



Fort Myers Beach Local Planning Agency

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

Agenda

Wednesday, November 12, 2025

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**
 - A. October 14, 2025
- VI. PUBLIC COMMENT**
- VII. PUBLIC HEARINGS**

- A. LPA Resolution 25-19, VAR20250243 for Beach Access #43

A RESOLUTION OF THE FORT MYERS BEACH LOCAL PLANNING AGENCY APPROVING/ APPROVING WITH CONDITIONS/ DENYING VARIANCE 20250243, REQUESTING A VARIANCE OF 20 INCHES OR 1.7 FOOT FROM LDC SECTION 34-652 (D), TO ALLOW A 60-INCH-WIDE OR 5-FOOT-WIDE ON-GRADE PATHWAY WHERE A MAXIMUM 40-INCH-WIDE OR 3.3-FOOT-WIDE ON GRADE PATHWAY IS PERMITTED THROUGH A DUNE IN THE ENVIRONMENTALLY CRITICAL ZONING DISTRICT, FOR THE PUBLIC ACCESS EASEMENT (BEACH ACCESS #43) RECORDED FOR THE REAL PROPERTY LOCATED AT 102 ESTERO BOULEVARD; AND PROVIDING FOR OTHER CLARIFICATIONS AS NECESSARY; PROVIDING FOR CONFLICTS OF LAW, SCRIVENER'S ERRORS, SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

- B. LPA Resolution 25-21, VAR20250261 for Beach Access #41

A RESOLUTION OF THE FORT MYERS BEACH LOCAL PLANNING AGENCY APPROVING/ APPROVING WITH CONDITIONS/ DENYING VARIANCE 20250261, REQUESTING A VARIANCE FROM LDC SECTION 34-652(F)(2) C., TO ALLOW AN 8-FOOT-WIDE DUNE WALKOVER WHERE A MAXIMUM 6-FOOT-WIDE DUNE WALKOVER IS PERMITTED FOR USES OTHER THAN SINGLE FAMILY RESIDENTIAL IN THE ENVIRONMENTALLY CRITICAL ZONING DISTRICT, FOR THE PUBLIC

ACCESS EASEMENT (BEACH ACCESS #41) RECORDED FOR THE REAL PROPERTY LOCATED AT 252 ESTERO BOULEVARD; AND PROVIDING FOR OTHER CLARIFICATIONS AS NECESSARY; PROVIDING FOR CONFLICTS OF LAW, SCRIVENER'S ERRORS, SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

C. LPA Resolution 25-20, SEZ20250241 for Beach Access #41

A RESOLUTION OF THE LOCAL PLANNING AGENCY OF THE TOWN OF FORT MYERS BEACH, FLORIDA APPROVING/ APPROVING WITH CONDITIONS/DENYING SPECIAL EXCEPTION SEZ20250241 TO ALLOW LIKE-FOR-LIKE REPLACEMENT OF A 8 FEET WIDE AND 110 FEET LONG ELEVATED DUNE WALKOVER IN ENVIRONMENTALLY CRITICAL ZONING DISTRICT SEAWARD OF 1978 CCCL, FOR THE PUBLIC ACCESS EASEMENT (BEACH ACCESS #41) RECORDED FOR THE REAL PROPERTY LOCATED AT 252 ESTERO BOULEVARD; PROVIDING FOR SCRIVENER'S ERRORS, SEVERABILITY, AND AN EFFECTIVE DATE.

D. Proposed Ordinance 25-27, Certified Recovery Residences

PROPOSED ORDINANCE NO. 25-27

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA: 1) ESTABLISHING PROCEDURES FOR THE REVIEW AND APPROVAL OF APPLICATIONS FOR REASONABLE ACCOMMODATIONS NEEDED TO OPERATE CERTIFIED RECOVERY RESIDENCES FROM EXISTING LAND USE REGULATIONS IN NEW SECTION 34-204 IN DIVISION 4 "APPLICATIONS AND PROCEDURES" OF ARTICLE II "ZONING DISTRICTS STANDARDS AND NONCONFORMITIES" OF CHAPTER 34, AS MANDATED BY SECTION 397.487(15)(A), FLORIDA STATUTES; AND 2) AMENDING SECTION 34-232 "REQUIRED HEARINGS" OF DIVISION 5 "PUBLIC HEARINGS AND REVIEW" OF ARTICLE II "ZONING PROCEDURES" OF CHAPTER 34 "ZONING DISTRICTS, DESIGN STANDARDS AND NONCONFORMITIES" TO REQUIRE ONLY ONE PUBLIC HEARING BEFORE THE LOCAL PLANNING AGENCY ("LPA") FOR APPROVAL OF APPLICATIONS FOR REASONABLE ACCOMMODATIONS TO OPERATE A CERTIFIED RECOVERY RESIDENCE AS PROVIDED IN SECTION 34-204, IF THE DECISION BY ELIGIBLE MEMBERS OF THE LPA IS UNANIMOUS AND THE TOWN CLERK DOES NOT RECEIVE A REQUEST FOR AN ADDITIONAL PUBLIC HEARING BEFORE THE TOWN COUNCIL FROM ANYONE, INCLUDING TOWN STAFF, WITHIN 10 DAYS AFTER THE LPA DECISION; PROVIDING FOR CODIFICATION, SEVERABILITY, SCRIVENER ERRORS, CONFLICTS OF LAW AND AN EFFECTIVE DATE.

VIII. ADMINISTRATIVE AGENDA

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