



Fort Myers Beach Management & Planning Session

Council Chambers
2525 Estero Blvd.
Fort Myers Beach, FL 33931

Agenda

Thursday, June 9, 2022

9:00 AM

ORDER OF BUSINESS

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. ITEMS FOR DISCUSSION

A. Corner Lot Setback Discussion

Provide input and direction to staff regarding corner lot setback options.

B. Lee County Commissioners / Fort Myers Beach Town Council Joint Meeting
Lee County Joint meeting topics of discussion

C. Traffic Pattern on San Carlos Blvd.

A discussion of lane shift plans on San Carlos Blvd for mass transit vehicles as requested by Town Council.

D. Road Naming Suggestions

1) Suggestions for Beach Access #36

2) Suggestions for circle road around Mound House

IV. AGENDA MANAGEMENT

A. June 2022

V. ADJOURNMENT

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

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



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



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

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.

1. **Requested Motion:**

Meeting Date: June 9, 2022

Provide input and direction to staff regarding corner lot setback options.

Why the action is necessary:

This discussion will assist staff in coming up with solutions to the corner lot setback issue.

What the action accomplishes:

This is the first step to finding a solution to the corner lot setback issue.

2. **Agenda:**

ITEMS FOR DISCUSSION

3. **Requirement/Purpose:**

An ordinance will be required to amend LDC language.

5. **Background:**

A large number of the variance requests, submitted to the Town, are to allow development on corner lots. The LDC currently requires corner lots to provide a right of way setback, of 25 feet, from both rights of way, a side setback that is 15% of the width of the lot, and a rear setback, of 20 or 25 feet. Often it is difficult to design a home on a lot with all of those setbacks. Staff was asked to provide the Council with options for code changes that might eliminate some of the need for variance requests on corner lots.

Attachments:

1. M and P Memo with layouts

Financial Impact:

Unknown

6. **Alternative Action**

Provide input on options or suggest other options.

7. **Staff Recommendations:**

Provide feedback

8. **Recommended Approval:**

Date: May 26, 2022

Daphnie Bercher, Community Services Administrator

Date: May 27, 2022

Jason Green, Community Development Services

Date: May 31, 2022

Jason Smalley, Senior Planner

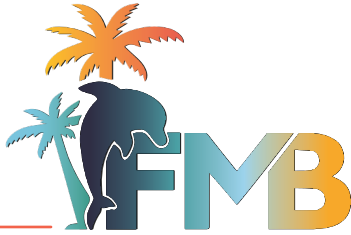
Date: May 31, 2022

John R Herin Jr, Town Attorney

Date: May 31, 2022

Amy Baker, Town Clerk

Roger Hernstadt, Town Manager



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

To: Town Council at Management and Planning Meeting
From: Sarah Propst, Community Development
Date: June 1, 2022
Re: Corner Lot Setbacks

BACKGROUND

A large number of the variance requests, submitted to the Town, are to allow development on corner lots. The LDC currently requires corner lots to provide a right of way setback, of 25 feet, from both rights of way, a side setback that is 15% of the width of the lot, and a rear setback, of 20 or 25 feet. Often it is difficult to design a home on a lot with all of those setbacks. Staff was asked to provide the Council with options for code changes that might eliminate some of the need for variance requests on corner lots.

There are many different approaches to setbacks on corner lots. A review of codes in the area revealed three different options that may work for Ft. Myers Beach.

The City of Ft. Myers allows corner lots to have different setbacks depending on which street a home faces. In certain residential districts there is a 25-foot setback from the right of way the home faces and setback of 20 percent of the lot width, not less than 12.5 feet (or greater than 25 feet) on the side street.

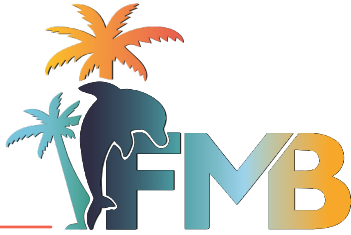
Marco Island, Collier County and Manatee County all require two front setbacks and two side setbacks. This eliminates the large rear setback and it also eliminates the confusion over which side is considered the rear of the property.

The City of Sarasota allows a lesser frontage on the side street and a minimum house width. A front yard of the required depth is provided on one frontage and a front yard of no less than 20 feet is provided on the other street. If a corner zoning lot existed prior to 1974, the structure on that lot is not required to be less than 30 feet wide, even if the allowed building which will encroach into a required front yard. However, any structure built to a width of 30 feet shall meet minimum side yard setback requirements.

Each of these approaches has positive and negative aspects and some may work better than others for Ft. Myers Beach. Below is a brief discussion of some pros and cons of each option.

FORT MYERS BEACH ESTERO ISLAND

P. 239-765-0202 | **F.** 239-765-0909 | 2525 Estero Boulevard, Fort Myers Beach, FL 33931



Front and Side Street Setbacks

Pros: 1) This is a nice approach because the builder/designer can decide which street the house should have the larger setback from or which orientation makes the lot more usable. 2) It is also nice because the side street setback is a percentage of the lot width with a minimum distance, so narrower lots have a narrower setback. 3) Also, the site access is where the larger setback is located, 25 feet is enough space to park a car between the right of way and the house, the smaller setback would not be deep enough for a car to fit.

Cons: 1) A downside to this approach is that often people would prefer a larger setback from a busy street but they would like to access their lot from the less busy street. The way this code reads, in order to have the bigger setback on the busy street, the access to the house would have to be on the busy street. 2) Additionally, once a side is chosen for the narrower and wider setback, the access to the site is set and cannot be changed because a car will not be able to fit on the narrower side street setback.

Attached to the staff report you will find two sheets labeled Front and Side Street Setback. These sheets show a 25-foot Primary Access frontage, a 15-foot Non-Access frontage and two 15% side setbacks. The layouts are to scale, in 5-foot increments; the setbacks are rounded to the nearest five feet.

Two Fronts and Two Sides

Pros: 1) This option is simple, because there is no need to determine which side is the front and which is the back and so on. The two fronts are on streets, the two sides are not on streets. 2) This is also a good option because it eliminates the rear setback, which is a large setback (20'-25') and the combination of two fronts and a rear setback create a large amount of unusable area on a lot. 3) This option ensures that the house will be setback in-line with both streets that it fronts on, it will not be closer to the street than other houses on either block. 4) Additionally, because the house is set back 25 feet from each roadway, there is room for a driveway from either right of way.

Cons: 1) One issue associated with this approach is that there is no rear yard, so no larger setback from any of the neighbors. 2) Another problem with this approach is, if the original builder of the home did not want a pool or a shed, there is no additional space for a pool or a shed. The homes are typically built all the way to the side setbacks and a pool or shed will never fit on the property without a variance.

Attached to the staff report you will find two sheets labeled Two Fronts and Two Sides. These sheets show two 25-foot front setbacks, and two side setbacks that are 15% of the lot width. The layouts are to scale, in 5-foot increments; the setbacks are rounded to the nearest five feet.



Minimum Buildable Width

Pros: 1) This option is especially interesting because it ensures that every lot will be buildable without a variance. 2) It also ensures that the side of the property that abuts another house will be set back the standard amount and not cause a negative impact on the neighbor.

Cons: 1) A downside to this option is that on particularly narrow lots, the house will be very close to a road. This could impact views on side streets and it can also make side streets look irregular since the first house on the block could be much closer to the right of way than the other homes. 2) There may need to be a minimum width in order to ensure that houses are not dangerously close to rights of way.

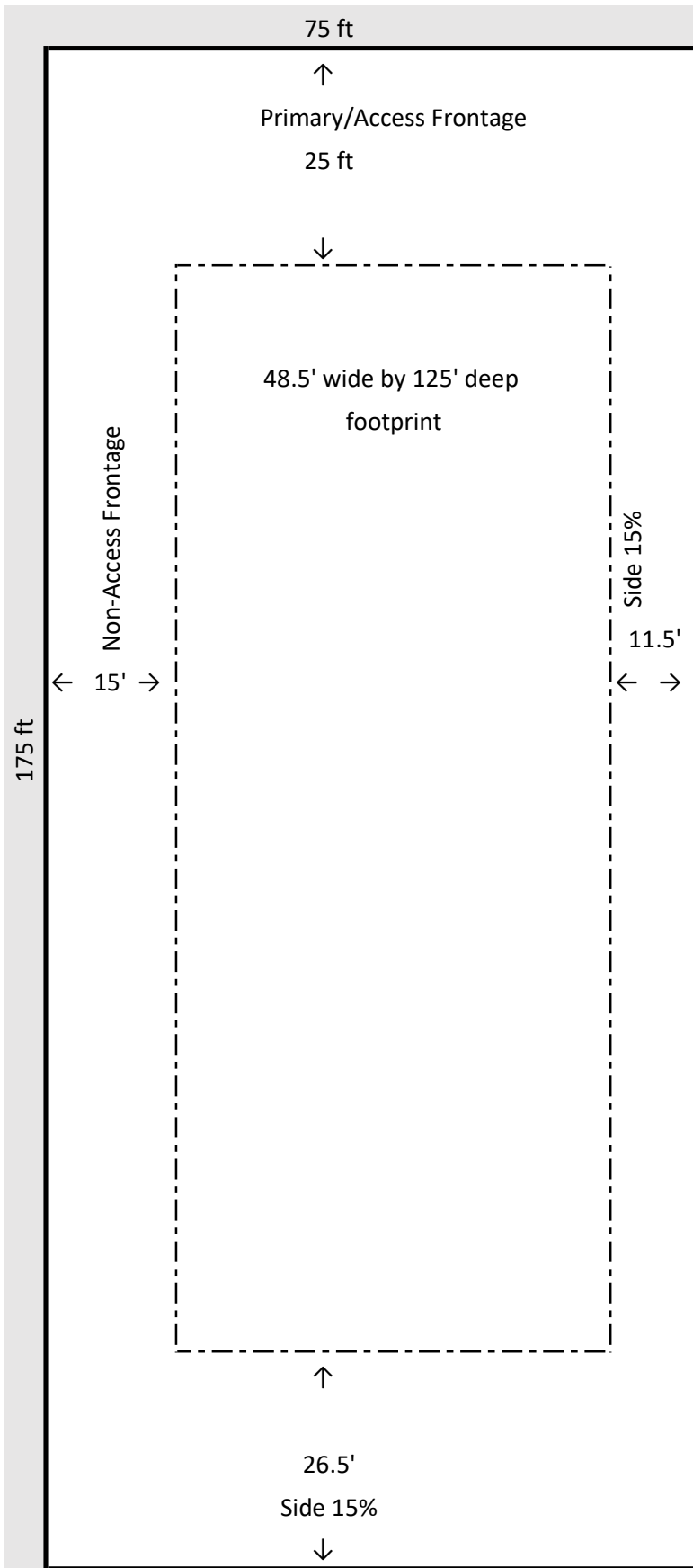
Attached to the staff report you will find two sheets labeled Minimum Buildable Width. These sheets show one 25-foot front setbacks, and two side setbacks that are 15% of the lot width, and the remaining front setback that allows a 30 foot wide house footprint. The layouts are to scale, in 5-foot increments; the setbacks are rounded to the nearest five feet.

Conclusion

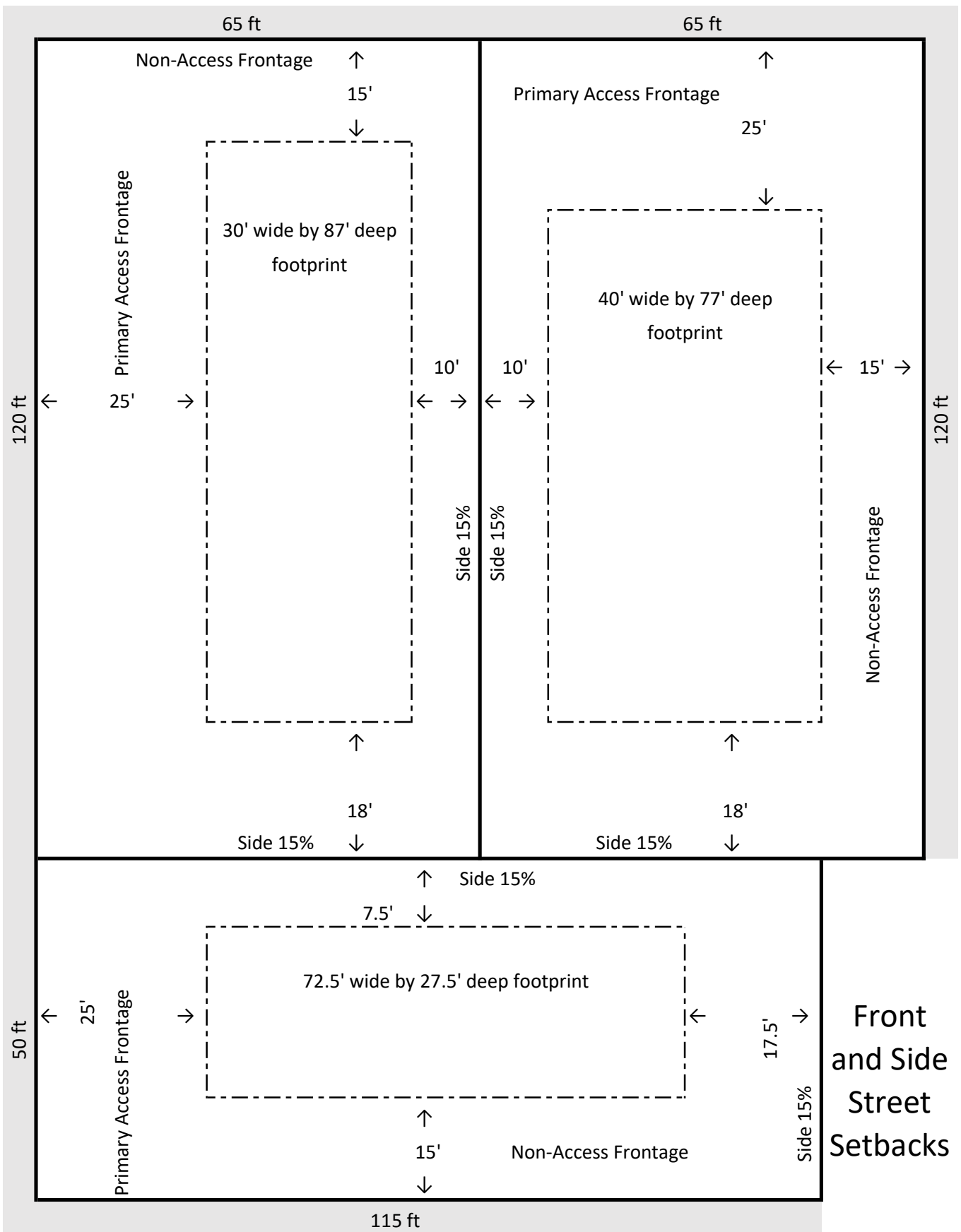
There are multiple ways that corner lots can be viewed through a zoning lens and each one has advantages and disadvantages. It is important to decide which issues matter the most to the community. There have been many discussions regarding view corridors to water but that applies mainly to the beach side of Estero Blvd.

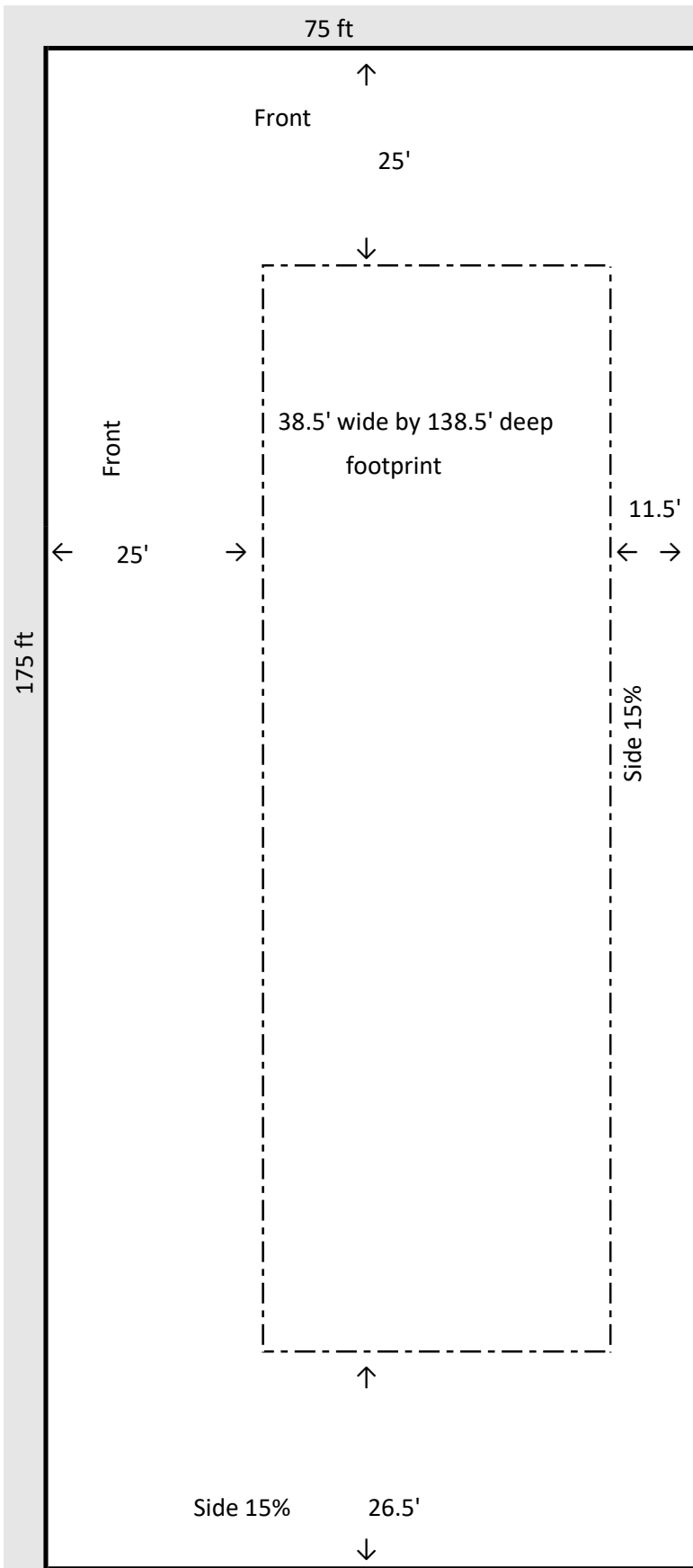
Please consider the following:

- 1) Would it make sense for the Council to consider one approach to the bay side (northeast side) of Estero Blvd and another approach to the beach side (southwest side) of Estero Blvd?
- 2) Should there be different regulations when a property is located directly adjacent to water so that there is a rear setback?
- 3) Is it important that all lots are buildable without a variance?
- 4) Do blocks need to look uniform regarding setbacks?
- 5) Should every parcel have a backyard?

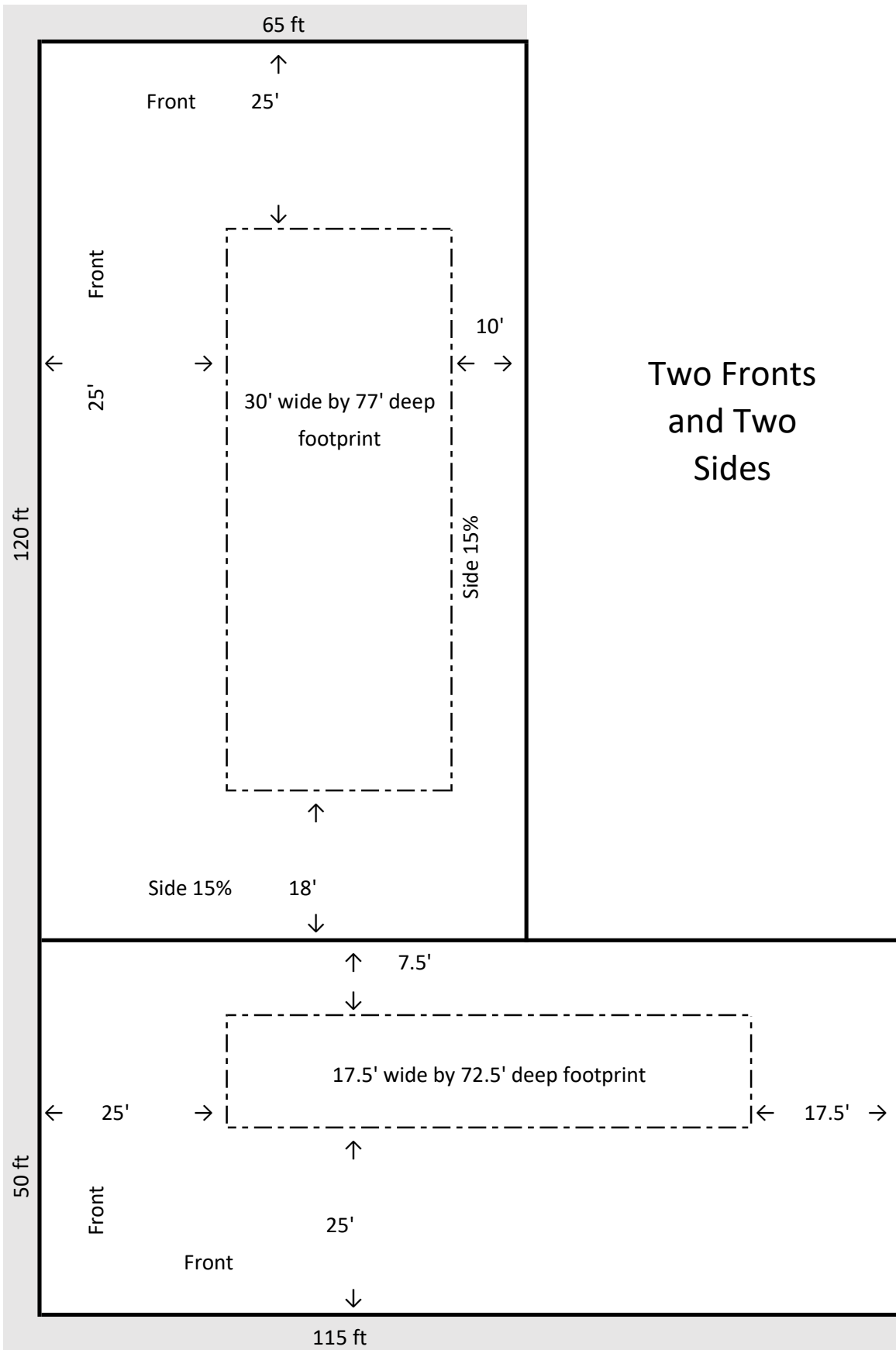


Front and Side Street Setbacks

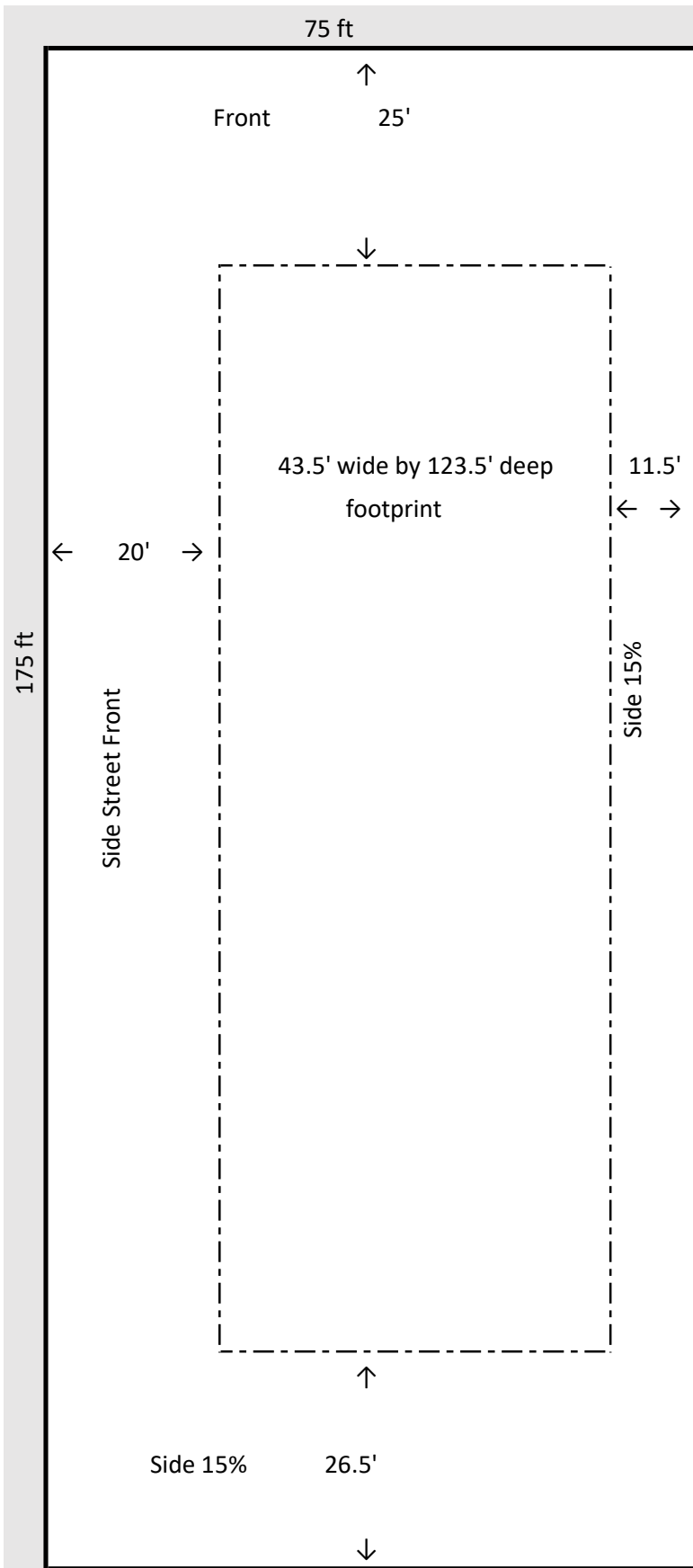




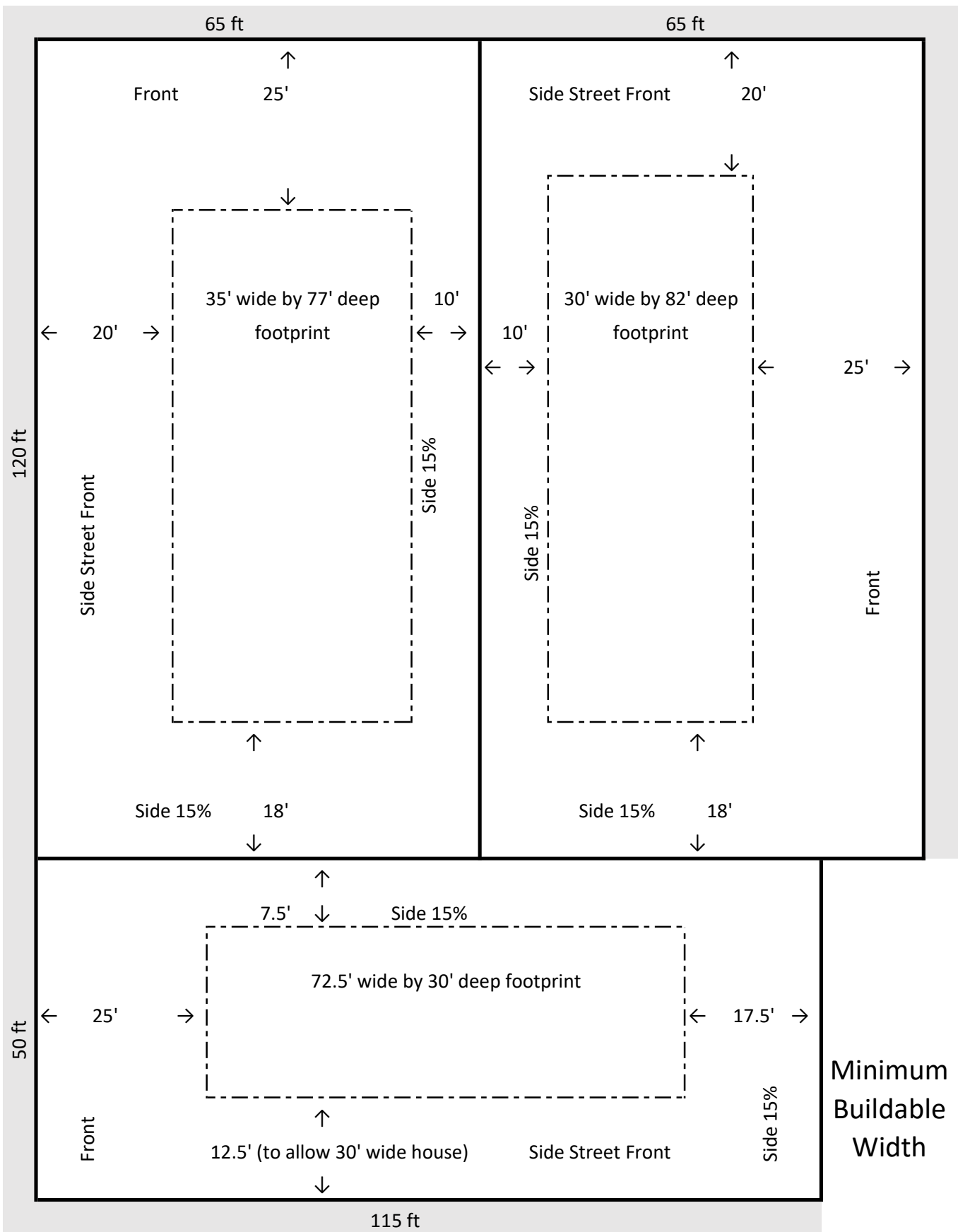
Two Fronts
and Two
Sides



Two Fronts
and Two
Sides



Minimum
Buildable
Width



1. **Requested Motion:**

Meeting Date: June 9, 2022

Lee County Joint meeting topics of discussion

Why the action is necessary:

What the action accomplishes:

2. **Agenda:**

ITEMS FOR DISCUSSION

3. **Requirement/Purpose:**

5. **Background:**

Attachments:

Financial Impact:

6. **Alternative Action**

7. **Staff Recommendations:**

8. **Recommended Approval:**

John R Herin Jr, Town Attorney

Date: May 31, 2022

Amy Baker, Town Clerk

Date: May 31, 2022

Roger Hernstadt, Town Manager

Date: May 31, 2022

1. **Requested Motion:**

Meeting Date: June 9, 2022

A discussion of lane shift plans on San Carlos Blvd for mass transit vehicles as requested by Town Council.

Why the action is necessary:

What the action accomplishes:

2. **Agenda:**

ITEMS FOR DISCUSSION

3. **Requirement/Purpose:**

5. **Background:**

Attachments:

Financial Impact:

6. **Alternative Action**

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John R Herin Jr, Town Attorney

Date: May 31, 2022

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Roger Hernstadt, Town Manager

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1. **Requested Motion:**

Meeting Date: June 9, 2022

- 1) Suggestions for Beach Access #36
- 2) Suggestions for circle road around Mound House

Why the action is necessary:

What the action accomplishes:

2. **Agenda:**

ITEMS FOR DISCUSSION

3. **Requirement/Purpose:**

5. **Background:**

At their April 18, 2022 meeting, Town Council decided to open up the renaming of Beach Access #36 to the public for input. The Town received over 100 suggestions with some duplicates. The most common themes include Mermaid, Parrothead, and Salt Shaker.

Also, the road between the Mound House and the Bay is nameless.

Attachments:

1. Beach access name suggestions

Financial Impact:

6. **Alternative Action**

7. **Staff Recommendations:**

8. **Recommended Approval:**

_____	Date: May 31, 2022
Jason Freeman, Public Works Manager	
_____	Date: May 31, 2022
John R Herin Jr, Town Attorney	
_____	Date: May 31, 2022
Amy Baker, Town Clerk	
_____	Date: May 31, 2022
Roger Hernstadt, Town Manager	

Margarita Pass
5 o'clock somewhere
5 O'clock Somewhere
Access Fun Here
Adventure Access
Anytime
Bama Breeze Way
Beach This Way!
Beachwear Walk
Buffet Way
Buffett Boulevard
Buffett Road
Cabana Isle
Canal Street
Captains Way
Changes in Attitude Access
Changes in Latitude Lane
Cheeseburger in Paradise Pass
Dolphin Fin Lane
Eascape to the Sea
Escape to the salt encrusted sea
Fins Shore Trail
Five PM Lane
Flip Flop Lane
Flip Flop Lane
Flippers
FMB Way
Fun in the Sun
Green Label Lane
Gulfscape Lane
Happy Hour Way
Hello Paradise
Here to the Beach!
Incommunicado Lane
Island Time
It's 5 O'Clock Somewhere Street
It's 5 O'Clock This Way
Jimmy's Way
Juicy Fruit Lane
Landshark Way
Life is good today Lane
Margarita Pass
Margarita Pass
Memory Lane
Mermaid Lane
Mermaid Lane
Mermaid Lane
Mermaid Lounge Lane
Mermaid Memory Lane

Mermaid Way
Mermaids Way
Mermaids Way
Montserrat Way
Off to see the Lixard Lane
Paradise
Parrot Heads Access
Parrothead ByPass
Parrothead Lane or Street
Parrothead Pass
Parrothead Pass
Parrothead Pass
Parrothead Prowl
Pineapple Pass
Pirate's Way
Primo
Pure Vida
Salt Shaker Path
Salt Shaker Road
Salt Shaker Street
Salt Shaker Street
Salty Lane
Salty Rim Route
Salty Sands Access
Salty Street
Sand Dollar Alley
Sandy Toes
Sea Breeze Trail
Sea-Esta Way
Seas the Day
Serendipity
Shore thing
Some Beach
Somewhere Way
Son of a Sailor Street
Star Fish Lane
Sun Bum Trail
Sunset Boulevard
Sunset Pass
Sunset View
Sunset Way
Tequila Trail
The Fun Starts Here!
The Fun Walk
The Pirates Plank
This way to find the lost shaker of salt
Toes in the Sand Lane
Toes in the Water Way
Torge's Trail

Turtle Trail
Waistin' Way
Waistina Way

AGENDA MANAGEMENT

363	Ordinance: 1st reading, Trees/Vegetation	Environ.	added 05.05.2022	08.01.2022
372	Ordinance: 1st reading, Newton Park CPD amendment	PL&Z	added 05.26.2022	08.01.2022
363	Ordinance: 2nd reading, Trees/Vegetation	Environ.	added 05.05.2022	08.15.2022
372	Ordinance: 2nd reading, Newton Park CPD amendment	PL&Z	added 05.26.2022	08.15.2022
359	Town Canvassing Board appointment	Clerk	added 04.13.2022	08.15.2022
292	Ordinance 22-02: 1st Reading, Repeal Sec. 2-50 (Personnel Manual)	Attorney	added 12.01.2021	TBD TC mtg
294	Greenwire Agreement	Admin.	added 12.08.2021	TBD TC mtg
366	Walking bicycles on sidewalks in congested areas (BV)	Atty to research	added 05.05.2022	TBD M&P
325	FMB Waterways Group discussion-Island-wide dredging program (DA)	Council	added 02.07.2022	TBD M&P

Monthly: Aging Report 90 days / 6 months: Magistrate Imposed Fines

*** Town Attorney evaluation (September)*