD #307
FORT MYERS BEACH FL 33931 | BATIKI WEST CONDO
OR 1055 PG 1455
UNIT 307 | 91 |
| SEXTON MICHAEL ZEPH &
1511 ESTERO BLVD # 308
FORT MYERS BEACH FL 33931 | 19-46-24-W4-02200.3080
1511 ESTERO BLVD #308
FORT MYERS BEACH FL 33931 | BATIKI WEST CONDO
OR 1055 PG 1455
UNIT 308 | 91 |
| RAPP DALE A & RUTH ANN
104 PRAIRIE DR
LEXINGTON IL 61753 | 19-46-24-W4-02200.3090
1511 ESTERO BLVD #309
FORT MYERS BEACH FL 33931 | BATIKI WEST CONDO
OR 1055 PG 1455
UNIT 309 | 91 |
| LAW MICHAEL M & SHEILA K
PO BOX 584
HEYWORTH IL 61745 | 19-46-24-W4-02200.4000
1511 ESTERO BLVD #400
FORT MYERS BEACH FL 33931 | BATIKI WEST CONDO
OR 1055 PG 1455
UNIT 400 | 91 |
| MEZERA CHRISTINA M TR
5229 W 62ND ST
EDINA MN 55436 | 19-46-24-W4-02200.4010
1511 ESTERO BLVD #401
FORT MYERS BEACH FL 33931 | BATIKI WEST CONDO
OR 1055 PG 1455
UNIT 401 | 91 |
| QUARTELLO BETTY A TR
1511 ESTERO BLVD # 402
FORT MYERS BEACH FL 33931 | 19-46-24-W4-02200.4020
1511 ESTERO BLVD #402
FORT MYERS BEACH FL 33931 | BATIKI WEST CONDO
OR 1055 PG 1455
UNIT 402 | 91 |
| SUNSET VIEWS LLC
PO BOX 70 | 19-46-24-W4-02200.4030
1511 ESTERO BLVD #403 | BATIKI WEST CONDO
OR 1055 PG 1455 | 91 |

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| AUBURN IN 46706 | FORT MYERS BEACH FL 33931 | UNIT 403 | |
| DARIANO KELLER TR
79 SUNNY LN
TIEFFIN OH 44883 | 19-46-24-W4-02200.4040
1511 ESTERO BLVD #404
FORT MYERS BEACH FL 33931 | BATIKI WEST CONDO
OR 1055 PG 1455
UNIT 404 | 91 |
| MOORE ROBERT J & CYNTHIA S
1511 ESTERO BLVD #405
FORT MYERS BEACH FL 33931 | 19-46-24-W4-02200.4050
1511 ESTERO BLVD #405
FORT MYERS BEACH FL 33931 | BATIKI WEST CONDO
OR 1055 PG 1455
UNIT 405 | 91 |
| STRIBLING MARK TR
PO BOX 408
ASHLAND IL 62612 | 19-46-24-W4-02200.4060
1511 ESTERO BLVD #406
FORT MYERS BEACH FL 33931 | BATIKI WEST CONDO
OR 1055 PG 1455
UNIT 406 | 91 |
| STOCKER REBECCA L & JAMES A
APT 407
1511 ESTERO BLVD
JACKSONVILLE IL 62650 | 19-46-24-W4-02200.4070
1511 ESTERO BLVD #407
FORT MYERS BEACH FL 33931 | BATIKI WEST CONDO
OR 1055 PG 1455
UNIT 407 | 91 |
| SMITH GARY B & RONY R
3734 WESLEY CHAPEL RD
ZANESVILLE OH 43701 | 19-46-24-W4-02200.4080
1511 ESTERO BLVD #408
FORT MYERS BEACH FL 33931 | BATIKI WEST CONDO
OR 1055 PG 1455
UNIT 408 | 91 |
| HOLZAPFEL CHARLES JOHN &
801 S 4TH CIR
BRANDON SD 57005 | 19-46-24-W4-02200.4090
1511 ESTERO BLVD #409
FORT MYERS BEACH FL 33931 | BATIKI WEST CONDO
OR 1055 PG 1455
UNIT 409 | 91 |
| GREEN BURLEY & TAMMY
PO BOX 44
OWENSVILLE MO 65066 | 19-46-24-W4-02200.5000
1511 ESTERO BLVD #500
FORT MYERS BEACH FL 33931 | BATIKI WEST CONDO
OR 1055 PG 1455
UNIT 500 | 91 |
| SUNSET VIEWS LLC
PO BOX 70
AUBURN IN 46706 | 19-46-24-W4-02200.5010
1511 ESTERO BLVD #501
FORT MYERS BEACH FL 33931 | BATIKI WEST CONDO
OR 1055 PG 1455
UNIT 501 | 91 |
| CHARLES DANNY TR
9751 EASTERN AVE
BYRON CENTER MI 49315 | 19-46-24-W4-02200.5020
1511 ESTERO BLVD #502
FORT MYERS BEACH FL 33931 | BATIKI WEST CONDO
OR 1055 PG 1455
UNIT 502 | 91 |
| DOUGLAS RAYMOND & JENNIFER
3 PELHAM RD BARGATE GRIMSBY
LINCOLNSHIRE DN34 4SU
UNITED KINGDOM | 19-46-24-W4-02200.5030
1511 ESTERO BLVD #503
FORT MYERS BEACH FL 33931 | BATIKI WEST CONDO
OR 1055 PG 1455
UNIT 503 | 91 |
| 41 DEVOE STREET CORP
26 UPLAND RD
GREAT NECK NY 11020 | 19-46-24-W4-02200.5040
1511 ESTERO BLVD #504
FORT MYERS BEACH FL 33931 | BATIKI WEST CONDO
OR 1055 PG 1455
UNIT 504 | 91 |
| GLACKIN BARBARA Q TR
1673 MOUNT EVEREST LN
TOMS RIVER NJ 08753 | 19-46-24-W4-02200.5050
1511 ESTERO BLVD #505
FORT MYERS BEACH FL 33931 | BATIKI WEST CONDO
OR 1055 PG 1455
UNIT 505 | 91 |
| SPIDEL LYNN R & DEANNA J TR
700 LAKESIDE DR
ROME CITY IN 46784 | 19-46-24-W4-02200.5060
1511 ESTERO BLVD #506
FORT MYERS BEACH FL 33931 | BATIKI WEST CONDO
OR 1055 PG 1455
UNIT 506 | 91 |
| SPIDEL LYNN R & DEANNA J TR
700 LAKESIDE DR
ROME CITY IN 46784 | 19-46-24-W4-02200.5070
1511 ESTERO BLVD #507
FORT MYERS BEACH FL 33931 | BATIKI WEST CONDO
OR 1055 PG 1455
UNIT 507 | 91 |
| GUILES JON R TR
PO BOX 2706
FORT MYERS BEACH FL 33932 | 19-46-24-W4-02200.5080
1511 ESTERO BLVD #508
FORT MYERS BEACH FL 33931 | BATIKI WEST CONDO
OR 1055 PG 1455
UNIT 508 | 91 |
| STERNER RACHEL V TR
2303 KINGS CROSSING DR # 321
KINGWOOD TX 77345 | 19-46-24-W4-02200.5090
1511 ESTERO BLVD #509
FORT MYERS BEACH FL 33931 | BATIKI WEST CONDO
OR 1055 PG 1455
UNIT 509 | 91 |
| WOOD SAMUEL L
PO BOX 342
PETERSBURG IL 62675 | 19-46-24-W4-02200.6000
1511 ESTERO BLVD #600
FORT MYERS BEACH FL 33931 | BATIKI WEST CONDO
OR 1055 PG 1455
UNIT 600 | 91 |
| SMITH BRIAN I -
PO BOX 235
HEYWORTH IL 61745 | 19-46-24-W4-02200.6010
1511 ESTERO BLVD #601
FORT MYERS BEACH FL 33931 | BATIKI WEST CONDO
OR 1055 PG 1455
UNIT 601 | 91 |
| WOOD SAMUEL L -
PO BOX 342 | 19-46-24-W4-02200.6020
1511 ESTERO BLVD #602 | BATIKI WEST CONDO
OR 1055 PG 1455 | 91 |

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| PETERSBURG IL 62675 | FORT MYERS BEACH FL 33931 | UNIT 602 | |
| HANSEN LOUISE E TR
1511 ESTERO BLVD #603
FORT MYERS BEACH FL 33931 | 19-46-24-W4-02200.6030
1511 ESTERO BLVD #603
FORT MYERS BEACH FL 33931 | BATIKI WEST CONDO
OR 1055 PG 1455
UNIT 603 | 91 |
| RICCIO JOSEPH MICHAEL
26 SECLUDED HOLLOW RD
CAPE MAY COURT HOUSE NJ 08210 | 19-46-24-W4-02200.6040
1511 ESTERO BLVD #604
FORT MYERS BEACH FL 33931 | BATIKI WEST CONDO
OR 1055 PG 1455
UNIT 604 | 91 |
| NELSON BRADLEY A TR
803 IRONWOOD CC DR
NORMAL IL 61761 | 19-46-24-W4-02200.6050
1511 ESTERO BLVD #605
FORT MYERS BEACH FL 33931 | BATIKI WEST CONDO
OR 1055 PG 1455
UNIT 605 | 91 |
| FOUR P INVESTMENTS LTD
1511 ESTERO BLVD APT 606
FORT MYERS BEACH FL 33931 | 19-46-24-W4-02200.6060
1511 ESTERO BLVD #606
FORT MYERS BEACH FL 33931 | BATIKI WEST CONDO
OR 1055 PG 1455
UNIT 606 | 91 |
| WOLOS MICHAEL C & SHAREN A
PO BOX 381
FLUSHING MI 48433 | 19-46-24-W4-02200.6070
1511 ESTERO BLVD #607
FORT MYERS BEACH FL 33931 | BATIKI WEST CONDO
OR 1055 PG 1455
UNIT 607 | 91 |
| TMS INVESTMENTS
185 HIGH ST NE
WARREN OH 44481 | 19-46-24-W4-02200.6080
1511 ESTERO BLVD #608
FORT MYERS BEACH FL 33931 | BATIKI WEST CONDO
OR 1055 PG 1455
UNIT 608 | 91 |
| SUNSET VIEWS LLC
PO BOX 70
AUBURN IN 46706 | 19-46-24-W4-02200.6090
1511 ESTERO BLVD #609
FORT MYERS BEACH FL 33931 | BATIKI WEST CONDO
OR 1055 PG 1455
UNIT 609 | 91 |
| SMITH JULIA V TR
1511 ESTERO BLVD #PHA
FORT MYERS BEACH FL 33931 | 19-46-24-W4-022PHI.00A0
1511 ESTERO BLVD #PHA
FORT MYERS BEACH FL 33931 | BATIKI WEST CONDO
OR 1055 PG 1455
UNIT PENTHOUSE A | 92 |
| CALHAN FLP
189 SADDLEBROOK DR
OAK BROOK IL 60523 | 19-46-24-W4-022PHI.00B0
1511 ESTERO BLVD #PHB
FORT MYERS BEACH FL 33931 | BATIKI WEST CONDO
OR 1055 PG 1455
UNIT PENTHOUSE B | 92 |
| CALHAN LEO D & JOAN C
1511 ESTERO BLVD #PHC
FORT MYERS BEACH FL 33931 | 19-46-24-W4-022PHI.00C0
1511 ESTERO BLVD #PHC
FORT MYERS BEACH FL 33931 | BATIKI WEST CONDO
OR 1055 PG 1455
UNIT PENTHOUSE C | 92 |
| LADWIG MARY TR
16019 ISOLA WAY
MIROMAR LAKES FL 33913 | 19-46-24-W4-022PHI.00D0
1511 ESTERO BLVD #PHD
FORT MYERS BEACH FL 33931 | BATIKI WEST CONDO
OR 1055 PG 1455
UNIT PENTHOUSE D | 92 |
| MALAGOTTA PROPERTIES LLC
ANTHONY MIRAGLIOTTA
31 JOHN ALDEN ST
CLIFTON NJ 07013 | 19-46-24-W4-022PHI.00E0
1511 ESTERO BLVD #PHE
FORT MYERS BEACH FL 33931 | BATIKI WEST CONDO
OR 1055 PG 1455
UNIT PENTHOUSE E | 92 |
| LONI RODGER J -
2054 N NORDICA AVE
CHICAGO IL 60707 | 19-46-24-W4-022PHI.00F0
1511 ESTERO BLVD #PHF
FORT MYERS BEACH FL 33931 | BATIKI WEST CONDO
OR 1055 PG 1455
UNIT PENTHOUSE F | 92 |
| RICCIO NICHOLAS J &
1511 ESTERO BLVD #PHG
FORT MYERS BEACH FL 33931 | 19-46-24-W4-022PHI.00G0
1511 ESTERO BLVD #PHG
FORT MYERS BEACH FL 33931 | BATIKI WEST CONDO
OR 1055 PG 1455
UNIT PENTHOUSE G | 92 |
| WILLIAMS JEFFREY M TR
1511 ESTERO BLVD #PHH
FORT MYERS BEACH FL 33931 | 19-46-24-W4-022PHI.00H0
1511 ESTERO BLVD #PHH
FORT MYERS BEACH FL 33931 | BATIKI WEST CONDO
OR 1055 PG 1455
UNIT PENTHOUSE H | 92 |
| LOIZZO DIANE L TR
8453 ROB ROY DR
ORLAND PARK IL 60462 | 19-46-24-W4-022PHI.00I0
1511 ESTERO BLVD #PHI
FORT MYERS BEACH FL 33931 | BATIKI WEST CONDO
OR 1055 PG 1455
UNIT PENTHOUSE I | 92 |
| BUTLER WILLIAM PATRICK
732 GKUMA DR
CHESTER VA 23836 | 19-46-24-W4-022PHI.00J00
1511 ESTERO BLVD #PHJ
FORT MYERS BEACH FL 33931 | BATIKI WEST CONDO
OR 1055 PG 1455
UNIT PENTHOUSE J | 92 |
| MAUHI ENTERPRISES INC
4411 CLEVELAND AV
FORT MYERS FL 33901 | 19-46-24-W4-0230A.0000
1600 ESTERO BLVD #A
FORT MYERS BEACH FL 33931 | TROPICAL CENTER COND
OR 1123 PG 323
UNIT A | 93 |
| MAUHI ENTERPRISES INC
4411 CLEVELAND AV | 19-46-24-W4-0230B.0000
1600 ESTERO BLVD #B | TROPICAL CENTER COND
OR 1123 PG 323 | 94 |

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| FORT MYERS FL 33901 | FORT MYERS BEACH FL 33931 | UNIT B | |
| MAUHI ENTERPRISES INC | 19-46-24-W4-0230C.0000 | TROPICAL CENTER CONDO | 95 |
| 4411 CLEVELAND AV | 1600 ESTERO BLVD #C | OR 1123 PG 323 | |
| FORT MYERS FL 33901 | FORT MYERS BEACH FL 33931 | UNIT C | |
| MAUHI ENTERPRISES INC | 19-46-24-W4-0230D.0000 | TROPICAL CENTER CONDO | 96 |
| 4411 CLEVELAND AV | 1600 ESTERO BLVD #D | OR 1123 PG 323 | |
| FORT MYERS FL 33901 | FORT MYERS BEACH FL 33931 | UNIT D | |
| MAUHI ENTERPRISES INC | 19-46-24-W4-0230E.0000 | TROPICAL CENTER CONDO | 97 |
| 4411 CLEVELAND AV | 1600 ESTERO BLVD #E | OR 1123 PG 323 | |
| FORT MYERS FL 33901 | FORT MYERS BEACH FL 33931 | UNIT E | |
| 1300 ESTERO BLVD LLC | 19-46-24-W4-02600.1010 | CRESCENT SHORE CONDO | 98 |
| 32 BAYVIEW BLVD | 1300 ESTERO BLVD #101 | OR 1464 PG 445 | |
| FORT MYERS BEACH FL 33931 | FORT MYERS BEACH FL 33931 | UNITS 101 102 + 103 | |
| BEYER TAMMY E TR | 19-46-24-W4-02600.1040 | CRESCENT SHORE CONDO | 98 |
| 9656 HALYARDS CT # 24 | 1300 ESTERO BLVD #104 | OR 1464 PG 445 | |
| FORT MYERS FL 33919 | FORT MYERS BEACH FL 33931 | UNIT 104 | |
| ANDRESEN EDWIN TR | 19-46-24-W4-02600.1050 | CRESCENT SHORE CONDO | 98 |
| 7960 PRESERVATION DR | 1300 ESTERO BLVD #105 | OR 1464 PG 445 | |
| INDIANAPOLIS IN 46278 | FORT MYERS BEACH FL 33931 | UNIT 105 | |
| BACCCELLA SALVATORE | 19-46-24-W4-02600.1060 | CRESCENT SHORE CONDO | 98 |
| 4 POINT VIEW CT | 1300 ESTERO BLVD #106 | OR 1464 PG 445 | |
| SICKLERVILLE NJ 08081 | FORT MYERS BEACH FL 33931 | UNIT 106 | |
| JOHNSON NANCY ANN L/E | 19-46-24-W4-02600.2010 | CRESCENT SHORE CONDO | 98 |
| 9 NANCY LN | 1300 ESTERO BLVD #201 | OR 1464 PG 445 | |
| FORT MYERS BEACH FL 33931 | FORT MYERS BEACH FL 33931 | UNIT 201 | |
| HECK LLC | 19-46-24-W4-02600.2020 | CRESCENT SHORE CONDO | 98 |
| 15561 CATALPA COVE DR | 1300 ESTERO BLVD #202 | OR 1464 PG 445 | |
| FORT MYERS FL 33908 | FORT MYERS BEACH FL 33931 | UNIT 202 | |
| CONANT DONNA TR | 19-46-24-W4-02600.2030 | CRESCENT SHORE CONDO | 98 |
| 8122 S FOREST HILL CIR | 1300 ESTERO BLVD #203 | OR 1464 PG 445 | |
| FRANKLIN WI 53132 | FORT MYERS BEACH FL 33931 | UNIT 203 | |
| DENNIS R - CYNTHIA L LOKEN TRU | 19-46-24-W4-02600.2040 | CRESCENT SHORE CONDO | 98 |
| 106 ICHABOD LN | 1300 ESTERO BLVD #204 | OR 1464 PG 445 | |
| MANKATO MN 56001 | FORT MYERS BEACH FL 33931 | UNIT 204 | |
| LANDOLFI STEVEN J | 19-46-24-W4-02600.2050 | CRESCENT SHORE CONDO | 98 |
| 22 VETO ST | 1300 ESTERO BLVD #205 | OR 1464 PG 445 | |
| PROVIDENCE RI 02908 | FORT MYERS BEACH FL 33931 | UNIT 205 | |
| NIEMEIER RYAN & SUMMER | 19-46-24-W4-02600.2060 | CRESCENT SHORE CONDO | 98 |
| 106 S WALNUT ST | 1300 ESTERO BLVD #206 | OR 1464 PG 445 | |
| LA CRESCENT MN 55947 | FORT MYERS BEACH FL 33931 | UNIT 206 | |

VENETIAN GARDENS CANAL
PALERMO CIR
FORT MYERS BEACH FL 33931

VENETIAN GARDENS CANAL
PALERMO CIR
FORT MYERS BEACH FL 33931

KEY ESTERO SHOPS LLC
3220 PINE CONE CT
MILFORD MI 48381

REALBOOK LLC
12 SEQUOIA DR
DAYTON NJ 08810

GHARR CAPITAL LLC
1700 MEDICAL LN #101
FORT MYERS FL 33907

AMBERJACK PROPERTIES LLC
PO BOX 446
OFTOVBILLE OH 45876

PIEC DANIEL J & JOYCE A TR
230 CAROLINA AVE
FORT MYERS BEACH FL 33931

MOORE ERIK & SUSAN +
8116 KRONLOKKEN LANE
LAFAYETTE IN 47909

EE44 LLC
1931 PINE RIDGE DR
JENISON MI 49428

COLLIN JAMES GROUP LLC
15 CARROTWOOD CT
FORT MYERS FL 33919

COLLIN JAMES GROUP LLC
15 CARROTWOOD CT
FORT MYERS FL 33919

KATIBONA INC
3655 BONITA BEACH RD SW #1-3
BONITA SPRINGS FL 33434

ZIEGLER MICHAEL W & NANCY A
437 AUBURN ST
ALLENTOWN PA 18103

CANTRELL JASON ALAN & DEBRA
620 GREENFORD TRAIL W
CARMEL IN 46032

PETERSON DAVID CHARLES
85 LAKEVIEW AVE
EXCELSIOR MN 55331

WIDMEIER INVESTMENTS LLC
4350 DODGE ST
DUBUQUE IA 52003

MALONEY JAMES P TR
235 CAROLINA AVE
FORT MYERS BEACH FL 33931

ESH ANDREW CHARLES +
15833 SUNSET RD
MINNETONKA MN 55345

SZYPERSKI KEITH P
219 CAROLINA AV
FORT MYERS BEACH FL 33931

LANKA LLP
1400 ESTERO BLVD
FORT MYERS BEACH FL 33931

LANI KAI LP
1400 ESTERO RD
FORT MYERS BEACH FL 33931

AULIS PATRICIA ELAE
7241 BERGAMO WAY UNIT 101
FORT MYERS FL 33946

WILCOX LANCE
1335 SANTOS RD
FORT MYERS BEACH FL 33931

PARILLA DAVID R TR
1335 SANTOS RD
FORT MYERS BEACH FL 33931

CONNER CHARLES R & GAIL D
55 POMPANO ST
FORT MYERS BEACH FL 33931

PARILLA DAVID R TR
1335 SANTOS RD
FORT MYERS BEACH FL 33931

KLC SURF LLC
CHRISTOPHER PRIMEAU
4625 W EUCLID AVE
TAMPA FL 33629

KLC SURF LLC
CHRISTOPHER PRIMEAU
4625 W EUCLID AVE
TAMPA FL 33629

LANI KAI LP
ROBERT G CONIDARIS
1400 ESTERO BLVD
FORT MYERS BEACH FL 33931

LANI KAI LP
ROBERT G CONIDARIS
1400 ESTERO BLVD
FORT MYERS BEACH FL 33931

LANI KAI LP
ROBERT G CONIDARIS
1400 ESTERO BLVD
FORT MYERS BEACH FL 33931

7-ELEVEN INC
CORP INCOME TAX DEPT
3200 HYACKBERRY RD
IRVING TX 75063

455 PALERMO CIRCLE LLC
1421 EAST LAKE SHORE DR
SPRINGFIELD IL 62712

VAN FAM PROPERTIES LLC
7323 INDIGO RIDGE SW
BYRON CENTER MI 49315

DAR LAND HOLDINGS LLC
3457 COUNTY LINE RD
LUXEMBURG WI 54217

455 PALERMO LLC
1421 E LAKE SHORE DR
SPRINGFIELD IL 62712

455 PALERMO LLC
1421 E LAKE SHORE DR
SPRINGFIELD IL 62712

MILLER JONATHAN T
PO BOX 80190
FORT WAYNE IN 46898

TEZAK HELEN C TR
50 CHAPEL ST APT 4
FORT MYERS BEACH FL 33931

R & D ENTERPRISES OF
3436 CHURCH ST
STEVENS POINT WI 54481

WEIGERT ANTJE & MARTIN
415 CAPE CORAL PKWY W
CAPE CORAL FL 33914

JAMES R BRATTLEY & JOANNE BRADY
15120 WILF PL
LAKEWOOD CO 80228

GNIRCK RAPHAEL -
AMMUEHLBERG 29A
BAD HOMBURG VD HOEHE 41148
GERMANY

STRECK RICHARD A &
5804 PARK RIDGE CT
FORT COLLINS CO 80528

HENNESSEY PATRICIA J &
460 PALERMO CIR
FORT MYERS BEACH FL 33931

NORTH KEY INC
7150 RED LION FIVE POINTS RD
SPRINGBORO OH 45066

DONNA M BYRD TRUST -
5701 BLUNK KNOB RD
ELIZABETH IN 47017

RELAAX LLC
2201 E WILLOW ST STE D 363
SIGNAL HILL CA 90755

RELAAX LLC
2201 E WILLOW ST STE D 363
SIGNAL HILL CA 90755

DEL BUSTO GEORGE &
2212 EVEREST PKWY
CAPE CORAL FL 33904

450 PALERMO LLC
1421 E LAKE SHR
SPRINGFIELD IL 62712

LUSSIER TARA CORBISHEEY &
745 BIMINI LN
PUNTA GORDA FL 33950

RELAAX LLC
2201 E WILLOW ST STE D 363
SIGNAL HILL CA 90755

DAY BILLY WAYNE
3708 SHANNON RUN TRL
LOUISVILLE KY 40299

LUMP THOMAS F & ANN C
145 PALERMO CIR
FORT MYERS BEACH FL 33931

SLOMSKI STEVEN A &
PO BOX 2628 PMB 25382
PENSACOLA FL 32513

ARLINGTON GREEN HOMES LLC
LARRY SMITH
434 SPINNAKER DR
MARCO ISLAND FL 34145

KATHINDIRAMA USHA +
44354 APACHE CIR
ASHBURN VA 20147

1249 ESTERO ADVENTURES LLC
290 BAHIA VIA
FORT MYERS BEACH FL 33931

NAUTICAL MARKETING LLC
189 SABAL DR
FORT MYERS BEACH FL 33931

MOFFA ROBERT H
37728 LOIS DR
STERLING HEIGHTS MI 48310

BLOEDAHL LEASING LLC
3558 TIMBER RIDGE TRAIL
CEDAR RAPIDS IA 52411

BERTSCHINGER INVESTMENTS LLC
SEEBLICK 13
WOLLERAU 8832
SWITZERLAND

CORT LLC +
573 LONGWOOD AVE
GLENCOE IL 60022

SMART PARK OF FMB LLC
11350 LONG WATER CHASE COURT
FORT MYERS FL 33908

HASSELHOFF LLC
414 MARKET ST
IOWA CITY IA 52245

UNDERWOOD LLC
414 MARKET ST
IOWA CITY IA 52245

GANIM GEORGE W & JOSEPHINE TR
4666 MAIN ST
BRIDGEPORT CT 06606

LANI KAI LP
ROBERT G CONIDARIS
1400 ESTERO BLVD
FORT MYERS BEACH FL 33931

GANIM GEORGE W SR &
4666 MAIN ST
BRIDGEPORT CT 06606

WEIT MARTIN & DAWN +
275 TROPICAL SHORES WAY
FORT MYERS BEACH FL 33931

CROWLEY THERESA M
60 ALVA DR
FORT MYERS BEACH FL 33931

BERTSCHINGER INVESTMENTS LLC
SEEBLICK 13
8832 WOLLERAU
SWITZERLAND

MACHI ENTERPRISES INC
1411 CLEVELAND AV
FORT MYERS FL 33901

WATERFRONT PROPERTIES LLC
1411 CLEVELAND AVE
FORT MYERS FL 33901

1560 I STREET 62 LLC
4705 LELAND DR
CUMMING GA 30041

HOY MARSHALL F
61 ALVA DR
FORT MYERS BEACH FL 33931

GANIM GEORGE W & JOSEPHINE TR
4666 MAIN ST
BRIDGEPORT CT 06606

STEPNEY LLC
4666 MAIN ST
BRIDGEPORT CT 06606

ATWATER LLC
WALTER RAY SIMMONS
12711 CHATHAM DR
FORT MYERS FL 33908

RIGHT CHOICE INVESTMENTS LLC
13500 TELEGRAPH RD
TAYLOR MI 48180

OUR BEACH SAND LLC
12481 SUMMERWOOD DR
FORT MYERS FL 33908

PE RENTALS LLC
1107 KANE ST
LA CROSSE WI 54603

BARKER JOHN +
5262 OLYMPIA DR
INDIANAPOLIS IN 46228

VALAZQUEZ TIMOTHY +
163 MIRAMAR ST
FORT MYERS BEACH FL 33931

RUSK CHRISTOPHER J &
193 MIRAMAR ST
FORT MYERS BEACH FL 33931

KOSTER RODNEY A & THERESE A
880 3RD ST
FORT MYERS BEACH FL 33931

BANKI WEST CONDO ASSN INC
SUITOR MIDDLETON COX + ASSOC
15731 SAN CARLOS BLVD STE 8
FORT MYERS FL 33908

TROPICAL CENTER CONDO ASSOC
1330 ESTERO BLVD
FORT MYERS BEACH FL 33931

CRESCENT SHORE CONDO ASSOC
PO BOX 2990
FORT MYERS BEACH FL 33932

PARKER HARRY W & BEVERLY J
17858 US HIGHWAY 61
SIKESTON MO 63801

PETRICH PAUL E & GAY G TR
860 HENN HYDE RD
WARREN OH 44181

WILLIAM L & JOYCE J HENDRENT
28033 N 1850 EAST RD
GRIDLEY IL 61744

WILLIAMS JEANNE L TR
1511 ESTERO BLVD # PHH
FORT MYERS BEACH FL 33931

HANY JOHN A TR
3405 STEPHANIE RD
BLOOMINGTON IL 61704

BUTLER JAMES H & TERESA A
1511 ESTERO BLVD #205
FORT MYERS BEACH FL 33931

LAY DANIEL F TR
7583 N 1300 E ROAD
SHERLEY IL 61772

FRANKLIN JAY STAHAN TRUST
1511 ESTERO BLVD #207
FORT MYERS BEACH FL 33931

FILM CAROLYN A
61 CARROLLS GROVE RD
TROY NY 12180

BROWN JOANNE M TR
PO BOX 96
OMENA MI 49674

JONES MALINDA ETZLER
2445 S FILLMORE ST
DENVER CO 80210

FENN CYNTHIA TR
14248 FOUNTAIN HILLS CT NE
PRIOR LAKE MN 55372

FRANA THERESA I
2789 TRAILWOOD LN
LEXINGTON KY 40511

1511 ESTERO 303 LLC
MICHELLE YOUKHANA
493 THOMAS DR
NORTH BARRINGTON IL 60010

OBRIEN CAROL & WINSTON
1511 ESTERO BLVD #304
FORT MYERS BEACH FL 33931

DANIELSON BRIAN
1300 WILD ROSE TRAIL
EDMOND OK 73134

KARBLER LARRY L DE
6554 OHENRY CIR
NORTH RIDGEVILLE OH 44039

JOHNSTON DALE MICHAEL &
118 MEADOW CREEK CT
LEXINGTON IL 61753

SEXTON MICHAEL ZEPH &
1511 ESTERO BLVD # 308
FORT MYERS BEACH FL 33931

RAPP DALE A & RUTH ANN
104 PRAIRIE DR
LEXINGTON IL 61753

LAW MICHAEL M & SHEILA K
PO BOX 584
HEYWORTH IL 61745

MEZERA CHRISTINA M TR
5229 W 62ND ST
EDINA MN 55436

QUARIELLO BETTY A TR
1511 ESTERO BLVD # 402
FORT MYERS BEACH FL 33931

SUNSET VIEWS LLC
PO BOX 70
AUBURN IN 46706

DARIANO KELLER TR
79 SUNNY LN
TIFFIN OH 44883

MOORE ROBERT J & CYNTHIA S
1511 ESTERO BLVD #405
FORT MYERS BEACH FL 33931

STRIBLING MARK TR
PO BOX 408
ASHLAND IL 62612

STOCKER REBECCA L & JAMES A
APT 407
1511 ESTERO BLVD
JACKSONVILLE IL 62650

SMITH GARY B & ROXY R
3734 WESLEY CHAPEL RD
ZANESVILLE OH 43701

HOLZAPFEL CHARLES JOHN &
801 S 4TH CIR
BRANDON SD 57005

GREEN BURLEY & TAMMY
PO BOX 44
OWENSVILLE MO 65066

CHARLES DANNY TR
9751 EASTERN AVE
BYRON CENTER MI 49315

41 DEVON STREET CORP
26 UPLAND RD
GREAT NECK NY 11020

SPIDEL LYNN R & DEANNA J TR
700 LAKESIDE DR
ROME CITY IN 46781

GUILLES JON R TR
PO BOX 2706
FORT MYERS BEACH FL 33932

WOOD SAMUEL L
PO BOX 342
PETERSBURG IL 62675

WOOD SAMUEL L -
PO BOX 342
PETERSBURG IL 62675

RICCIO JOSEPH MICHAEL
24 SECLUDED HOLLOW RD
CAPE MAY COURT HOUSE NJ 08210

FOUR P INVESTMENTS LTD
1511 ESTERO BLVD APT 606
FORT MYERS BEACH FL 33931

TMS INVESTMENTS
185 HIGH ST NE
WARREN OH 44481

SUNSET VIEWS LLC
PO BOX 70
AUBURN IN 46706

DOUGLAS RAYMOND & JENNIFER
3 PELHAM RD BARGATE GRIMSBY
LINCOLNSHIRE DN34 4SU
UNITED KINGDOM

GLACKIN BARBARA Q TR
1675 MOUNT EVEREST LN
TOMES RIVER NJ 08753

SPIDEL LYNN R & DEANNA J TR
700 LAKESIDE DR
ROME CITY IN 46781

STERNER RACHEL V TR
2803 KINGS CROSSING DR # 321
KINGWOOD TX 77345

SMITH BRIAN T -
PO BOX 235
HEYWORTH IL 61745

HANSEN LOUISE E TR
1511 ESTERO BLVD #603
FORT MYERS BEACH FL 33931

NELSON BRADLEY A TR
803 IRONWOOD CC DR
NORMAL IL 61761

WOLOS MICHAEL C & SHAREN A
PO BOX 381
FLUSHING MI 48433

SUNSET VIEWS LLC
PO BOX 70
AUBURN IN 46706

SMITH JULIA V TR
1511 ESTERO BLVD #PH1A
FORT MYERS BEACH FL 33931

CALHAN FLP
189 SADDLEBROOK DR
OAK BROOK IL 60521

CALHAN LEO D & JOAN C
1511 ESTERO BLVD #PHC
FORT MYERS BEACH FL 33931

LADWIG MARY TR
10019 ISOLA WAY
MIROMAR LAKES FL 33913

MALAGOTTA PROPERTIES LLC
ANTHONY MIRAGLIOTTA
31 JOHN ALDEN ST
CLIFTON NJ 07013

LONI ROGER J +
2054 N NORDICA AVE
CHICAGO IL 60707

RICCIO NICHOLAS J &
1511 ESTERO BLVD #PHG
FORT MYERS BEACH FL 33931

WILLIAMS JEFFREY M TR
1511 ESTERO BLVD #PHH
FORT MYERS BEACH FL 33931

LOIZZO DIANE L TR
8453 ROY ROY DR
ORLAND PARK IL 60462

BUTLER WILLIAM PATRICK
732 OKUMA DR
CHESTER VA 23836

MAUI ENTERPRISES INC
4411 CLEVELAND AV
FORT MYERS FL 33901

MAUI ENTERPRISES INC
4411 CLEVELAND AV
FORT MYERS FL 33901

MAUI ENTERPRISES INC
4411 CLEVELAND AV
FORT MYERS FL 33901

MAUI ENTERPRISES INC
4411 CLEVELAND AV
FORT MYERS FL 33901

MAUI ENTERPRISES INC
4411 CLEVELAND AV
FORT MYERS FL 33901

1500 ESTERO BLVD LLC
32 BAYVIEW BLVD
FORT MYERS BEACH FL 33931

BEYER TAMMY E TR
9656 HALYARDS CT # 24
FORT MYERS FL 33919

ANDRESEN EDWIN TR
7960 PRESERVATION DR
INDIANAPOLIS IN 46278

BOCCELLA SALVATORE
4 POINT VIEW CT
SICKLERVILLE NJ 08581

JOHNSON NANCY ANN L/E
9 NANCY LN
FORT MYERS BEACH FL 33931

HECK LLC
15561 CATALPA COVE DR
FORT MYERS FL 33908

CONANT DONNA TR
8122 S FOREST HILL CIR
FRANKLIN WI 53132

DENNIS R + CYNTHIA L LOREN TRU
106 ICHABOD LN
MANKATO MN 56001

LAMBOLE STEVEN J
22 VETO ST
PROVIDENCE RI 02908

NIEMEIER RYAN & SUMMER
106 S WALNUT ST
LA CRESCENT MN 55947

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| 3 | FALSE | 10227974 | 19-46-24-V | KEY ESTERO SHOPS LL | 3220 PINE CONE CT | MILFORD MI | 48381 | 48381 | | 1661 |
| 4 | FALSE | 10227975 | 19-46-24-V | REALBOOK LLC | 12 SEQUOIA DR | DAYTON NJ | 8810 | 8810 | | 200 |
| 5 | FALSE | 10227976 | 19-46-24-V | GH3 RR CAPITAL LLC | 1700 MEDICAL LN #10 | FORT MYER FL | 33907 | 33907 | | 211 |
| 6 | FALSE | 10227978 | 19-46-24-V | AMBER JACK PROPERTY | PO BOX 446 | OTTOVILLE OH | 45876 | 45876 | | 210 |
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| 11 | FALSE | 10626631 | 19-46-24-V | COLLIN JAMES GROUP | 15 CARROTWOOD CT | FORT MYER FL | 33919 | 33919 | | 257 |
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| 15 | FALSE | 10228057 | 19-46-24-V | PETERSON DAVID CHA | 85 LAKEVIEW AVE | EXCELSIOR MN | 55331 | 55331 | | 239 |
| 16 | FALSE | 10228058 | 19-46-24-V | WIDMEIER INVESTMEN | 4390 DODGE ST | DURBUQUE IA | 52003 | 52003 | | 237 |
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| 18 | FALSE | 10228060 | 19-46-24-V | ESH ANDREW CHARLE | 13833 SUNSET RD | MINNETON MN | 55345 | 55345 | | 223 |
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| 22 | FALSE | 10228064 | 19-46-24-V | AULLS PATRICIA E L/E | 7241 BERGAMO WAY U | FORT MYER FL | 33966 | 33966 | | 1351 |
| 23 | FALSE | 10228065 | 19-46-24-V | WILCOX LANCE | 1339 SANTOS RD | FORT MYER FL | 33931 | 33931 | | 1339 |
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| 27 | FALSE | 10228069 | 19-46-24-V | KLC SURF L CHRISTOPH | 4625 W EUCLID AVE | TAMPA FL | 33629 | 33629 | | 1397 |
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| 62 | FALSE | 10228176 | 19-46-24-V WEIT MARTIN & DAWN 275 TROPICAL SHORES FORT MYER FL | 33931 | 1667 |
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| 65 | FALSE | 10228179 | 19-46-24-V BERTSCHINGER INVES | SEEBLICK 13 | WOLLERAU | 8832 SWITZERLA | 1662 |
| 66 | FALSE | 10228180 | 19-46-24-V BERTSCHINGER INVES | SEEBLICK 13 | 8832 WOLLERAU | SWITZERLA | 1664 |
| 67 | FALSE | 10228181 | 19-46-24-V CGRT LLC + | 573 LONGWOOD AVE | GLENCOE IL | 60022 | 1666 |
| 68 | FALSE | 10228183 | 19-46-24-V MAUHI ENTERPRISES II | 4411 CLEVELAND AV | FORT MYER FL | 33901 | 1560 |
| 69 | FALSE | 10228184 | 19-46-24-V SMART PARK OF FMB L | 11330 LONG WATER C | FORT MYER FL | 33908 | 1510 |
| 70 | FALSE | 10228185 | 19-46-24-V WATERFRONT PROPER | 4411 CLEVELAND AVE | FORT MYER FL | 33901 | 71/73 |
| 71 | FALSE | 10228186 | 19-46-24-V HASSELHOFF LLC | 414 MARKET ST | IOWA CITY IA | 52245 | 60/64 |
| 72 | FALSE | 10228187 | 19-46-24-V 1560 I STREET 62 LLC | 4705 LELAND DR | CUMMING GA | 30041 | 1560 |
| 73 | FALSE | 10228188 | 19-46-24-V UNDERWOOD LLC | 414 MARKET ST | IOWA CITY IA | 52245 | 1550 |
| 74 | FALSE | 10228189 | 19-46-24-V HOY MARSHALVE | 61 ALVA DR | FORT MYER FL | 33931 | 61 |
| 75 | FALSE | 10228190 | 19-46-24-V GANIM GEORGE W & JC | 4666 MAIN ST | BRIDGEPOICT | 6606 | 1478 |
| 76 | FALSE | 10228191 | 19-46-24-V GANIM GEORGE W & JC | 4666 MAIN ST | BRIDGEPOICT | 6606 | 1450 |
| 77 | FALSE | 10228192 | 19-46-24-V LANI KAL P ROBERT G | 1400 ESTERO BLVD | FORT MYER FL | 33931 | 1400 |
| 78 | FALSE | 10228193 | 19-46-24-V STEPNEY LLC | 4666 MAIN ST | BRIDGEPOICT | 6606 | 71 |
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| 80 | FALSE | 10228195 | 19-46-24-V ATWATER WALTER H | 12711 CHATHAM DR | FORT MYER FL | 33908 | 61/65 |
| 81 | FALSE | 10228196 | 19-46-24-V RIGHT CHOICE INVEST | 13500 TELEGRAPH RD | TAYLOR MI | 48180 | 1250 |
| 82 | FALSE | 10228197 | 19-46-24-V OUR BEACH SAND LLC | 12403 SUMMERWOOD | FORT MYER FL | 33908 | 1270 |
| 83 | FALSE | 10228229 | 19-46-24-V PE RENTALS LLC | 1107 KANE ST | LA CROSSE WI | 54603 | 157 |
| 84 | FALSE | 10228230 | 19-46-24-V BARKER JOHN + | 5262 OLYMPIA DR | INDIANAPC IN | 46228 | 159 |
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| 89 | FALSE | 10462574 | 19-46-24-V TROPICAL CENTER COI | 1300 ESTERO BLVD | FORT MYER FL | 33931 | |
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| 91 | FALSE | 10228397 | 19-46-24-V PETRICH PAUL E & GAY | 8601 IENN HYDE RD | WARREN OH | 44484 | 1511 |
| 91 | FALSE | 10228398 | 19-46-24-V WILLIAM L & JOYCE J H | 28033 N 1850 EAST RD | GRIDLEY IL | 61744 | 1511 |
| 91 | FALSE | 10228399 | 19-46-24-V WILLIAMS JEANNE L TR | 1511 ESTERO BLVD # P | FORT MYER FL | 33931 | 1511 |
| 91 | FALSE | 10228400 | 19-46-24-V HANY JOHNA TR | 3405 STEPHANIE RD | BLOOMING IL | 61704 | 1511 |
| 91 | FALSE | 10228401 | 19-46-24-V BUTLER JAMES H & TFR | 1511 ESTERO BLVD #2 | FORT MYER FL | 33931 | 1511 |

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| 91 | FALSE | 10228402 | 19-46-24-V LAY DANIEL F TR | 7583 N 1300 E ROAD | SHIRLEY IL | 61772 | 1511 |
| 91 | FALSE | 10228403 | 19-46-24-V FRANKLIN JAY STAHAN | 1511 ESTERO BLVD #21 | FORT MYER FL | 33931 | 1511 |
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| 91 | FALSE | 10228406 | 19-46-24-V JONES MALINDA ETZIE | 2445 S HILLMORE ST | DENVER CO | 80210 | 1511 |
| 91 | FALSE | 10228407 | 19-46-24-V FENN CYNTHIA TR | 14248 FOUNTAIN HILL | PRIOR LAKE MN | 55372 | 1511 |
| 91 | FALSE | 10228408 | 19-46-24-V FRANA THERESA L | 2789 TRAILWOOD LN | LEXINGTON KY | 40511 | 1511 |
| 91 | FALSE | 10228409 | 19-46-24-V 1511 ESTEL MICHELLE | 495 THOMAS DR | NORTH BAY IL | 60010 | 1511 |
| 91 | FALSE | 10228410 | 19-46-24-V OBRIEN CAROL & WINE | 1511 ESTERO BLVD #31 | FORT MYER FL | 33931 | 1511 |
| 91 | FALSE | 10228411 | 19-46-24-V DANIELSON BRIAN | 1300 WILD ROSE TRAIL | EDMOND OK | 73034 | 1511 |
| 91 | FALSE | 10228412 | 19-46-24-V KARBELER LARRY L L/E | 6558 OHILNY CIR | NORTH RIDGE OH | 44039 | 1511 |
| 91 | FALSE | 10228413 | 19-46-24-V JOHNSON DALE MICH | 118 MEADOW CREEK C | LEXINGTON IL | 61753 | 1511 |
| 91 | FALSE | 10228414 | 19-46-24-V SEXTON MICHAEL ZEPI | 1511 ESTERO BLVD # 3 | FORT MYER FL | 33931 | 1511 |
| 91 | FALSE | 10228415 | 19-46-24-V RAPP DALE A & RUTH A | 104 PRAIRIE DR | LEXINGTON IL | 61753 | 1511 |
| 91 | FALSE | 10228416 | 19-46-24-V LAW MICHAEL M & SHEP | PO BOX 584 | HEYWORTH IL | 61745 | 1511 |
| 91 | FALSE | 10228417 | 19-46-24-V MEZERA CHRISTINA M | 5229 W 62ND ST | EDINA MN | 55436 | 1511 |
| 91 | FALSE | 10228418 | 19-46-24-V QUARIELLO BETTY A TH | 1511 ESTERO BLVD # 4 | FORT MYER FL | 33931 | 1511 |
| 91 | FALSE | 10228419 | 19-46-24-V SUNSET VIEWS LLC | PO BOX 70 | AUBURN IN | 46706 | 1511 |
| 91 | FALSE | 10228420 | 19-46-24-V DARIANO KELLER TR | 79 SUNNY LN | TIFFIN OH | 44883 | 1511 |
| 91 | FALSE | 10228421 | 19-46-24-V MOORE ROBERT J & CY | 1511 ESTERO BLVD #41 | FORT MYER FL | 33931 | 1511 |
| 91 | FALSE | 10228422 | 19-46-24-V STRIBLING MARK TR | PO BOX 402 | ASHLAND IL | 62612 | 1511 |
| 91 | FALSE | 10228423 | 19-46-24-V STOCKER REBECCA L | APT 407 1511 ESTEL | JACKSONVILLE IL | 62650 | 1511 |
| 91 | FALSE | 10228424 | 19-46-24-V SMITH GARY B & ROXY | 3734 WESLEY CHAPEL | ZANESVILLE OH | 43701 | 1511 |
| 91 | FALSE | 10228425 | 19-46-24-V HOLZAPFEL CHARLES | 1801 S 4TH CIR | BRANDON SD | 57005 | 1511 |
| 91 | FALSE | 10228426 | 19-46-24-V GREEN BURLEY & TAMM | PO BOX 414 | OWENSVILLE MO | 65066 | 1511 |
| 91 | FALSE | 10228427 | 19-46-24-V SUNSET VIEWS LLC | PO BOX 70 | AUBURN IN | 46706 | 1511 |
| 91 | FALSE | 10228428 | 19-46-24-V CHARLES DANNY TR | 9751 EASTERN AVE | BYRON CENTER MI | 49315 | 1511 |
| 91 | FALSE | 10228429 | 19-46-24-V DOUGLAS RAYMOND & 3 | PELHAM T GRIMSBY | LINCOLNSHIRE | ON34 4SU | UNITED KINGDOM |
| 91 | FALSE | 10228430 | 19-46-24-V 41 DEVOL STREET | COR 26 UPLAND RD | GREAT NECK NY | 11020 | 1511 |
| 91 | FALSE | 10228431 | 19-46-24-V GLACKIN BARBARA Q T | 1673 MOUNT EVEREST | TOMS RIVER NJ | 8753 | 1511 |
| 91 | FALSE | 10228432 | 19-46-24-V SPIDEL LYNN R & DEAN | 700 LAKESIDE DR | ROME CITY IN | 46784 | 1511 |
| 91 | FALSE | 10228433 | 19-46-24-V SPIDEL LYNN R & DEAN | 700 LAKESIDE DR | ROME CITY IN | 46784 | 1511 |
| 91 | FALSE | 10228434 | 19-46-24-V GUILLES JON R TR | PO BOX 2706 | FORT MYER FL | 33932 | 1511 |

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|----|-------|----------|--|-------|------|
| 91 | FALSE | 10228435 | 19-46-24-V STERNER RACHEL V TR 2803 KINGS CROSSING KINGWOOD TX | 77345 | 1511 |
| 91 | FALSE | 10228436 | 19-46-24-V WOOD SAMUEL I PO BOX 342 PETERSBURG IL | 62675 | 1511 |
| 91 | FALSE | 10228437 | 19-46-24-V SMITH BRIANT + PO BOX 235 HEYWORTH IL | 61745 | 1511 |
| 91 | FALSE | 10228438 | 19-46-24-V WOOD SAMUEL L + PO BOX 342 PETERSBURG IL | 62675 | 1511 |
| 91 | FALSE | 10228439 | 19-46-24-V HANSEN LOUISE E TR 1511 ESTERO BLVD #61 FORT MYER FL | 33931 | 1511 |
| 91 | FALSE | 10228440 | 19-46-24-V RICCIO JOSEPH MICHAEL 26 SECLUDED HOLLOV CAPE MAY NJ | 8210 | 1511 |
| 91 | FALSE | 10228441 | 19-46-24-V NELSON BRADLEY A IR 803 IRONWOOD CC DE NORMAL IL | 61761 | 1511 |
| 91 | FALSE | 10228442 | 19-46-24-V FOUR P INVESTMENTS 1511 ESTERO BLVD AF FORT MYER FL | 33931 | 1511 |
| 91 | FALSE | 10228443 | 19-46-24-V WOLOS MICHAEL C & S PO BOX 381 FLUSHING MI | 49433 | 1511 |
| 91 | FALSE | 10228444 | 19-46-24-V TMS INVESTMENTS 185 HIGH ST NE WARREN OH | 44481 | 1511 |
| 91 | FALSE | 10228445 | 19-46-24-V SUNSET VIEWS LLC PO BOX 70 AUBURN IN | 46706 | 1511 |
| 92 | FALSE | 10228446 | 19-46-24-V SMITH JULIA V TR 1511 ESTERO BLVD #PI FORT MYER FL | 33931 | 1511 |
| 92 | FALSE | 10228447 | 19-46-24-V CALHAN FLP 189 SADDLEBROOK OF OAK BROOK IL | 60523 | 1511 |
| 92 | FALSE | 10228448 | 19-46-24-V CALHAN LEO D & JOAN 1511 ESTERO BLVD #PI FORT MYER FL | 33931 | 1511 |
| 92 | FALSE | 10228449 | 19-46-24-V LADWIG MARY TR 10019 ISOLA WAY MIOMAR FL | 33913 | 1511 |
| 92 | FALSE | 10228450 | 19-46-24-V MALAGOTT ANTHONY F 131 JOHN AIDEN ST CLIFTON NJ | 7013 | 1511 |
| 92 | FALSE | 10228451 | 19-46-24-V LONI RODGER J + 2054 N NORDICA AVE CHICAGO IL | 60707 | 1511 |
| 92 | FALSE | 10228452 | 19-46-24-V RICCIO NICHOLAS J & 1511 ESTERO BLVD #PI FORT MYER FL | 33931 | 1511 |
| 92 | FALSE | 10228453 | 19-46-24-V WILLIAMS JEFFREY M TI 1511 ESTERO BLVD #PI FORT MYER FL | 33931 | 1511 |
| 92 | FALSE | 10228454 | 19-46-24-V LOIZZO DIANE L TR 8453 ROB ROY DR ORLAND PA IL | 60462 | 1511 |
| 92 | FALSE | 10228455 | 19-46-24-V BUTLER WILLIAM PATR 732 OKUMA DR CHESTER VA | 23836 | 1511 |
| 93 | FALSE | 10228457 | 19-46-24-V MAUHI ENTERPRISES II 4411 CLEVELAND AV FORT MYER FL | 33901 | 1600 |
| 94 | FALSE | 10228456 | 19-46-24-V MAUHI ENTERPRISES II 4411 CLEVELAND AV FORT MYER FL | 33901 | 1600 |
| 95 | FALSE | 10228459 | 19-46-24-V MAUHI ENTERPRISES II 4411 CLEVELAND AV FORT MYER FL | 33901 | 1600 |
| 96 | FALSE | 10228460 | 19-46-24-V MAUHI ENTERPRISES II 4411 CLEVELAND AV FORT MYER FL | 33901 | 1600 |
| 97 | FALSE | 10228461 | 19-46-24-V MAUHI ENTERPRISES II 4411 CLEVELAND AV FORT MYER FL | 33901 | 1600 |
| 98 | FALSE | 10228463 | 19-46-24-V 1300 ESTERO BLVD LLC 32 BAYVIEW BLVD FORT MYER FL | 33931 | 1300 |
| 98 | FALSE | 10228464 | 19-46-24-V BEYERTAMMY E TR 9656 HALYARDS CT #2 FORT MYER FL | 33919 | 1300 |
| 98 | FALSE | 10228465 | 19-46-24-V ANDRESEN EDWIN TR 7960 PRESERVATION CINDIAN APC IN | 46278 | 1300 |
| 98 | FALSE | 10228466 | 19-46-24-V BOCCELLA SALVATORE 4 POINT VIEW CT SICKLERVILLE NJ | 8081 | 1300 |
| 98 | FALSE | 10228467 | 19-46-24-V JOHNSON NANCY ANN 9 NANCY LN FORT MYER FL | 33931 | 1300 |
| 98 | FALSE | 10228468 | 19-46-24-V HECK LLC 15561 CATALPA COVE FORT MYER FL | 33908 | 1300 |
| 98 | FALSE | 10228469 | 19-46-24-V CONANT DONNA TR 8122 S FOREST HILL CI FRANKLIN WI | 53132 | 1300 |

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| 98 | FALSE | 10228470 | 19-46-24-V DENNIS R + CYNTHIA L 106 ICHAROD LN | MANKATO MN | 56001 | 1300 |
| 98 | FALSE | 10228471 | 19-46-24-V LANDOLFI STEVEN J 22 VETO ST | PROVIDENCE RI | 2908 | 1300 |
| 98 | FALSE | 10228472 | 19-46-24-V NIEMEIER RYAN & SUM 106 S WALNUT ST | LA CRESCEN MN | 55947 | 1300 |

| Site/Street | Site/Unit | Site/City | Site/Zip | Legal |
|--------------|-----------|-----------|----------|--|
| ESTERO BLVD | | FORT MYER | 33931 | VENETIAN GARDENS <CR>BLK B PB 6 PG 70 <CR>LOTS 7 + 8 + E 1/2 OF LOT 9<CR>+ 28 + 29 + |
| SUBMERGED | | FORT MYER | 33931 | VENETIAN GARDENS<CR>PB 6 PG 70<CR>RIO DEL LIDO CANAL |
| SUBMERGED | | FORT MYER | 33931 | VENETIAN GARDENS<CR>PB 6 PG 70<CR>CANAL GRANDE CANAL |
| ESTERO BLVD | | FORT MYER | 33931 | HILLS TP SUBD PB 3 PG 84<CR>PT LT 11 DESC OR 1468<CR>PG 1697 LESS N 275 FT |
| CAROLINA AVE | | FORT MYER | 33931 | HILLS TP SUBD PB 3 PG 84<CR>PT LT 11 N 275 FT OF<CR>OR 1468 PG 1697 |
| OSTEGO DR | | FORT MYER | 33931 | HILLS TP SUBD PB 3 PG 84 PT LOT 11 DESC OR 1352 PG 613 AKA BLK J LOT 13 1ST EDITION VENETIAN GAI |
| OSTEGO DR | | FORT MYER | 33931 | HILLS TP SUBD<CR>PB 3 PG 84 PT LOT 11<CR>DESC IN OR 1351 PG 1680 |
| CAROLINA AVE | | FORT MYER | 33931 | HILLS TP SUBD<CR>PB 3 PG 84 PT LOT 11<CR>DESC OR 1365 PG 760 |
| OSTEGO DR | | FORT MYER | 33931 | PARL IN S 1/4 AS DESC IN<CR>OR 1361 PG 1551 AKA BLK J<CR>LOT 15 VENETIAN GARDENS |
| PALERMO CIR | | FORT MYER | 33931 | VENETIAN GARDENS<CR>BLK Y PB 6 PG 70<CR>ALL BLK Y EXC NLY 11 FT |
| CAROLINA AVE | | FORT MYER | 33931 | VENETIAN GARDENS<CR>BLK A PB 6 PG 70<CR>LOT 11 |
| CAROLINA AVE | | FORT MYER | 33931 | VENETIAN GARDENS<CR>BLK A PB 6 PG 70<CR>LOT 12 |
| CAROLINA AVE | | FORT MYER | 33931 | VENETIAN GARDENS<CR>BLK A PB 6 PG 70<CR>LOT 13 |
| CAROLINA AVE | | FORT MYER | 33931 | VENETIAN GARDENS<CR>BLK A PB 6 PG 70<CR>LOT 14 |
| CAROLINA AVE | | FORT MYER | 33931 | VENETIAN GARDENS<CR>BLK A PB 6 PG 70<CR>LOT 15 |
| CAROLINA AVE | | FORT MYER | 33931 | VENETIAN GARDENS<CR>BLK A PB 6 PG 70<CR>LOT 16 |
| CAROLINA AVE | | FORT MYER | 33931 | VENETIAN GARDENS<CR>BLK A PB 6 PG 70<CR>LOT 17 |
| CAROLINA AVE | | FORT MYER | 33931 | VENETIAN GARDENS<CR>BLK A PB 6 PG 70<CR>LOT 18 + N 25 FT LOT 19 |
| CAROLINA AVE | | FORT MYER | 33931 | VENETIAN GARDENS<CR>BLK A PB 6 PG 70<CR>LOT 20 + S 1/2 OF LOT 19 |
| CAROLINA AVE | | FORT MYER | 33931 | VENETIAN GARDENS<CR>BLK A PB 6 PG 70<CR>LOT 21 |
| SANTOS RD | | FORT MYER | 33931 | VENETIAN GARDENS<CR>BLK A PB 6 PG 70<CR>LOTS 30 31 LESS W 12 FT |
| SANTOS RD | | FORT MYER | 33931 | VENETIAN GARDENS<CR>BLK A PB 6 PG 70<CR>LOTS 32 + W 12 FT LOT 31 |
| SANTOS RD | | FORT MYER | 33931 | VENETIAN GARDENS<CR>BLK A PB 6 PG 70<CR>LOT 33 |
| SANTOS RD | | FORT MYER | 33931 | VENETIAN GARDENS<CR>BLK A PB 6 PG 70<CR>LOT 34 |
| SANTOS RD | | FORT MYER | 33931 | VENETIAN GARDENS<CR>BLK A PB 6 PG 70<CR>LOT 35 |
| PALERMO CIR | | FORT MYER | 33931 | VENETIAN GARDENS<CR>BLK A PB 6 PG 70<CR>LOT 36 + S 1/2 OF BLK X<CR>LESS THE N 20 FT |
| SANTOS RD | | FORT MYER | 33931 | VENETIAN GARDENS<CR>BLK A PB 6 PG 70<CR>LOT 37 |
| ESTERO BLVD | | FORT MYER | 33931 | VENETIAN GARDENS<CR>BLK B PB 6 PG 70<CR>W 1/2 LOT 9 LOTS 10 + 11 |
| ESTERO BLVD | | FORT MYER | 33931 | VENETIAN GARDENS<CR>BLK B PB 6 PG 70<CR>LOT 12 |
| ESTERO BLVD | | FORT MYER | 33931 | VENETIAN GARDENS<CR>BLK B PB 6 PG 70<CR>LOT 13 |
| ESTERO BLVD | | FORT MYER | 33931 | VENETIAN GARDENS<CR>BLK B PB 6 PG 70<CR>LOT 14 |

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| ESTERO BLVD | FORT MYER | 33931 VENETIAN GARDENS<CR>BLK B PB 6 PG 70<CR>LOTS 15 |
| ESTERO BLVD | FORT MYER | 33931 VENETIAN GARDENS<CR>BLK B PB 6 PG 70<CR>LOTS 16 + 17 |
| PALERMO CIR | FORT MYER | 33931 VENETIAN GARDENS<CR>BLK D PB 6 PG 70<CR>LOT 10 |
| PALERMO CIR | FORT MYER | 33931 VENETIAN GARDENS<CR>BLK D PB 6 PG 70<CR>LOT 11 |
| PALERMO CIR | FORT MYER | 33931 VENETIAN GARDENS<CR>BLK D PB 6 PG 70<CR>LOT 12 |
| PALERMO CIR | FORT MYER | 33931 VENETIAN GARDENS<CR>BLK D PB 6 PG 70<CR>LOT 13 + N 1/2 OF LOT 14 |
| PALERMO CIR | FORT MYER | 33931 VENETIAN GARDENS<CR>BLK D PB 6 PG 70<CR>PT LOT 15 + S 1/2 LOT 14<CR>DESC IN OR BK 3404 PG 4 |
| PALERMO CIR | FORT MYER | 33931 VENETIAN GARDENS<CR>BLK E PB 6 PG 70<CR>LOTS 1 + 2 + PT LOT 15 +<CR>20 FT STRIP N OF AND ADJ |
| PALERMO CIR | FORT MYER | 33931 VENETIAN GARDENS<CR>BLK E PB 6 PG 70<CR>LOTS 3 + 4 |
| PALERMO CIR | FORT MYER | 33931 VENETIAN GARDENS<CR>BLK E PB 6 PG 70<CR>LOT 5 |
| PALERMO CIR | FORT MYER | 33931 VENETIAN GARDENS<CR>BLK E PB 6 PG 70<CR>LOT 6 |
| PALERMO CIR | FORT MYER | 33931 VENETIAN GARDENS<CR>BLK E PB 6 PG 70<CR>LOT 7 |
| PALERMO CIR | FORT MYER | 33931 VENETIAN GARDENS<CR>BLK E PB 6 PG 70<CR>LOT 8 + LOT PT 9 |
| PALERMO CIR | FORT MYER | 33931 VENETIAN GARDENS PB 6/70<CR>BLK E S 1/2 OF LOT 9 +<CR>ALL OF BLK X LESS S 20 FT |
| PALERMO CIR | FORT MYER | 33931 VENETIAN GARDENS<CR>BLK F PB 6 PG 70<CR>LOT 1 |
| PALERMO CIR | FORT MYER | 33931 VENETIAN GARDENS<CR>BLK F PB 6 PG 70<CR>LOT 2 |
| PALERMO CIR | FORT MYER | 33931 VENETIAN GARDENS<CR>BLK F PB 6 PG 70<CR>LOT 3 |
| PALERMO CIR | FORT MYER | 33931 VENETIAN GARDENS<CR>BLK F PB 6 PG 70<CR>LOT 4 |
| PALERMO CIR | FORT MYER | 33931 VENETIAN GARDENS<CR>BLK F PB 6 PG 70<CR>LOT 5 |
| PALERMO CIR | FORT MYER | 33931 VENETIAN GARDENS<CR>BLK F PB 6 PG 70<CR>LOT 6 |
| PALERMO CIR | FORT MYER | 33931 VENETIAN GARDENS<CR>BLK F PB 6 PG 70<CR>LOT 7 |
| PALERMO CIR | FORT MYER | 33931 VENETIAN GARDENS<CR>BLK F PB 6 PG 70<CR>PORTION OF LOT 28 DESC IN INSTRUMENT 20200001154 |
| ACCESS UNDETERMIN | FORT MYERS BEACH | VENETIAN GARDENS<CR>BLK F PB 6 PG 70<CR>REMAINING PORTION OF LOT 28 DESC IN INSTRUMENT 2 |
| PALERMO CIR | FORT MYER | 33931 VENETIAN GARDENS<CR>BLK G PB 6 PG 70<CR>LOT 17 |
| PALERMO CIR | FORT MYER | 33931 VENETIAN GARDENS<CR>BLK G PB 6 PG 70<CR>LOT 18 |
| PALERMO CIR | FORT MYER | 33931 VENETIAN GARDENS<CR>BLK G PB 6 PG 70<CR>LOT 19 ONLY 11 FT BLK Y |
| PALERMO CIR | FORT MYER | 33931 VENETIAN GARDENS<CR>BLK H PB 6 PG 70<CR>LOT 27 |
| PALERMO CIR | FORT MYER | 33931 VENETIAN GARDENS<CR>BLK H PB 6 PG 70<CR>LOT 28 + PT LOTS 26 + 29 |
| ESTERO BLVD | FORT MYER | 33931 VENETIAN GARDENS BLK H<CR>PB 6 PG 70 LOTS 30 31+32<CR>+ PT LT 29 OR 24 14/2433 |
| ESTERO BLVD | FORT MYER | 33931 CRESCENT BEACH BLK B<CR>PB 4 PG 45 E 1/2 OF LT 1<CR>+ N 1/2 OF E 1/2 OF LT 4 |
| ESTERO BLVD | FORT MYER | 33931 CRESCENT BEACH<CR>BLK B PB 4 PG 45<CR>W 1/2 LOTS 1 + 4 |
| AVENUE F | FORT MYER | 33931 CRESCENT BEACH BLK B PB 4 PG 45 S 1/2 OF E 1/2 OF LOT 4 + E 1/2 OF LOT 5 |
| I ST | FORT MYER | 33931 CRESCENT BEACH<CR>BLK B PB 4 PG 45<CR>W 1/2 OF LOT 5 |

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| ALVA DR | FORT MYER | 33931 CRESCENT BEACH<CR>BLK B PB 4 PG 45<CR>LOT 7 |
| 1ST | FORT MYER | 33931 CRESCENT BEACH<CR>BLK B PB 4 PG 45<CR>LOT 8 |
| 1ST | FORT MYER | 33931 CRESCENT BEACH<CR>BLK B PB 4 PG 45<CR>LOT 9 + LOT PT 10 |
| 1ST | FORT MYER | 33931 CRESCENT BEACH<CR>BLK B PB 4 PG 45<CR>LOT PT 10 |
| ESTERO BLVD | FORT MYER | 33931 CRESCENT BEACH<CR>BLK C PB 4 PG 45<CR>LOTS 1 + 4 |
| ESTERO BLVD | FORT MYER | 33931 CRESCENT BEACH<CR>BLK C PB 4 PG 45<CR>LOTS 2 3 6 |
| ALVA DR | FORT MYER | 33931 CRESCENT BEACH<CR>BLK C PB 4 PG 45<CR>LOT 5 |
| AVENUE C | FORT MYER | 33931 CRESCENT BEACH<CR>BLK C PB 4 PG 45<CR>LOTS 7 + PT LOT 8 W 1/2 OF |
| 1ST | 62 FORT MYER | 33931 CRESCENT BEACH<CR>BLK C PB 4 PG 45<CR>LT 9 + E 1/2 LT 8 + VAC ALLEY |
| 1ST | FORT MYER | 33931 CRESCENT BEACH<CR>BLK C PB 4 PG 45<CR>LOT 10 |
| ALVA DR | FORT MYER | 33931 CRESCENT BEACH<CR>BLK C PB 4 PG 45<CR>LOT 11 |
| ESTERO BLVD | FORT MYER | 33931 CRESCENT BEACH<CR>BLK D PB 4 PG 45<CR>LOTS 1 + 4 LESS WLY 43 FT |
| ESTERO BLVD | FORT MYER | 33931 CRESCENT BEACH<CR>BLK D PB 4 PG 45<CR>WLY 43 FT LOTS 1 + 4 |
| ESTERO BLVD | FORT MYER | 33931 CRESCENT BEACH<CR>BLK D + E + VAC RAW DESC<CR>OR 1293 PG 1208 |
| AVENUE C | FORT MYER | 33931 CRESCENT BEACH<CR>BLK D PB 4 PG 45<CR>LOT 5 |
| 1ST | FORT MYER | 33931 CRESCENT BEACH<CR>BLK D PB 4 PG 45<CR>LOT 10 |
| AVENUE C | FORT MYER | 33931 CRESCENT BEACH<CR>BLK D PB 4 PG 45<CR>LOT 11 |
| ESTERO BLVD | FORT MYER | 33931 CRESCENT PARK LOTS 1 + 2 + ESTRY 2.5 FT LT 3 + CRESCENT BEACH LOTS 1-5 BLK F LESS ESTRLY 45 FT OF NF |
| ESTERO BLVD | FORT MYER | 33931 CRESCENT BEACH BLK F<CR>PB 4 PG 45 PT LOTS 1 2 & 3<CR>DESC IN OR 1319 PG 1459 |
| MIRAMAR ST | FORT MYER | 33931 MIRAMAR<CR>BLK B PB 6 PG 31<CR>LOT 8 |
| MIRAMAR ST | FORT MYER | 33931 MIRAMAR<CR>BLK B PB 6 PG 31<CR>LOT 9 |
| MIRAMAR ST | FORT MYER | 33931 MIRAMAR<CR>BLK B PB 6 PG 31<CR>LOT 10 |
| MIRAMAR ST | FORT MYER | 33931 MIRAMAR<CR>BLK B PB 6 PG 31<CR>LOT 11 |
| MIRAMAR ST | FORT MYER | 33931 MIRAMAR<CR>BLK B PB 6 PG 31<CR>LOT 12 |
| BATIKI WEST CONDO C | FORT MYER | 33931 BATIKI WEST CONDO<CR>DESC OR BK 1055 PG 1455<CR>COMMON ELEMENTS POOL/DOCK |
| TROPICAL CENTER C/E | FORT MYER | 33931 CONDO IN SW 1/4 SEC 19<CR>TWP 46 R 24 RECORDED IN<CR>OR 1123 P 323 THRU 364<CR>COMMON |
| CRESCENT SHORE C/E | FORT MYER | 33931 A CONDO LOCATED IN SEC 19<CR>TWP 46 RGE 24 AS DESC IN<CR>OR 1464 PG 445<CR>COMMON ELEI |
| ESTERO BL | 200 FORT MYER | 33931 BATIKI WEST CONDO<CR>OR 1055 PG 1455<CR>UNIT 200 |
| ESTERO BL | 201 FORT MYER | 33931 BATIKI WEST CONDO<CR>OR 1055 PG 1455<CR>UNIT 201 |
| ESTERO BL | 202 FORT MYER | 33931 BATIKI WEST CONDO<CR>OR 1055 PG 1455<CR>UNIT 202 |
| ESTERO BL | 203 FORT MYER | 33931 BATIKI WEST CONDO<CR>OR 1055 PG 1455<CR>UNIT 203 |
| ESTERO BL | 204 FORT MYER | 33931 BATIKI WEST CONDO<CR>OR 1055 PG 1455<CR>UNIT 204 |
| ESTERO BL | 205 FORT MYER | 33931 BATIKI WEST CONDO<CR>OR 1055 PG 1455<CR>UNIT 205 |

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|-----------|---------------|--|-----------------------------|
| ESTERO BL | 206 FORT MYER | 33931 BATIKI WEST CONDO<CR> | OR 1055 PG 1455<CR>UNIT 206 |
| ESTERO BL | 207 FORT MYER | 33931 BATIKI WEST CONDO<CR>OR 1055 PG 1455<CR>UNIT 207 | |
| ESTERO BL | 208 FORT MYER | 33931 BATIKI WEST CONDO<CR> | OR 1055 PG 1455<CR>UNIT 208 |
| ESTERO BL | 209 FORT MYER | 33931 BATIKI WEST CONDO<CR> | OR 1055 PG 1455<CR>UNIT 209 |
| ESTERO BL | 300 FORT MYER | 33931 BATIKI WEST CONDO<CR>OR 1055 PG 1455<CR>UNIT 300 | |
| ESTERO BL | 301 FORT MYER | 33931 BATIKI WEST CONDO<CR> | OR 1055 PG 1455<CR>UNIT 301 |
| ESTERO BL | 302 FORT MYER | 33931 BATIKI WEST CONDO<CR> | OR 1055 PG 1455<CR>UNIT 302 |
| ESTERO BL | 303 FORT MYER | 33931 BATIKI WEST CONDO<CR>OR 1055 PG 1455<CR>UNIT 303 | |
| ESTERO BL | 304 FORT MYER | 33931 BATIKI WEST CONDO<CR> | OR 1055 PG 1455<CR>UNIT 304 |
| ESTERO BL | 305 FORT MYER | 33931 BATIKI WEST CONDO<CR> | OR 1055 PG 1455<CR>UNIT 305 |
| ESTERO BL | 306 FORT MYER | 33931 BATIKI WEST CONDO<CR> | OR 1055 PG 1455<CR>UNIT 306 |
| ESTERO BL | 307 FORT MYER | 33931 BATIKI WEST CONDO<CR>OR 1055 PG 1455<CR>UNIT 307 | |
| ESTERO BL | 308 FORT MYER | 33931 BATIKI WEST CONDO<CR> | OR 1055 PG 1055<CR>UNIT 308 |
| ESTERO BL | 309 FORT MYER | 33931 BATIKI WEST CONDO<CR> | OR 1055 PG 1455<CR>UNIT 309 |
| ESTERO BL | 400 FORT MYER | 33931 BATIKI WEST CONDO<CR>OR 1055 PG 1455<CR>UNIT 400 | |
| ESTERO BL | 401 FORT MYER | 33931 BATIKI WEST CONDO<CR>OR 1055 PG 1455<CR>UNIT 401 | |
| ESTERO BL | 402 FORT MYER | 33931 BATIKI WEST CONDO<CR> | OR 1055 PG 1455<CR>UNIT 402 |
| ESTERO BL | 403 FORT MYER | 33931 BATIKI WEST CONDO<CR> | OR 1055 PG 1455<CR>UNIT 403 |
| ESTERO BL | 404 FORT MYER | 33931 BATIKI WEST CONDO<CR> | OR 1055 PG 1455<CR>UNIT 404 |
| ESTERO BL | 405 FORT MYER | 33931 BATIKI WEST CONDO<CR> | OR 1055 PG 1455<CR>UNIT 405 |
| ESTERO BL | 406 FORT MYER | 33931 BATIKI WEST CONDO<CR>OR 1055 PG 1455<CR>UNIT 406 | |
| ESTERO BL | 407 FORT MYER | 33931 BATIKI WEST CONDO<CR> | OR 1055 PG 1455<CR>UNIT 407 |
| ESTERO BL | 408 FORT MYER | 33931 BATIKI WEST CONDO<CR> | OR 1055 PG 1455<CR>UNIT 408 |
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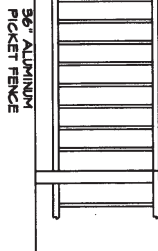
ETHLY 2.7 LT 3

ELEMENTS
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PLANT LIST

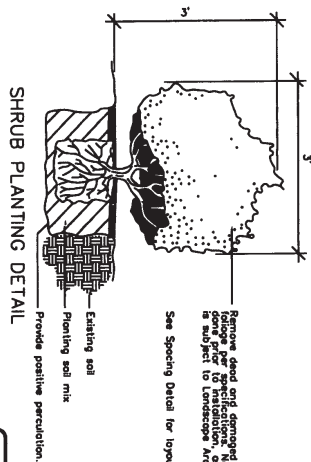
| QTY. | PLANT NAME | PLANT SIZE |
|----------|-----------------------|---------------------------|
| 50-60.05 | | |
| 10 | COCCONUT | 30" H/Spread 3 feet each. |
| 20 | COCCONUT/PLANT (COCO) | 30" H/Spread 3 feet each. |
| 20 | COCCONUT/PLANT (COCO) | 30" H/Spread 3 feet each. |
| | CWISSISS MALON | 30" H/Spread 3 feet each. |

Zoning = DOWNTOWN
Land Use = LOW TURNOVER PARKING
Total Site = 15,358 sq. (0.35 ACRES)



General Buffer Notes

- [illegible]



CODE COMPLIANCE LANDSCAPE
SCALE: 1" = 10'

SEZ 2003-00028

PLANTING DETAIL

11-12-03

1-1

SHEET DESCRIPTION:
CODE
LANDSCAPE

DATE: 10-30-03

PRODUCT NO.
10961

LANDSCAPE ARCHITECTURAL PLANS FOR

NORM'S BEACH PARKING

TOWN OF FORT MYERS BEACH, FLORIDA

CODE COMPLIANCE LANDSCAPE PLAN

DAVID M. JONES JR. AND ASSOCIATES, INC.

LANDSCAPE ARCHITECTS AND PLANNERS

2221 MCGREGOR BOULEVARD FORT MYERS, FLORIDA 3390
(941) 337-5525 FAX (941) 337-4494



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

Yellow Sheet Number: **2025-89**

1. Request:

Meeting Date: December 10, 2024

Review of guidelines in the LPA manual at the December 2024 LPA meeting with proposed changes for discussion.

Why the action is necessary:

What the action accomplishes:

2. Agenda:

ADMINISTRATIVE AGENDA

3. Requirement/Purpose:

Other

5. Background:

Per Sec. 34-118 of the town's Code of Ordinances, "...The rules may be amended from time to time, but only upon notice to all members that said proposed amendments shall be acted upon at a specified meeting..."

At a prior LPA meeting, the chair directed the LPA Attorney to prepare a simplified manual for further review and discussion by the LPA. By having an agreed-upon guide, members of the LPA also may develop common expectations on proper conduct of LPA meetings, dealings with the public, and the way it interacts with Town staff.

Exhibit A: Draft of LPA Guideline with proposed changes

Exhibit B: Land Development Code

Exhibit C: Guideline Suggestions by LPA Board Member Boan

Exhibit D: Guideline Suggestions by LPA Board Member McLean

Attachments:

1. Exhibit A: Updated November 2024 LPA Policies and Procedures Manual.
2. Exhibit B: LDC DIVISION_3.____LOCAL_PLANNING_AGENCY
3. Exhibit C: J Boan PnP suggestions
4. Exhibit D: J McLean PnP suggestions

Financial Impact:

6. Alternative Action

7. Staff Recommendations:

8. Recommended Approval:

nancy stuparich, Town Attorney

Date: December 03, 2024

Amy Baker, Town Clerk

Date: December 04, 2024

**Town of Fort Myers Beach Local Planning Agency
Policies and Procedures Manual**

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~~— Sunshine Issues~~

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~~5. Ad Hoc Committees and Interaction with Other Advisory Committees~~

~~6. Meeting Preparation and Planning~~

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~~— Public Notice of LPA Quasi-Judicial Hearings~~

~~— Continued Hearings and Legislative Issues~~

~~— Meeting Preparation~~

~~— Attendance Policy~~

~~— Meetings and Communication between LPA and Town Council~~

~~7. Meeting Procedures~~

~~— LPA Code of Conduct~~

~~— LPA Code of Ethics~~

~~— Order of Agenda Items~~

~~— Invocation~~

~~— Legislative Hearing Procedures~~

~~— Procedure for Quasi-Judicial Land Use Hearing~~

~~— Voting Conflicts~~

~~8. Meeting Output~~

~~9. LPA's Role in Initiating Legislative Changes to the Land Development Code~~

Appendices:

~~A. Resolution Requesting to Proceed with an LDC Change~~

~~B. Resolution HPB 2006-03 Establishing the Historic Advisory Committee~~

~~C. Recognition Resolution~~

~~D. Historic Sign Criteria and Integrity Evaluation~~

~~E. Legislative Change Process~~

~~F. Historic Plaque Resolution and Agreement~~

~~— G. Conflict of Interest Advice~~

1. Introduction

This Local Planning Agency (LPA) Policies and Procedures Manual is a guide to for the purpose of helping the LPA Members in the discharge of their duties. Experience may show that some of these policies and procedures need to be modified or eliminated and new ones adopted.

By adopting this manual, members of the LPA will find in one handy reference, answers to ~~policy and procedure~~ questions that come up from time to time. By having an agreed-upon guide, members of the LPA also may develop common expectations on proper conduct of LPA meetings, dealings with the public, and the way it interacts with Town staff.

This manual should be used in conjunction with the Town Charter, Comprehensive Plan, Land Development Code (LDC), strategic plan and other applicable laws, as necessary. Any conflict between the information in this Manual and other codes shall be resolved in favor of the other codes. Topics included in the Land Development Code shall not be included in this Manual:

1. Composition, appointment and compensation (Section 34-112, LDC)
2. Terms and vacancies (Section 34-114)
3. Forfeiture of office (Section 34-115)
4. Election and duties of officers (Section 34-116)
5. Support staff (Clerk-Section 34-117, Attorney-Section 34-124, Experts/Staff-Section 34-119)
6. Rules and Procedures (Section 34-118)
7. Functions, powers and duties regarding the Comprehensive plan and LDC (Section 34-120)
8. Functions, powers and duties regarding zoning matters (Section 34-121)
9. Service as the Historic Preservation Board (Section 34-122)

Upon a majority vote, the LPA can waive application of these guidelines. Any waiver or disregard of a guideline shall not be a basis for challenge to any action by the LPA. The Manual may be amended as needed and subject to review each year following the vote for LPA officers.

2. Local Planning Agency Mission and Job Description

Mission: ~~———— To further the welfare of the citizens of the Town by helping to promote a better, more helpful, convenient, efficient, healthy, safe community and attractive environment. To insure by strategic planning that the unique and natural characteristics of the island are preserved.~~

Functions, Powers and Duties: ~~————~~

- ~~———— Review and interpret the Comprehensive Plan and conduct public hearings as may be needed to fulfill its duties under Town ordinance and Comprehensive Plan.~~
- ~~———— Review and interpret the Land Development Code and conduct public hearings as may be needed to fulfill its duties under LDC, Town ordinance and Comprehensive Plan.~~
- ~~———— In an advisory capacity to the Town Council, either at Town Manager's, Town Council's, or its own initiation, conduct hearings to fulfill its duties regarding zoning matters.~~
- ~~———— Review the Capital Improvement Budget for consistency with the Comprehensive Plan and make recommendations to the Town Council.~~
- ~~———— Serve as the Historic Preservation Board for the Town.~~
- ~~———— Establish sub-committees as needed.~~
- ~~———— Elect a chair and vice chair for the LPA.~~
- ~~———— Elect a chair and vice chair for the Historic Preservation Board~~
- ~~———— Perform any other duties that lawfully may be assigned to it by the Town Council and/or Town Manager.~~

LPA Member Requirements:

- ~~Be a resident or property owner in the Town of Fort Myers Beach~~
- ~~File a Statement of Financial Interests (Form 1) with the Lee County Supervisor of Elections every year.~~
- ~~Complete and file Form 1F—Final Statement of Financial Interest, within 60 days of leaving office.~~

Desired LPA Member Qualities:

- ~~Analytical—ability to research and analyze information and data~~
- ~~Decisive~~
- ~~Knowledgeable—Such as, the Town Charter, Comprehensive Plan, Land Development Code, Sunshine Laws, Ethics Laws, Parliamentary Procedure~~
- ~~Communication—Listening, Speaking, Writing~~
- ~~Proactive—identify and seek solutions~~
- ~~Ethical—open, sincere and truthful~~
- ~~Ability to work in a team environment~~
- ~~Ability to work with and listen to people having diverse interests~~
- ~~Fair with no strong allegiance to any individual or group~~
- ~~Common sense~~
- ~~Time to do the job effectively~~

3.—Training & Materials ~~and First Meeting~~

Training Materials

Each new member of the Local Planning Agency will be provided an orientation and training by staff regarding the following resources, which are available on line or in print upon request: copies of:

- Town Charter
- Comprehensive Plan
- Land Development Code
- Florida Code of Ethics
- Florida Sunshine Laws
- ~~Policy and Procedures Manual~~
- ~~Other materials as determined by the LPA Attorney, Community Development Director and LPA members~~

Election of Officers

Annually, at the first meeting of the Local Planning Agency, after expired member positions have been filled by the Town Council, a chair and vice chair will be chosen. ~~Each~~ A LPA member may nominate a person for each of these positions or state their own interest in service as Chair or Vice-Chair. Once all nominations are received, the LPA will vote in the same manner as the Town Council votes for appointments to committees, boards, and commissions. If nominated, the LPA member shall accept the nomination on the record. If a nominated LPA member is not present, acceptance of the nomination and a vote on all nominations shall be taken at the next LPA meeting. A second is not required. A vote is taken in the order that a candidate was nominated. The positions are filled by a majority vote. If a majority is not received on the first ballot, a second ballot is taken for the two candidates receiving the most votes from the first ballot.

Sunshine Issues

Members of Town advisory committees, boards, and agencies are subject to the Sunshine Law (F.S. 286.011). The same Sunshine rules that apply to Town Council apply to the members of the LPA and other Town advisory committees, boards and agencies.

~~This means that~~ Any gathering of two or more members of the same advisory committee, board or agency must comply with all the Sunshine Law requirements if they participate in any discussion, directly or indirectly, regarding any matter where there is known or could be foreseeable action to be taken by the committee. Examples of indirect discussions are the use of email to a committee member or communication through a spouse or other go-between.

Advisory committee members cannot engage in discussions with each other (directly or indirectly) at outside meetings such as the Chamber of Commerce or Civic Association regarding any matter on which it is known or foreseeable that action may be taken, unless the Sunshine requirements are met.

These rules apply equally to any gathering, formal or casual, such as a Rotary Club (or other business or fraternal club gathering), fund-raiser, etc. They also apply to social events and functions unconnected to the advisory committee, such as a neighbor's backyard barbeque. They also apply to casual discussions between or among members coming in the door for the committee meeting, at breaks during the meeting, and going out the door after the meeting. Every component of the decision-making process must occur in the Sunshine.

The penalties for violating the Sunshine law are severe and can include criminal and civil sanctions. The process of investigation of Sunshine violations is always unpleasant, embarrassing, and expensive, even if the person is ultimately cleared.

4. Historic Preservation Board

The LPA also functions as the Historic Preservation Board (HPB) for the Town of Fort Myers Beach. The Historic Preservation Board has the power, authority, and jurisdiction to designate, regulate, and administer historical, cultural, archaeological, and architectural resources in the Town as set forth in LDC section 22-74. For any quasi-judicial or legislative hearings that come before the HPB, the hearing process shall conform to those outlined in Section 7 of this manual.

Annually, at the first meeting of the Local Planning Agency, after expired member positions have been filled by the Town Council, a meeting of the HPB will be convened and a chair and vice chair will be chosen using the same methodology as LPA chair and vice chair election.

Also at that meeting, a sub-committee, the Historic Advisory Committee (HAC), comprised of an approximately equal number of LPA members and Estero Island Historic Society members is established. Members of the Estero Island Historic Society interested in being on the Historic Advisory Committee must submit a statement of interest to the Town Clerk prior to the first annual meeting of the LPA. This sub-committee comprised of a total of six or seven members shall be selected by the HPB.

The HAC sub-committee will meet as needed to discuss and make recommendations to be brought before the Historic Preservation Board for consideration. Recommendations will be consistent with the requirements of the Comprehensive Plan and Land Development Code. At its first meeting after re-formation, the HAC shall select a chair, vice chair and secretary.

5. Ad Hoc Sub-Committees and Interaction with Other Advisory Committees

The LPA has the authority to form other ad hoc sub-committees requesting participation by volunteers. The objectives of a sub-committee, expected products, membership and timelines should be clearly stated and agreed to by the LPA. One LPA member will be asked to chair the ad hoc sub-committee. The intent would be to minimize participation and action items directed at Staff. All Ad Hoc Sub-Committees will be subject to Sunshine and public records laws.

A standing ad hoc sub-committee named the Historic Advisory Committee was established by Resolution 2006-03 (Appendix B).

During discussions arising from land use cases, long-range planning and capital improvement discussions, the LPA will proactively communicate to other appropriate advisory committees while keeping Town Council informed. These interactions could result in the development of joint resolutions.

6. Meeting Preparation and Planning

Meeting Schedule

Section 34-118 of the Land Development Code (LDC) states: “The local planning agency shall meet at least 8 times per year and shall meet no less often than bimonthly...” ~~This statement was included in the LDC to emphasize that the LPA should meet regularly to conduct required Town business. Thus, as a minimum, the LPA must meet at least 8 times per year.~~

Regularly planned meetings of the Local Planning Agency (LPA) are scheduled by mutual agreement between the LPA, LPA Attorney and Community Development Director. Special, continued or rescheduled meetings will be determined by consensus of the LPA members, the Director of the Department of Community Development and the LPA attorney.

Length of Agenda Items

In order to set reasonable LPA agendas, the Community Development Director will use best efforts to establish the time needed for presentations, public comment and subsequent discussions of agenda items by the LPA. Any person submitting Administrative topics to the Community Development Director will provide an estimate of the time needed. If the time needed for a hearing, legislative matter or administrative topic exceeds the allotted time by more than 15 minutes, the Chair may table the item until later in the meeting or continue the item until a subsequent meeting.

Public Notice of LPA Quasi-Judicial Hearings

Except as specifically addressed in the Town Land Development Code, Town Clerk shall notice advertise all LPA quasi-judicial hearings as provided in the Land Development Code and Florida law. so that a legal notice will appear at least seven (7) calendar days prior to the LPA hearing date, to enable all interested parties to have notice and the ability to attend. The Community Development Director or designee will enter the News-Press Affidavit of Publication into the record at the beginning of the hearing. In the absence of the Affidavit of Publication, the Community Development Director or designee will enter a copy of the actual advertisement as run by the News-Press into the record at the beginning of the hearing after being sworn in. The affidavit, or actual advertisement, as the case may be, will be attached to the LPA Resolution following the hearing.

Continued Hearings and Legislative Issues

It is the goal of the LPA to complete a hearing during the scheduled meeting. If additional time is required and the hearing must be continued to a later date, any LPA member who missed the initial hearing should review the audio and/or videotapes prior to participating in the continued hearing or legislative discussion and resolution.

If the applicant submits new information or modification(s) to previously submitted information at the hearing, or immediately prior to the hearing, the LPA shall consult with the Director of the Department of Community Development and the LPA Attorney ~~and vote to determine if a to continue anee of the hearing. is appropriate and proceed accordingly.~~ Nothing contained in this section shall be construed to limit the Director's discretion to defer or continue the public hearing as set forth in LDC Section 34-213(3).

Meeting Preparation

Any LPA member, the Community Development Director, the LPA attorney, Town Council and Town Manager can submit meeting agenda topics for the LPA to the Community Development Director. Topics should be submitted at least fourteen (14) days prior to a planned meeting. The Director of the Department of Community Development and LPA attorney are responsible for scheduling hearings. Potential dates for hearings should be communicated to all participating parties as far in advance of the planned meeting as possible. All staff reports should be complete before a hearing is scheduled. Except in the case of an emergency, cancellation of a planned meeting should be at least 14 days in advance. Only under serious, extenuating circumstances should a hearing be cancelled after it has been publicly noticed.

The goal is to have finalized agenda and supporting material seven (7) days prior to a planned and noticed meeting. ~~However, meeting materials will be placed in the LPA members' mailboxes no later than noon of the Friday prior to the scheduled Tuesday meeting. The Town Clerk shall email a copy of the agenda packet to all LPA members. Community Development Director or assistant will send an email to the LPA members when the packets are available.~~

The LPA members' packets should include complete documentation for agenda items (actions required, implications, backup information, memos, ordinances, resolutions, etc.) A sincere effort is made to see that LPA packets are complete. As a general rule, items requiring documentation (recommendations, memos, ordinances, resolutions, etc.) will not be included on an agenda until the documentation is complete.

~~A copy of the agenda ia available on the Town's website. The agenda is posted at Town Hall. Copies of the agenda are available to the public.~~

Occasionally an item comes up late and may be placed on an amended agenda, or as an "add on" (added too late to be included on the published agenda). Such additions are kept to an absolute minimum so as not to burden the LPA or the public with items not receiving sufficient advance notice. Important, potentially controversial items are not made as "add on items" except in extreme emergencies.

Attendance Policy

Section 34-115(3) of the Land Development Code (LDC) states: “A Local Planning Agency member shall forfeit office if the member is absent from three (3) regular local planning agency meetings per year without being excused by the local planning agency.” ~~This statement was included in the LDC to recognize that because of the significant pre-hearing preparation required by staff, applicants and other supporting personnel it is imperative that a quorum of the Local Planning Agency (LPA) members be present for all noticed meetings.~~

An LPA member should notify the Town Clerk of an anticipated absence. The Town Clerk will request a vote from the LPA regarding whether the absence is excused or unexcused. The LPA should be notified of a planned absence as soon as known. It is important that the LPA know that it will have a quorum of its members as soon as possible prior to an LPA meeting. The LDC implies that the LPA has the discretion to define what will be an “excused” absence. The policy of the LPA is that if an absence is reported at least fourteen (14) days prior to a planned meeting the absence will automatically be considered an excused absence. This will allow sufficient time for a planned meeting to be rescheduled if it appears that a quorum will be questionable.

Absence notification less than ~~14~~ 7 days prior to a planned meeting is considered an “emergency.” If an excused absence is desired in less than ~~14~~ 7 days, a request must be forwarded to the Community Development Director with an explanation of the nature of the emergency. The Local Planning Agency will decide whether the request will be considered an excused absence. If the LPA or Community Development Director receives no request for an excused absence, the absence is counted as an unexcused absence.

Three unexcused absences for regularly scheduled LPA meetings will result in automatic forfeiture of office.

“Chronic” absence is defined as missing three consecutive regularly scheduled meetings or four of the last six meetings of the LPA, regardless of whether the absence is excused or unexcused. If a chronic absence occurs, the Community Development Director will be asked to send a letter to the LPA member requesting an explanation of the reasons for the chronic absence. A copy of the letter will be sent to the Town Manager and Town Council. The LPA member will be asked to forward to the Community Development Director a statement of whether the LPA member wishes to remain on the LPA. Failure to reply will automatically make all absences unexcused and grounds for forfeiture of office.

In order to provide a diverse representation, it is important that the LPA strive to have as full representation as possible when conducting the Town’s business.

Meetings and Communication between LPA and Town Council

~~As needed, the Chair at the request of the LPA members may appear before the Town Council and present information discussed at an LPA meeting or as otherwise requested by a vote of the LPA. agreed-at-a workshop between LPA and Town Council members in September of 2009, efforts should be made to improve communications between the Local Planning Agency and Town Council. Previous means and those adopted at the above meeting shall be:~~

- ~~• The LPA shall appoint and send a representative to Town council public hearings on land use and proposed ordinances which have been acted upon by the LPA. This representative shall submit brief testimony (Council should have LPA resolution and meeting minutes, unless minutes approval waived by LPA) regarding the LPA hearings on the matter.~~
- ~~• The LPA “Action List” as updated subsequent to LPA meetings shall be submitted to the Director of Community Development, who shall in turn transmit to each Town Council member and the Town Manager and include this list in the next LPA meeting packet.~~

- ~~— A quarterly meeting to be attended by the Town Manager, Town Mayor and Local Planning Agency Chairperson shall take place at 1:00 PM on the third Wednesday of each of the following months; October, January, April and July. The purpose of this meeting will be to discuss current activities of the LPA and assure these are in accordance with direction from Town Staff and Town Council, as well as convey information to Staff and Council regarding the complexities or related issues of those activities.~~
- ~~— Routine workshops (informational meetings) to discuss current LPA activities and Town Council understanding of those activities shall be held between all LPA members, Town Council members, Town Manager, Community Development Director and Town and LPA Attorney starting at 9:00 AM and lasting no later than noon on the first regularly scheduled LPA meeting day of April and September.~~

7. Meeting Procedures

LPA Code of Conduct

LPA members shall follow the Florida Code of Ethics for Public Officers and Employees found in Chapter 112 of Part III of the Florida Statutes. ~~Recognizing that persons holding a position of public trust are under constant observation, and recognizing that maintaining the integrity and dignity of the public office is essential for maintaining high levels of public confidence in our institutions of government, every member of the Local Planning Agency pledges to adhere to the following CODE OF CONDUCT.~~

- ~~1. Regularly attend all scheduled meetings of the LPA as well as special or called meetings relevant to the office.~~
- ~~2. Prepare for each meeting.~~
- ~~3. Create a positive environment in meetings of the LPA.~~
- ~~4. Maintain an attitude of courtesy and consideration toward colleagues, citizens and staff during all discussions and deliberations.~~
- ~~5. Allow citizens, colleagues and staff sufficient opportunity to present their views, within the prescribed rules for conduct of meeting of the LPA.~~
- ~~6. Avoid the use of abusive, threatening or intimidating language or gestures directed at colleagues, citizens or staff.~~
- ~~7. Avoid comments, body language or distracting activity that conveys a message of disrespect and lack of interest.~~
- ~~8. Respect all local, state and federal laws, rules and other regulations.~~
- ~~9. Submit completed financial disclosure forms to the Lee County Supervisor of Elections by the specified deadline.~~
- ~~10. Publicly acknowledge the adopted position when asked about a decision of the LPA.~~

LPA Code of Ethics

~~Members shall ethically serve the public interest by making decisions and taking actions that will enhance the public health, safety and welfare of the region and the citizens served by the Local Planning Agency and by promoting public confidence in the integrity, independence, ability and impartiality of the LPA.~~

- ~~1. Members shall uphold the prestige of their office and avoid impropriety and the appearance of impropriety.~~
- ~~2. Members shall not convey the impression that they are in a position to influence the outcome of a decision of the LPA and shall not attempt to use their office to influence or sway the professional staff recommendation.~~
- ~~3. Members shall discharge their duties and responsibilities without favor or prejudice toward any person or group. Members shall not allow personal or business relationships to impact upon their conduct or decisions in connection with LPA business and shall not lend their influence towards~~

the advancement of personal interests or towards the advancement of the interests of friends or business associates.

4. ~~Members shall avoid creating the appearance of impropriety by following the requirements of the Land Development Code with regard to ex parte about specific upcoming LPA quasi-judicial hearings. If a Member receives a private written or electronic communication about an upcoming LPA quasi-judicial hearing, the Member will promptly forward the information to the Town Clerk, with a copy to the Director of the Community Development Department and the LPA Attorney so that it may be shared with all other Members as part of the agenda packet for that hearing. Members shall refrain from any private discussion of LPA business with other Members if required by Florida's Government in the Sunshine Law, Chapter 286, Florida Statutes.~~
5. ~~Members shall not accept or solicit a gift, loan, payment, favor, service, promise of employment or business contract, meal, transportation or anything else of value, if such thing is given with the understanding or possibility that it will influence the official action of the Members during LPA proceedings. The same standard shall apply to a gift, loan, favor, etc. for the spouse, child, relative or business partner of the Member.~~
6. ~~Members should refrain from participation in any proceeding in which their impartiality may reasonably be questioned. A Member whose personal, employment or business relationship with a person or entity that is subject to a recommendation of the LPA shall seek the advice and counsel of the LPA Attorney, if such relationship could conceivably influence the Member's impartiality during the LPA's discussion of the subject. The provisions of Chapter 112, Florida Statutes, and the Code of Ethics for Public Officers and Employees, shall govern conflict of interest determination.~~
7. ~~Members shall remain vigilant against deviations from LPA policies and mission statement.~~

~~As a legislative and quasi-judicial body, the LPA must be ever cognizant of the important legal requirements of due process and equal protection. These principles are derived from the United States Constitution, the Constitution of the State of Florida, and Florida Statutes, and apply to legislative and quasi-judicial actions.~~

~~The legal requirement for due process is separated into two prongs: substantive due process and procedural due process. The principle of substantive due process requires the benefits of a given regulation be within the scope of governmental authority, i.e., health, safety, morals, or general welfare, and that the regulations be accomplished in a rational manner, i.e., not be arbitrary or capricious. This is a principle of fundamental fairness in the substance of a given regulatory scheme or provision.~~

~~The other due process prong, procedural due process, requires a fair method of adjudicating the rights of property owners, requiring notice and an opportunity to be heard by an impartial decision maker. In legislative matters, this requirement is derived from Florida Statutes, which provide the type and period of notice depending on the nature of the property interest subject to regulation at a public hearing. Quasi-judicial decisions have an underlying Constitutional requirement for procedural due process.~~

~~Equal protection limits governmental regulation from establishing irrational classifications, protects the rights of suspect and quasi-suspect classes, and assures against the exercise of fundamental or important rights of persons in ways different from others.~~

~~Key overarching principles to keep in mind is that every person must be treated equally and reasonably by the quasi-judicial or legislative substance and process and that decisions and recommendations be deliberated in an open process with adequate notice and allowance for participation of affected parties. Reasonable, consistent, and timely notifications in quasi-judicial matters to be heard by the LPA provide an applicant and other parties potentially affected by a requested decision these fundamental protections.~~

Order of Agenda Items

The general order of the agenda will proceed as follows. However, the procedures may will differ depending on what type of hearings is being held.

1. Call To Order – Identify for the record the committee that is meeting, the date of the meeting and who is present.
2. Pledge of Allegiance
3. Invocation
4. Changes to the Agenda
5. Public Comment on any topic – Chair will advise of opportunity to speak during the public hearing of a particular agenda item.
- 4.6. Approval of Minutes – Requires a motion and vote.
- 5.7. Public Hearings – Public Comment on the topic of the public hearing will be included as part of the record of the hearing
- 6.8. Administrative Agenda – Topics submitted by LPA members, staff, LPA Attorney or items from previous agendas
- 7.9. Adjourn as LPA; Reconvene as Historic Preservation Board (HPB) if needed
- 8.10. Adjourn as HPB; Reconvene as LPA
- 9.11. LPA Members Items and Reports
- 10.12. LPA Attorney Items
- 11.13. Community Development Director Items
- 12.14. Action List Review
- 13.15. Public Comment
- 14.16. Adjournment – Requires a motion and vote. A privileged motion allowing no discussion before vote.

Invocation

~~The Chair of the LPA has the discretion of deciding how the Invocation at the beginning of an LPA meeting is handled. However, there is a tradition that has been followed by many LPA's. At the first LPA meeting on April 9, 1996, Chair John Mulholland read an invocation that he had written while Commander of the Power Squadron. Betty Simpson, who was Vice Chair at that time, has carried John's invocation to each subsequent LPA. The Chair has either read the invocation or different LPA members have been asked or volunteered to read the invocation. The invocation reads as follows:~~

- ~~—— Heavenly Father, we ask that you bless us with your presence here today.~~
- ~~—— Grant to us the wisdom to see all things in true perspective.~~
- ~~—— Grant to us the patience to hear one another with open minds and hearts.~~
- ~~—— Grant us the strength to meet all present challenges.~~
- ~~—— May all that we do this day, bring honor to you and credit to ourselves. Amen.~~

Conduct of LPA Meetings

The Chair will conduct the LPA meetings, and in the Chair's absence by the Vice Chair.

Robert's Rules of Order may be consulted ~~shall be the reference~~ for parliamentary procedure governing the conduct of the LPA meetings when not in conflict with the Town Charter or Florida Statutes and questions arise. Otherwise, the conduct of the meeting may follow as directed by the LPA. It is not intended that LPA meetings be unnecessarily formalistic, but rather that parliamentary procedure be invoked only when necessary for orderly conduct of the meeting.

~~The approval of the minutes is intended for LPA members to accurately document the proceedings of the Agency. Before moving approval the minutes should be amended, if necessary, to more accurately~~

~~portray what occurred at the LPA meeting. This time is not intended for comment or discussion on what should have or should not have been done, but rather to document what actually was done. Audiotapes of the proceedings become the official record of what transpired during a meeting.~~

When the Chair recognizes a speaker during public comment, they will advance to the podium and state their name for the public record. Public comments will generally be limited to three minutes per speaker. The Chair may modify the three-minute limit with approval by majority vote of the LPA. If a special interest group would prefer to have one person speak for a group of individuals in attendance their allotted times can be combined up to a maximum of 15 minutes. This process could save meeting time if the content of what each person of a special interest group intends to say is similar. It could also allow more time for a presentation containing detailed facts and data. If a special interest group chooses to have a spokesperson represent them, request cards having the names and addresses of all individuals present must be provided prior to the meeting. The public comment times are intended as opportunities for interested parties to present their viewpoints to the LPA members; they are not intended as question-and-answer sessions or as dialog with the LPA unless the LPA otherwise approves.

~~After a proper motion, discussion by the LPA members shall be limited to agenda items. No member will speak twice on the item until all others who want to speak have spoken.~~

The time period for LPA members' comments is intended as an opportunity for LPA members to share their viewpoints with each other. Since this opportunity does not exist outside of LPA meetings under the Florida Sunshine Law, this is the primary purpose of this time and it generally should not be used to obtain information from the Community Development Director or Town Attorney which could be obtained outside of the LPA meeting. ~~While there is no time limit or censorship on comments, LPA members should take into consideration the total time available in the meeting for the published agenda.~~

Legislative Hearing Procedures

1. The Chair opens the hearing on.....
- ~~2. Staff presents Affidavit of Publication or copy of the legal advertisement from the Newspaper of Record which shall become an exhibit to the Hearing's resulting Resolution.~~
- ~~3.2.~~ The Chair or the LPA Attorney reads the ordinance title caption.
- ~~4.3.~~ Staff and/or the LPA attorney present(s) a brief overview of the draft ordinance.
- ~~5.4.~~ Public input is taken.
- ~~6.5.~~ Public input is closed.
- ~~7.6.~~ LPA members ask questions, if any, of staff/LPA attorney.
- ~~8.7.~~ LPA members discuss ordinance, including changes, deletions, etc. and make a finding that the proposed Ordinance is consistent or not consistent with the Comprehensive Plan or otherwise is in conflict with the Land Development Code without other changes.
- ~~9.8.~~ A Motion is made and seconded to either recommend approval of move the Ordinance forward to Town Council, as-is or with modifications, or to take some other action. The LPA's recommendation is set forth in an LPA Resolution which is provided to Town Council at the time of Council's consideration of the Ordinance. If the motion to approve fails, a member should make a motion to recommend denial and state the reason for denial.
- ~~10.9.~~ The Motion is discussed and voted upon. If successful, the Chair declares the hearing on the ordinance to be concluded. ~~If not successful, further motions(s) are made until one passes.~~

Notes:

- There is no ex parte disclosure requirement for legislative hearings.
- Members of the public are not sworn in.
- ~~Generally there is no discussion between the LPA and public.~~

Procedure for Quasi-Judicial Land Use Hearing

1. At the onset of the quasi-judicial matters, the LPA addresses matters relating to all items on the agenda that are quasi-judicial in nature.
- ~~1.2.~~ The Chair opens the hearing on
3. The LPA Attorney explains the quasi-judicial process and asks whether there are any conflict of interest situations or predetermined results that would prevent a member from voting to make sure a quorum is present for that agenda item. If a conflict is disclosed, the LPA member shall announce and complete Form 8B as required by the Florida Code of Ethics.
4. The Town Clerk swears in all witnesses. Any individuals who would like to be considered as experts in a particular area should so state and ask to be accepted as an expert unless already qualified and considered as an expert which shall be disclosed on the record.
- ~~2.5.~~ The Town Clerk reports if all agenda items have been properly noticed and if needed advertised.
- ~~3.~~ Staff presents Affidavit of Publication or copy of the legal advertisement from the Newspaper of Record which shall become an exhibit to the Hearing's resulting Resolution.
- ~~6.~~ The Chair announces the agenda item.
- ~~7.~~ The Chair asks if any LPA member has had an ex parte communication regarding this matter. This includes any site visit, receipt of expert opinion, conducting of investigations, discussions with any person, or any direct or indirect communication in any form with any person outside a public hearing and not on the record. The Chair asks the Town Clerk if copies of any emails forwarded to the LPA have been provided to the applicant. The Chair asks if the applicant is present and has received a copy of the agenda materials.
- ~~4.8.~~ Staff presents a brief introduction of the agenda item.
- ~~5.9.~~ The applicant presents its case and LPA asks questions.
- ~~6.10.~~ Staff presents its case in response to the applicant's presentation and the LPA asks questions.
- ~~7.11.~~ Public comment/testimony is opened. The applicant may question any public speaker.
 - After public testimony/comment is concluded, the Chair closes public comment/testimony.
12. Staff makes any closing comments.
- ~~8.13.~~ The Applicant presents rebuttal, if any to staff's presentation or any public comment and closing comments.
- ~~9.14.~~ Staff presents rebuttal, if any.
- ~~10.15.~~ The testimony portion of the hearing is closed.
- ~~11.16.~~ LPA discusses the matter and may direct questions to the applicant or staff ion.
- ~~12.17.~~ The Chair rRequests for a motion on the agenda item. resolution.
- ~~13.18.~~ LPA votes on a resolution regarding the application the agenda item.

Voting Conflicts

Florida Statue has very specific rules regarding voting conflicts and municipal advisory committees, boards and agencies. These rules are different from the rules that apply to the Council.

If an LPA member has a voting conflict, he/she must disclose that conflict in writing to Town staff prior to the meeting in question and this disclosure must be publicly read. A form is available from the Town Clerk. The rules also contain an exception for disclosure at the meeting itself. The committee member is permitted to participate in the discussion and vote on the subject. The specific rules are set out in F.S. 112.3145(4), quoted below:

(4) No **appointed** public officer shall participate in any matter which would inure to the officer's special private gain or loss; which the officer knows would inure to the special private gain or loss of any principal by who he or she is retained or to the parent organization or subsidiary of a corporate principal by which he or she is retained; or which he or she knows would inure to the special private gain or loss of a relative or business associate of the public officer, **without first disclosing the nature of his or her interest in the matter.**

(a) Such disclosure, indication the nature of the conflict, shall be made in a written memorandum filed with the person responsible for recording the minutes of the meeting, **prior to** the meeting in which consideration of the matter will take place, and shall be incorporated into the minutes. Any such memorandum shall become a public record upon filing, shall immediately be provided to the other members of the agency, and shall be read publicly at the next meeting held subsequent to the filing of this written memorandum.

(b) In the event that disclosure has not been made prior to the meeting or that any conflict is unknown prior to the meeting, the disclosure shall be made orally **at the meeting** when it becomes known that a conflict exists. A written memorandum disclosing the nature of the conflict shall then be filed within 15 days after the oral disclosure with the person responsible for recording the minutes of the meeting and shall be incorporated into the minutes of the meeting at which the oral disclosure was made. Any such memorandum shall become public record upon filing, shall immediately be provided to the other members of the agency, and shall be read publicly at the next meeting held subsequent to the filing of this written memorandum.

(c) For purposes of this subsection, the term "participate" means any attempt to influence the decision by oral or written communication, whether made by the officer or at the officer's direction.

~~Pereceived conflicts of interest can be as detrimental to public trust as real conflicts. In an attempt to aid LPA members' manage such perceptions, the LPA Attorney has prepared advice regarding frequent situations in which LPA members find themselves. These are found in Appendix G.~~

~~NOTE: F.S. 112.3143(b) defines "relative" as follows: "any father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, or daughter-in-law."~~

8. LPA Meeting Output

~~Unless otherwise directed by the LPA, staff shall be responsible for reporting actions by the LPA to the Town Council. The Chair shall sign a resolution evidencing the LPA's findings and decision regarding any matter in which the LPA has final agency action. The primary responsibility of the LPA is to provide recommendations to the Town Council regarding comprehensive planning policies, land development code regulations, zoning matters and make decisions regarding historic preservation opportunities.~~

~~LPA output to the Town Council will include the following at the discretion of the LPA:~~

~~A. Quasi-Judicial Hearing:~~

- ~~1. A signed resolution of findings of fact and conclusions from the LPA hearing.~~
- ~~2. LPA approved minutes providing a summary of:~~
 - ~~a. Testimony by applicants, their attorneys, Town and/or County staff, the LPA attorney, witnesses and people who offer public comment, and~~

- ~~b. Issues raised by LPA members with subsequent discussion content including clarifications, conclusions and agreements, and Motions and votes by LPA.~~
- ~~3. One or more members of the LPA will attend the Town Council meeting in order to provide clarification on their recommendations and to answer inquiries.~~

~~B. Legislative Hearing:~~

- ~~1. A signed resolution of findings of fact and conclusions from the LPA hearing.~~
- ~~2. LPA approved minutes.~~
- ~~3. One or more members of the LPA will use best efforts to attend the Town Council meeting in order to provide clarification on their recommendations and to answer inquiries.~~

~~These LPA outputs must be available before the first Town Council hearing on an issue. However, at the discretion of the LPA exceptions may be made in emergency situations. Minutes from hearings will normally be approved at the subsequent LPA meeting. A “fast tracked” hearing may have the minutes waived for the Town Council hearing at the discretion of the LPA.~~

It is noted that audio and /or video recordings of LPA meetings may be available for public, LPA, or Town Council review should clarification, additional understanding of discussions, or for finding errors or omissions.

~~On a regular basis, as often as monthly, the LPA will submit to the Town Council a synopsis of accomplishments and any issues that might be of interest. As needed, a request will be made to address Town Council.~~

9. LPA’s Role in Initiating Legislative Changes to the Land Development Code

In the course of performing its duties, the LPA is made aware of legislative issues that could be considered as amendments to the Land Development Code. Before initiating a request for support from Town Staff, the LPA attorney and/or our Planning Consultant to pursue potential LDC amendments, a resolution will be sent to Council requesting their approval to proceed. The format to be used is included in Appendix A and can be modified without re-approving the Policies and Procedure Manual.

The Town of Fort Myers Beach Local Planning Agency Policies and Procedures Manual was adopted on February 27, 2007. Revised May 15, 2007. Revised March 18, 2008. Revised September 9, 2008. Revised January 27, 2009. Revised June 23, 2009, Revised September 17, 2009, Revised September 29, 2009.

Appendix A—Sample Resolution Requesting to Proceed with an LDC Change

FORT MYERS BEACH, FLORIDA

RESOLUTION NUMBER 20____

WHEREAS, the Local Planning Agency (LPA) is mandated by Florida Statutes Section 163.3174; and

WHEREAS, the LPA is statutorily responsible for the review of proposed land development regulations, land development codes, or amendments thereto, and for making recommendations to the Town Council as to the consistency of such proposals with the adopted Comprehensive Plan (Plan); and

WHEREAS, Section 34-120(4) of the Town Land Development Code (LDC) states that the LPA will review proposed LDC amendments and make recommendations to the Town Council regarding their consistency with the Plan; and

WHEREAS, Section 34-120 (12) of the LDC states that the LPA will aid Town officials charged with the direction of projects or improvements embraced within the Plan and generally promote the realization of the Plan; and

WHEREAS, Section 34-120 (14) of the LDC states that the LPA will perform any other duties which lawfully may be assigned to it by Town Council; and

WHEREAS, the Town Council determined at its meeting of October 9, 2006, that prior to the LPA's initiation of any proposed LDC changes, the LPA must inquire of the Town Council whether the Town Council wished to have such legislative changes initiated by the LPA.

IT IS HEREBY RESOLVED BY THE LPA OF THE TOWN OF FORT MYERS BEACH, FLORIDA as follows:

1. At its regularly scheduled meeting(s) of _____, 20__, the LPA determined that it wishes to initiate legislation on the following subject(s): _____

2. The LPA hereby requests direction from the Town Council as to whether the Town Council wishes to have the LPA initiate legislative changes to the LDC on such subjects.

The foregoing Resolution was adopted by the LPA upon a motion by LPA Member _____ and seconded by LPA Member _____, and upon being put to a vote, the result was as follows:

| | |
|------------|------------|
| Name _____ | Name _____ |
| Name _____ | Name _____ |
| Name _____ | Name _____ |
| Name _____ | Name _____ |

DULY PASSED AND ADOPTED THIS ____ day of _____, 20__.

LPA of the Town of Fort Myers Beach

By: _____
_____, Name, LPA Chair

Approved as to legal sufficiency: _____ ATTEST:

By: _____ By: _____
_____, Name, Esquire, LPA Attorney _____, Name, Town Clerk

~~Appendix B—Resolution HPB 2006-03 Establishing the Historic Advisory Committee~~

~~RESOLUTION OF THE HISTORIC PRESERVATION BOARD OF
THE TOWN OF FORT MYERS BEACH, FLORIDA
RESOLUTION NUMBER HPB 2006-03~~

~~A RESOLUTION OF THE HISTORIC PRESERVATION BOARD OF FORT MYERS BEACH,
FLORIDA:~~

~~WHEREAS, the Local Planning Agency of the Town of Fort Myers Beach, Florida, serves as the historic preservation board for the Town of Fort Myers Beach ("HPB") pursuant to Chapter 22, Article II, Division 2, Section 22-71 and Chapter 30, Section 30-56(b) of the Land Development Code ("LDC") of the Town of Fort Myers Beach; and~~

~~WHEREAS, the HPB is vested with the power, authority and jurisdiction to designate, regulate and administer historical, cultural, archaeological, and architectural resources in the Town, pursuant to LDC Section 22-71; and~~

~~WHEREAS, the HPB has the power and duty to designate eligible historic resources, evaluate the significance and eligibility of historic resources for designation pursuant to Chapter 22 of the LDC, increase awareness of historic preservation and its community benefits by promoting public education programs, and administer programs aimed at the proper recognition of designated historic resources pursuant to Section 22-74 of the LDC; and~~

~~WHEREAS, the HPB has the power to create an advisory committee to assist the HPB with historic preservation matters and to charge such committee with various and sundry duties; and~~

~~WHEREAS, this advisory committee will have no quasi-judicial or legislative powers but rather will function in an informal advisory capacity to the HPB; and~~

~~WHEREAS, the advisory committee will be subject to the Sunshine and Public Records Laws of the State of Florida.~~

~~NOW, THEREFORE BE IT RESOLVED BY THE HISTORIC PRESERVATION BOARD OF THE
TOWN OF FORT MYERS BEACH, FLORIDA, AS FOLLOWS:~~

~~The Historic Preservation Board does hereby create the Fort Myers Beach Historical Advisory Committee (FMBHAC), with the following restrictions:~~

- ~~1. The FMBHAC shall be subject to the Sunshine and Public Records Laws of the State of Florida.~~
- ~~2. The FMBHAC will be comprised of seven (7) members appointed by the HPB, all of whom shall be residents, business owners, or property owners within the Town of Fort Myers Beach.~~
- ~~3. Three (3) members of FMBHAC shall be current members of the HPB and four (4) members shall be appointed by the HPB after due consideration of recommendations by the Estero Island Historic Society.~~

4. ~~The FMBHAC shall meet on an as-needed basis, keep its own minutes, and hold all meetings at Town Hall.~~

5. ~~The HPB shall appoint all initial members of FMBHAC no later than the first meeting of the HPB in October, 2006. Thereafter, commencing with June, 2007, the HPB shall appoint all members of FMBHAC on an annual basis at the first meeting of the HPB in June.~~

~~The foregoing Resolution was adopted by the Historic Preservation Board upon a vote following motion by Board member Tom Babcock and second by Board member Bob Raymond, the result of which was as follows:~~

~~Tom Babcock aye
Randy Brown aye
Rochelle Kay absent
Larry Kiker aye
Alan Mandel aye
Bob Raymond aye
Bob Simon absent~~

~~DULY PASSED AND ADOPTED THIS 12th day of September, 2006.~~

~~HISTORIC PRESERVATION BOARD OF THE
TOWN OF FORT MYERS BEACH~~

~~By: _____
Larry Kiker, Chair~~

~~Approved as to legal sufficiency: _____ ATTEST:~~

~~By: _____ By: _____
Anne Dalton, Esquire Michelle Mayer, Town Clerk
_____ HPB/LPA Attorney~~

~~Appendix C—Recognition Resolutions~~

~~The following Resolution format has been used to recognize past members of the LPA.~~

~~RESOLUTION OF THE LOCAL PLANNING AGENCY OF
THE TOWN OF FORT MYERS BEACH, FLORIDA
RESOLUTION NUMBER 2007-04~~

~~WHEREAS, the Local Planning Agency (LPA) is mandated by Florida Statutes Section 163.3174; and~~

~~WHEREAS, the LPA was established in accordance with the requirements of the Town of Fort Myers Beach Land
Development Code section 34-111 et seq.; and~~

~~WHEREAS, Section 34-113 sets forth the requirements for membership on the LPA; and~~

~~WHEREAS, Randy Brown has been a member of the LPA from April 2006 to April, 2007; and~~

~~WHEREAS, during his membership on the LPA, Randy Brown has provided exemplary service to the
Town of Fort Myers Beach.~~

~~IT IS HEREBY RESOLVED BY THE LPA OF THE TOWN OF FORT MYERS BEACH, FLORIDA as follows:~~

~~RANDY BROWN IS RECOGNIZED FOR HIS HARD WORK AND DEDICATED SERVICE
TO THE TOWN OF FORT MYERS BEACH. HE CREATED A POSITIVE ENVIRONMENT
FOR THE LOCAL PLANNING AGENCY WHILE MAINTAINING AN ATTITUDE OF
COURTESY TOWARD COLLEAGUES, CITIZENS AND STAFF DURING ALL
DISCUSSIONS AND DELIBERATIONS. HE DISCHARGED HIS DUTIES WITHOUT
FAVOR OR PREJUDICE WHILE RESPECTING ALL LAWS, RULES AND REGULATIONS.
HIS CONTRIBUTIONS INSURE THAT THE UNIQUE AND NATURAL
CHARACTERISTICS OF THE TOWN OF FORT MYERS BEACH WILL BE PRESERVED.~~

~~The foregoing Resolution was adopted upon a motion by LPA Member Simon and seconded by LPA Member
Mandel. Upon being put to a vote, the result was as follows:~~

~~Tom Babcock aye Alan Mandel aye Dennis Weimer aye
Evie Barnes aye Bob Raymond aye
Rochelle Kay aye Bob Simon aye
Bob Simon aye~~

~~DULY ADOPTED THIS 10TH day of APRIL 2007.
LPA of the Town of Fort Myers Beach~~

~~BY: _____
Tom Babcock, LPA Chair~~

~~Approved as to legal sufficiency: _____ ATTEST:~~

~~By: _____ By: _____
Anne Dalton, Esquire Michelle D. Mayher, Town Clerk

LPA Attorney~~

Appendix D—Historic Sign Criteria and Integrity Evaluation

The following is the a form for use by the LPA to evaluate the criteria and integrity of historic sign applications. Staff has documents that were approved by the LPA to be made available to applicants for historic signs that will explain the intent of the Comprehensive Plan and clarify for documentation that would be useful when filing an application.

Historic Sign Criteria and Integrity Evaluation Town of Fort Myers Beach

Eligibility Criteria (select one): ☐ Building ☐ District ☐ Site ☐ Structure ☐ Object

| INTEGRITY | Quality of Significance Criteria (Select one) | | | | |
|----------------|---|---------|---------------------------------|---------------------------|----------------------------------|
| CONSIDERATIONS | Events | Persons | Distinctive
Characterisitics | Historical
Information | Overall District
Significance |
| (Review all) | | | | | |
| Location | | | | | |
| Design | | | | | |
| Setting | | | | | |
| Materials | | | | | |
| Workmanship | | | | | |
| Feeling | | | | | |
| Association | | | | | |

Eligibility Criteria

~~Building.~~ A building is a structure created to shelter any form of human activity, such as a house, barn, church, hotel, or similar structure. Building may refer to a historically related complex such as a courthouse and jail or a house and barn.

~~Structure.~~ A structure is a work made up of interdependent and interrelated parts in a definite pattern of organization. Constructed by man, it is often an engineering project large in scale.

~~Object.~~ An object is a material thing of functional, aesthetic, cultural, historical or scientific value that may be, by nature or design, movable yet related to a specific setting or environment.

~~District.~~ A district is a geographically definable area, urban or rural, possessing a significant concentration, linkage, or continuity of sites, buildings, structures, or objects united by past events or aesthetically by plan or physical development. A district may also comprise individual elements separated geographically but linked by association or history.

~~Site.~~ A site is the location of a significant event, a prehistoric or historic occupation or activity, or a building or structure, whether standing, ruined, or vanished, where the location itself maintains historical or archeological value regardless of the value of any existing structure.

Quality of Significance Criteria

~~Events.~~ It was associated with events that significantly contributed to broad patterns of our history.

~~Persons.~~ It was associated with the lives of persons significant in our past.

~~Distinctive Characteristics.~~ It embodies the distinctive characteristics of a type period, or method of construction, or possesses high artistic values, or represents a significant distinguishable entity whose components may lack individual distinction.

~~Historical Information.~~ It has yielded (or may yield) information important to prehistory or history.

Integrity Considerations

~~Location~~ is the place where significant activities took place. This quality requires that to a large extent the boundaries remain intact.

Design is the composition of elements comprising the form, plan, and spatial organization. Design may have resulted from conscious planning decisions set forth in the historic plat, project specifications, building contracts or deed restrictions, or it may be the result of the personal tastes and individual efforts of homeowners to shape their domestic environment. Integrity of design can be affected by changes. Small-scale additions may not detract in a major way from the historic character. Large-scale additions, however, alter the spatial relationship and generally threaten integrity of design.

Setting is the physical environment within and surrounding the resource. Integrity of setting requires that a strong sense of historical setting be maintained within the boundaries. This relies to a large extent on the retention of built resources, street plantings, parks and open space. Elements of design greatly affect integrity of setting, and those consistent with the historic character or dating from the period of significance add to integrity. Small-scale elements such as plantings, gateposts, fences, swimming pools, playground equipment, and parking lots detract from the integrity of setting unless they date to the period of significance.

Materials include the construction materials of dwellings, garages, roadways, walkways, fences, curbing, and other structures, as well as vegetation planted as lawns, shrubs, trees, and gardens. The presence of particular building materials (e.g., stone, stucco, brick, or horizontal siding) may be important indicators of architectural style and methods of construction that give some neighborhoods a cohesive historic character. Integrity of materials requires that the resource retains the key exterior materials that marked its identity during the historic period. The retention of original materials in individual dwellings may be less important in assessing the integrity of a neighborhood significant for its plan or landscape design. Original plant materials may enhance the integrity, but their loss does not necessarily destroy it. Vegetation similar in historic species, scale, type and visual effect will generally convey integrity of setting although integrity of materials may be lost.

Workmanship is evident in the ways materials have been fashioned for functional and decorative purposes to create houses, other buildings and structures, and a landscaped setting. This includes the treatment of materials in design, the planting and maintenance of vegetation, as well as the construction methods of small-scale features such as curbs and walls. Integrity of workmanship requires that architectural features exhibit the artistry or craftsmanship of their builders and that the vegetation historically planted for decorative and aesthetic purposes be maintained in an appropriate fashion and replaced in kind when damaged or destroyed.

Feeling, although intangible, is evoked by the presence of physical characteristics that convey the sense of past time and place. Integrity of feeling results from the cumulative effect of setting, design, materials, and workmanship.

Association is the direct link between a historic resource and the important events that shaped it. Continued residential use and community traditions, as well as the renewal of design covenants and deed restrictions, help maintain a neighborhood's integrity of association. Additions and alterations that introduce new land uses and erase historic elements of design threaten integrity. Integrity of association requires that a historic resource convey the period when it achieved importance and that, despite changing patterns of ownership, it continues to reflect the design principles and historic associations that shaped it during the historic period.

Appendix E—Legislative Change Process

The LPA evaluated the process of making legislative changes to the Land Development Code (LDC). The results of the study have been depicted as a flow chart as well as a written description of each sub-process. The arrows in the flow chart represent the direction that work “flows” through the process. Circles are inputs, such as a change request, or outputs, such as a resolution to be sent to Town Council. Rectangle boxes are places where action or work is taking place. A diamond is a decision point that may send the workflow in different directions dependent on the decision made. A “bullet” symbol is where the workflow is on “hold” until the next action can be scheduled. Holds are not necessarily a bad thing, but they can be areas of opportunity for moving change requests through the system faster. Finding ways to reduce the number of steps in a process flow is another way to reduce the time required to make changes to our LDC.

The flow chart also indicates who is “accountable” for each process operation. “Accountability” does not mean that person is “responsible” for doing all the work. It is their job to see that the work gets done.

Future LPAs and Town Councils may want to consider ways that the legislative change process can be altered to improve process time. Until then, performance can start to be measured in order to establish a baseline. One action that has been initiated is to generate a Legislative Change Action List (LCAL). The

LCAL will provide clarification of the change requests, the priority and current status. Legislative requests will be categorized into LDC change that:

- 1.——Require policy recommendations from the LPA through workshops or ad hoc committee activities. These changes would be substantive and likely time consuming for staff, consultants and LPA, but not necessarily the highest priority.
- 2.——Are state mandated changes and recommendations of the Evaluation and Analysis Report (EAR) that are time sensitive. These may or may not be complex, but are high priority.
- 3.——May need to be clarified for legal reasons. Complexity and priority must be determined on an individual case.
- 4.——Need staff time. Most of these changes are clerical in nature, but can be time consuming. Priority is often low, but need to be made visible.

The LPA will prioritize, schedule and determine a path forward for legislative change requests that fall into LCAL category 1. Accountability for categories 2 through 4 belongs to the Town Manager, with likely input from the Director of Community Development, the LPA Attorney and the Town’s Planning Consultant.

A regular approach to legislative changes allows interested parties a predictable methodology to participate in the legislative process. For example, the Florida Legislature meets on an annual basis—unless a special session is called—at the same time each year to consider changes to the laws of the State. The effective date of these laws may vary to allow for a phased approach to changes in the law that might best occur if affected parties are afforded a reasonable period of time for adjustment to the change. From time to time, the LPA may wish to establish and refine the timing aspects of its legislative process to improve manageability and predictability.

Town of Fort Myers Beach Legislative Change Process

Overarching Principles:

- ~~—— Trust is placed in the hands of those accountable for each step in the process to do their job to their best of their ability.~~
- ~~—— Open, honest and timely communication will be maintained at all times.~~
 - ~~—— All parties in this process will be treated with respect.~~

Sub-Processes

A. Request Initiation

~~Requests to change the Land Development Code (LDC) can be initiated by: the Town Manager, the Town Council, the Local Planning Agency, a group/committee or an individual.~~

Process:

- ~~—— Requests from the Town Manager and Town Council proceed directly to the “assign action” sub-process.~~
 - ~~—— LPA change requests are forwarded to Town Council for approval to proceed.~~
 - ~~—— All individual or group initiated LDC change requests come to the LPA for review and action. Consistency with the Comprehensive Plan will be the criteria for approving or denying requests.~~
 - ~~—— The Town Clerk handles scheduling functions with direction from the Town Manager or designee (likely the Community Development Director).~~

B. Assign Action

Process:

- ~~—— The Town Manager or designee is accountable for the Legislative Change Action List (LCAL) with input from Planning Consultant, Staff and LPA Attorney.~~
 - ~~—— Each legislative change request will be put into a category for the purpose of prioritizing and scheduling.~~
 - ~~—— The LCAL will be reviewed at every LPA meeting.~~

C. Assessment

~~Assessment of an LDC change request can follow several paths depending on the complexity of the request and the expertise required for making recommendations. The Town Manager or designee, the Planning Consultant and the LPA Attorney, choose the process path.~~

Process:

- ~~—— Determine whether recommendations are needed from an ad hoc or standing committee.~~
 - ~~—— Determine whether a workshop is needed.~~

- ~~—— Workshops will include: Planning Consultant, appropriate staff, LPA Attorney, LPA members, ad hoc or advisory committees (as needed) and the public.~~
- ~~—— Recommendations from committees and/or workshops will be documented by resolution.~~
- ~~—— Once all recommendations have been received, drafting of the LDC change can commence and an LPA hearing scheduled.~~

~~D. LPA Hearing~~

~~Process:~~

- ~~—— The LPA must approve or reject LDC changes or possibly suggest multiple wording options for consideration by Town Council.~~
- ~~—— Recommendations must be consistent with the Comprehensive Land Use Plan.~~
- ~~—— Explanation of recommendations are forwarded to Town Council by resolution.~~

~~E. Town Council Hearings~~

~~Process:~~

- ~~—— Introduction of Ordinance~~
 - ~~—— First Hearing~~
- ~~—— Second Hearing. Approved or denied based on consistency with the Comprehensive Land Use Plan.~~
 - ~~—— At each hearing, Council may choose to deny the change request, return it to the LPA and/or committees and/or workshop participants for rework, or table it.~~

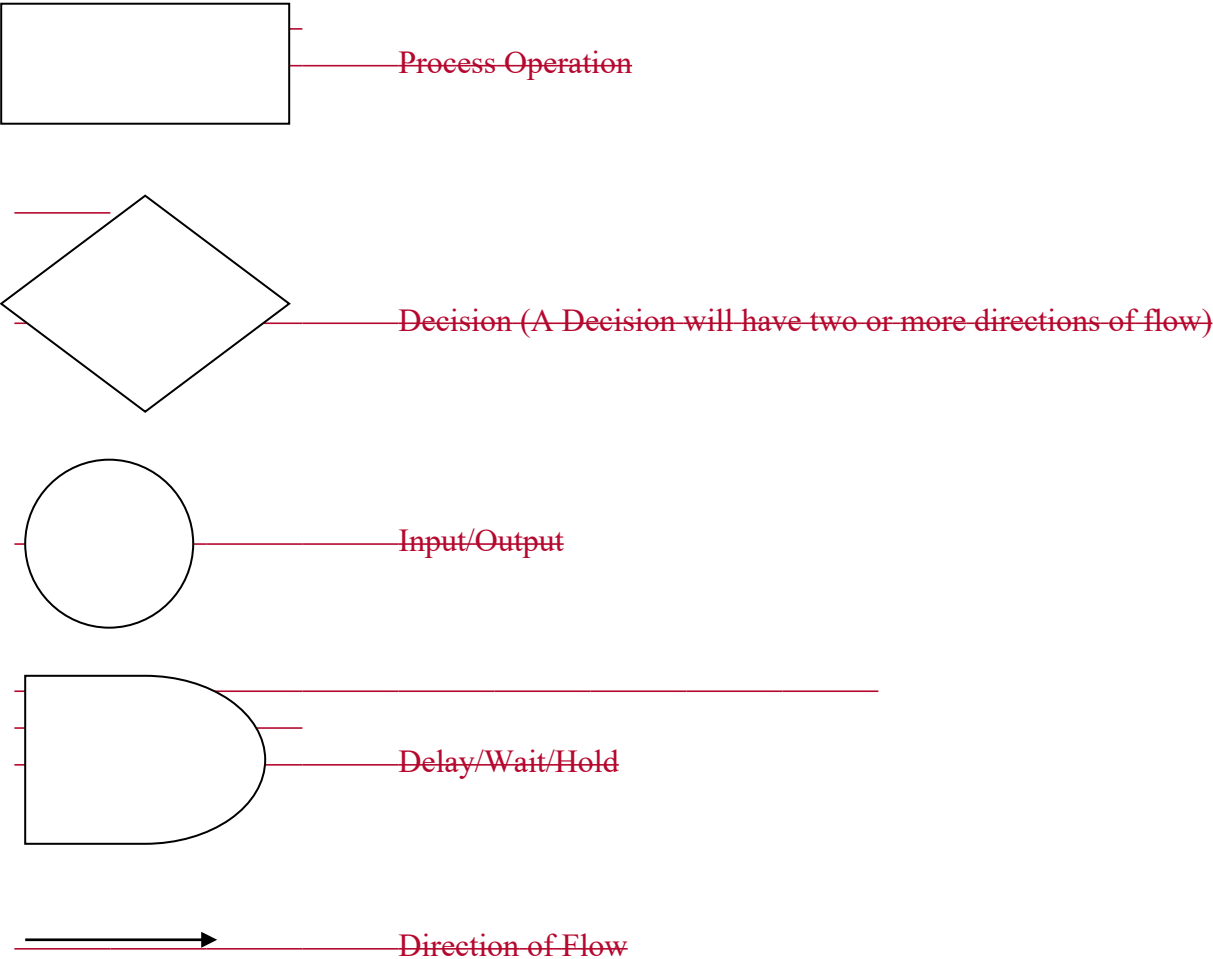
~~F. Documentation~~

~~Process:~~

- ~~—— If the ordinance is approved by Town Council, the Town Manager is accountable for seeing that appropriate steps are taken to codify and distribute changes in the Town of Fort Myers Beach Land Development Code.~~

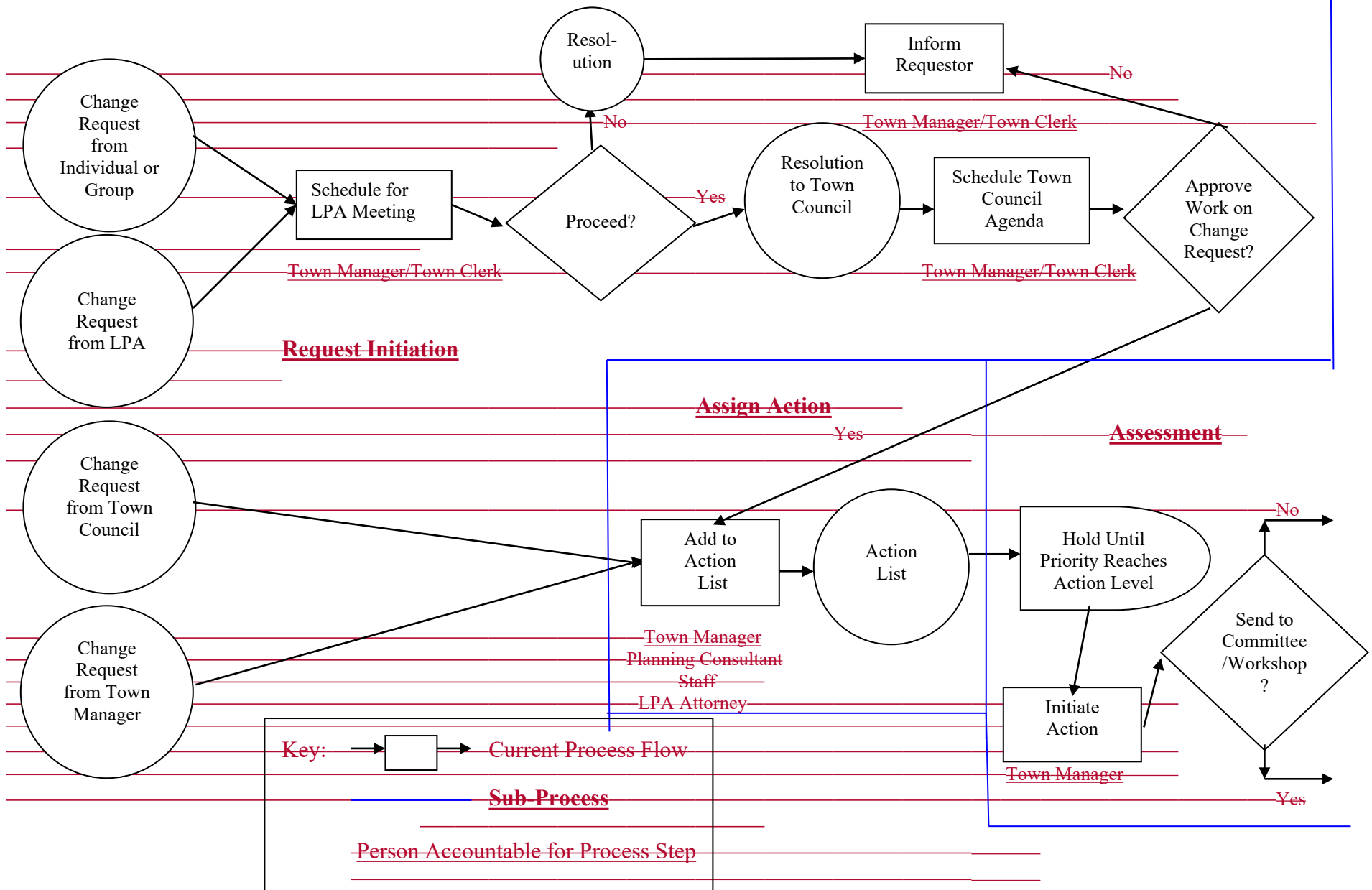
Legislative Change Process for the Town of Fort Myers Beach

Flow Chart Symbols Used:

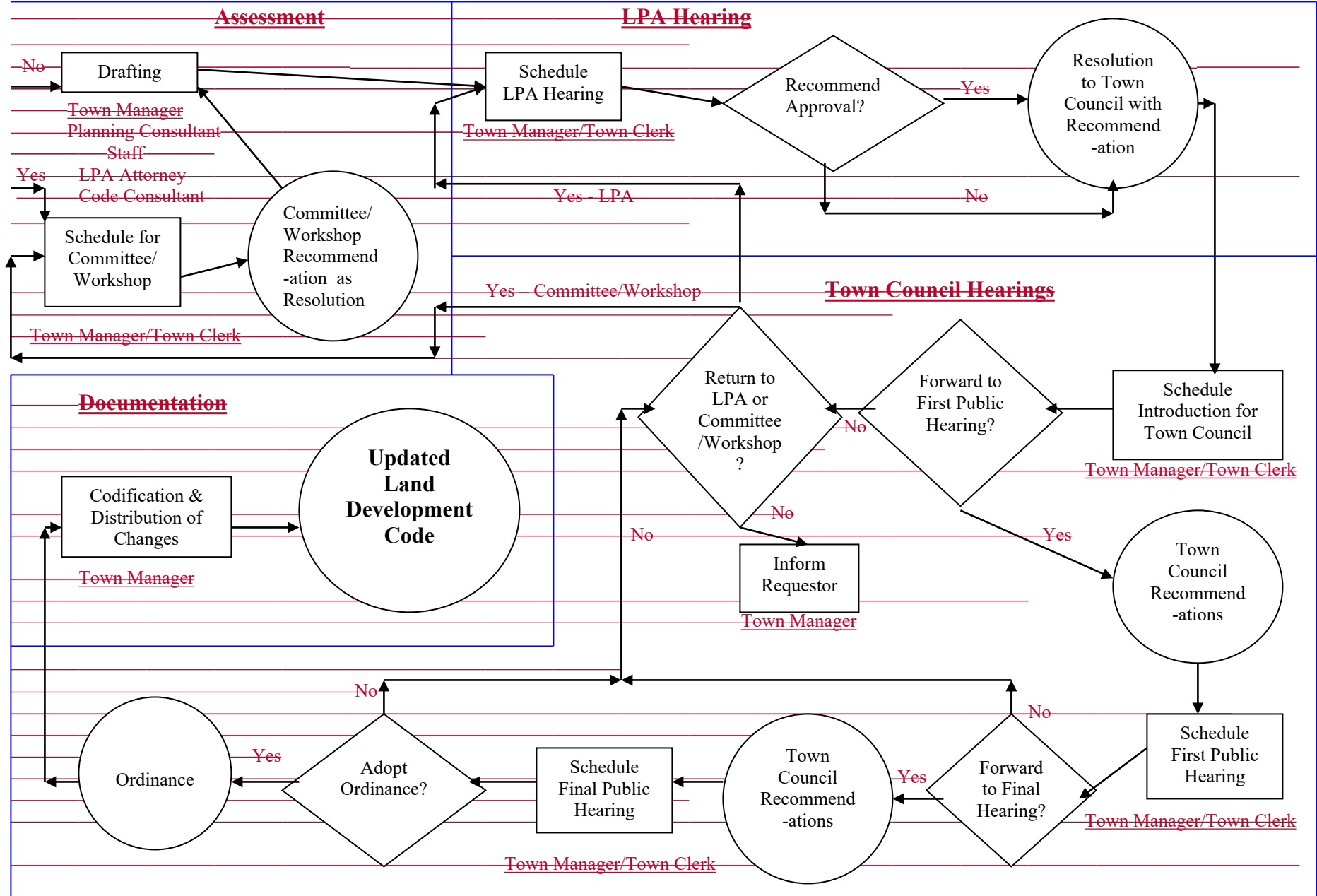


The flow chart is a graphic method for displaying a work process and sequence of activities. It graphically shows the process and potential opportunities for improvement within the process. It also identifies starting inputs and ending outputs that establish boundaries of ownership. This sequence of activities is represented by various flow chart symbols, which are connected by a direction of flow arrow.

Legislative Change Process for the Town of Fort Myers Beach



Legislative Change Process for the Town of Fort Myers Beach



F. Historic Plaque Resolution and Agreement

**RESOLUTION OF THE HISTORIC PRESERVATION BOARD OF
THE TOWN OF FORT MYERS BEACH, FLORIDA
RESOLUTION NUMBER HPB 2008-01**

~~A RESOLUTION OF THE HISTORIC PRESERVATION BOARD OF FORT MYERS BEACH,
FLORIDA:~~

~~WHEREAS, the Local Planning Agency of the Town of Fort Myers Beach, Florida, serves as
the historic preservation board for the Town of Fort Myers Beach ("HPB") pursuant to Chapter
22, Article II, Division 2, Section 22-71 and Chapter 30, Section 30-56(b) of the Land
Development Code ("LDC") of the Town of Fort Myers Beach; and~~

~~WHEREAS, the HPB is vested with the power, authority and jurisdiction to designate, regulate
and administer historical, cultural, archaeological, and architectural resources in the Town,
pursuant to LDC Section 22-71; and~~

~~WHEREAS, the HPB has the power and duty to designate eligible historic resources, evaluate
the significance and eligibility of historic resources for designation pursuant to Chapter 22 of the
LDC, increase awareness of historic preservation and its community benefits by promoting
public education programs, and administer programs aimed at the proper recognition of
designated historic resources pursuant to LDC Section 22-74.~~

~~NOW THEREFORE, THE HISTORIC PRESERVATION BOARD RESOLVES AS FOLLOWS:~~

~~1. The HPB hereby approves the Town of Fort Myers Beach Historic Preservation Board
Historic Plaque Agreement for use by the Town in the Historic Plaque Program. A copy of this
Agreement is attached to this Resolution as Exhibit "A" and is hereby incorporated by reference.~~

~~The foregoing Resolution was adopted by the HPB upon a motion by _____ and second
by _____. Upon being put to a vote, the result was as follows:~~

| | | |
|----------------------|---------------------|-------------------|
| Thomas Babcock _____ | Bob Raymond _____ | Alan Mandel _____ |
| Evie Barnes _____ | Bob Simon _____ | |
| Rochelle Kay _____ | Dennis Weimer _____ | |
| Alan Mandel _____ | | |

~~DULY PASSED AND ADOPTED THIS 19th day of February, 2008, by the Historic Preservation
Board of the Town of Fort Myers Beach~~

~~By: _____
Bob Raymond, HPB Chair~~

~~_____ Approved as to Legal Sufficiency~~

~~ATTEST: _____ By: _____
Michelle D. Mayher, Town Clerk Anne Dalton, LPA/HPB Attorney~~

TOWN OF FORT MYERS BEACH: HISTORIC PLAQUE AGREEMENT

The undersigned person represents that he/she is the owner of the property with the following street address: _____, Fort Myers Beach, Florida 33931, with a strap number of _____ (hereafter "Owner").

By signing below, Owner agrees to affix an historic plaque provided by the Town of Fort Myers Beach, a municipal corporation, on the structure located on the subject property, as follows: _____

(location and method of affixing). The Owner shall own the plaque. In the event of damage, loss or other casualty involving the sign, the Town may replace it, but shall not be obligated to do so.

The plaque shall contain the following language: _____

This permission is non-transferable to another structure or property. The owner, or any subsequent owner shall have the ability to terminate this Agreement without cause. In the event of such termination, the owner will remove the plaque and return it to the Town.

The undersigned waives any claim against the Town of Fort Myers Beach, its officers, agents representatives and employees arising from loss, injury or damage resulting from the subject matter of this Release and covenants not to bring any claim against the Town of Fort Myers Beach and its officers, agents representatives and/or employees related to the subject matter of this Release.

The undersigned has fully read, understood and agrees to every term in this Agreement.

DATE _____ OWNER _____ PRINT NAME _____

ADDRESS _____ CITY, STATE, ZIP _____

(_____) _____
TELEPHONE _____

WITNESS PRINT NAME _____

WITNESS PRINT NAME _____

Appendix G—Conflict of Interest Advice

Below are several points which may be of interest to the LPA Members:

- ~~1. I have an ongoing attorney-client relationship in which the attorney gives legal advice but isn't otherwise involved in my business enterprises. That firm may represent others coming before the LPA in quasi-judicial hearings which are not related to his/her representation of me.~~

~~(a) Can I participate in LPA discussions and decision-making processes where my attorney is representing a different client?~~

~~ANSWER: yes.~~ Assuming that this is a traditional attorney-client relationship, there would be no “special private gain or loss” to the LPA member under F.S. 112.3143(4) for his/her attorney to represent someone else before the LPA. An attorney relationship, by itself, does not create a “business associate” relationship under F.S. 112.312(4). If there are other relationships between the firm and the LPA member (joint ventures, employment of a relative, etc.), that would be covered by the conflict statute.

If the attorney provided information which is covered by the ex parte disclosure sections of the Land Development Code, the LPA member would make the same ex parte disclosure as he/she would for anyone else.

Even if this were a conflict of interest, the statute requires written, advance disclosure. It does not prohibit discussion or voting at the advisory committee level.

~~(b) Should I disclose the existence of this attorney-client relationship at the time the hearing starts?~~

~~ANSWER: It's a good idea.~~ It's not legally required to disclose it since it's not a conflict of interest. However, in ethical matters, it's a good idea to go the extra mile. My suggestion would be to say something like “this law firm has represented me on matters which are not related to this hearing. The LPA attorney has advised me that there's no conflict of interest here but I wanted to disclose this for the record.”

- ~~2. I have an ongoing relationship with local architects, engineers and other professionals. None of these persons are involved in my business enterprises in any other capacity. Those professionals may represent other persons coming before the LPA in quasi-judicial hearings which are not related to their representation of me. Is there a conflict of interest here?~~

~~ANSWER: See #1 above.~~

Excerpted from LPA Attorney Anne Dalton memo dated April 28, 2008.

Sec. 34-111. Agency established.

The Town of Fort Myers Beach Local Planning Agency (LPA) is hereby established.

Sec. 34-112. Purpose and scope.

The broad objectives of town planning and the creation of the local planning agency are to further the welfare of the citizens of the town by helping to promote a better, more helpful, convenient, efficient, healthful, safe, and attractive community environment and to insure that the unique and natural characteristics of the island are preserved.

Sec. 34-113. Composition, appointment and compensation of members.

- (a) The local planning agency shall consist of up to seven members appointed by the town council. No members of the local planning agency shall be salaried officials of the town. Membership on the local planning agency shall not affect a person's eligibility for membership on any other advisory committee for the Town of Fort Myers Beach during his/her term of office. One spouse per household will be eligible for membership on the local planning agency during any given term of office. No current member of town council shall be eligible to serve on the local planning agency. Except for inclusion of members required under Florida law, all members must be residents of, or owners of real property located within, the territorial limits of the Town of Fort Myers Beach at the time of application for membership on the local planning agency and during the period of service on the local planning agency. All applicants must apply on or before October 1 of the appointment year. Each application must include a short biography and short explanation as to why the applicant wishes to serve on the local planning agency.
- (b) The members of the local planning agency shall serve without compensation but may be reimbursed for expenses as are necessary to conduct the work of the agency from funds appropriated by the town council.
- (c) In addition to the up to seven voting members, the local planning agency shall also include as a nonvoting member a representative of the Lee County School District, as designated by the Lee County School Board, to attend and participate in those meetings at which the local planning agency considers comprehensive plan amendments and rezonings that would, if approved, increase residential density on the property that is the subject of the application (see F.S. 163.3174(1), 2002).

Sec. 34-114. Members' terms and vacancies.

- (a) The term of office of a member of the local planning agency shall be staggered in increments of two years or until a successor has been appointed and has qualified, except that the respective terms of the members first appointed under Ordinance No. 08-11 shall be up to four members for a one-year term and three members for a two-year term. If otherwise qualified, a member may be repeatedly appointed for an additional term by Town Council without a limitation in number of terms served.
- (b) Appointments shall be made annually at the first available meeting of the council in November. The term of any member which would otherwise expire in April, 2008, will be extended to the first available town council meeting in November, 2008, or until such member's successor has been appointed, whichever is sooner. The term of any member which would otherwise expire in April, 2009, will be extended to the first available town council meeting in November, 2009, or until their successor has been appointed, whichever is sooner. Vacancies in the local planning agency shall, within 60 days, be filled by the council for the remainder of the term created by such vacancy.

Sec. 34-115. Forfeiture of office.

A local planning agency member shall forfeit office if the member:

- (1) Lacks at any time during the term of office any qualification for the office prescribed by town ordinance or state law; or
- (2) Violates any standard of conduct or code of ethics established by law for public officials; or
- (3) Is absent from three regular local planning agency meetings per year without being excused by the local planning agency.

Sec. 34-116. Election and duties of officers.

- (a) The local planning agency shall elect a chairperson and a vice-chairperson each year at the first meeting of the newly appointed members.
- (b) It shall be the duty of the chairperson to preside over all meetings of the local planning agency. In the absence of the chairperson, the vice-chairperson may preside.

Sec. 34-117. Clerk.

The town manager or designee shall be the clerk of the local planning agency. It shall be the duty of the clerk to keep a record of all proceedings of the local planning agency, transmit its recommendations when directed by the chairperson, maintain an updated complete file of all its proceedings at town hall, and perform such other duties as are usually performed by the clerk of a deliberative body.

Sec. 34-118. Rules and procedures.

The local planning agency shall meet at least eight times per year and shall meet no less often than bi-monthly or more frequently at regular intervals to be determined by it, and at such other times as the chairperson or as it may determine. It may adopt rules for the transaction of its business. The rules may be amended from time to time, but only upon notice to all members that said proposed amendments shall be acted upon at a specified meeting. A majority vote of the local planning agency shall be required for the approval of the proposed amendment. It shall keep a properly indexed record of its resolutions, transactions, findings, and determinations, which record shall be a public record. All meetings of the local planning agency shall be public meetings.

Sec. 34-119. Employment of staff and experts.

The local planning agency may, subject to the approval of the town council and within the financial limitations set by appropriations made or other funds available, recommend the town manager employ such experts, consultants, technicians and staff as may be deemed necessary to carry out the functions of the local planning agency. Such technical assistance to the local planning agency shall be under the day-to-day supervision of the town manager.

Sec. 34-120. Specific functions, powers and duties as to comprehensive planning and land development regulations.

The functions, powers and duties of the local planning agency as to comprehensive planning and adoption of land development regulations shall be to:

-
- (1) Acquire and maintain such information and materials as are necessary to an understanding of past trends, present conditions, and forces at work to cause changes in these conditions, and provide data for estimates of future conditions. Such information and material may include maps and photographs of manmade and natural physical features, statistics on trends and present and future estimated conditions with respect to population, property values, economic base, land uses, municipal services, various parameters of environmental quality, and such other information as is important or likely to be important in determining the amount, direction and kind of development to be expected in the town and its various parts and the necessary regulation thereof to insure that the unique and natural characteristics of the island be preserved.
 - (2) Prepare principles and policies for guiding land uses and development in the town in order to preserve the unique and natural characteristics of the island, to overcome the island's present handicaps, and to prevent or minimize future problems.
 - (3) Make or cause to be made any necessary special studies on the location, condition, and adequacy of specific facilities in the town or portion thereof. These may include, but are not limited to, studies on housing, commercial facilities, utilities, traffic, transportation, parking, and emergency evacuation.
 - (4) Review proposed land development codes and amendments thereto, and make recommendations to the town council as to their consistency with the comprehensive plan.
 - (5) Recommend to the town council annually whether the proposed capital improvements program is consistent with the comprehensive plan.
 - (6) Make administrative interpretations of the comprehensive plan when such interpretations are referred to the local planning agency by its legal counsel, in accordance with the ch. 15 of the comprehensive plan and § 34-124(3) of this chapter.
 - (7) Request legislative interpretations of the comprehensive plan in accordance with ch. 15 of that plan, when deemed appropriate by the local planning agency.
 - (8) Make recommendations to the town council on legislative interpretations that have been requested in accordance with ch. 15 of the comprehensive plan.
 - (9) Recommend action to the town council on any amendments that are proposed to the comprehensive plan.
 - (10) Monitor and oversee the effectiveness and status of the comprehensive plan and recommend to the town council such changes in the comprehensive plan as may from time to time be required, including preparation of the periodic evaluation and appraisal reports required by F.S. § 163.3191.
 - (11) Conduct such public hearings as may be needed for updating the comprehensive plan and such additional public hearings as are specified by law.
 - (12) Aid town officials charged with the direction of projects or improvements embraced within the comprehensive plan and generally promote the realization of the comprehensive plan.
 - (13) Cooperate with municipal, county and regional planning commissions and other agencies or groups to further the local planning program and to assure harmonious and integrated planning for the area.
 - (14) Perform any other duties which lawfully may be assigned to it by the town council.

Sec. 34-121. Functions, powers and duties as to zoning matters.

The functions, powers and duties of the local planning agency as to zoning matters shall be to:

- (1) Prepare recommendations for changes to the boundaries of the various zoning districts, or to the regulations applicable thereto, to the town council.

-
- (2) Make recommendations on the following to the town council:
- a. Applications for rezonings including planned developments.
 - b. Applications for developments of regional impact and Florida Quality Developments approval, which may or may not include a request for rezoning.
 - c. Special exceptions.
 - d. Variances from this code and any town ordinance which specifies that variances from such ordinance can only be granted by the town council.
 - e. Extensions of master concept plans for planned developments (see § 34-220(4) of this chapter).
 - f. Any other applications that require action by the local planning agency pursuant to this code.
- (3) *Authority.*
- a. The local planning agency shall serve in an advisory capacity to the town council with respect to zoning matters as set forth in subsections (1) and (2) of this section, and in such capacity may not make final determinations.
 - b. The local planning agency shall not recommend the approval of a rezoning, and the town council shall not approve a rezoning, other than the change published in the newspaper pursuant to § 34-236(b) of this chapter, unless such change is more restrictive and permitted within the land use classification as set forth in the Fort Myers Beach Comprehensive Plan.
 - c. In reaching its recommendations, the local planning agency shall have the authority to recommend special conditions to be attached to any request for a planned development, special exception or variance.

Sec. 34-122. Functions, powers and duties as to historic preservation.

The powers and duties of the local planning agency regarding historic preservation shall include performing all functions assigned to the historic preservation board as set forth in ch. 22, article II, division 2 of this LDC.

Sec. 34-123. Cooperation with the local planning agency.

Each officer and employee of the town is hereby directed to give all reasonable aid, cooperation, and information to the local planning agency or to the authorized assistants of such agency when so requested.

Sec. 34-124. Legal counsel to the local planning agency.

The local planning agency have its own legal counsel, whose duties shall include:

- (1) Advising the local planning agency as to its legal responsibilities and options during the conduct of its business.
- (2) Preparing resolutions reflecting actions of the local planning agency.
- (3) Issuing administrative interpretations of the Fort Myers Beach Comprehensive Plan or referring requests for such interpretations to the local planning agency (see § 34-120(6) of this chapter) when applications are submitted to the town clerk in accordance with chapter 15 of the comprehensive plan.

Secs. 34-125—34-200. Reserved.

1. Introduction

This Local Planning Agency (LPA) Policies and Procedures Manual is for the purpose of helping the LPA Members in the discharge of their duties. Experience may show that some of these policies and procedures need to be modified or eliminated and new ones adopted.

By adopting this manual, members of the LPA will find in one handy reference, answers to policy and procedure questions that come up from time to time. By having an agreed-upon guide, members of the LPA also may develop common expectations on proper conduct of LPA meetings, dealings with the public, and the way it interacts with Town staff.

This manual should be used in conjunction with the Town Charter, Comprehensive Plan, Land Development Code (LDC) and other applicable laws, as necessary.

2. Local Planning Agency Mission and Job Description

Mission:

To further the welfare of the citizens of the Town by helping to promote a better, more helpful, convenient, efficient, healthy, safe community and attractive environment. To insure by strategic planning that the unique and natural characteristics of the island are preserved.

Functions, Powers and Duties:

- Review and interpret the Comprehensive Plan and conduct public hearings as may be needed to fulfill its duties under Town ordinance and Comprehensive Plan.
- Review and interpret the Land Development Code and conduct public hearings as may be needed to fulfill its duties under LDC, Town ordinance and Comprehensive Plan.
- In an advisory capacity to the Town Council, either at Town Manager's, Town Council's, or its own initiation, conduct hearings to fulfill its duties regarding zoning matters.
- Review the Capital Improvement Budget for consistency with the Comprehensive Plan and make recommendations to the Town Council.
- Serve as the Historic Preservation Board for the Town.
- Establish sub-committees as needed.
- Elect a chair and vice chair for the LPA.
- Elect a chair and vice chair for the Historic Preservation Board
- Perform any other duties that lawfully may be assigned to it by the Town Council and/or Town Manager.

LPA Member Requirements:

- Be a resident or property owner in the Town of Fort Myers Beach
- File a ~~Statement of Financial Interest~~ *FINANCIAL DISCLOSURE* with the Lee County Supervisor of Elections every
- Complete and file Form 1F – Final Statement of Financial Interest, within 60 days of leaving office.

Desired LPA Member Qualities:

- Analytical – ability to research and analyze information and data
- Decisive
- Knowledgeable – Such as, the Town Charter, Comprehensive Plan, Land Development Code, Sunshine Laws, Ethics Laws, Parliamentary Procedure
- Communication – Listening, Speaking, Writing
- Proactive – identify and seek solutions
- Ethical - open, sincere and truthful

- Ability to work in a team environment
- Ability to work with and listen to people having diverse interests
- Fair with no strong allegiance to any individual or group
- Common sense
- Time to do the job effectively

3. Training Materials and First Meeting

Training Materials

Each new member of the Local Planning Agency will be provided ¹⁰copies of:

- Town Charter
- Comprehensive Plan
- Land Development Code
- Florida Code of Ethics
- Florida Sunshine Laws
- Policy and Procedures Manual
- Other materials as determined by the LPA Attorney, Community Development Director and LPA members

Election of Officers

Annually, at the first meeting of the Local Planning Agency, after expired member positions have been filled by the Town Council, a chair and vice chair will be chosen. Each LPA member may nominate a person for each of these positions. A second is not required. A vote is taken in the order that a candidate was nominated. The positions are filled by a majority vote. If a majority is not received on the first ballot, a second ballot is taken for the two candidates receiving the most votes from the first ballot.

Sunshine Issues

Members of Town advisory committees, boards, and agencies are subject to the Sunshine Law (F.S. 286.011). The same Sunshine rules that apply to Town Council apply to the members of the LPA and other Town advisory committees, boards and agencies.

This means that any gathering of two or more members of the same advisory committee, board or agency must comply with all the Sunshine Law requirements if they participate in any discussion, directly or indirectly, regarding any matter where there is known or could be foreseeable action to be taken by the committee. Examples of indirect discussions are the use of email to a committee member or communication through a spouse or other go-between.

Advisory committee members cannot engage in discussions with each other (directly or indirectly) at outside meetings such as the Chamber of Commerce or Civic Association regarding any matter on which it is known or foreseeable that action may be taken, unless the Sunshine requirements are met. These rules apply equally to any gathering, formal or casual, such as a Rotary Club (or other business or fraternal club gathering), fund-raiser, etc. They also apply to social events and functions unconnected to the advisory committee, such as a neighbor's backyard barbecue. They also apply to casual discussions and going out the door after the meeting. Every component of the decision-making process must occur in the Sunshine.

Revision 09/29/09

The penalties for violating the Sunshine law are severe and can include criminal and civil sanctions. The process of investigation of Sunshine violations is always unpleasant, embarrassing, and expensive, even if the person is ultimately cleared.

4. Historic Preservation Board

The LPA also functions as the Historic Preservation Board (HPB) for the Town of Fort Myers Beach. The Historic Preservation Board has the power, authority, and jurisdiction to designate, regulate, and administer historical, cultural, archaeological, and architectural resources in the Town as set forth in LDC section 22-74. For any quasi-judicial or legislative hearings that come before the HPB, the hearing process shall conform to those outlined in Section 7 of this manual.

Annually, at the first meeting of the Local Planning Agency, after expired member positions have been filled by the Town Council, a meeting of the HPB will be convened and a chair and vice chair will be chosen using the same methodology as LPA chair and vice chair election.

Also at that meeting, a sub-committee, the Historic Advisory Committee (HAC), comprised of an approximately equal number of LPA members and Estero Island Historic Society members is established. Members of the Estero Island Historic Society interested in being on the Historic Advisory Committee must submit a statement of interest to the Town Clerk prior to the first annual meeting of the LPA. This sub-committee comprised of a total of six or seven members shall be selected by the HPB.

The HAC sub-committee will meet as needed to discuss and make recommendations to be brought before the Historic Preservation Board for consideration. Recommendations will be consistent with the requirements of the Comprehensive Plan and Land Development Code. At its first meeting after re-formation, the HAC shall select a chair, vice chair and secretary.

5. Ad Hoc Sub-Committees and Interaction with Other Advisory Committees

The LPA has the authority to form other ad hoc sub-committees requesting participation by volunteers. The objectives of a sub-committee, expected products, membership and timelines should be clearly stated and agreed to by the LPA. One LPA member will be asked to chair the ad hoc sub-committee. The intent would be to minimize participation and action items directed at Staff.

A standing ad hoc sub-committee named the Historic Advisory Committee was established by Resolution 2006-03 (Appendix B).

During discussions arising from land use cases, long-range planning and capital improvement discussions, the LPA will proactively communicate to other appropriate advisory committees while keeping Town Council informed. These interactions could result in the development of joint resolutions.

6. Meeting Preparation and Planning

Meeting Schedule

Section 34-118 of the Land Development Code (LDC) states: "The local planning agency shall meet at least 8 times per year and shall meet no less often than bimonthly..." This statement was included in the LDC to emphasize that the LPA should meet regularly to conduct required Town business. Thus, as a minimum, the LPA must meet at least 8 times per year.

Regularly planned meetings of the Local Planning Agency (LPA) are scheduled by mutual agreement between the LPA, LPA Attorney and Community Development Director. Special, continued or rescheduled meetings will be determined by consensus of the LPA members, the Director of the Department of Community Development and the LPA attorney.

Length of Agenda Items

In order to set reasonable LPA agendas, the Community Development Director will use best efforts to establish the time needed for presentations, public comment and subsequent discussions of agenda items by the LPA. Any person submitting Administrative topics to the Community Development Director will provide an estimate of the time needed. If the time needed for a hearing, legislative matter or administrative topic exceeds the allotted time by more than 15 minutes, the Chair may table the item until later in the meeting or continue the item until a subsequent meeting.

Public Notice of LPA Quasi-Judicial Hearings

Except as specifically addressed in the Town Land Development Code, Town Clerk shall advertise all LPA quasi-judicial hearings so that a legal notice will appear at least seven (7) calendar days prior to the LPA hearing date, to enable all interested parties to have notice and the ability to attend. The Community Development Director or designee will enter the *News-Press* Affidavit of Publication into the record at the beginning of the hearing. In the absence of the Affidavit of Publication, the Community Development Director or designee will enter a copy of the actual advertisement as run by the *News-Press* into the record at the beginning of the hearing after being sworn in. The affidavit, or actual advertisement, as the case may be, will be attached to the LPA Resolution following the hearing.

Continued Hearings and Legislative Issues

It is the goal of the LPA to complete a hearing during the scheduled meeting. If additional time is required and the hearing must be continued to a later date, any LPA member who missed the initial hearing should review the audio and/or videotapes prior to participating in the continued hearing or legislative discussion and resolution.

If the applicant submits new information or modification(s) to previously submitted information at the hearing, or immediately prior to the hearing, the LPA shall consult with the Director of the Department of Community Development and the LPA Attorney to determine if a continuance of the hearing is appropriate and proceed accordingly. Nothing contained in this section shall be construed to limit the Director's discretion to defer or continue the public hearing as set forth in LDC Section 34-213(3).

Meeting Preparation

Any LPA member, the Community Development Director, the LPA attorney, Town Council and Town Manager can submit meeting agenda topics for the LPA to the Community Development Director. Topics should be submitted at least fourteen (14) days prior to a planned meeting. The Director of the Department of Community Development and LPA attorney are responsible for scheduling hearings. Potential dates for hearings should be communicated to all participating parties as far in advance of the planned meeting as possible. All staff reports should be complete before a hearing is scheduled. Except in the case of an emergency, cancellation of a planned meeting should be at least 14 days in advance. Only under serious, extenuating circumstances should a hearing be cancelled after it has been publicly noticed.

The goal is to have finalized agenda and supporting material seven (7) days prior to a planned and
Revision 09/29/09

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W. J. Smith
11/16/10

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The agenda is posted at Town Hall. Copies of the agenda are available to the public.

Occasionally an item comes up late and may be placed on an amended agenda, or as an "add on" (added too late to be included on the published agenda). Such additions are kept to an absolute minimum so as not to burden the LPA or the public with items not receiving sufficient advance notice. Important, potentially controversial items are not made as "add on items" except in extreme emergencies.

Attendance Policy

Section 34-115(3) of the Land Development Code (LDC) states: "A Local Planning Agency member shall forfeit office if the member is absent from three (3) regular local planning agency meetings per year without being excused by the local planning agency." This statement was included in the LDC to recognize that because of the significant pre-hearing preparation required by staff, applicants and other supporting personnel it is imperative that a quorum of the Local Planning Agency (LPA) members be present for all noticed meetings.

The LPA should be notified of a planned absence as soon as known. It is important that the LPA know that it will have a quorum of its members as soon as possible prior to an LPA meeting. The LDC implies that the LPA has the discretion to define what will be an "excused" absence. The policy of the LPA is that if an absence is reported at least fourteen (14) days prior to a planned meeting the absence will automatically be considered an excused absence. This will allow sufficient time for a planned meeting to be rescheduled if it appears that a quorum will be questionable.

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Three unexcused absences for regularly scheduled LPA meetings will result in automatic forfeiture of office.

"Chronic" absence is defined as missing three consecutive regularly scheduled meetings or four of the last six meetings of the LPA, regardless of whether the absence is excused or unexcused. If a chronic absence occurs, the Community Development Director will be asked to send a letter to the LPA member requesting an explanation of the reasons for the chronic absence. A copy of the letter will be sent to the Town Manager and Town Council. The LPA member will be asked to forward to the Community Development Director a statement of whether the LPA member wishes to remain on the LPA. Failure to reply will automatically make all absences unexcused and grounds for forfeiture of office.

14 days
7 days

In order to provide a diverse representation, it is important that the LPA strive to have as full representation as possible when conducting the Town's business.

Meetings and Communication between LPA and Town Council

As agreed at a workshop between LPA and Town Council members in September of 2009, efforts should be made to improve communications between the Local Planning Agency and Town Council. Previous means and those adopted at the above meeting shall be:

shall be made

- The LPA shall appoint and send a representative to Town council public hearings on land use and proposed ordinances which have been acted upon by the LPA. This representative shall submit brief testimony (Council should have LPA resolution and meeting minutes, unless minutes approval waived by LPA) regarding the LPA hearings on the matter.

The LPA "Action List" as updated subsequent to LPA meetings shall be submitted to the Director of Community Development, who shall in turn transmit to each Town Council member and the Town Manager and include this list in the next LPA meeting packet.

we have done

A quarterly meeting to be attended by the Town Manager, Town Mayor and Local Planning Agency Chairperson shall take place at 1:00 PM on the third Wednesday of each of the following months; October, January, April and July. The purpose of this meeting will be to discuss current activities of the LPA and assure these are in accordance with direction from Town Staff and Town Council, as well as convey information to Staff and Council regarding the complexities or related issues of those activities.

- Routine workshops (informational meetings) to discuss current LPA activities and Town Council understanding of those activities shall be held between all LPA members, Town Council members, Town Manager, Community Development Director and Town and LPA Attorney starting at 9:00 AM and lasting no later than noon on the first regularly scheduled LPA meeting day of April and September.

7. Meeting Procedures

LPA Code of Conduct

Recognizing that persons holding a position of public trust are under constant observation, and recognizing that maintaining the integrity and dignity of the public office is essential for maintaining high levels of public confidence in our institutions of government, every member of the Local Planning Agency pledges to adhere to the following CODE OF CONDUCT.

1. Regularly attend all scheduled meetings of the LPA as well as special or called meetings relevant to the office.
2. Prepare for each meeting.
3. Create a positive environment in meetings of the LPA.
4. Maintain an attitude of courtesy and consideration toward colleagues, citizens and staff during all discussions and deliberations.
5. Allow citizens, colleagues and staff sufficient opportunity to present their views, within the prescribed rules for conduct of meeting of the LPA.
6. Avoid the use of abusive, threatening or intimidating language or gestures directed at colleagues, citizens of staff.

RESOLUTION OF THE HISTORIC PRESERVATION BOARD OF
THE TOWN OF FORT MYERS BEACH, FLORIDA
RESOLUTION NUMBER HPB 2006-03

A RESOLUTION OF THE HISTORIC PRESERVATION BOARD OF FORT MYERS BEACH,
FLORIDA:

WHEREAS, the Local Planning Agency of the Town of Fort Myers Beach, Florida, serves as the historic preservation board for the Town of Fort Myers Beach ("HPB") pursuant to Chapter 22, Article II, Division 2, Section 22-71 and Chapter 30, Section 30-56(b) of the Land Development Code ("LDC") of the Town of Fort Myers Beach; and

WHEREAS, the HPB is vested with the power, authority and jurisdiction to designate, regulate and administer historical, cultural, archaeological, and architectural resources in the Town, pursuant to LDC Section 22-71; and

WHEREAS, the HPB has the power and duty to designate eligible historic resources, evaluate the significance and eligibility of historic resources for designation pursuant to Chapter 22 of the LDC, increase awareness of historic preservation and its community benefits by promoting public education programs, and administer programs aimed at the proper recognition of designated historic resources pursuant to Section 22-74 of the LDC; and

WHEREAS, the HPB has the power to create an advisory committee to assist the HPB with historic preservation matters and to charge such committee with various and sundry duties; and

WHEREAS, this advisory committee will have no quasi-judicial or legislative powers but rather will function in an informal advisory capacity to the HPB; and

WHEREAS, the advisory committee will be subject to the Sunshine and Public Records Laws of the State of Florida.

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

The Historic Preservation Board does hereby create the Fort Myers Beach Historical Advisory Committee (FMBHAC), with the following restrictions:

1. The FMBHAC shall be subject to the Sunshine and Public Records Laws of the State of Florida.
2. The FMBHAC will be comprised of seven (7) members appointed by the HPB, all of whom shall be residents, business owners, or property owners within the Town of Fort Myers Beach.
3. Three (3) members of FMBHAC shall be current members of the HPB and four (4) members shall be appointed by the HPB after due consideration of recommendations by the Estero Island Historic Society.

1. Introduction

This Local Planning Agency (LPA) Policies and Procedures Manual is for the purpose of helping the LPA Members in the discharge of their duties. Experience may show that some of these policies and procedures need to be modified or eliminated and new ones adopted.

By adopting this manual, members of the LPA will find in one handy reference, answers to policy and procedure questions that come up from time to time. By having an agreed-upon guide, members of the LPA also may develop common expectations on proper conduct of LPA meetings, dealings with the public, and the way it interacts with Town staff.

This manual should be used in conjunction with the Town Charter, Comprehensive Plan, Land Development Code (LDC) and other applicable laws, as necessary.

2. Local Planning Agency Mission and Job Description

Mission: To further the welfare of the citizens of the Town by helping to promote a better, more helpful, convenient, efficient, healthy, safe community and attractive environment. To insure by strategic planning that the unique and natural characteristics of the island are preserved.

Functions, Powers and Duties:

- Review and interpret the Comprehensive Plan and conduct public hearings as may be needed to fulfill its duties under Town ordinance and Comprehensive Plan.
- Review and interpret the Land Development Code and conduct public hearings as may be needed to fulfill its duties under LDC, Town ordinance and Comprehensive Plan.
- In an advisory capacity to the Town Council, either at Town Manager's, Town Council's, or its own initiation, conduct hearings to fulfill its duties regarding zoning matters.
- Review the Capital Improvement Budget for consistency with the Comprehensive Plan and make recommendations to the Town Council.
- Serve as the Historic Preservation Board for the Town. - ?
- Establish sub-committees as needed.
- Elect a chair and vice chair for the LPA.
- Elect a chair and vice chair for the Historic Preservation Board - ?
- Perform any other duties that lawfully may be assigned to it by the Town Council and/or Town Manager.

strategic plan when available

LPA Member Requirements:

- Be a resident or property owner in the Town of Fort Myers Beach
- File a Statement of Financial Interests (Form 1) with the Lee County Supervisor of Elections every year.
- Complete and file Form 1F – Final Statement of Financial Interest, within 60 days of leaving office.

Desired LPA Member Qualities:

- Analytical – ability to research and analyze information and data
- Decisive
- Knowledgeable – Such as, the Town Charter, Comprehensive Plan, Land Development Code, Sunshine Laws, Ethics Laws, Parliamentary Procedure
- Communication – Listening, Speaking, Writing
- Proactive – identify and seek solutions
- Ethical - open, sincere and truthful

- Ability to work in a team environment
- Ability to work with and listen to people having diverse interests
- Fair with no strong allegiance to any individual or group
- Common sense
- Time to do the job effectively

3. Training Materials and First Meeting

Training Materials

Each new member of the Local Planning Agency will be provided copies of:

- Town Charter
- Comprehensive Plan
- Land Development Code
- Florida Code of Ethics
- Florida Sunshine Laws
- Policy and Procedures Manual
- Other materials as determined by the LPA Attorney, Community Development Director and LPA members

Strat Plan (Same as Charter?)

Town?

who is this?

Election of Officers

Annually, at the first meeting of the Local Planning Agency, after expired member positions have been filled by the Town Council, a chair and vice chair will be chosen. Each LPA member may nominate a person for each of these positions. A second is not required. A vote is taken in the order that a candidate was nominated. The positions are filled by a majority vote. If a majority is not received on the first ballot, a second ballot is taken for the two candidates receiving the most votes from the first ballot.

stalemate procedures?

Sunshine Issues

Members of Town advisory committees, boards, and agencies are subject to the Sunshine Law (F.S. 286.011). The same Sunshine rules that apply to Town Council apply to the members of the LPA and other Town advisory committees, boards and agencies.

I believe it also applies to communication between TC/LPA members

This means that any gathering of two or more members of the same advisory committee, board or agency must comply with all the Sunshine Law requirements if they participate in any discussion, directly or indirectly, regarding any matter where there is known or could be foreseeable action to be taken by the committee. Examples of indirect discussions are the use of email to a committee member or communication through a spouse or other go-between.

Advisory committee members cannot engage in discussions with each other (directly or indirectly) at outside meetings such as the Chamber of Commerce or Civic Association regarding any matter on which it is known or foreseeable that action may be taken, unless the Sunshine requirements are met.

These rules apply equally to any gathering, formal or casual, such as a Rotary Club (or other business or fraternal club gathering), fund-raiser, etc. They also apply to social events and functions unconnected to the advisory committee, such as a neighbor's backyard barbeque. They also apply to casual discussions between or among members coming in the door for the committee meeting, at breaks during the meeting, and going out the door after the meeting. Every component of the decision-making process must occur in the Sunshine.

The penalties for violating the Sunshine law are severe and can include criminal and civil sanctions. The process of investigation of Sunshine violations is always unpleasant, embarrassing, and expensive, even if the person is ultimately cleared.

4. Historic Preservation Board - *Applicability?*

The LPA also functions as the Historic Preservation Board (HPB) for the Town of Fort Myers Beach. The Historic Preservation Board has the power, authority, and jurisdiction to designate, regulate, and administer historical, cultural, archaeological, and architectural resources in the Town as set forth in LDC section 22-74. For any quasi-judicial or legislative hearings that come before the HPB, the hearing process shall conform to those outlined in Section 7 of this manual.

Annually, at the first meeting of the Local Planning Agency, after expired member positions have been filled by the Town Council, a meeting of the HPB will be convened and a chair and vice chair will be chosen using the same methodology as LPA chair and vice chair election.

Also at that meeting, a sub-committee, the Historic Advisory Committee (HAC), comprised of an approximately equal number of LPA members and Estero Island Historic Society members is established. Members of the Estero Island Historic Society interested in being on the Historic Advisory Committee must submit a statement of interest to the Town Clerk prior to the first annual meeting of the LPA. This sub-committee comprised of a total of six or seven members shall be selected by the HPB.

The HAC sub-committee will meet as needed to discuss and make recommendations to be brought before the Historic Preservation Board for consideration. Recommendations will be consistent with the requirements of the Comprehensive Plan and Land Development Code. At its first meeting after re-formation, the HAC shall select a chair, vice chair and secretary.

5. Ad Hoc Sub-Committees and Interaction with Other Advisory Committees

The LPA has the authority to form other ad hoc sub-committees requesting participation by volunteers. The objectives of a sub-committee, expected products, membership and timelines should be clearly stated and agreed to by the LPA. One LPA member will be asked to chair the ad hoc sub-committee. The intent would be to minimize participation and action items directed at Staff.

A standing ad hoc sub-committee named the Historic Advisory Committee was established by Resolution 2006-03 (Appendix B).

During discussions arising from land use cases, long-range planning and capital improvement discussions, the LPA will proactively communicate to other appropriate advisory committees while keeping Town Council informed. These interactions could result in the development of joint resolutions.

6. Meeting Preparation and Planning

Meeting Schedule

Section 34-118 of the Land Development Code (LDC) states: "The local planning agency shall meet at least 8 times per year and shall meet no less often than bimonthly..." *or for clarity, at least once every other month.* (This statement was included in the LDC to emphasize that the LPA should meet regularly to conduct required Town business. Thus, as a minimum, the LPA must meet at least 8 times per year. *redundant statement.*)

Regularly planned meetings of the Local Planning Agency (LPA) are scheduled by mutual agreement between the LPA, LPA Attorney and Community Development Director. Special, continued or rescheduled meetings will be determined by consensus of the LPA members, the Director of the Department of Community Development and the LPA attorney.

Length of Agenda Items

In order to set reasonable LPA agendas, the Community Development Director will use best efforts to establish the time needed for presentations, public comment and subsequent discussions of agenda items by the LPA. Any person submitting Administrative topics to the Community Development Director will provide an estimate of the time needed. If the time needed for a hearing, legislative matter or administrative topic exceeds the allotted time by more than 15 minutes, the Chair may table the item until later in the meeting or continue the item until a subsequent meeting.

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In order to provide a diverse representation, it is important that the LPA strive to have as full representation as possible when conducting the Town's business.

Meetings and Communication between LPA and Town Council

As agreed at a workshop between LPA and Town Council members in September of 2009, efforts should be made to improve communications between the Local Planning Agency and Town Council. Previous means and those adopted at the above meeting shall be:

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7. Meeting Procedures

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1. Regularly attend all scheduled meetings of the LPA as well as special or called meetings relevant to the office.
2. Prepare for each meeting.
3. Create a positive environment in meetings of the LPA.
4. Maintain an attitude of courtesy and consideration toward colleagues, citizens and staff during all discussions and deliberations.
5. Allow citizens, colleagues and staff sufficient opportunity to present their views, within the prescribed rules for conduct of meeting of the LPA.
6. Avoid the use of abusive, threatening or intimidating language or gestures directed at colleagues, citizens or staff.

7. Avoid comments, body language or distracting activity that conveys a message of disrespect and lack of interest.
8. Respect all local, state and federal laws, rules and other regulations.
9. Submit completed financial disclosure forms to the Lee County Supervisor of Elections by the specified deadline.
10. Publicly acknowledge the adopted position when asked about a decision of the LPA.

LPA Code of Ethics

Members shall ethically serve the public interest by making decisions and taking actions that will enhance the public health, safety and welfare of the region and the citizens served by the Local Planning Agency and by promoting public confidence in the integrity, independence, ability and impartiality of the LPA.

1. Members shall uphold the prestige of their office and avoid impropriety and the appearance of impropriety.
2. Members shall not convey the impression that they are in a position to influence the outcome of a decision of the LPA and shall not attempt to use their office to influence or sway the professional staff recommendation.
3. Members shall discharge their duties and responsibilities without favor or prejudice toward any person or group. Members shall not allow personal or business relationships to impact upon their conduct or decisions in connection with LPA business and shall not lend their influence towards the advancement of personal interests or towards the advancement of the interests of friends or business associates.
4. Members shall avoid creating the appearance of impropriety by following the requirements of the Land Development Code with regard to ex parte about specific upcoming LPA quasi-judicial hearings. If a Member receives a private written or electronic communication about an upcoming LPA quasi-judicial hearing, the Member will promptly forward the information to the Town Clerk, with a copy to the Director of the Community Development Department and the LPA Attorney so that it may be shared with all other Members as part of the agenda packet for that hearing. Members shall refrain from any private discussion of LPA business with other Members if required by Florida's Government-in-the-Sunshine Law, Chapter 286, Florida Statutes.
5. Members shall not accept or solicit a gift, loan, payment, favor, service, promise of employment or business contract, meal, transportation or anything else of value, if such thing is given with the understanding or possibility that it will influence the official action of the Members during LPA proceedings. The same standard shall apply to a gift, loan, favor, etc. for the spouse, child, relative or business partner of the Member.
6. Members should refrain from participation in any proceeding in which their impartiality may reasonably be questioned. A Member whose personal, employment or business relationship with a person or entity that is subject to a recommendation of the LPA shall seek the advice and counsel of the LPA Attorney, if such relationship could conceivably influence the Member's impartiality during the LPA's discussion of the subject. The provisions of Chapter 112, Florida Statutes, and the Code of Ethics for Public Officers and Employees, shall govern conflict of interest determination.
7. Members shall remain vigilant against deviations from LPA policies and mission statement.

As a legislative and quasi-judicial body, the LPA must be ever cognizant of the important legal requirements of due process and equal protection. These principles are derived from the United States Constitution, the Constitution of the State of Florida, and Florida Statutes, and apply to legislative and quasi-judicial actions.

The legal requirement for due process is separated into two prongs: substantive due process and procedural due process. The principle of substantive due process requires the benefits of a given

regulation be within the scope of governmental authority, i.e., health, safety, morals, or general welfare, and that the regulations be accomplished in a rational manner, i.e., not be arbitrary or capricious. This is a principle of fundamental fairness in the substance of a given regulatory scheme or provision.

The other due process prong, procedural due process, requires a fair method of adjudicating the rights of property owners, requiring notice and an opportunity to be heard by an impartial decision maker. In legislative matters, this requirement is derived from Florida Statutes, which provide the type and period of notice depending on the nature of the property interest subject to regulation at a public hearing. Quasi-judicial decisions have an underlying Constitutional requirement for procedural due process.

Equal protection limits governmental regulation from establishing irrational classifications, protects the rights of suspect and quasi-suspect classes, and assures against the exercise of fundamental or important rights of persons in ways different from others.

Key overarching principles to keep in mind is that every person must be treated equally and reasonably by the quasi-judicial or legislative substance and process and that decisions and recommendations be deliberated in an open process with adequate notice and allowance for participation of affected parties. Reasonable, consistent, and timely notifications in quasi-judicial matters to be heard by the LPA provide an applicant and other parties potentially affected by a requested decision these fundamental protections.

Order of Agenda Items

The general order of the agenda will proceed as follows. However, the procedures will differ depending on what type of hearings is being held.

1. Call To Order – Identify for the record the committee that is meeting, the date of the meeting and who is present.
2. Pledge of Allegiance
3. Invocation
4. Approval of Minutes – Requires a motion and vote.
5. Public Hearings – Public Comment will be included as part of the hearing
6. Administrative Agenda – Topics submitted by LPA members, staff, LPA Attorney or items from previous agendas
7. Adjourn as LPA; Reconvene as Historic Preservation Board (HPB) } *Relevance?*
8. Adjourn as HPB; Reconvene as LPA
9. LPA Members Items and Reports
10. LPA Attorney Items
11. Community Development Director Items
12. Action List Review
13. Public Comment
14. Adjournment – Requires a motion and vote. A privileged motion allowing no discussion before vote.

Invocation

The Chair of the LPA has the discretion of deciding how the Invocation at the beginning of an LPA meeting is handled. However, there is a tradition that has been followed by many LPA's. At the first LPA meeting on April 9, 1996, Chair John Mulholland read an invocation that he had written while Commander of the Power Squadron. Betty Simpson, who was Vice Chair at that time, has carried John's invocation to each subsequent LPA. The Chair has either read the invocation or different LPA members have been asked or volunteered to read the invocation. The invocation reads as follows:

Heavenly Father, we ask that you bless us with your presence here today. }
Grant to us the wisdom to see all things in true perspective. }

Grant to us the patience to hear one another with open minds and hearts.
Grant us the strength to meet all present challenges.
May all that we do this day, bring honor to you and credit to ourselves. Amen.

Conduct of LPA Meetings

The Chair will conduct the LPA meetings, and in the Chair's absence by the Vice Chair.

Robert's Rules of Order shall be the reference for parliamentary procedure governing the conduct of the LPA meetings when not in conflict with the Town Charter or Florida Statutes. It is not intended that LPA meetings be unnecessarily formalistic, but rather that parliamentary procedure be invoked only when necessary for orderly conduct of the meeting.

The approval of the minutes is intended for LPA members to accurately document the proceedings of the Agency. Before moving approval the minutes should be amended, if necessary, to more accurately portray what occurred at the LPA meeting. This time is not intended for comment or discussion on what should have or should not have been done, but rather to document what actually was done. Audiotapes of the proceedings become the official record of what transpired during a meeting.

When the Chair recognizes a speaker during public comment, they will advance to the podium and state their name for the public record. Public comments will generally be limited to three minutes per speaker. The Chair may modify the three-minute limit with approval by majority vote of the LPA. If a special interest group would prefer to have one person speak for a group of individuals in attendance their allotted times can be combined up to a maximum of 15 minutes. This process could save meeting time if the content of what each person of a special interest group intends to say is similar. It could also allow more time for a presentation containing detailed facts and data. If a special interest group chooses to have a spokesperson represent them, request cards having the names and addresses of all individuals present must be provided prior to the meeting. The public comment times are intended as opportunities for interested parties to present their viewpoints to the LPA members; they are not intended as question-and-answer sessions or as dialog with the LPA.

After a proper motion, discussion by the LPA members shall be limited to agenda items. No member will speak twice on the item until all others who want to speak have spoken.

The time period for LPA members' comments is intended as an opportunity for LPA members to share their viewpoints with each other. Since this opportunity does not exist outside of LPA meetings under the Florida Sunshine Law, this is the primary purpose of this time and it generally should not be used to obtain information from the Community Development Director or Town Attorney which could be obtained outside of the LPA meeting. While there is no time limit or censorship on comments, LPA members should take into consideration the total time available in the meeting for the published agenda.

Legislative Hearing Procedures

1. The Chair opens the hearing on.....
2. Staff presents Affidavit of Publication or copy of the legal advertisement from the Newspaper of Record which shall become an exhibit to the Hearing's resulting Resolution.
3. The Chair or the LPA Attorney reads the ordinance caption.
4. Staff and/or the LPA attorney present(s) a brief overview of the ordinance.
5. Public input is taken.
6. Public input is closed.
7. LPA members ask questions, if any, of staff/LPA attorney.
8. LPA members discuss ordinance, including changes, deletions, etc.

9. A Motion is made and seconded to either move the Ordinance forward to Town Council as-is or with modifications, or to take some other action. The LPA's recommendation is set forth in an LPA Resolution which is provided to Town Council at the time of Council's consideration of the Ordinance.
10. The Motion is discussed and voted upon. If successful, the Chair declares the hearing on the ordinance to be concluded. If not successful, further motions(s) are made until one passes.

Notes:

- There is no ex parte disclosure requirement for legislative hearings.
- Members of the public are not sworn in.
- Generally there is no discussion between the LPA and public.

Procedure for Quasi-Judicial Land Use Hearing

1. The Chair opens the hearing on
2. The LPA Attorney swears in all witnesses.
3. Staff presents Affidavit of Publication or copy of the legal advertisement from the Newspaper of Record which shall become an exhibit to the Hearing's resulting Resolution.
4. The Chair asks if any LPA member has had an ex parte communication regarding this matter. This includes any site visit, receipt of expert opinion, conducting of investigations, discussions with any person, or any direct or indirect communication in any form with any person outside a public hearing and not on the record.
5. The applicant presents its case and LPA asks questions. *Switch Order?*
6. Staff presents its case and LPA asks questions.
7. Public comment/testimony is opened.
 - After public testimony/comment is concluded, the Chair closes public comment/testimony.
8. Applicant presents rebuttal, if any.
9. Staff presents rebuttal, if any.
10. The testimony portion of the hearing is closed.
11. LPA discussion.
12. Request for a motion on the resolution.
13. LPA votes on a resolution regarding the application.

Voting Conflicts

Florida Statute has very specific rules regarding voting conflicts and municipal advisory committees, boards and agencies. These rules are different from the rules that apply to the Council.

If an LPA member has a voting conflict, he/she must ^{disclosed} disclose that conflict in writing to Town staff prior to the meeting in question and this disclosure must be publicly ~~read~~. A form is available from the Town Clerk. The rules also contain an exception for disclosure at the meeting itself. The committee member is permitted to participate in the discussion ~~and vote~~ on the subject. The specific rules are set out in F.S. 112.3145(4), quoted below:

(4) No **appointed** public officer shall participate in any matter which would inure to the officer's special private gain or loss; which the officer knows would inure to the special private gain or loss of any principal by whom he or she is retained or to the parent organization or subsidiary of a corporate principal by which he or she is retained; or which he or she knows would inure to the

special private gain or loss of a relative or business associate of the public officer, **without first disclosing the nature of his or her interest in the matter.**

(a) Such disclosure, indication the nature of the conflict, shall be made in a written memorandum filed with the person responsible for recording the minutes of the meeting, **prior to the meeting** in which consideration of the matter will take place, and shall be incorporated into the minutes. Any such memorandum shall become a public record upon filing, shall immediately be provided to the other members of the agency, and shall be read publicly at the next meeting held subsequent to the filing of this written memorandum.

(b) In the event that disclosure has not been made prior to the meeting or that any conflict is unknown prior to the meeting, the disclosure shall be made orally **at the meeting** when it becomes known that a conflict exists. A written memorandum disclosing the nature of the conflict shall then be filed within 15 days after the oral disclosure with the person responsible for recording the minutes of the meeting and shall be incorporated into the minutes of the meeting at which the oral disclosure was made. Any such memorandum shall become public record upon filing, shall immediately be provided to the other members of the agency, and shall be read publicly at the next meeting held subsequent to the filing of this written memorandum.

(c) For purposes of this subsection, the term “participate” means any attempt to influence the decision by oral or written communication, whether made by the officer or at the officer’s direction.

Perceived conflicts of interest can be as detrimental to public trust as real conflicts. In an attempt to aid LPA members’ manage such perceptions, the LPA Attorney has prepared advice regarding frequent situations in which LPA members find themselves. These are found in Appendix G.

NOTE: F.S. 112.3143(b) defines “relative” as follows: “any father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, or daughter-in-law.

8. LPA Meeting Output

The primary responsibility of the LPA is to provide recommendations to the Town Council regarding comprehensive planning policies, land development code regulations, zoning matters and make decisions regarding historic preservation opportunities.

LPA output to the Town Council will include the following at the discretion of the LPA:

A. Quasi-Judicial Hearing:

1. A signed resolution of findings of fact and conclusions from the LPA hearing.
2. LPA approved minutes providing a summary of:
 - a. Testimony by applicants, their attorneys, Town and/or County staff, the LPA attorney, witnesses and people who offer public comment, and
 - b. Issues raised by LPA members with subsequent discussion content including clarifications, conclusions and agreements, and Motions and votes by LPA.
3. One or more members of the LPA will attend the Town Council meeting in order to provide clarification on their recommendations and to answer inquiries.

~ We only do this for important or controversial items

B. Legislative Hearing:

1. A signed resolution of findings of fact and conclusions from the LPA hearing.
2. LPA approved minutes.

3. One or more members of the LPA will use best efforts to attend the Town Council meeting in order to provide clarification on their recommendations and to answer inquiries. *— same as above*
These LPA outputs must be available before the first Town Council hearing on an issue. However, at the discretion of the LPA exceptions may be made in emergency situations. Minutes from hearings will normally be approved at the subsequent LPA meeting. A “fast-tracked” hearing may have the minutes waived for the Town Council hearing at the discretion of the LPA.

It is noted that audio and /or video recordings of LPA meetings may be available for public, LPA, or Town Council review should clarification, additional understanding of discussions, or for finding errors or omissions.

On a regular basis, as often as monthly, the LPA will submit to the Town Council a synopsis of accomplishments and any issues that might be of interest. As needed, a request will be made to address Town Council. *— Who does this?*

9. LPA’s Role in Initiating Legislative Changes to the Land Development Code

In the course of performing its duties, the LPA is made aware of legislative issues that could be considered as amendments to the Land Development Code. Before initiating a request for support from Town Staff, the LPA attorney and/or our Planning Consultant to pursue potential LDC amendments, a resolution will be sent to Council requesting their approval to proceed. The format to be used is included in Appendix A and can be modified without re-approving the Policies and Procedure Manual.

The Town of Fort Myers Beach Local Planning Agency Policies and Procedures Manual was adopted on February 27, 2007. Revised May 15, 2007. Revised March 18, 2008. Revised September 9, 2008. Revised January 27, 2009. Revised June 23, 2009, Revised September 17, 2009, Revised September 29, 2009.

Appendix A – Sample Resolution Requesting to Proceed with an LDC Change
FORT MYERS BEACH, FLORIDA
RESOLUTION NUMBER 20__ - __

WHEREAS, the Local Planning Agency (LPA) is mandated by Florida Statutes Section 163.3174; and

WHEREAS, the LPA is statutorily responsible for the review of proposed land development regulations, land development codes, or amendments thereto, and for making recommendations to the Town Council as to the consistency of such proposals with the adopted Comprehensive Plan (Plan); and

WHEREAS, Section 34-120(4) of the Town Land Development Code (LDC) states that the LPA will review proposed LDC amendments and make recommendations to the Town Council regarding their consistency with the Plan, and

WHEREAS, Section 34-120 (12) of the LDC states that the LPA will aid Town officials charged with the direction of projects or improvements embraced within the Plan and generally promote the realization of the Plan; and

WHEREAS, Section 34-120 (14) of the LDC states that the LPA will perform any other duties which lawfully may be assigned to it by Town Council; and

WHEREAS, the Town Council determined at its meeting of October 9, 2006, that prior to the LPA's initiation of any proposed LDC changes, the LPA must inquire of the Town Council whether the Town Council wished to have such legislative changes initiated by the LPA.

IT IS HEREBY RESOLVED BY THE LPA OF THE TOWN OF FORT MYERS BEACH, FLORIDA as follows:

1. At its regularly scheduled meeting(s) of _____, 20__, the LPA determined that it wishes to initiate legislation on the following subject(s): _____

2. The LPA hereby requests direction from the Town Council as to whether the Town Council wishes to have the LPA initiate legislative changes to the LDC on such subjects.

The foregoing Resolution was adopted by the LPA upon a motion by LPA Member _____ and seconded by LPA Member _____, and upon being put to a vote, the result was as follows:

| | |
|------------|------------|
| Name _____ | Name _____ |
| Name _____ | Name _____ |
| Name _____ | Name _____ |
| Name _____ | Name _____ |

DULY PASSED AND ADOPTED THIS ____ day of _____, 20__.

LPA of the Town of Fort Myers Beach

By: _____
Name, LPA Chair

Approved as to legal sufficiency:

ATTEST:

By: _____
Name, Esquire, LPA Attorney

By: _____
Name, Town Clerk

Appendix B - Resolution HPB 2006-03 Establishing the Historic Advisory Committee

**RESOLUTION OF THE HISTORIC PRESERVATION BOARD OF
THE TOWN OF FORT MYERS BEACH, FLORIDA
RESOLUTION NUMBER HPB 2006-03**

A RESOLUTION OF THE HISTORIC PRESERVATION BOARD OF FORT MYERS BEACH, FLORIDA:

WHEREAS, the Local Planning Agency of the Town of Fort Myers Beach, Florida, serves as the historic preservation board for the Town of Fort Myers Beach ("HPB") pursuant to Chapter 22, Article II, Division 2, Section 22-71 and Chapter 30, Section 30-56(b) of the Land Development Code ("LDC") of the Town of Fort Myers Beach; and

WHEREAS, the HPB is vested with the power, authority and jurisdiction to designate, regulate and administer historical, cultural, archaeological, and architectural resources in the Town, pursuant to LDC Section 22-71; and

WHEREAS, the HPB has the power and duty to designate eligible historic resources, evaluate the significance and eligibility of historic resources for designation pursuant to Chapter 22 of the LDC, increase awareness of historic preservation and its community benefits by promoting public education programs, and administer programs aimed at the proper recognition of designated historic resources pursuant to Section 22-74 of the LDC; and

WHEREAS, the HPB has the power to create an advisory committee to assist the HPB with historic preservation matters and to charge such committee with various and sundry duties; and

WHEREAS, this advisory committee will have no quasi-judicial or legislative powers but rather will function in an informal advisory capacity to the HPB; and

WHEREAS, the advisory committee will be subject to the Sunshine and Public Records Laws of the State of Florida.

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

The Historic Preservation Board does hereby create the Fort Myers Beach Historical Advisory Committee (FMBHAC), with the following restrictions:

- 1. The FMBHAC shall be subject to the Sunshine and Public Records Laws of the State of Florida.**
- 2. The FMBHAC will be comprised of seven (7) members appointed by the HPB, all of whom shall be residents, business owners, or property owners within the Town of Fort Myers Beach.**
- 3. Three (3) members of FMBHAC shall be current members of the HPB and four (4) members shall be appointed by the HPB after due consideration of recommendations by the Estero Island Historic Society.**

4. The FMBHAC shall meet on an as-needed basis, keep its own minutes, and hold all meetings at Town Hall.
5. The HPB shall appoint all initial members of FMBHAC no later than the first meeting of the HPB in October, 2006. Thereafter, commencing with June, 2007, the HPB shall appoint all members of FMBHAC on an annual basis at the first meeting of the HPB in June.

The foregoing Resolution was adopted by the Historic Preservation Board upon a vote following motion by Board member Tom Babcock and second by Board member Bob Raymond, the result of which was as follows:

| | |
|--------------|--------|
| Tom Babcock | aye |
| Randy Brown | aye |
| Rochelle Kay | absent |
| Larry Kiker | aye |
| Alan Mandel | aye |
| Bob Raymond | aye |
| Bob Simon | absent |

DULY PASSED AND ADOPTED THIS 12th day of September, 2006.

HISTORIC PRESERVATION BOARD OF THE
TOWN OF FORT MYERS BEACH

By: _____
Larry Kiker, Chair

Approved as to legal sufficiency:

ATTEST:

By: _____
Anne Dalton, Esquire
HPB/LPA Attorney

By: _____
Michelle Mayer, Town Clerk

Appendix C – Recognition Resolutions

The following Resolution format has been used to recognize past members of the LPA.

RESOLUTION OF THE LOCAL PLANNING AGENCY OF THE TOWN OF FORT MYERS BEACH, FLORIDA RESOLUTION NUMBER 2007-04

WHEREAS, the Local Planning Agency (LPA) is mandated by Florida Statutes Section 163.3174; and

WHEREAS, the LPA was established in accordance with the requirements of the Town of Fort Myers Beach Land Development Code section 34-111 et seq.; and

WHEREAS, Section 34-113 sets forth the requirements for membership on the LPA; and

WHEREAS, Randy Brown has been a member of the LPA from April 2006 to April, 2007; and

WHEREAS, during his membership on the LPA, Randy Brown has provided exemplary service to the Town of Fort Myers Beach.

IT IS HEREBY RESOLVED BY THE LPA OF THE TOWN OF FORT MYERS BEACH, FLORIDA as follows:

RANDY BROWN IS RECOGNIZED FOR HIS HARD WORK AND DEDICATED SERVICE TO THE TOWN OF FORT MYERS BEACH. HE CREATED A POSITIVE ENVIRONMENT FOR THE LOCAL PLANNING AGENCY WHILE MAINTAINING AN ATTITUDE OF COURTESY TOWARD COLLEAGUES, CITIZENS AND STAFF DURING ALL DISCUSSIONS AND DELIBERATIONS. HE DISCHARGED HIS DUTIES WITHOUT FAVOR OR PREJUDICE WHILE RESPECTING ALL LAWS, RULES AND REGULATIONS. HIS CONTRIBUTIONS INSURE THAT THE UNIQUE AND NATURAL CHARACTERISTICS OF THE TOWN OF FORT MYERS BEACH WILL BE PRESERVED.

The foregoing Resolution was adopted upon a motion by LPA Member Simon and seconded by LPA Member Mandel. Upon being put to a vote, the result was as follows:

Tom Babcock aye
Evie Barnes aye
Rochelle Kay aye
Bob Simon aye

Alan Mandel aye
Bob Raymond aye
Bob Simon aye

Dennis Weimer aye

DULY ADOPTED THIS 10TH day of APRIL 2007.
LPA of the Town of Fort Myers Beach

BY: _____
Tom Babcock, LPA Chair

Approved as to legal sufficiency:

By: _____
Anne Dalton, Esquire
LPA Attorney

ATTEST:

By: _____
Michelle D. Mayher, Town Clerk

Appendix D - Historic Sign Criteria and Integrity Evaluation

The following is the a form for use by the LPA to evaluate the criteria and integrity of historic sign applications. Staff has documents that were approved by the LPA to be made available to applicants for historic signs that will explain the intent of the Comprehensive Plan and clarify for documentation that would be useful when filing an application.

Historic Sign Criteria and Integrity Evaluation Town of Fort Myers Beach

Eligibility Criteria (select one): ___ Building ___ District ___ Site ___ Structure ___ Object

| INTEGRITY
CONSIDERATIONS
(Review all) | Quality of Significance Criteria (Select one) | | | | |
|---|---|---------|--------------------------------|---------------------------|----------------------------------|
| | Events | Persons | Distinctive
Characterisitcs | Historical
Information | Overall District
Significance |
| Location | | | | | |
| Design | | | | | |
| Setting | | | | | |
| Materials | | | | | |
| Workmanship | | | | | |
| Feeling | | | | | |
| Association | | | | | |

Eligibility Criteria

Building. A building is a structure created to shelter any form of human activity, such as a house, barn, church, hotel, or similar structure. Building may refer to a historically related complex such as a courthouse and jail or a house and barn.

Structure. A structure is a work made up of interdependent and interrelated parts in a definite pattern of organization. Constructed by man, it is often an engineering project large in scale.

Object. An object is a material thing of functional, aesthetic, cultural, historical or scientific value that may be, by nature or design, movable yet related to a specific setting or environment.

District. A district is a geographically definable area, urban or rural, possessing a significant concentration, linkage, or continuity of sites, buildings, structures, or objects united by past events or aesthetically by plan or physical development. A district may also comprise individual elements separated geographically but linked by association or history.

Site. A site is the location of a significant event, a prehistoric or historic occupation or activity, or a building or structure, whether standing, ruined, or vanished, where the location itself maintains historical or archeological value regardless of the value of any existing structure.

Quality of Significance Criteria

Events. It was associated with events that significantly contributed to broad patterns of our history.

Persons. It was associated with the lives of persons significant in our past.

Distinctive Characteristics. It embodies the distinctive characteristics of a type period, or method of construction, or possesses high artistic values, or represents a significant distinguishable entity whose components may lack individual distinction.

Historical Information. It has yielded (or may yield) information important to prehistory or history.

Integrity Considerations

Location is the place where significant activities took place. This quality requires that to a large extent the boundaries remain intact.

Design is the composition of elements comprising the form, plan, and spatial organization. Design may have resulted from conscious planning decisions set forth in the historic plat, project specifications, building contracts or deed restrictions, or it may be the result of the personal tastes and individual efforts of homeowners to shape their domestic environment. Integrity of design can be affected by changes. Small-scale additions may not detract in a major way from the historic character. Large-scale additions, however, alter the spatial relationship and generally threaten integrity of design.

Setting is the physical environment within and surrounding the resource. Integrity of setting requires that a strong sense of historical setting be maintained within the boundaries. This relies to a large extent on the retention of built resources, street plantings, parks and open space. Elements of design greatly affect integrity of setting, and those consistent with the historic character or dating from the period of significance add to integrity. Small-scale elements such as plantings, gateposts, fences, swimming pools, playground equipment, and parking lots detract from the integrity of setting unless they date to the period of significance.

Materials include the construction materials of dwellings, garages, roadways, walkways, fences, curbing, and other structures, as well as vegetation planted as lawns, shrubs, trees, and gardens. The presence of particular building materials (e.g., stone, stucco, brick, or horizontal siding) may be important indicators of architectural style and methods of construction that give some neighborhoods a cohesive historic character. Integrity of materials requires that the resource retains the key exterior materials that marked its identity during the historic period. The retention of original materials in individual dwellings may be less important in assessing the integrity of a neighborhood significant for its plan or landscape design. Original plant materials may enhance the integrity, but their loss does not necessarily destroy it. Vegetation similar in historic species, scale, type and visual effect will generally convey integrity of setting although integrity of materials may be lost.

Workmanship is evident in the ways materials have been fashioned for functional and decorative purposes to create houses, other buildings and structures, and a landscaped setting. This includes the treatment of materials in design, the planting and maintenance of vegetation, as well as the construction methods of small-scale features such as curbs and walls. Integrity of workmanship requires that architectural features exhibit the artistry or craftsmanship of their builders and that the vegetation historically planted for decorative and aesthetic purposes be maintained in an appropriate fashion and replaced in kind when damaged or destroyed.

Feeling, although intangible, is evoked by the presence of physical characteristics that convey the sense of past time and place. Integrity of feeling results from the cumulative effect of setting, design, materials, and workmanship.

Association is the direct link between a historic resource and the important events that shaped it. Continued residential use and community traditions, as well as the renewal of design covenants and deed restrictions, help maintain a neighborhood's integrity of association. Additions and alterations that introduce new land uses and erase historic elements of design threaten integrity. Integrity of association requires that a historic resource convey the period when it achieved importance and that, despite changing patterns of ownership, it continues to reflect the design principles and historic associations that shaped it during the historic period.

Appendix E - Legislative Change Process

The LPA evaluated the process of making legislative changes to the Land Development Code (LDC). The results of the study have been depicted as a flow chart as well as a written description of each sub-process. The arrows in the flow chart represent the direction that work “flows” through the process. Circles are inputs, such as a change request, or outputs, such as a resolution to be sent to Town Council. Rectangle boxes are places where action or work is taking place. A diamond is a decision point that may send the workflow in different directions dependent on the decision made. A “bullet” symbol is where the workflow is on “hold” until the next action can be scheduled. Holds are not necessarily a bad thing, but they can be areas of opportunity for moving change requests through the system faster. Finding ways to reduce the number of steps in a process flow is another way to reduce the time required to make changes to our LDC.

The flow chart also indicates who is “accountable” for each process operation. “Accountability” does not mean that person is “responsible” for doing all the work. It is their job to see that the work gets done.

Future LPAs and Town Councils may want to consider ways that the legislative change process can be altered to improve process time. Until then, performance can start to be measured in order to establish a baseline. One action that has been initiated is to generate a Legislative Change Action List (LCAL). The LCAL will provide clarification of the change requests, the priority and current status. Legislative requests will be categorized into LDC change that:

1. Require policy recommendations from the LPA through workshops or ad hoc committee activities. These changes would be substantive and likely time consuming for staff, consultants and LPA, but not necessarily the highest priority.
2. Are state mandated changes and recommendations of the Evaluation and Analysis Report (EAR) that are time sensitive. These may or may not be complex, but are high priority.
3. May need to be clarified for legal reasons. Complexity and priority must be determined on an individual case.
4. Need staff time. Most of these changes are clerical in nature, but can be time consuming. Priority is often low, but need to be made visible.

The LPA will prioritize, schedule and determine a path forward for legislative change requests that fall into LCAL category 1. Accountability for categories 2 through 4 belongs to the Town Manager, with likely input from the Director of Community Development, the LPA Attorney and the Town’s Planning Consultant.

A regular approach to legislative changes allows interested parties a predictable methodology to participate in the legislative process. For example, the Florida Legislature meets on an annual basis—unless a special session is called—at the same time each year to consider changes to the laws of the State. The effective date of these laws may vary to allow for a phased approach to changes in the law that might best occur if affected parties are afforded a reasonable period of time for adjustment to the change. From time to time, the LPA may wish to establish and refine the timing aspects of its legislative process to improve manageability and predictability.

Town of Fort Myers Beach Legislative Change Process

Overarching Principles:

- Trust is placed in the hands of those accountable for each step in the process to do their job to their best of their ability.
- Open, honest and timely communication will be maintained at all times.
- All parties in this process will be treated with respect.

Sub-Processes

A. Request Initiation

Requests to change the Land Development Code (LDC) can be initiated by: the Town Manager, the Town Council, the Local Planning Agency, a group/committee or an individual.

Process:

- Requests from the Town Manager and Town Council proceed directly to the “assign action” sub-process.
- LPA change requests are forwarded to Town Council for approval to proceed.
- All individual or group initiated LDC change requests come to the LPA for review and action. Consistency with the Comprehensive Plan will be the criteria for approving or denying requests.
- The Town Clerk handles scheduling functions with direction from the Town Manager or designee (likely the Community Development Director).

B. Assign Action

Process:

- The Town Manager or designee is accountable for the Legislative Change Action List (LCAL) with input from Planning Consultant, Staff and LPA Attorney.
- Each legislative change request will be put into a category for the purpose of prioritizing and scheduling.
- The LCAL will be reviewed at every LPA meeting.

C. Assessment

Assessment of an LDC change request can follow several paths depending on the complexity of the request and the expertise required for making recommendations. The Town Manager or designee, the Planning Consultant and the LPA Attorney, choose the process path.

Process:

- Determine whether recommendations are needed from an ad hoc or standing committee.
- Determine whether a workshop is needed.

- Workshops will include: Planning Consultant, appropriate staff, LPA Attorney, LPA members, ad hoc or advisory committees (as needed) and the public.
- Recommendations from committees and/or workshops will be documented by resolution.
- Once all recommendations have been received, drafting of the LDC change can commence and an LPA hearing scheduled.

D. LPA Hearing

Process:

- The LPA must approve or reject LDC changes or possibly suggest multiple wording options for consideration by Town Council.
- Recommendations must be consistent with the Comprehensive Land Use Plan.
- Explanation of recommendations are forwarded to Town Council by resolution.

E. Town Council Hearings

Process:

- Introduction of Ordinance
- First Hearing
- Second Hearing. Approved or denied based on consistency with the Comprehensive Land Use Plan.
- At each hearing, Council may choose to deny the change request, return it to the LPA and/or committees and/or workshop participants for rework, or table it.

F. Documentation

Process:

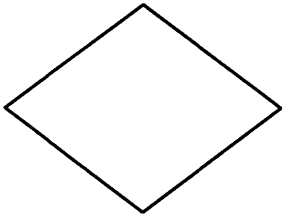
- If the ordinance is approved by Town Council, the Town Manager is accountable for seeing that appropriate steps are taken to codify and distribute changes in the Town of Fort Myers Beach Land Development Code.

Legislative Change Process for the Town of Fort Myers Beach

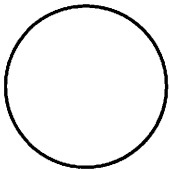
Flow Chart Symbols Used:



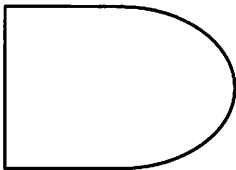
Process Operation



Decision (A Decision will have two or more directions of flow)



Input/Output



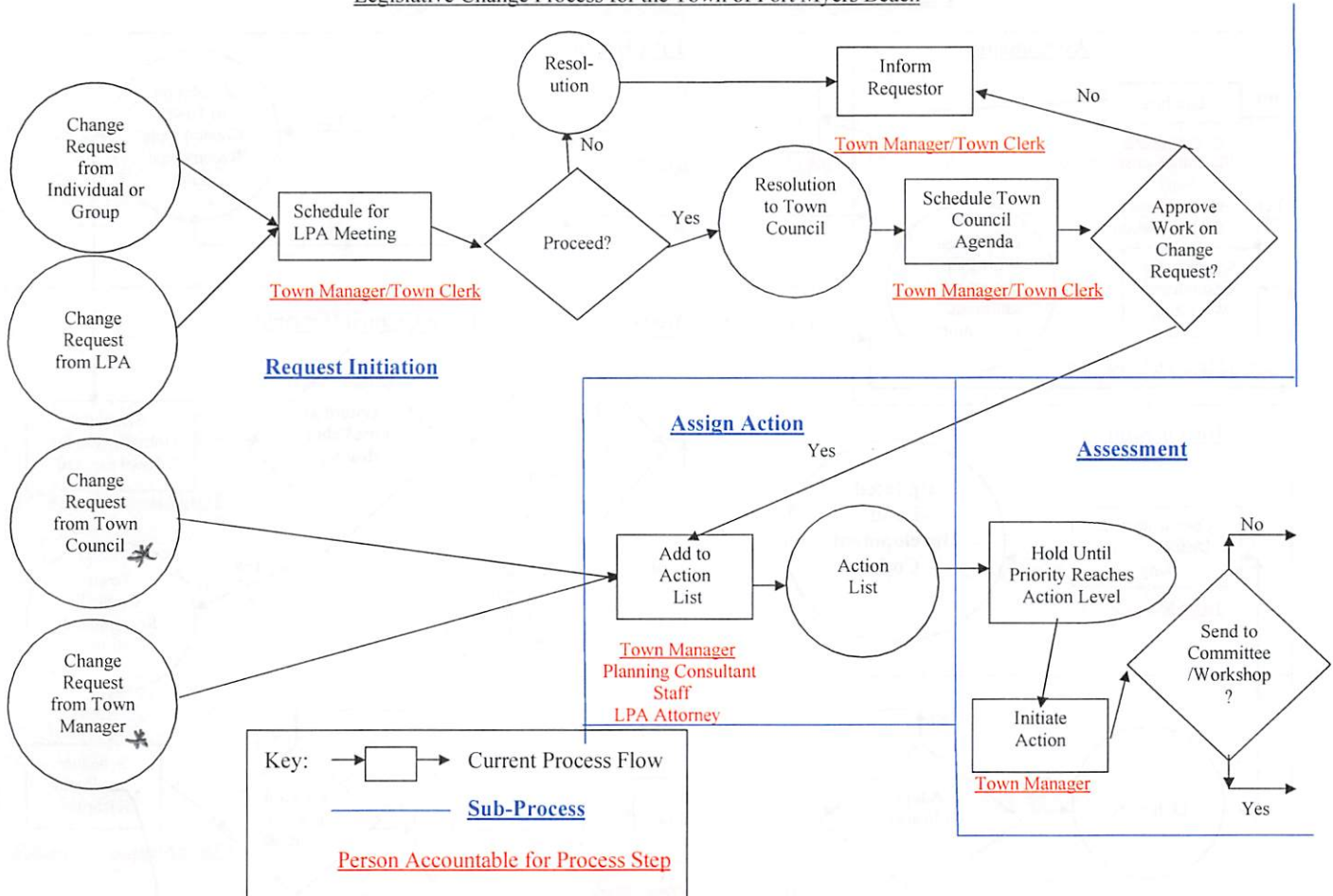
Delay/Wait/Hold



Direction of Flow

The flow chart is a graphic method for displaying a work process and sequence of activities. It graphically shows the process and potential opportunities for improvement within the process. It also identifies starting inputs and ending outputs that establish boundaries of ownership. This sequence of activities is represented by various flow chart symbols, which are connected by a direction of flow arrow.

Legislative Change Process for the Town of Fort Myers Beach

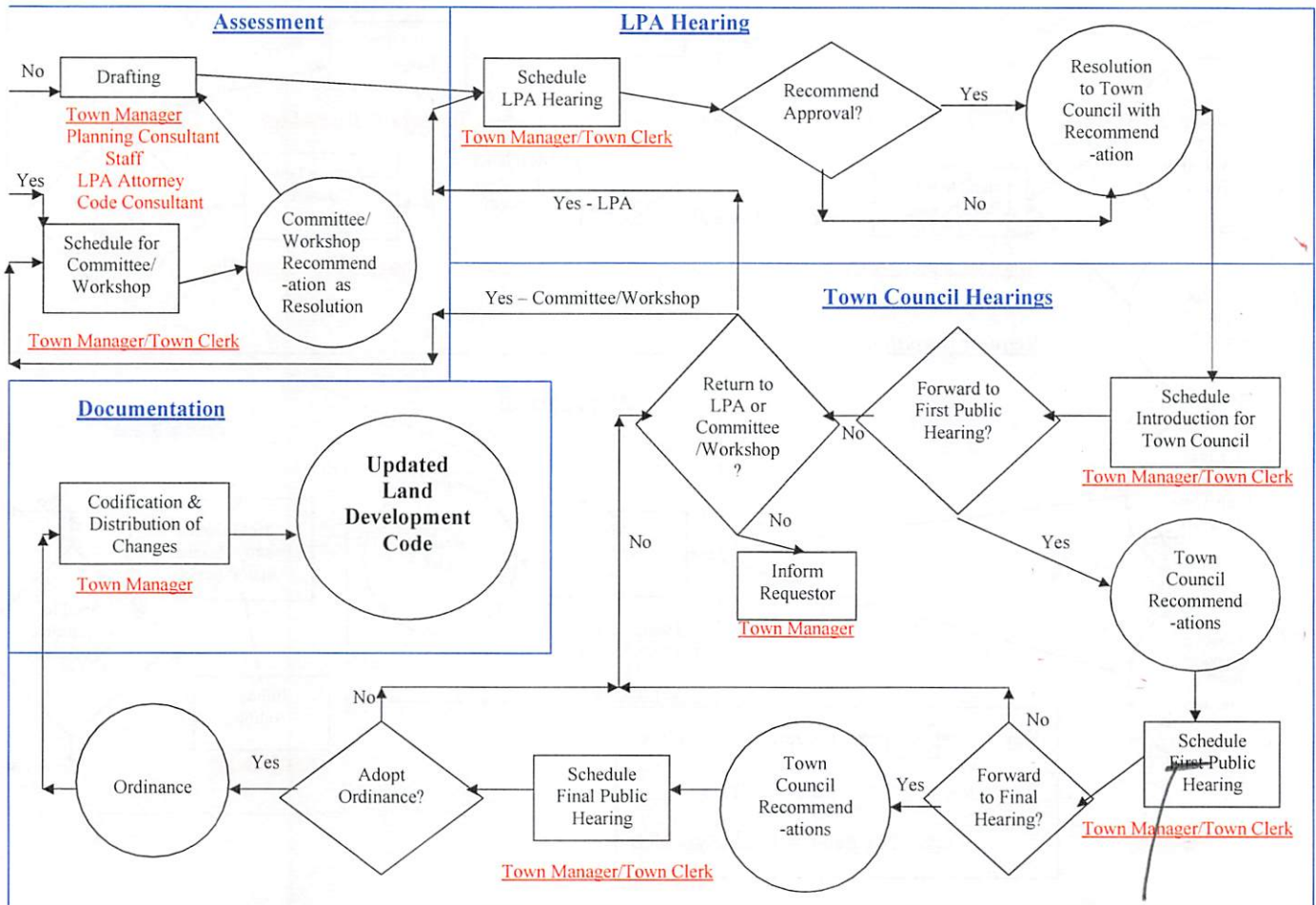


Revision 09/29/09

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** Shouldn't all Land use Ordinances also go to LPA first?*
Never Mind - I see they do on next page.

Legislative Change Process for the Town of Fort Myers Beach



Revision 09/29/09

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Final

F. Historic Plaque Resolution and Agreement

**RESOLUTION OF THE HISTORIC PRESERVATION BOARD OF
THE TOWN OF FORT MYERS BEACH, FLORIDA
RESOLUTION NUMBER HPB 2008-01**

A RESOLUTION OF THE HISTORIC PRESERVATION BOARD OF FORT MYERS BEACH, FLORIDA:

WHEREAS, the Local Planning Agency of the Town of Fort Myers Beach, Florida, serves as the historic preservation board for the Town of Fort Myers Beach ("HPB") pursuant to Chapter 22, Article II, Division 2, Section 22-71 and Chapter 30, Section 30-56(b) of the Land Development Code ("LDC") of the Town of Fort Myers Beach; and

WHEREAS, the HPB is vested with the power, authority and jurisdiction to designate, regulate and administer historical, cultural, archaeological, and architectural resources in the Town, pursuant to LDC Section 22-71; and

WHEREAS, the HPB has the power and duty to designate eligible historic resources, evaluate the significance and eligibility of historic resources for designation pursuant to Chapter 22 of the LDC, increase awareness of historic preservation and its community benefits by promoting public education programs, and administer programs aimed at the proper recognition of designated historic resources pursuant to LDC Section 22-74.

NOW THEREFORE, THE HISTORIC PRESERVATION BOARD RESOLVES AS FOLLOWS:

1. The HPB hereby approves the Town of Fort Myers Beach Historic Preservation Board Historic Plaque Agreement for use by the Town in the Historic Plaque Program. A copy of this Agreement is attached to this Resolution as Exhibit "A" and is hereby incorporated by reference.

The foregoing Resolution was adopted by the HPB upon a motion by _____ and second by _____. Upon being put to a vote, the result was as follows:

| | | | | | |
|----------------|-------|---------------|-------|-------------|-------|
| Thomas Babcock | _____ | Bob Raymond | _____ | Alan Mandel | _____ |
| Evie Barnes | _____ | Bob Simon | _____ | | |
| Rochelle Kay | _____ | Dennis Weimer | _____ | | |
| Alan Mandel | _____ | | | | |

DULY PASSED AND ADOPTED THIS 19th day of February, 2008, by the Historic Preservation Board of the Town of Fort Myers Beach

By: _____
Bob Raymond, HPB Chair

Approved as to Legal Sufficiency

ATTEST: _____
Michelle D. Mayher, Town Clerk

By: _____
Anne Dalton, LPA/HPB Attorney

TOWN OF FORT MYERS BEACH: HISTORIC PLAQUE AGREEMENT

The undersigned person represents that he/she is the owner of the property with the following street address: _____, Fort Myers Beach, Florida 33931, with a strap number of _____ (hereafter "Owner").

By signing below, Owner agrees to affix an historic plaque provided by the Town of Fort Myers Beach, a municipal corporation, on the structure located on the subject property, as follows:

(location and method of affixing). The Owner shall own the plaque. In the event of damage, loss or other casualty involving the sign, the Town may replace it, but shall not be obligated to do so.

The plaque shall contain the following language: _____

This permission is non-transferable to another structure or property. The owner, or any subsequent owner shall have the ability to terminate this Agreement without cause. In the event of such termination, the owner will remove the plaque and return it to the Town.

The undersigned waives any claim against the Town of Fort Myers Beach, its officers, agents representatives and employees arising from loss, injury or damage resulting from the subject matter of this Release and covenants not to bring any claim against the Town of Fort Myers Beach and its officers, agents representatives and/or employees related to the subject matter of this Release.

The undersigned has fully read, understood and agrees to every term in this Agreement.

DATE OWNER PRINT NAME

ADDRESS CITY, STATE, ZIP

(_____) _____
TELEPHONE

WITNESS PRINT NAME _____

WITNESS PRINT NAME _____

Appendix G – Conflict of Interest Advice

Below are several points which may be of interest to the LPA Members:

1. I have an ongoing attorney-client relationship in which the attorney gives legal advice but isn't otherwise involved in my business enterprises. That firm may represent others coming before the LPA in quasi-judicial hearings which are not related to his/her representation of me.

(a) Can I participate in LPA discussions and decision-making processes where my attorney is representing a different client?

ANSWER: yes. Assuming that this is a traditional attorney-client relationship, there would be no "special private gain or loss" to the LPA member under F.S. 112.3143(4) for his/her attorney to represent someone else before the LPA. An attorney relationship, by itself, does not create a "business associate" relationship under F.S. 112.312(4). If there are other relationships between the firm and the LPA member (joint ventures, employment of a relative, etc.), that would be covered by the conflict statute.

If the attorney provided information which is covered by the ex parte disclosure sections of the Land Development Code, the LPA member would make the same ex parte disclosure as he/she would for anyone else.

Even if this were a conflict of interest, the statute requires written, advance disclosure. It does not prohibit discussion or voting at the advisory committee level.

(b) Should I disclose the existence of this attorney-client relationship at the time the hearing starts?

ANSWER: It's a good idea. It's not legally required to disclose it since it's not a conflict of interest. However, in ethical matters, it's a good idea to go the extra mile. My suggestion would be to say something like "this law firm has represented me on matters which are not related to this hearing. The LPA attorney has advised me that there's no conflict of interest here but I wanted to disclose this for the record."

2. I have an ongoing relationship with local architects, engineers and other professionals. None of these persons are involved in my business enterprises in any other capacity. Those professionals may represent other persons coming before the LPA in quasi-judicial hearings which are not related to their representation of me. Is there a conflict of interest here?

ANSWER: See #1 above.

Excerpted from LPA Attorney Anne Dalton memo dated April 28, 2008.