

ADMINISTRATIVE AMENDMENT (PD) ADD2003-00160

ADMINISTRATIVE AMENDMENT
TOWN OF FORT MYERS BEACH, FLORIDA

WHEREAS, Boykin Hotel Properties, L.P. filed an application for administrative approval to amend a Commercial Planned Development ("CPD") on a project known as Pink Shell Bayside Parcel CPD to eliminate 12,000 square feet of commercial uses transferred to the Captiva Villas CPD, on property located at 275 Estero Boulevard, described more particularly as:

LEGAL DESCRIPTION: In Section 24, Township 46 South, Range 23 East, Lee County, Florida:

See attached **Exhibit "B"** and **Exhibit "C"**

WHEREAS, the property was originally rezoned by Lee County zoning resolution Z-95-017, with subsequent amendments through Town Council Resolution 00-07A and 01-26; and

WHEREAS, Town Council Resolution 01-26 included a condition (Condition 5) that required the Pink Shell Bayside Parcel CPD be amended to eliminate the commercial uses and square footage transferred to the Captiva Villas CPD; and

WHEREAS, the Fort Myers Beach Land Development Code provides for certain administrative changes to planned development master concept plans; and

WHEREAS, the subject application and plans have been reviewed by the Department of Community Development in accordance with applicable regulations for compliance with all terms of the administrative approval procedures; and

WHEREAS, it is found that the proposed amendment does not increase density or intensity within the development; does not decrease buffers or open space required by the LDC; does not underutilize public resources or infrastructure; does not reduce total open space, buffering, landscaping or preservation areas; and does not otherwise adversely impact on surrounding land uses.

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for administrative approval for an amendment to Commercial Planned Development is **APPROVED**.

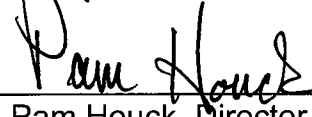
Approval is subject to the following conditions:

1. **The Development must be in compliance with the amended Master Concept Plan, dated 02/12/04, stamped RECEIVED at the Zoning Counter FEB 17, 2004. Master Concept Plan for ADD2003-00160 is hereby APPROVED and adopted. A reduced copy is attached hereto as Exhibit "A".**

2. The terms and conditions of the original zoning resolutions remain in full force and effect except as modified by this Amendment.

DULY SIGNED this 5th day of April, A.D., 2004.

BY: _____



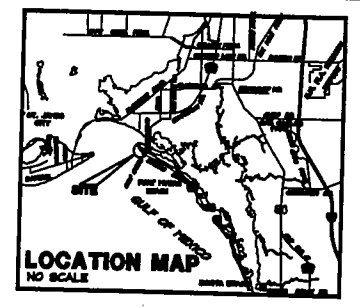
Pam Houck, Director
Division of Zoning
Department of Community Development

R:\198000\198011\MPD_Mixed Use Planned Dev\02-09-04rev to 11-25-03 revisions to MCP-BaysideParcel.dwg, 02/16/2004 03:37:53 PM, TerryG, 1:2.23852

PLOT SCALE

EXHIBIT A

AREA BOUNDED BY BOLD LINE
SUBJECT TO ADMINISTRATIVE
AMENDMENT



C.P.D. NOTES:
ZONING - C.P.D. (COMMERCIAL PLANNED DEVELOPMENT)
59 UNITS TRANSFERRED TO CPD (FORMERLY PUD)
CASE # 90-01-034.032-03.01
TOWN COUNCIL RESOLUTION 00-07 AND 00-07A
12,000 SQ. FT. COMMERCIAL TRANSFERRED TO CPD
(FORMERLY MPO), CASE # DC2000-.00071
TOWN COUNCIL RESOLUTION 01-28

**PARKING COUNT
EXISTING & PROPOSED**
EXISTING: PINK SHELL
• ALL PREVIOUS PHASES HAVE INDIVIDUALLY
SATISFIED THEIR PARKING REQUIREMENTS
• 42 UNIT BUILDING (PREVIOUSLY APPROVED)
REQUIRED: 15 SPACES PER UNIT = 630
• NEW PROPOSED 48 UNIT BUILDING
REQUIRED: 15 SPACES PER UNIT = 720
SUB TOTAL PARKING REQUIRED = 1350 SPACES
PROVIDED: BEACHSIDE - 85 SPACES
VALET PARKING - 125 SPACES
TOTAL PROVIDED = 210 SPACES

Gora
McGahey
ASSOCIATES IN
ARCHITECTURE
43 Barkley Circle Suite 202
Fort Myers, Florida 33907
941-275-0225 Fax 941-275-7123

**PINK SHELL C P D
BAYSIDE PARCEL
MASTER CONCEPT PLAN**

PREPARED	10/09/00
REVISED	11/15/00
REVISED	12/08/00
REVISED	12/21/00
REVISED	04/02/01
REVISED	04/16/01
REVISED	05/02/01
REVISED	06/12/01
REVISED	07/30/01
REVISED	08/27/03
REVISED	08/15/03
REVISED	09/26/03
REVISED	10/23/03
REVISED	11/25/03
REVISED	02/12/04

ADOPTED
FEB 17 2004
2003-00160

ZONING COUNTER

JOB NO. 9801
SP-D

APPROVED
Amendment to
Master Concept Plan
Subject to Case # ADD2003-00160
Date 4/5/04

GULF OF MEXICO

SCALE: 1"=40'

Ink Engineering

A Division of
LBFH, Inc.

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1400 Colonial Blvd., Suite 31
Fort Myers, FL 33907
(239) 931-0455
Fax: (239) 931-0456
www.lbfh.com

OCTOBER 24, 2003
JOB NO. 03-7021A
FILE NO. 03-7021CVSK1RBAY

1 OF 2

LEGAL DESCRIPTION:

A TRACT OR PARCEL OF LAND LYING IN SECTION 24, TOWNSHIP 46 SOUTH, RANGE 23 EAST, LEE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOTS 29 THROUGH 32 OF BLOCK "D" UNIT NO. 4, ISLAND SHORES, A SUBDIVISION AS RECORDED IN PLAT BOOK 9, PAGE 37 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA;

TOGETHER WITH:

THE NORTHWEST 1/2 OF LOT 28 OF SAID BLOCK "D" UNIT NO. 4, ISLAND SHORES MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT COMMON TO LOTS 28 AND 29 OF SAID BLOCK "D" AND LYING ON THE NORTHEASTERLY RIGHT OF WAY OF ESTERO BOULEVARD 30 FEET FROM THE CENTERLINE; THENCE S.42°07'25"E. ALONG SAID RIGHT OF WAY FOR 50.00 FEET; THENCE NORTHEASTERLY ALONG A LINE PERPENDICULAR TO SAID RIGHT OF WAY FOR 101.5 FEET MORE OR LESS TO A FACE OF A SEAWALL; THENCE NORTHWESTERLY ALONG THE FACE OF SAID SEAWALL TO THE NORTHWESTERLY LINE OF SAID LOT 28; THENCE SOUTHWESTERLY ALONG THE NORTHWEST LINE OF SAID LOT 28 PERPENDICULAR TO SAID RIGHT OF WAY FOR 91 FEET MORE OR LESS TO THE POINT OF BEGINNING.

TOGETHER WITH:

LOTS 33, 34, 35 AND 36, BLOCK "D", ISLAND SHORES CLUB SECTION, A SUBDIVISION, AS RECORDED IN PLAT BOOK 9, PAGE 41 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, AND LOTS 38 AND 39, BLOCK "D", ISLAND SHORES CLUB SECTION, A SUBDIVISION, AS RECORDED IN PLAT BOOK 9, PAGE 41 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA;

CONTAINING 2.12 ACRES MORE OR LESS.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS OF WAY OF RECORD.

LESS ANY PORTION THEREOF LYING BELOW THE MEAN HIGH WATER LINE OF MANTANZAS PASS.

REFER TO 8 1/2" X 14" SKETCH (SHEET 2 OF 2)

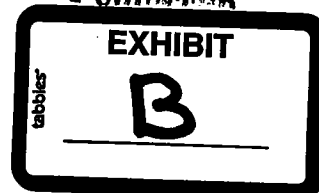

GORDON D. MEIERS
PROFESSIONAL LAND SURVEYOR
FL. CERT. NO. 2858

ADD

2003-00160

RECEIVED
OCT 24 2003

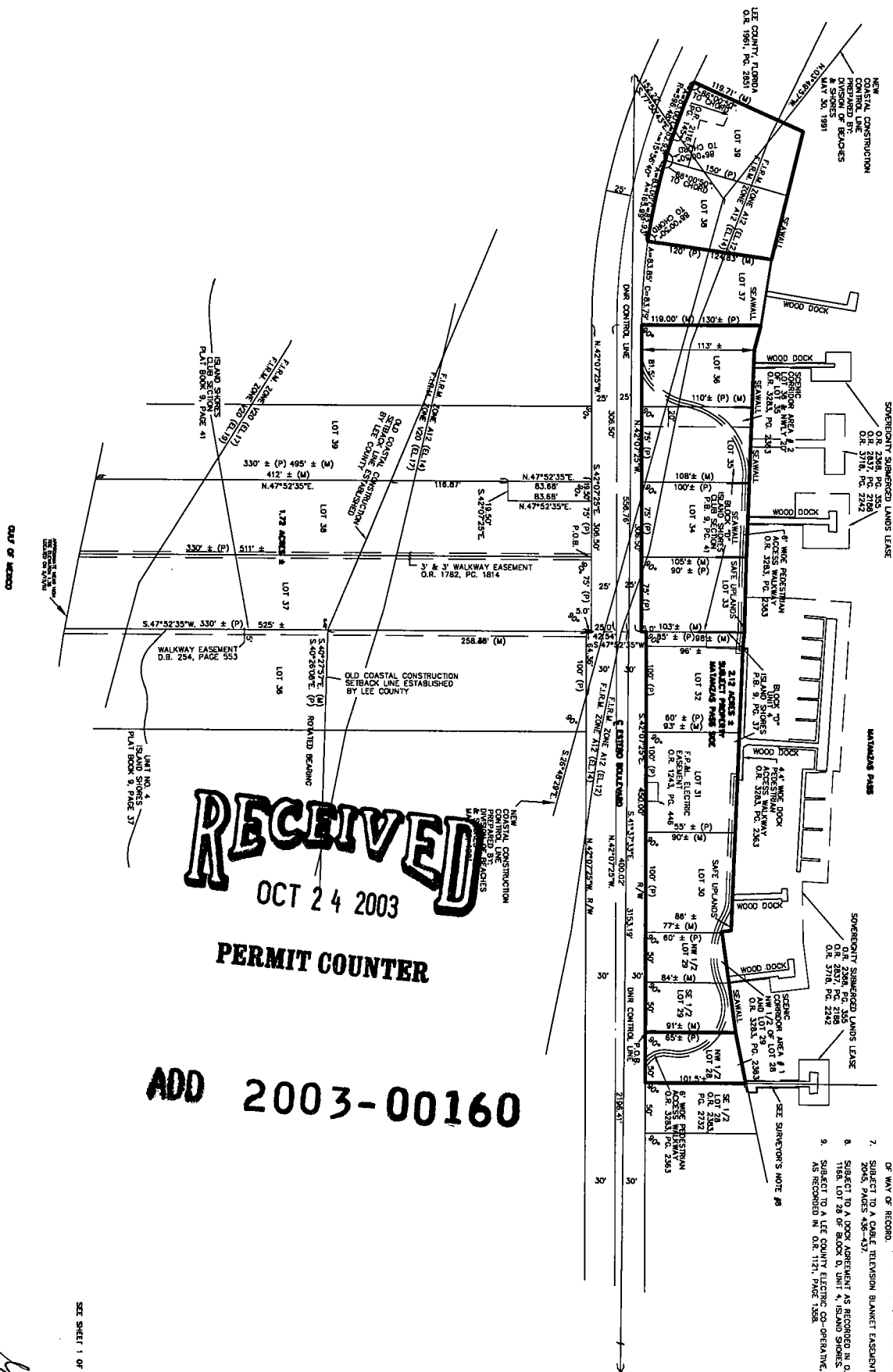
PERMIT COUNTY





LEGEND

A AIR
B BARRIERS
C CREEPS
D DNR
E ELEVATION
F FLOODING
G GROUNDWATER
H HAZARDOUS WASTE
I IMPROVEMENTS
J JAIL
K KILLINGS
L LINE ON MAP
M MEASUREMENTS
N NEIGHBORHOOD RECORD
O OFFICIAL RECORD
P PAGE
Q QUARTERS
R RACE
S STATE
T TOWN
U U.S. DEPARTMENT OF NATURAL RESOURCES
V VIOLENCE
W WATER
X X-RAYS
Y YOUTH
Z ZONE



RECEIVED
OCT 24 2003

PERMIT COUNTER

ADD 2003-00160

1. REARINGS SHOWN HEREON ARE BASED ON THE CENTRELINE OF
SECTION 20, BEING N+42°07'25"W.
2. PLYM CO. HAS SHOWN HEREON BEING SCALED FROM F.E.M.A.
LOCAL INSURANCE RATE MAP NO. 752124 0425 D. 9/30/1988.
3. MEAN HIGH TIDE LINE SHOWN HEREON IS APPROXIMATE AS OF DATE
DEPOSITION OF SURVEYING AND MAPPING.
4. COASTAL CONSTRUCTION CONTROL LINE WAS TAKEN FROM PLAT
OF COUNTY RECORDS AS RECORDED IN THE PUBLIC RECORDS
OF LEAD COUNTY, FLORIDA.
5. LAND WITHIN THE BOUNDARY AND THE ORIGINAL BASED
SEAL OF A HOLIDAY LICENSED SURVEYOR AND MAPPING.
6. SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS
OF ANY OR RECORD.
7. SUBJECT TO A COALE TITLATION BLANKET EASEMENT AS RECORDED IN O.R.
2005, PAGES 436-437.
8. SUBJECT TO A ROCK ACREAGE AS RECORDED IN O.R. 2399, PAGES 1194-
1198, LOT 28 OF BLOCK D, UNIT 4, ISLAND SHORES.
9. SUBJECT TO A LEE COUNTY ELECTRIC CO-OPERATIVE, INC. BLANKET EASEMENT
AS RECORDED IN O.R. 1171, PAGE 1588.

SEE SHEET 1 OF 2 FOR LEGAL DESCRIPTION

**GORDON D. MEERS, FOR THE FIRM
PROFESSIONAL LAND SURVEYOR
FLA. CERTIFICATE NO. 2858**

SKETCH (NOT A SURVEY)
PART OF
SECTION 24, TOWNSHIP 46 S., RANGE 23 E.
LEE COUNTY, FLORIDA

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DATE	10/24/03
SCALE	AS NOTED
DESIGN	
DRAWN	CP
CHECK	
APPROVED	

EXHIBIT