



Fort Myers Beach Local Planning Agency

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

Minutes

Tuesday, May 13, 2025

9:00 AM

ORDER OF BUSINESS

I. CALL TO ORDER

Members present: Chair Cereceda, LPA Member Boan, LPA Member Dunlap, LPA Member Eckmann, LPA Member McLean, LPA Member Plummer and LPA Member Sudduth.

II. INVOCATION

Chair Cereceda.

III. PLEDGE OF ALLEGIANCE

IV. APPROVAL OF FINAL AGENDA

LPA Member Dunlap moved to approve the final agenda, seconded by LPA Member Sudduth.

The motion carried unanimously.

V. APPROVAL OF MINUTES

A. Local Planning Agency - April 29, 2025

LPA Member Boan moved to approve the minutes, seconded by LPA Member Eckmann.

The motion carried unanimously.

VI. PUBLIC COMMENT

No public comment.

VII. PUBLIC HEARINGS

Town Attorney Stuparich explained the quasi-judicial procedures. Town Clerk Baker confirmed that all agenda items were properly noticed. She swore in those providing testimony.

A. Salty Crab Restaurant CPD

1154 Estero Blvd.: AN ORDINANCE OF THE TOWN COUNCIL OF FORT MYERS BEACH, FLORIDA APPROVING/APPROVING WITH

CONDITIONS/DENYING TO REZONE THE PROPERTY LOCATED AT 1154 ESTERO BOULEVARD, GENERALLY IDENTIFIED AS STRAP NUMBER 24-46-23-W3-00011.0000 IN FORT MYERS BEACH, FROM DOWNTOWN TO COMMERCIAL PLANNED (CPD) TO ALLOW FOR A) AN INCREASE IN FLOOR AREA RATIO FROM 1.2 TO 1.96; B) DECREASE STREET SETBACK FROM 10 FEET TO 0 FEET; C) DECREASE SIDE SETBACKS FROM 20 FEET TO 0 FEET; D) A 100% REDUCTION IN PARKING REQUIREMENTS FROM 58 SPACES TO 0 SPACES; E) INCREASED SIGNAGE FROM 32 SF TO 94.6 SF AND E) CONDITIONS; PROVIDING FOR OTHER CLARIFICATIONS AS NECESSARY; PROVIDING FOR CONFLICTS OF LAW, SCRIVENER'S ERRORS, SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

Town Attorney Stuparich read the title of the ordinance. Ex parte communications: LPA Members Eckmann, Boan and McLean had meetings with Mr. Drovdlc. Chair Cereceda had a conversation with Mr. Drovdlc last year. No disclosures from other members.

Community Development Principal Planner Judith Frankel reviewed the background of the request as stated on the yellow sheet. The staff recommended approval with conditions.

Fred Drovdlc, planner, represented the applicant. Greg Walden, an architect from BDG Architects, reviewed his experience.

LPA Member Dunlap moved to accept Mr. Walden as an expert in his field, seconded by LPA Member Plummer.

The motion carried unanimously.

Jimi Pendley, BDG Architects project manager, reviewed his experience.

LPA Member Plummer moved to accept Mr. Pendley as an expert in his field, seconded by LPA Member Boan.

The motion carried unanimously.

Diego Rodriguez, civil engineer, reviewed his experience.

LPA Member Dunlap moved to accept Mr. Rodriguez as an expert in his field, seconded by LPA Member McLean.

The motion carried unanimously.

Mr. Drovdlc utilized PowerPoint for the presentation. Slides included: Request, Location, The Past, The Future, Estero Blvd. Details, Crescent Park Details, Abutting Margaritaville, Beach Side Details, Master Concept Plan, Building Height and Stories, Floor Area Ratio, Deviations, Parking, Sign Area, LDC Compliance, Comprehensive Plan Consistency, Key Points and Conclusion.

LPA Member Plummer asked how the building would be constructed in the small space. LPA Member Boan wondered whether there would be a gap between the awnings of Margaritaville and the Salty Crab building. Mr.

Walden responded that the awnings were not encroaching and they were coordinating with Margaritaville. Regarding construction, they were working with several contractors and investigating off-site staging. LPA Member Eckmann brought up the possibility of temporary construction easements.

Principal Planner Frankel stated they would have to work with the county if

they wanted to add awnings to the side of the building. Mr. Walden noted they would like outside seating for the ice cream shop. They were having conversations with the county regarding opportunities for delivery trucks. LPA Member Dunlap suggested talking to Margaritaville about a joint operating agreement on delivery sites.

No public comment.

Principal Planner Frankel started to review the findings, conclusions and requirements of the Land Development Code (LDC). Chair Cereceda asked if she had to read the portion on pages five through eight. Town Attorney Stuparich agreed that the LPA could indicate that they reviewed her report and had no questions. LPA members read the report and had no questions regarding the findings and conclusions. Principal Planner Frankel provided a summary.

LPA Member Plummer brought up setting a precedent if the larger sign was approved. LPA members commented it was site-specific with unique features and faced a public park.

LPA Member Plummer moved to approve the ordinance with conditions and deviations, as it meets the findings and conclusions, and includes a strong recommendation to Lee County to provide an appropriately sized parking structure within Crescent Park consistent with the historical pre-lan design, seconded by LPA Member Dunlap.

The motion carried unanimously by roll call vote.

B. Estero Island Beach Club Timeshare CPD

AN ORDINANCE OF THE TOWN COUNCIL OF FORT MYERS BEACH, FLORIDA APPROVING/ APPROVING WITH CONDITIONS/ DENYING TO REZONE THE PROPERTY LOCATED AT 1836 ESTERO BOULEVARD, GENERALLY IDENTIFIED AS STRAP NUMBER 19-46-24-W4-03200.00CE & 19-46-24-W4-03200.1010, TO REZONE FROM DOWNTOWN TO COMMERCIAL PLANNED DEVELOPMENT (CPD) AND REQUEST FOUR (4) DEVIATIONS FROM REQUIREMENTS TO PROVIDE; 1) OPERABLE DOORS ALONG ESTERO BLVD, 2) SCREENING MATERIAL ON THE GROUND FLOOR, 3) INCREASE BUILD-TO LINE SETBACKS, AND 4) INCREASE THE MAXIMUM ALLOWED HEIGHT BY 18-FEET; PROVIDING FOR OTHER CLARIFICATIONS AS NECESSARY; PROVIDING FOR CONFLICTS OF LAW, SCRIVENER'S ERRORS, SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

Ex parte communications: LPA members McLean, Boan and Eckmann met with Mr. Drovdic. No disclosures from other members. Chair Cereceda read the title of the ordinance.

Community Development Senior Planner Jason Smalley reviewed the background of the request as stated on the yellow sheet. The staff recommended approval with conditions.

Amy Thibaut, attorney with Roetzel & Andress, utilized PowerPoint for the presentation. Slides included: The Team, Request, Zoning History, History & Existing Conditions, The Past, Rendering on Estero Blvd., Aerial Rendering,

Design Revisions, Building Height & Stories, Floor Area Ratio, Prospective from Estero Blvd., Master Concept Plan, Development Waterward of CCCL, Conceptual Landscape Plan, Deviations, LDC Compliance, Comprehensive Plan Consistency, Public Benefits, Owner & Visitor Impact and Conclusions. Jim Murley, President of the EIBC Board, described the owners of the units, the past three years, lost members and the future.

LPA Member Dunlap clarified that there would be a turnaround on Miramar. Mr. Drovdlc stated that all units would be 842 square feet. LPA Member McLean asked whether they could incorporate a bench close to the beach. Mr. Drovdlc replied that it would be good next to the bike rack. No public comment.

LPA Member McLean commended the applicant for going through the entire process.

LPA Member Boan moved to approve the ordinance, adopting the findings and conditions outlined in the staff report, along with the conditions and finding that the deviations are acceptable and the conceptual landscape plan should be adopted as conditions of approval, seconded by LPA Member Dunlap.

The motion carried unanimously by roll call vote.

VIII. ADMINISTRATIVE AGENDA

A. Public Notice

AN ORDINANCE OF THE TOWN OF FORT MYERS BEACH, FLORIDA AMENDING LAND DEVELOPMENT CODE SECTION 34-236, NOTICES TO REQUIRE APPLICANTS FOR REZONINGS, DEVELOPMENT AGREEMENTS AND DEVELOPMENTS OF REGIONAL IMPACT TO PROVIDE MAILED AND POSTED PUBLIC NOTICING PRIOR TO LPA AND TOWN COUNCIL HEARINGS; PROVIDING FOR SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS; CONFLICTS OF LAW; AND PROVIDING AN EFFECTIVE DATE.

Chair Cereceda read the title of the ordinance. Principal Planner Frankel reviewed the background of the request as stated on the yellow sheet. She described three categories of notices and noted that the big change was that the applicant was now required to do the noticing. A discussion was held regarding providing a template for applicants to use. LPA Member Dunlap asked whether staff would make special exceptions to come before the LPA if the applicants could not complete the noticing process in the event of a storm. Principal Planner Frankel replied that noticing was a courtesy right now, but this ordinance took out the language. She suggested they make the rules very clear. LPA Member Boan asked about using non-legal language in the notices. Town Attorney Stuparich will work with Principal Planner Frankel on the details.

LPA Member Boan moved to recommend the ordinance as it is consistent

with the comprehensive plan and promotes the policies in the LDC, seconded by LPA Member Eckmann.

The motion carried unanimously.

IX. LPA MEMBERS ITEMS/REPORTS

LPA Member McLean suggested they review the development agreements and all members agreed. Town Attorney Stuparich noted that SB180 was coming and would be an extension of SB250 if signed. Modifying the development agreements to make them more restrictive would not be allowed. If SB180 does get signed, it will be effective July 1, 2025.

Chair Cereceda brought up adding renderings and 3D images for developments on the website so people could see the projects. Principal Planner Frankel described in-house GIS capabilities for development status mapping. LPA Member Dunlap brought up how Lee County provided visualization and upkeep when Estero Blvd. was being rebuilt and noted that the details were invaluable for the town. Principal Planner Frankel will forward information regarding systems used by other towns.

X. LPA ATTORNEY ITEMS/REPORTS

No items.

XI. COMMUNITY DEVELOPMENT ITEMS/REPORTS

No items.

XII. ITEMS FOR NEXT MONTHS AGENDA

Fish Tale and variances.

XIII. ADJOURNMENT

LPA Member Dunlap moved to adjourn, seconded by LPA Member Boan. The motion carried unanimously.

The meeting adjourned at 12:21 p.m.

Minutes adopted as amended on June 10, 2025, by LPA Member McLean and seconded by LPA Member Plummer.

Passed 6-0



Amy Baker, Town Clerk