



GIS Tracking Sheet

Case No.: DCI 2000-00013

Intake Date:

Project Name: NICK & CHRIS KASTAN in ref. to STEAMERS HOTEL

STRAP Number(s): 24-46-23-01-00006.0040

Planner Name: CHIP BLOCK Ext.

LEGAL DESCRIPTION VERIFICATION and INITIAL GIS MAPPING

Date: 2/29/00

INTAKE: DCI 00013

INTAKE
DELETED

04AUG03

LEGAL SUFFICIENT

☒ YES

☐ NO

Initials: JGH

If not, give brief explanation:

MAP UPDATE following FINAL ACTION

Date: 04AUG03

☐ Hearing Examiner Decision



Board of County Commissioner's Resolution

☐ Administrative Approval

☐

Blue Sheet

Zoning Notes: Z-00-042, DCI 2000-00013, 18 SEPT 00, DBC FM
TFC-2 & C1 TO CPD; CONDS.

MAP UPDATED

☒ YES

☐ NO

Initials:

If not, give brief explanation:

DELETED ZONE: C:1: 003066

CREATED ZONE: 000912

: 000913

: 000914

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

WHEREAS, an application was filed by the property owners, Nick Kastan and Chris Kastan, to rezone a 0.84±-acre parcel from Residential Two-Family Conservation District (TFC-2) and Commercial (C-1) to Commercial Planned Development (CPD) in reference to Steamers Hotel; and

WHEREAS, a public hearing was advertised and held on June 28, 2000, before the Lee County Zoning Hearing Examiner, who gave full consideration to the evidence in the record for Case # DCI2000-00013; and

WHEREAS, a second public hearing was advertised and held on September 18, 2000, before the Lee County Board of Commissioners, who gave full and complete consideration to the recommendations of the staff, the Hearing Examiner, the documents on record and the testimony of all interested persons.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS:

SECTION A. REQUEST

The applicant originally filed a request to rezone a 0.84±-acre parcel from TFC-2 and C-1 to CPD, to permit a maximum of a 60-unit hotel/motel with a 3,174 square foot restaurant/bar/lounge with a maximum building height not to exceed 60 feet. At the public hearing before the Lee County Hearing Examiner, the applicant modified the request to include a 50-unit hotel/motel not to exceed 54 feet in height. The property is located in the Urban Community Land Use Category and legally described in attached Exhibit A. The request is APPROVED SUBJECT TO the conditions and deviations specified in Sections B and C below.

SECTION B. CONDITIONS:

All references to uses are as defined or listed in the Lee County Land Development Code (LDC).

1. The development of this project must be consistent with the one-page Master Concept Plan (MCP) entitled "Steamers Hotel," stamped "Received Apr 13 2000," except as modified by the conditions below.

This development must comply with the Lee County LDC at time of local development order approval, except as may be granted by deviation as part of this planned development. If changes to the MCP are subsequently pursued, appropriate approvals will be necessary.

2. A maximum of 50 hotel/motel units are allowed within this planned development. The subordinate use of a Restaurant is limited to the intensity of use for subordinate uses found in LDC § 34-3021(c).

3. The following are the permitted, accessory and subordinate uses:

Permitted Use

HOTEL/MOTEL (not to exceed 50 units)

Accessory Uses

ACCESSORY USES AND STRUCTURES (LDC §§ 34-1171 et seq., 34-2441 et seq., 34-183, and 34-2141 et seq.)

ACCESSORY APARTMENT (LDC § 34-1177)

ADMINISTRATIVE OFFICE

CARETAKER'S RESIDENCE

CONSUMPTION ON PREMISES (LDC § 34-1261 et seq.) (to be located only within the Restaurant use)

ESSENTIAL SERVICES (LDC §§ 34-1611 et seq. and 34-1741 et seq.)

ESSENTIAL SERVICE FACILITIES [LDC § 34-622(c)(13)]: Group I (only) (LDC §§ 34-1161 et seq., 34-1741 et seq., and 34-2141 et seq.)

RECREATIONAL FACILITIES

Private, On-Site

SIGNS, only in accordance with LDC Chapter 30

Subordinate Use [LDC § 34-3021(c)]

RESTAURANT [LDC § 34-622(c)(43)]: Group II (only)

4. Development of the CPD must comply with the following Property Development Regulations:

Minimum Lot Area and Dimensions:

Area: 0.84± acres

Width: 130 feet

Depth: 280 feet

Minimum Setbacks:

Street: variable according to the functional classification of the street or road (LDC § 34-2191 et seq.)

Side: 15 feet

Rear: 25 feet

Water Body: 25 feet

Accessory Use and Structure setbacks must comply with LDC §§ 34-1171 et seq. and 34-2194.

Maximum Lot Coverage: 45 percent

Maximum Building Height: may not exceed 54 feet

5. New construction may not exceed five stories, including restaurant, over parking.

6. Setbacks may be increased in accordance with LDC § 34-2174, as applicable.
7. New construction must be designed so as to provide a minimum of 14 feet of clearance beneath the proposed hotel to permit traffic to enter and exit from San Carlos Boulevard and park on the portion of the development currently zoned TFC-2.
8. No buildings or ancillary structures are permitted on the portion of the development currently zoned TFC-2.
9. The restaurant must be designed and built so that no windows or doors may open on the South Street S.W. side (i.e., the west side) of the new restaurant. No music or other amplified sound from the restaurant may be audible at any property line of the development.
10. Open space must be increased to 30 percent. This additional open space will be accomplished by reducing the number of proposed parking spaces from 97 to 60.
11. New construction must have a stucco or other textured external finish. No plain concrete or exposed concrete block is permitted. Exterior walls must be neutral, pastel or earth tone in color and coordinated with the color of the roof. The roof must be a flat roof of mansard design with colored tin or Spanish tile on the mansard. Gables with overhangs may be permitted at the option of the owner. Trim and other accents must be color-coordinated to complement the colors of the exterior walls and roof. The general style of architecture must be Old Florida or Key West style with open rails where balconies are constructed. Exterior walls must be designed to avoid unbroken straight lines or a monolithic appearance. Existing structures that are to remain must be repainted or otherwise refurbished to match new construction.
12. The vegetation in the buffer area along South Street S.W. must be double that required by the Lee County LDC. In addition, an 8-foot-high wall of the same design, material and color of the wall along the north and south property lines must be built along the west property line buffer.
13. All access for commercial purposes to this development must be provided from San Carlos Boulevard. Vehicular access to the site from South Street is limited to emergency access only, subject to LDC § 34-1749(2).
14. Public access to the subordinate uses must not be evident from any abutting street, in accordance with LDC § 34-3021(c).
15. Approval of the zoning request does not address mitigation of the project's vehicular or pedestrian traffic impacts. Additional conditions consistent with the LDC may be required to obtain a local development order.
16. Approval of this rezoning does not guarantee local development order approval. Future development order approvals must satisfy the requirements of the Lee Plan Planning Communities Map and Acreage Allocation Table, Map 16 and Table 1(b).

17. The developer must contact Lee County Emergency Management to prepare a written hurricane preparation and evacuation/sheltering procedure. This plan must be submitted to Lee County Emergency Management for review and approval prior to approval of a local development order.
18. Outdoor entertainment is prohibited.
19. In accordance with LDC § 34-936(g), lighting of the exterior and parking areas must be of the lowest intensity and energy use adequate for its purpose, and must not create conditions of glare outside the area designated for commercial uses.
20. The proposed subordinate Restaurant use, and all related accessory activities, must be entirely contained within the building. No restaurant or related accessory activities to this use may be conducted outside of the buildings.
21. The guests of the hotel and restaurant must be given a map clearly indicating that all vehicular traffic leaving the site northbound on San Carlos Boulevard (but unable to turn left because of the traffic) must take the route set forth below:

This route would be to turn right onto San Carlos Boulevard, then right onto Main Street, then left onto Fisherman's Wharf to the designated U-turn under the Matanzas Pass Bridge, then north to Main Street, then left onto Main Street, then right onto San Carlos Boulevard. The Applicant will work with the Lee County Department of Transportation to erect and maintain signage that limits traffic on San Carlos Drive and South Street north of Main Street to local residential use only.

SECTION C. DEVIATIONS:

Deviation A seeks relief from the LDC § 10-416(d)(4) requirement to provide a 5-foot-wide buffer along the side property line and a 16-foot-wide buffer along the right-of-way, to allow no buffer along the side property line and an 8-foot-wide buffer along the right-of-way. This deviation is APPROVED ONLY FOR the area between the existing building and the southern perimeter property line and the right-of-way line for San Carlos Boulevard.

Deviation B seeks relief from the LDC § 34-935(e)(4) building separation requirement that the minimum separation of buildings on the same tract be one-half the sum of their heights, or 20 feet, whichever is greater, to allow a zero-foot separation. This deviation is APPROVED ONLY FOR the separation between the existing building and the proposed hotel/motel building.

Deviation C seeks relief from the LDC § 34-935(b)(1)e requirement that establishes a minimum setback of structures or buildings from the development perimeter boundaries to be one-half the height of the building or structure, to allow a set back of zero feet on the south and eight feet on the north. This deviation is APPROVED ONLY FOR the existing building on the property. All new structures and buildings must comply with setbacks set forth in the LDC.

Deviation D - WITHDRAWN BY APPLICANT.

Deviation E - WITHDRAWN BY APPLICANT.

Deviation F - WITHDRAWN BY APPLICANT.

Deviation G - WITHDRAWN BY APPLICANT.

Deviation H - WITHDRAWN BY APPLICANT.

SECTION D. EXHIBITS:

The following exhibits are attached to this resolution and incorporated by reference:

Exhibit A: The legal description and STRAP number of the property.
Exhibit B: Zoning Map (subject parcel identified with shading)
Exhibit C: The Master Concept Plan

SECTION E. FINDINGS AND CONCLUSIONS:

1. The applicant has proven entitlement to the rezoning by demonstrating compliance with the Lee Plan, the LDC, and other applicable code or regulation.
2. The CPD rezoning, as approved:
 - a. meets or exceeds all performance and locational standards set forth for the potential uses allowed by the request; and,
 - b. is consistent with the densities, intensities and general uses set forth in the Lee Plan; and,
 - c. is compatible with existing or planned uses in the surrounding area; and,
 - d. will not place an undue burden upon existing transportation or planned infrastructure facilities and the site will be served by streets with the capacity to carry traffic generated by the development; and,
 - e. will not adversely affect environmentally critical areas or natural resources.
3. The rezoning satisfies the following criteria:
 - a. the proposed use or mix of uses is appropriate at the subject location; and
 - b. the recommended conditions to the concept plan and other applicable regulations provide sufficient safeguard to the public interest; and
 - c. the recommended conditions are reasonably related to the impacts on the public interest created by or expected from the proposed development.
4. Urban services, as defined in the Lee Plan will be available and adequate to serve the proposed land use.

5. The approved deviations, as conditioned, enhance achievement of the planned development objectives, and preserve and promote the general intent of LDC Chapter 34, to protect the public health, safety and welfare.

The foregoing resolution was adopted by the Lee County Board of Commissioners upon the motion of Commissioner Manning, seconded by Commissioner Judah and, upon being put to a vote, the result was as follows:

John E. Manning	Aye
Douglas R. St. Cerny	Aye
Ray Judah	Aye
Andrew W. Coy	Aye
John E. Albion	Aye

DULY PASSED AND ADOPTED this 18th day of September, 2000.

ATTEST:
CHARLIE GREEN, CLERK

BY: *Charlie Green*
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: *John E. Albion*
Chairman

Approved as to form by:

Donna Marie Collins
Donna Marie Collins
Assistant County Attorney

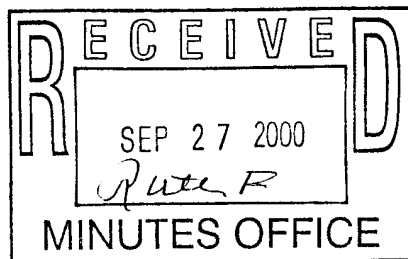


EXHIBIT "A"

LEGAL DESCRIPTION

Exhibit: II-B-1

Legal Description

LOTS 4, 5, 32 AND 33, BLOCK 6, SAN CARLOS ON THE GULF, AS RECORDED
IN PLAT BOOK 6, PAGE 6 OF THE PUBLIC RECORDS OF LEE COUNTY,
FLORIDA.

Applicant's Legal Checked
by 

The applicant has indicated that the STRAP number for the subject property is:
24-46-23-01-00006.0040

ZONING MAP

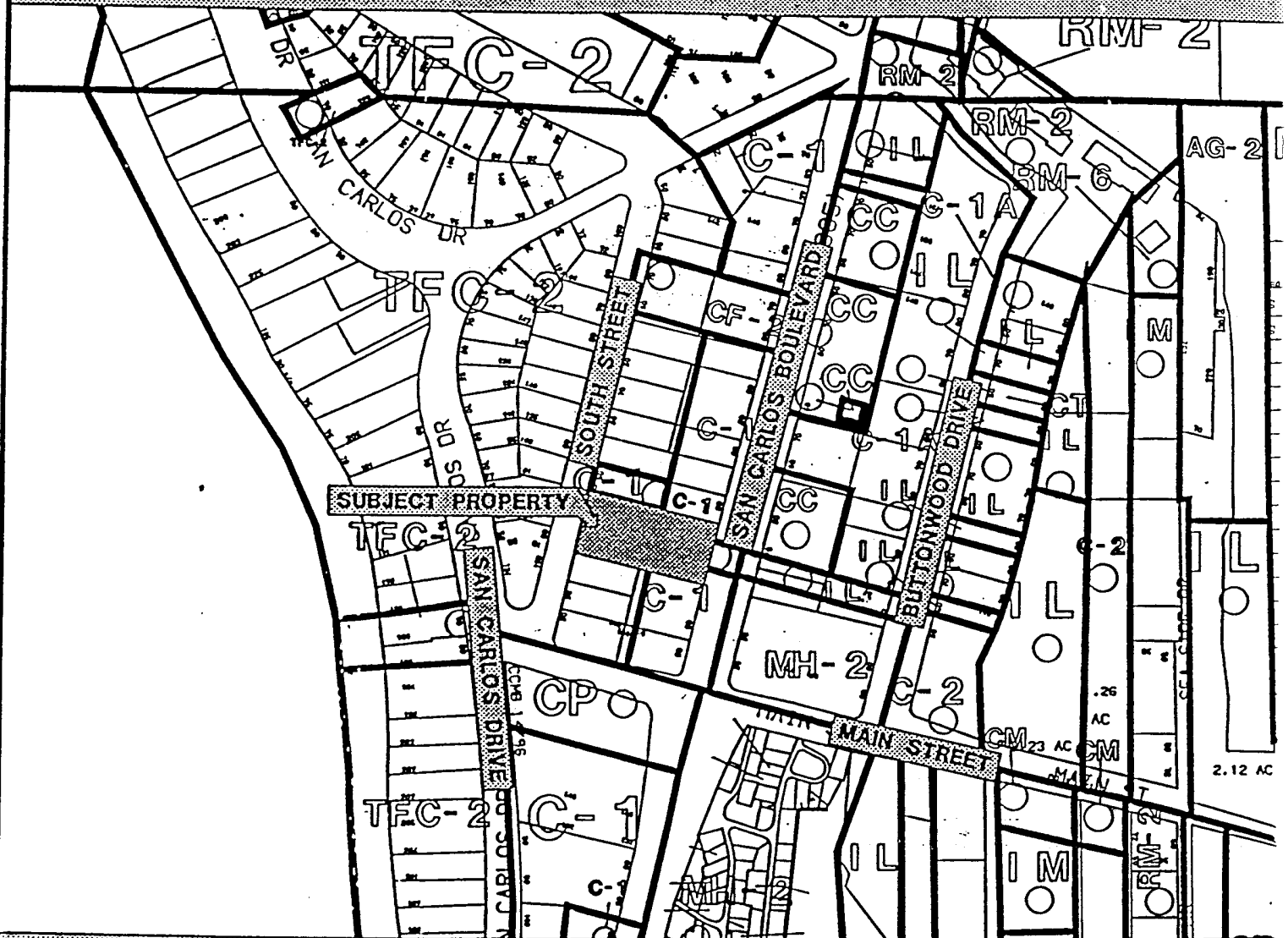
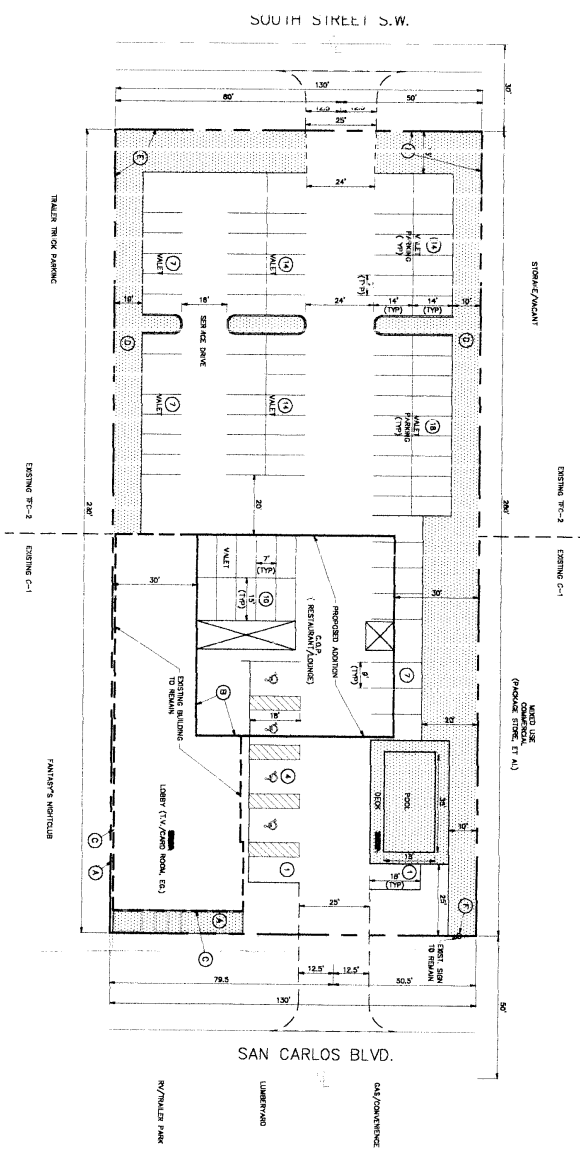
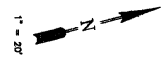


EXHIBIT B

APPROVED
Master Concept Plan
Site Plan # 00-042
Subject: Conditions in Resolution 200-042
Case # DCI 2000-00013



APR 13 2003
PERMIT COUNTER

Specific Details To Be Approved With This Master Concept Plan

1. Request: Rezone from C-1 and TFC-2 to Minor CPO
2. Project Size: 1/2 - 0.84 Acre
3. Permitted Uses: The following uses enumerated in the CPO district:
Accessory uses and structures, administrative office (hotel), bar/cocktail lounge*,
Caretaker's residence, consumption on premises (hotel), food/beverage service,
* * * * *
The maximum size of the restaurant/bar/lounge will be 3174 square feet consisting
of 250 square feet to the bar/lounge and 2924 square feet in the restaurant and
kitchen area.
* * * * *
* * * * *
* * * * *
4. Maximum Building Height: 60' (6 stories) above required flood elevation.
5. Parking Required @ 80 hotel rooms = 72 spaces, Restaurant 0 spaces
Parking Committed to: 92
6. Open Space Required: 2,280 s.f. (2000)
Open Space Provided: 8,241 s.f. (2300)
7. Buffer material proposed along unpaved portion of property along
San Carlos Blvd. will be 4 trees/100 linear feet and along South St.
and side property lines, 4 trees/100 linear feet and 18 shrubs or hedges/100 linear feet.

Schedule of Deviations

- a. Deviation from LDC Section 10-416(d)(4) from the required 5' buffer to 0' (side
property line) and from 15' to 8' (along right of way)
- b. Deviation from LDC 34-935(e)(4) from the minimum separation of buildings of
1/2 the sum of their heights or 20' whichever is greater to 0'
- c. Deviation from LDC Section 34-935(b)(1)* from structure setbacks from the
development perimeter boundaries of 1/2 the height of the building or 20'
whichever is greater to approximately 0' and 8'.
- d. Deviation from LDC Section 10-416(d)(4) from the required C/F buffer to a
10' buffer with no wall.
- e. Deviation for LDC Section 34-174 to allow a 6' fence on all property lines
with the exception of the property line at San Carlos Boulevard.
- f. Deviation from LDC Section 30-153(d)(3) and e, from the required sign
setback from the property line of 10' to 8' and from the required setback of 15'
from a right of way to 0'.

DCI 2000-00013

LEGEND
PROPOSED OPEN SPACE/BUFFERS

REVISED APRIL 12, 2000

SHEET NO. 1	SCALE: 1" = 20'	STEAMERS HOTEL MASTER CONCEPT PLAN OPTION 2	ACTIVITY	NAME	DATE	NO.	DATE	REVISION	APPROV.
	DATE: JAN. 3, 2000		DESIGNED BY:	C.R.	1/30				
	JOB NO. 58301		DRAWN BY:	T.K.	1/30				
	FILE: WITHOUT		CHECKED BY:	X					
			APPROVED BY:	X					
			REGISTRATION NO.	X					

cph ENGINEERS, INC.
CPH Engineers, Inc.
1801 DE LA PRADA BLVD.
SUITE 312
CAPE CORRAL, FLORIDA 33504
TELEPHONE: (813) 548-8122
FAX: (813) 548-1831
WWW.CPHEENGINEERS.COM

OFFICE OF THE HEARING EXAMINER, LEE COUNTY, FLORIDA

ORDER FOR CONTINUANCE

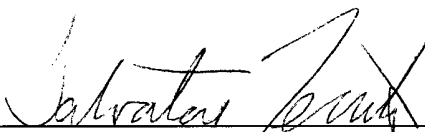
CASE NUMBER: DCI2000-00013
APPLICANT: NICK KASTAN and CHRIS KASTAN, in ref. to STEAMERS HOTEL
EXTENDED RESPONSE DATE: FRIDAY, JULY 21, 2000; 5:00 P.M.

The hearing on the above-styled case was continued to July 14, 2000 to allow additional time for the Staff and the Applicant to submit written submissions in the form of "proposed conditions." Request has been made, by Michael J. Ciccarone, Applicant's Attorney, and agreed to by Staff, for a one-week extension of this submittal date.

The undersigned Hearing Examiner hereby grants this request, and extends the submittal date to **FRIDAY, JULY 21, 2000, 5:00 P.M.**

Accordingly, written submittals will be delivered to the Office of the Hearing Examiner, 1500 Monroe Street, Suite 218, Fort Myers, Florida, on or before this date. Copies of this order will be mailed to the Staff and the Applicant.

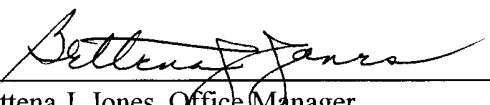
DONE AND ORDERED this 14th day of July, 2000.



SALVATORE TERRITO
LEE COUNTY HEARING EXAMINER
1500 Monroe Street, Suite 218
Post Office Box 398
Fort Myers, Florida 33902-0398
Telephone: 941/479-8100
Facsimile: 941/479-8106

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the aforesaid Order was sent to all hearing participants, officially established as of the above Order date, either by U.S. Mail, Inter-County Mail, or Facsimile Transfer on the 14th day of July, 2000.



Bettina J. Jones, Office Manager

OFFICE OF THE HEARING EXAMINER, LEE COUNTY, FLORIDA

ORDER FOR CONTINUANCE

CASE NUMBER: DCI2000-00013
APPLICANT: NICK KASTAN and CHRIS KASTAN, in ref. to STEAMERS HOTEL
EXTENDED RESPONSE DATE: FRIDAY, AUGUST 11, 2000; 5:00 P.M.

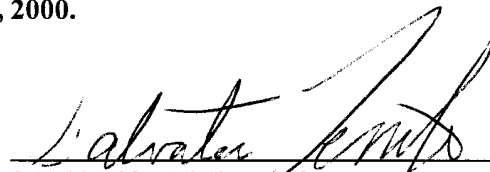
The hearing on the above-styled case was originally continued to July 14, 2000 to allow additional time for the Staff and the Applicant to submit written submissions in the form of "proposed conditions." Request was then made by Applicant's Attorney, and agreed to by Staff, for a one-week extension of this submittal date to July 21, 2000.

On July 21, 2000, in the absence (due to vacation) of the County's Senior Planner assigned to this case, the Applicant's Attorney contacted the Director of the Department of Community Development about a further continuance. The Director advised that Staff had no problem with the requested continuance.

The undersigned Hearing Examiner hereby grants this request, and extends the submittal date to **FRIDAY, AUGUST 11, 2000, 5:00 P.M.**

Accordingly, written submittals will be delivered to the Office of the Hearing Examiner, 1500 Monroe Street, Suite 218, Fort Myers, Florida, on or before this date. Copies of this order will be mailed to the Staff and the Applicant.

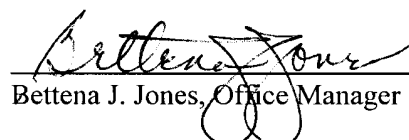
DONE AND ORDERED this 24th day of July, 2000.



SALVATORE TERRITO
LEE COUNTY HEARING EXAMINER
1500 Monroe Street, Suite 218
Post Office Box 398
Fort Myers, Florida 33902-0398
Telephone: 941/479-8100
Facsimile: 941/479-8106

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the aforesaid Order was sent to all hearing participants, officially established as of the above Order date, either by U.S. Mail, Inter-County Mail, or Facsimile Transfer on the 24th day of July, 2000.



Bettina J. Jones, Office Manager

OFFICE OF THE HEARING EXAMINER, LEE COUNTY, FLORIDA

HEARING EXAMINER RECOMMENDATION

REZONING: CASE DCI2000-00013
APPLICANT: NICK KASTAN and CHRIS KASTAN, in reference to STEAMERS HOTEL
HEARING DATE: JUNE 28, 2000

I. APPLICATION:

This matter came before the Lee County Hearing Examiner as an Application for a Rezoning to a Commercial Planned Development (CPD) pursuant to Lee County Land Development Code (LDC).

Filed by NICK KASTAN & CHRIS KASTAN, P. O. Box 2403, Ft. Myers Beach, FL 33932 (Applicants/Owners).

Request is to rezone 0.84± total acres of land from Residential Two-Family Conservation District (TFC-2) and Commercial (C-1) to Commercial Planned Development (CPD) to permit a maximum of a 60-unit Hotel/Motel with a 3,174-square-foot Restaurant/Bar/Lounge with a maximum building height not to exceed 60 feet.

The subject property is located at 19220 San Carlos Boulevard (San Carlos Island, west side of San Carlos Boulevard, north of Main Street), Fort Myers Beach, in S24-T46S-R23E, Lee County, FL. (District #3)

II. STAFF REPORT AND RECOMMENDATION: DENY

The Department of Community Development Staff Report was prepared by Chip Block. The Staff Report is incorporated herein by this reference.

III. RECOMMENDATION OF HEARING EXAMINER:

The undersigned Lee County Hearing Examiner recommends that the Lee County Board of County Commissioners APPROVE the Applicant's request to rezone 0.84± total acres of land to Commercial Planned Development (CPD) for the real estate described in Section IX. Legal Description WITH THE FOLLOWING CONDITIONS AND DEVIATIONS:

A. CONDITIONS:

1. The development of this project must be consistent with the one-page Master Concept Plan entitled "Steamers Hotel," stamped "Received Apr 13 2000," except as modified by the conditions below.

This development must comply with all requirements of the Lee County Land Development Code (LDC) at time of local Development Order Approval, except as may be granted by deviation as part of this planned development. If changes to the Master Concept Plan are subsequently pursued, appropriate approvals will be necessary.

2. A maximum of 50 hotel/motel units are allowed within this planned development. The subordinate use of a Restaurant is limited to the intensity of use for subordinate uses as found in LDC Section 34-3021(c).

3. The following are the permitted, accessory and subordinate uses allowed within this planned development:

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CARETAKER'S RESIDENCE

CONSUMPTION ON PREMISES (LDC Section 34-1261 et seq.) (to be located within the Restaurant use)

ESSENTIAL SERVICES (LDC Sections 34-1611 et seq. and 34-1741 et seq.)

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Private, On-Site

SIGNS, only in accordance with LDC Chapter 30

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RESTAURANT [LDC Section 34-622(c)(43)]: Group II (only)

4. Development of the CPD will comply with the following Property Development Regulations:

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Depth: 280 feet

Minimum Setbacks:

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Side: 15 feet

Rear: 25 feet

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Accessory Use and Structure setbacks must comply with LDC Sections 34-1171 et seq. and 34-2194.

Maximum Lot Coverage: 45 percent
Maximum Building Height: may not exceed 54 feet

5. New construction shall not exceed five stories, including restaurant, over parking.
6. Setbacks shall be increased in accordance with LDC 34-2174, as applicable.
7. New construction shall be designed so as to provide a minimum of 14 feet of clearance beneath the proposed hotel to permit traffic to enter and exit from San Carlos Boulevard and park on the portion of the development currently zoned TFC-2.
8. No buildings or ancillary structures shall be permitted on the portion of the development currently zoned TFC-2.
9. The restaurant shall be designed and built so that no windows or doors may open on the South Street S.W. side (i.e., the west side) of the new restaurant. No music or other amplified sound from the restaurant shall be audible at any property line of the development.
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15. Approval of the zoning request does not address mitigation of the project's vehicular or pedestrian traffic impacts. Additional conditions consistent with the LDC may be required to obtain a local development order.

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19. In accordance with LDC Section 34-936(g), lighting of the exterior and parking areas of this planned development must be of the lowest intensity and energy use adequate for its purpose, and must not create conditions of glare outside the area designated for commercial uses.

20. The proposed subordinate Restaurant use, and all related accessory uses, must be entirely contained within the building. No restaurant or related accessory activities to this use may be conducted outside of the building.

21. All guests of the hotel and restaurant must be given a map that directs all vehicular traffic leaving northbound on San Carlos Boulevard (but unable to turn left because of the traffic) that they must take an alternate route.

This route would be either: (i) to turn right (south) on San Carlos Drive, then turn left (south) on San Carlos Drive; then follow San Carlos Drive under the bridge back to Main Street, turn left onto Main Street to San Carlos Boulevard; then turn right onto San Carlos Boulevard heading northbound; OR (ii) to turn right onto San Carlos Boulevard, then right onto Main Street, then left onto Fisherman's Wharf to the designated U-turn under the Matanzas Pass Bridge, then north to Main Street, then left onto Main Street, then right onto San Carlos Boulevard. The Applicant will work with the Lee County Department of Transportation to erect and maintain signage which limits traffic on San Carlos Drive and South Street north of Main Street to local residential use only.

B. DEVIATIONS:

Deviation A requests relief from LDC Section 1-416(d)(4) which requires a 5-foot-wide buffer along the side property line and a 16-foot-wide buffer along the right-of-way; to allow no buffer along the side property line and an 8-foot-wide buffer along the right-of-way. This deviation is recommended for APPROVAL only for the area between the existing building and the southern perimeter property line and the right-of-way line for San Carlos Boulevard.

Deviation B requests relief from LDC Section 34-935(e)(4) which requires that, where there are two or more principal buildings on a development tract, the minimum separation of buildings shall be one-half the sum of their heights, or 20 feet, whichever is greater, to show a zero-foot front setback. This deviation is recommended for APPROVAL only for the separation between the existing building and the proposed hotel/motel building.

Deviation C requests relief from LDC Section 34-935(b)(1)e which requires that the minimum setback of structures or buildings from the development perimeter boundaries be one-half the height of the building or structure; to allow a set back of zero feet on the south and eight feet on the north. This deviation is recommended for APPROVAL only for the existing building on the property. All new structures and buildings must maintain the required setbacks.

Deviation D - WITHDRAWN BY APPLICANT.

Deviation E - WITHDRAWN BY APPLICANT.

Deviation F - WITHDRAWN BY APPLICANT.

Deviation G - WITHDRAWN BY APPLICANT.

Deviation H - WITHDRAWN BY APPLICANT.

IV. HEARING EXAMINER DISCUSSION:

The Applicants, Nick Kastan and Chris Kastan, in reference to Steamers, are requesting a rezoning from the Residential Two Family Conservation (TFC-2) and Commercial (C-1) zoning districts to the Commercial Planned Development (CPD) zoning district for a 0.84-acre parcel located at 19220 San Carlos Boulevard, San Carlos Island, Lee County, Florida. If approved, the Applicants wish to develop a 50-room (reduced from 60 rooms) hotel/motel, with a 3,174-square-foot restaurant with a maximum building height of 54 feet (reduced from 60 feet), and five stories (increased from four stores) in height.

If approved, the Applicants wish to maintain the majority of the existing Steamers Restaurant building, while at the same time add an additional building to contain the hotel units and the new restaurant. The existing building would then serve as the lobby of the new hotel and as a TV/card room. The restaurant/lounge would be 3,174 square feet in size.

The property around the subject site consists of a mixture of commercial and residential uses, and Urban Community and Suburban land uses. To the north are C-1 and vacant TFC-2 uses. To the east is San Carlos Boulevard followed by mobile homes (MH-2) and Light Industrial (IL) and Community Commercial (CC) consisting of a gas station and a convenience market. To the south are commercial (C-1) and residential (TFC-2) uses, and to the west is South Street, followed by TFC-2 uses (motel and residential).

The Staff has recommended denial of the request because they find it incompatible with the surrounding uses and too intensive a use for the small (less than one acre) parcel of land. Furthermore, they find that the building is too tall in relation to the surrounding structures.

The Staff has pointed out that, even though many of the uses along San Carlos Boulevard are commercial, the next row of parcels behind these commercial parcels is zoned as residential parcels. Furthermore, they note that there are existing and improved residential units on the east side of South Street that abut the commercial zoning. Clearly, they argue, residential uses are still a viable use for these residentially zoned parcels.

The Staff has noted that the uses that are being requested are permissible in the Urban Community land use category (the land use category in which the subject property is located) and that the infrastructure can accommodate the request. This does not, they argue, settle the question of the suitability of the request; compatibility must be considered as should the fact that the property to the west is in the Suburban land use category (a category that requires a lower intensity than what is allowed in the Urban Community land use category).

To state the Staff's concerns as succinctly as possible, they are of the opinion that the Applicants' request is too much development on too small a parcel. They state in the Staff Report that "... this development scheme may over maximize development of the site to the point that it exceeds the parcel's ability to support the project." They note that the Applicants had originally requested permission to develop a 60-room hotel/motel with a restaurant and lounge in a 6-story building with a maximum building height of 60 feet. The Applicants then reduced the number of rooms to 50 and the number of stories to four and then back up to five stories in its final written request. The Applicants' final request calls for a maximum building height of 54 feet.

The Staff also noted that although some of the surrounding properties have been developed with a mixture of residential and motel uses, that most of them have been developed as 1-story structures or, at most, as a single-story stilt home over parking, and that none of them exceeds two stories in height. The Lee Plan, they argue, provides that the lands adjoining the subject site to the west are slated to remain zoned as predominantly residential in character and they have to be protected from any commercial intrusion.

The Staff is of the opinion that the proposal to increase the use of the site from a restaurant with limited access from South Street to a 50-unit hotel/motel with a 150-seat restaurant will adversely impact the existing residential neighborhood. Furthermore, they observe that no amount of buffering will alleviate this concern, especially when one considers the fact that this will be the first mid- to high-rise building on San Carlos Island.

Also of concern is the impact that delivery vehicles will have on the local road network and the difficulty the vehicles will have in trying to maneuver onto, on, and out of the restrained site.

Finally, the Staff had raised a concern with the amount of parking that would be available on the site. They are of the opinion that a 50-room hotel/motel and a combination restaurant and bar/lounge would require more parking than what is being proposed by the Applicants.

The Applicants argue that they have scaled back their proposal to the minimum that would support a hotel/motel with a national chain identity; anything less than 50 units would be financially infeasible, and tantamount to a denial. Some of the concessions that they have made to address the Staff's concerns include parking, height of the building, access to the site, advertising (signage), buffering and setbacks. Specifically, they have reduced the number of hotel/motel units from 60 to 50. This is the minimal number that they feel will attract a national chain; something that is necessary if the project is to be an asset to the community.

With respect to the height of the building, the Applicants have pointed out that they originally requested six stories over parking and that with this configuration, they would have met virtually all of the County's setback requirements. They also note that they can erect a

building of that height today, without any rezoning because they can meet the conventional zoning requirement to set back the building an additional one-half foot for each additional foot in height they gain. The Staff's concern with the height is apparently based on the impact that the height will have on surrounding uses. The Applicants argued that the building will be on San Carlos Boulevard where it will be surrounded with commercial uses and that it will have almost no impact to the residential uses on South Street to the rear of the site because the buildings will be buffered by the parking for the site, which is the only use that this part of the site will contain. Furthermore, they assert that the parking area will be buffered from the parcels located across South Street with more buffering than is required by the Land Development Code (i.e., double that which is required by the LDC as well as the addition of an 8-foot-high wall).

Traffic and access to the site engendered a substantial amount of discussion between the Applicants, the Staff and the public. The primary concern was with the impact traffic would have on South Street. Currently, there is a barrier between the parking area for Steamers Restaurant and South Street. There is no legal impediment to opening this access to the site if the Applicants wish to do so. They have chosen to keep the access to the area closed. They propose to keep it closed to all but emergency vehicles if they obtain the CPD zoning that they have requested. They have also proposed that they will provide driving directions to patrons of the new facility that will keep them from using South Street.

The Applicants have noted that even if these concessions had not been made, their undisputed traffic studies have clearly demonstrated that the new proposal will generate fewer trips than the existing use. This conclusion is based upon the fact that the existing restaurant will be reduced from 6,000 square feet to slightly more than 3,000 square feet, a reduction of nearly 50 percent. Since, by definition, all of the patrons of the existing standalone restaurant have to come from off-site, the 6,000-square-foot facility generates a considerable number of traffic trips.

On the other hand they assert that their proposal will draw most if not all of its restaurant patrons from the hotel/motel. There will be little or no off-site traffic generated by the restaurant portion of the project. The restaurant/lounge will be subordinate to the hotel/motel use and, as such, there may not be any advertising of the fact the restaurant exists on the site.

When the Applicants reduced the height of the building from six stories over parking to four stories, after discussions with the Staff, they asked for several deviations to accommodate the lower but broader building. However, now that they have asked for a 5-story structure over parking they have reduced the number of deviations from eight to three.

As presently designed, the building would be five stories over parking. The "over parking" description is somewhat misleading because the parking will not be under the building, but rather it will be behind it. The new structure will be built on "stilts" to accommodate the flood provision in effect today. Cars entering the facility will drive under the hotel/motel to drive to the rear parking area. The clearance under the building will be 14 feet to accommodate cars, delivery vehicles, and trash pick-up vehicles. The height of these latter vehicles is what caused the clearance to be raised from 10 feet to 14 feet, and presumably why the height of the structure was increased by one more story. The delivery and trash vehicles will now be

able to enter from San Carlos Boulevard, go under the building, turn around in the parking area, and exit through San Carlos Boulevard - thus eliminating the need to have access from South Street.

In reviewing this request one has to overcome the immediate gut reaction that it is too much development on too small a parcel. Asking for a 50-room hotel/motel and a 3,174-square-foot restaurant/lounge on a 0.84-acre parcel seems like overreaching. However, when each of the Staff's objections is reviewed, one is left with only one unanswered objection, their undefined objection to the height of the building and its potential impact on the neighborhood. This, despite the fact that the building will be on San Carlos Boulevard, a commercial portion of San Carlos Island; despite the fact that the well-buffered parking lot will be the only portion of the project that will have an impact on the residentially zoned portion of South Street; and despite the fact the Board of County Commissioners has traditionally regarded street separation to be a sufficient buffer between commercial and residential uses. Furthermore, the TFC-2 portion of the project has been used for many years as the parking area for Steamers Restaurant; this is not a new use that is being requested for this new project.

Under the new proposal it will be double buffered, it will contain an 8-foot-high wall, and its access to South Street will be closed to all but emergency traffic; all features that are not required under its present usage and zoning.

At the request of the Hearing Examiner, the Applicants and the Staff have submitted conditions that would accompany any approval of the rezoning request. The Staff has done so with the proviso that they are opposed to the rezoning and that no amount of conditioning can make the proposal acceptable.

The conditions, as proposed by the Staff and the Applicants, differ in only two substantive areas; the height of the building and the number of hotel/motel rooms. The Staff would limit the building to a height of 35 feet and the Applicants' request is for 54 feet. The Staff would limit the number of rooms to 24 and the Applicants want 50.

As noted above, the Staff's objection to the building height is based upon its impact on the area. No more needs to be said about that. The number of rooms that the Staff is proposing is based upon the number of rooms that have been approved in other rezonings and the equivalency ratios that are used to determine the number of rooms that are permissible in a conventional rezoning. Generally, if a hotel/motel room is no more than 425 square feet in size, then there may be three rooms for each residential dwelling unit that would have been allowed. For rooms of 426 to 725 square feet the ratio is 2:1 (two to one), and for rooms larger than 725 feet the ratio is 1:1 (one to one). Since the proposal is apparently for the smaller sized rooms, the Staff said that this equates to about 28 hotel rooms to the acre. Since the site is 0.84 acres, this equates to 24 rooms. This is in keeping with other approvals that have ranged from 6.8 rooms to the acre, to 29.6 rooms to the acre.

The Applicants have pointed out that those ratios are used only for conventional rezonings and that they are requesting a planned development. Planned developments do not have such restrictions; the number of rooms that is finally approved is based upon a negotiation process and the conditions that are imposed to address compatibility. It is the Applicants' opinion that the conditions they have suggested overcome the Staff's objections and that they fully address the compatibility concerns raised by the Staff.

A number of public appeared at the hearing, both in support of and opposed to the Applicants' request. Additionally, a number of letters and petitions were submitted. The majority of the public input was in favor of the requested rezoning. Those members of the public who objected were most concerned with traffic on South Street. If the traffic studies that have been submitted are any indication, the traffic should be reduced if the proposal is approved. Furthermore, with the condition that the South Street access be closed to general traffic, and the requirement that driving directions be given to patrons of the facility, the traffic situation should improve rather than worsen.

If approved, the Applicants would have to meet a stringent set of conditions before they would be allowed to operate their business. The hotel/motel would be limited to five stories over parking and to 50 rooms maximum. The restaurant/lounge would be reduced from 6,000 square feet to approximately 3,174. It would be a subordinate use and is therefore limited to no more than 10 percent of the square footage of the entire facility. It may not advertise the fact that there is a restaurant on the site. The restaurant will be on the top floor of the building and it will contain no windows or doors that open onto South Street. There will be no music or other amplified sound that is audible off-site, nor will there be any outdoor entertainment associated with the overall project.

Accessory uses and setbacks will be in conformance with the Land Development Code. For example, the setbacks will be increased by one foot for each additional foot of height of the structure over 35 feet. This would equate to an additional 9½ -foot building setback.

New construction will be designed to provide a minimum of 14 feet of clearance so that vehicles can access the site from San Carlos Boulevard and to park or turn around on the TFC-2 portion of the site (i.e., the current parking area). There will be no other buildings or ancillary structures allowed on the portion of the site now designated as TFC-2.

Open space on the project will be 30 percent. This has been accomplished by reducing the originally proposed number of parking spaces from 92 to 60 (the number of spaces required by the LDC).

There is also a rather detailed condition (#11) that addresses the design of the proposed building. It provides details with respect to its texture, its color, etc. In general, it will reflect an Old Florida or Key West style design.

As noted above, the buffer along South Street will be double the required vegetation required by the LDC and it will contain an 8-foot-high wall. Public access will be closed from South Street, and the subordinate use (i.e., restaurant/lounge) may not be evident from any abutting street.

Of the original eight deviations requested by the Applicants, five have been withdrawn because they are no longer needed; they have agreed to meet the LDC requirements for those items.

The other deviations are designed to accommodate the existing structure on the site that will be retained by the Applicants and used as part of the overall design of the site.

The Applicants' request is a close question because of the intensity of use on so small a parcel. However, they have satisfactorily addressed the Staff's concerns with respect to compatibility with the area and consistency with the Lee Plan.

It is recommended that the BOCC approve the rezoning and deviations, as conditioned.

V. FINDINGS AND CONCLUSIONS:

Based upon the Staff Report, the testimony and exhibits presented in connection with this matter, the undersigned Hearing Examiner makes the following findings and conclusions:

- A. That the Applicant has proved entitlement to the rezoning by demonstrating compliance with the Lee Plan, the Land Development Code, and any other applicable code or regulation.
- B. That the request, as conditioned, will meet or exceed all performance and locational standards set forth for the potential uses allowed by the request.
- C. That the request, as conditioned, is consistent with the densities, intensities and general uses set forth in the Lee Plan.
- D. That the request, as conditioned, is compatible with existing or planned uses in the surrounding area.
- E. That approval of the request, as conditioned, will not place an undue burden upon existing transportation or planned infrastructure facilities and will be served by streets with the capacity to carry traffic generated by the development.
- F. That the request, as conditioned, will not adversely affect environmentally critical areas and natural resources.
- G. That the proposed use or mix of uses, as conditioned, is appropriate at the subject location.
- H. That the recommended conditions to the concept plan and other applicable regulations provide sufficient safeguard to the public interest.
- I. That the recommended conditions are reasonably related to the impacts on the public interest created by or expected from the proposed development.
- J. That the requested deviations, as conditioned, enhance the achievement of the objectives of the planned development.
- K. That the requested deviations, as conditioned, preserve and promote the general intent of Chapter 34, Land Development Code, to protect the public health, safety and welfare.
- L. That, where the change proposed is within a future urban area category, urban services, as defined in the Lee Plan, are, or will be, available and adequate to serve the proposed land use.

VI. LIST OF EXHIBITS:

Aerial Photograph S24-T46S-R23E, Sheet No. 93D, dated Feb. 1999

STAFF'S EXHIBITS

Résumés of Lee County Staff are on file with the Hearing Examiner's Office and are incorporated herein.

- 1 Zoning Resolution Z-96-040, Case 96-04-207.03Z, Summerlin Associates Partnership, in ref. to Summerlin-Pine Ridge, Parcels H & I
- 2 Zoning Resolution Z-97-092, 97-07-290.02Z 01.01, Bonita Beach Resort & Motel
- 3 Zoning Resolution Z-98-019, 97-09-070.03Z 01.01, McGregor Pointe Ltd. Partnership, in ref. to Punta Rassa CPD
- 4 Zoning Resolution Z-99-040, 98-02-184.02Z 02.01, Port Sanibel Marina
- 5 Zoning Resolution Z-99-062, 98-01-050.03Z 01.01, David W. Swor, Tr., rep. by Vincent M. Wolanin, in ref. to 14900 Summerlin Road
- 6 Zoning Resolution Z-99-059, 99-06-164.02Z 01.01, Captiva, Ltd., rep. by August Landl, in ref. to Captiva Gallery
- 7 Zoning Resolution Z-99-072, 99-05-076.03Z 01.01, Shell Point Health Care Facility
- 8 Zoning Resolution Z-96-054, 96-05-029.02Z 01.01, Woo Jin Jung, in ref. to New Life Fitness World
- 9 Zoning Resolution Z-99-068, 99-04-047.03Z 01.01, C.P.C. Properties, Inc.

APPLICANT'S EXHIBITS

Résumés of Applicant's consultants are on file with the Hearing Examiner's Office and are incorporated herein.

- 1 Petition in support of project (113 signatures)
- 2 Letters in support of project (13)
- 3 Plat Map with surrounding land uses designated (11"x17")
- 4 Photographs (10)
- 5 Letter from David M. Collins, Fire Inspector, Fort Myers Beach Fire Control District, to Nick Kastan/Steamers Seafood, dated 06/08/00, re: no objection to zero-foot setback

- 6 Résumé - Ted B. Treesh, Senior Transportation Consultant, Metro Transportation Group, Inc.
- 7 Master Concept Plan, Option 2 (Sheet 1), dated 01/03/00, revised 06/07/00
- 8 Master Concept Plan, Option 2 (Sheet 1), dated 01/03/00, revised 04/12/00

OTHER EXHIBITS

Napier

- 1 Photographs (4) [small board exhibit]
- 2 Photographs (45)
- 3 Authorization Letters from Irene L. & Turner Widner; June Willoughby; and Mary R. Carr
- 4 Police Complaint Reports

Nadeau

- 1 Videotape
- 2 Authorization Letters from Donna Nadeau and Dee Ann & Donald S. Canby

Bell

- 1 Authorization Letter from Scott Van Selow

M. Gutierrez

- 1 Authorization Letter from Ted & Linda M. Primich

R. Gutierrez

- 1 Authorization Letters from Reginald & Karen Houghwot; David N. & Donna Ross; Kent E. Wilson; Marjorie Kirkland; and Mildred Ferriot
- 2 Photographs (10)

White

- 1 Authorization Letters from Larry E. & Gayle A. Bell, Andrew D. Johnson; Kelly Linskey-Johnson; Walter & Dana Thomas; Mike Jackson; Karen Scholz; Mary Lou Smith; Susan Weed; Joseph J. Catalogna; Timothy R. Wildey; and Eulalie Bosworth
- 2 Newspaper Article, "Civic Association hosts tax face-off," by Charlie Loucks, Observer Staff Writer

VII. PRESENTATION SUMMARY:

SEE OFFICIAL COURT REPORTER TRANSCRIPT.

VIII. OTHER PARTICIPANTS AND SUBMITTALS:

ADDITIONAL APPLICANT'S REPRESENTATIVES:

1. Michael J. CICCARONE, Esquire, % Annis Mitchell et al, P. O. Box 60259, Ft. Myers, FL 33906
2. Carleton RYFFEL, AICP, 100 Estero Blvd., #434, Ft. Myers Beach, FL 33931
3. Scott VAUGHN, % Conklin Porter & Holmes Engineers, Inc., 3501 Del Prado Blvd., Ste. 312, Cape Coral, FL 33904
4. Ted B. TREESH, Senior Transportation Consultant, % Metro Transportation Group, Inc., 1342 Colonial Blvd., Ste. 30, Ft. Myers, FL 33907-1008

ADDITIONAL COUNTY STAFF:

1. Donna Marie COLLINS, Assistant County Attorney, Lee County, P. O. Box 398, Ft. Myers, FL 33902-0398

PUBLIC PARTICIPATION:

A. THE FOLLOWING PERSONS TESTIFIED OR SUBMITTED EVIDENCE FOR THE RECORD AT THE HEARING (SEE SECTION VII.):

For:

1. Bradford BENSON, 927 Prescott St., Ft. Myers Beach, FL 33931
2. Marguerite BURNS, P. O. Box 2722, Ft. Myers Beach, FL 33932 [861 South St.]
3. Matt HANSON, 2500 Main St., Ft. Myers Beach, FL 33931 [850 Third St.]
4. Marguerite HUSEBYE, P. O. Box 2722, Ft. Myers Beach, FL 33932 [861 South St.]
5. Patrick TENNANT, 927 Prescott Ln., Unit B, Ft. Myers Beach, FL 33931
6. William THOMPSON, 880 Buttonwood Dr., Ft. Myers Beach, FL 33931

Against:

1. Gayle A. BELL, 906 San Carlos Dr., Ft. Myers Beach, FL 33931
- Representing:** Scott VAN SELOW, 908 San Carlos Dr.

2. Mari Lynn GUTIERREZ, 845 South St., Ft. Myers Beach, FL 33931

Representing: Ted & Linda M. PRIMICH, 900 San Carlos Dr.

3. Robert GUTIERREZ, 845 South St., Ft. Myers Beach, FL 33931

Representing: Reginald & Karen HOUGHWOT, 844 San Carlos Dr.; David N. & Donna ROSS, 834 San Carlos, 834 San Carlos Dr.; Kent E. WILSON, 975 San Carlos Ct.; Marjorie KIRKLAND, 944 San Carlos Dr.; and Mildred FERRIOT, 938 San Carlos Dr.

4. Tom NADEAU, 847 South St., Ft. Myers Beach, FL 33931

Representing: Donna NADEAU, 847 South St.; and Dee Ann & Donald S. CANBY, 840 San Carlos Dr.

5. Margaret NAPIER, 810 South St., Ft. Myers Beach, FL 33931

Representing: Irene L. & Turner WIDNER, 19241 San Carlos Blvd. #3, #18, #20; June WILLOUGHBY, 760 & 777 San Carlos Dr.; and Mary R. CARR, 749 San Carlos Dr.

6. Barbara G. WHITE, 864 San Carlos Dr., Ft. Myers Beach, FL 33931

Representing: Larry E. & Gayle A. BELL, 906 San Carlos Dr.; Andrew D. JOHNSON, 958 San Carlos Ct.; Kelly LINSKEY-JOHNSON, 958 San Carlos Ct.; Walter & Dana THOMAS, 801 San Carlos Dr.; Mike JACKSON, 862 San Carlos Dr.; Karen SCHOLZ, 955 San Carlos Dr.; Mary Lou SMITH, 19281 San Carlos Blvd; Susan WEED, 19281 San Carlos Blvd.; Joseph J. CATALOGNA, 941 San Carlos Dr. #2; Timothy R. WILDEY, 941 San Carlos Dr. #1; and Eulalie BOSWORTH, 864 San Carlos Dr.

7. LOYAL ORDER OF MOOSE, Attn: Charlie Prentiss, P. O. Box 2771, Ft. Myers Beach, FL 33931

B. THE FOLLOWING PERSONS SUBMITTED A LETTER/COMMENT CARD, OR OTHERWISE REQUESTED A COPY OF THE HEARING EXAMINER RECOMMENDATION:

For:

1. Chris BATISTA, 890 North St., Ft. Myers Beach, FL 33931

2. Rhea & George BELESLIN, 805 San Carlos Dr., Ft. Myers Beach, FL 33931

3. Cynthia BENSON, 927 Prescott St., Ft. Myers Beach, FL 33931

4. David BODDISON, 1148 Main St., Ft. Myers Beach, FL 33931

5. Roxanne BUHRIG, 19190 San Carlos Blvd., Ft. Myers Beach, FL 33931

6. Nello CERNOIA, 892 North St., Ft. Myers Beach, FL 33931

7. Gregory A. CONDOS, 853 South St., Ft. Myers Beach, FL 33931

8. Scott DOTSON III, 961 San Carlos Ct., Ft. Myers Beach, FL 33931

9. Grant ERICKSON, P. O. Box 2553, Ft. Myers Beach, FL 33931
Comment Card: San Carlos Island needs hotel rooms for its visitors.
10. Betty GOODACRE, 874 Oak St., Ft. Myers Beach, FL 33931
11. Darrell HANSON, 2500 Main St., Ft. Myers Beach, FL 33931
12. Joanne JAMES, 37A Nancy Ln., Ft. Myers Beach, FL 33931
13. Mike RIZZO, 17831 Rebecca Ave., Ft. Myers Beach, FL 33931
14. William J. SEMMER, 1130 Main St., Ft. Myers Beach, FL 33931
15. Suzanne THOMPSON, 880 Buttonwood Dr., Ft. Myers Beach, FL 33931
16. Joseph A. VILLERS, P. O. Box 2759, Ft. Myers Beach, FL 33931

Against:

1. Larry & Gayle BELL, 906 San Carlos Drive, Ft. Myers Beach, FL 33931
Letter 06/26/00: While we are not adjacent property owners to the property in question, we are located in the residential area on San Carlos Island. With such a small area, we feel any commercial zoning change has the potential of impacting all island residents. We strongly object to the rear entrance being opened up onto South Street. This is a residential area and [we] feel the commercial traffic making deliveries, employees arriving for work, excessive noise, bar patrons leaving at night, etc., pose a threat to the community and the safety of its children and residents. We also feel with Fantasy's located directly next door, that this could potentially further attract undesirable people to our community. Thank you for your consideration. It is our hope that this zoning request be denied.

2. **FORM LETTERS (submitted by the individuals listed above, See Against #1-#6):**
I, (blank), who own/lease/live at property at (blank), am against rezoning from a Residential Two Family Conservation District (TFC-2) and Commercial District (C-1) to Commercial Planned Development (CPD) to permit a maximum of a 60-unit Hotel/Motel with a 3,174-square-foot Restaurant/Bar/Lounge with a maximum building height not to exceed 60 feet. The subject property is located at 19220 San Carlos Boulevard. The subject property also borders South Street, a residential neighborhood. I would like to preserve our neighborhood as residential without commercial intrusion. I am authorizing (blank) to represent me at the Lee County Hearing Examiner's public hearing. I am also documenting that I want to retain my right to speak to the Lee County Commissioners at the Commissioners' meeting.

3. Jerald MARTIN, 845 South St., Ft. Myers Beach, FL 33931
4. Betty RYDER, 844 San Carlos Dr., Ft. Myers Beach, FL 33931

General:

1. Jane ROSS, Hidden Harbor Inn, 819 San Carlos Dr., Ft. Myers Beach, FL 33931

IX. LEGAL DESCRIPTION:

Lots 4, 5, 32 and 33, Block 6, San Carlos on the Gulf, as recorded in Plat Book 6, Page 6 of the Public Records of Lee County.

X. UNAUTHORIZED COMMUNICATIONS:

Unauthorized communications shall include any direct or indirect communication in any form, whether written, verbal or graphic, with the Hearing Examiner, or the Hearing Examiner's staff, any individual County Commissioner or their executive assistant, by any person outside of a public hearing and not on the record concerning substantive issues in any proposed or pending matter relating to appeals, variances, rezonings, special exceptions, or any other matter assigned by statute, ordinance or administrative code to the Hearing Examiner for decision or recommendation. . . . [Administrative Code AC-2-5]

No person shall knowingly have or attempt to initiate an unauthorized communication with the Hearing Examiner or any County Commissioner [or their staff]. . . . [LDC Section 34-52(a)(1), emphasis added]

Any person who knowingly makes or attempts to initiate an unauthorized communication . . . [may] be subject to civil or criminal penalties which may include: [Section 34-52(b)(1), emphasis added]

Revocation, suspension or amendment of any permit variance, special exception or rezoning granted as a result of the Hearing Examiner action which is the subject of the unauthorized communication. [LDC Section 34-52(b)(1)b.2.]; OR

A fine not exceeding \$500.00 per offense, by imprisonment in the county jail for a term not exceeding 60 days, or by both such fine and imprisonment. [LDC Section 1-5(c)]

XI. HEARING BEFORE LEE COUNTY BOARD OF COUNTY COMMISSIONERS:

A. This recommendation is made this 23rd day of August, 2000. A copy will be forwarded to the offices of the Lee County Board of County Commissioners.

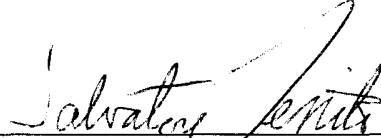
B. The original file and documents used at the hearing will remain in the care and custody of the Department of Community Development. The documents are available for examination and copying by all interested parties during normal business hours.

C. The Board of County Commissioners will hold a hearing at which they will consider the record made before the Hearing Examiner. The Department of Community Development will send written notice to all hearing participants of the date of this hearing before the Board of County Commissioners. Only participants, or their representatives, will be allowed to address the Board. The content of all statements by persons addressing the Board shall be strictly limited to the correctness of Findings of Fact or Conclusions of Law contained in the recommendation, or to allege the discovery of relevant new evidence which was not known by the speaker at the time of the earlier hearing before the Hearing Examiner and not otherwise disclosed in the record.

D. The original file containing the original documents used in the hearing before the Hearing Examiner will be brought by the Staff to the hearing before the Board of County Commissioners. Any or all of the documents in the file are available on request at any time to any County Commissioner.

XII. COPIES OF TESTIMONY AND TRANSCRIPTS:

A verbatim transcript of the testimony presented at the hearing can be purchased from the court reporting service under contract to the Hearing Examiner's Office. The original documents and file in connection with this matter are located at the Lee County Department of Community Development, 1500 Monroe Street, Fort Myers, Florida.

A handwritten signature in cursive script, reading "Salvatore Territo", written over a horizontal line.

SALVATORE TERRITO
LEE COUNTY HEARING EXAMINER
1500 Monroe Street, Suite 218
Post Office Box 398
Fort Myers, FL 33902-0398
Telephone: 941/479-8100
Facsimile: 941/479-8106

ZONING MAP



A

LEE COUNTY, FLORIDA
DEVELOPMENT SERVICES DIVISION
STAFF REPORT

TYPE OF CASE: PLANNED DEVELOPMENT/DCI

CASE NUMBER: DCI 2000-00013

HEARING EXAMINER DATE: June 28, 2000

I. APPLICATION SUMMARY:

- A. Applicant: Nick Kastan and Chris Kastan in ref to Steamers Hotel
- B. Request: Rezone 0.84± total acres of land from Residential Two Family Conservation District (TFC-2) and Commercial District (C-1) to Commercial Planned Development (CPD) to permit a maximum of a 60 unit Hotel/Motel with a 3,174 square foot Restaurant/Bar/Lounge with a maximum building height not to exceed 60 feet.

NOTE: If approved, the Master Concept Plan (available for inspection at 1500 Monroe St., in Ft. Myers) may deviate from certain Land Development Code (LDC) standards.

- C. Location: The subject property is located at 19220 San Carlos Blvd., (San Carlos Island, west side of San Carlos Blvd, north of Main Street) Fort Myers Beach, in S24-T46S-R23E, Lee County, FL. (District #3)
- D. Land Use Plan Designation: Urban Community
- E. Surrounding Land Use:

Existing Zoning & Land Use

North: C-1, commercial and TFC-2, vacant

East: San Carlos Boulevard; then, MH-2, mobile homes, and IL and CC gas station, convenience market

South: C-1, commercial and TFC-2, residential

West: South Street; then, TFC-2, motel and residential

Future Land Use Map

Urban Community and Suburban

Urban Community

Urban Community

Suburban

- F. Size of Property: .84± acres

II. RECOMMENDATION:

Staff recommends **DENIAL** of the Applicant's proposed request for rezoning from C-1 and TFC-2 to Commercial Planned Development.

Findings and Conclusions:

Based upon an analysis of the application and the standards for approval of planned development rezonings, staff makes the following findings and conclusions:

1. The applicant has not proven entitlement to the rezoning by demonstrating compliance with the Lee Plan, the Land Development Code, and other applicable codes and regulations.
2. The requested CPD zoning:
 - a) is inconsistent with the densities, intensities and general uses set forth in the Lee Plan; and
 - b) is incompatible with existing or planned uses in the surrounding area.
3. Approval of the request may place an undue burden upon existing transportation or planned infrastructure facilities and the site will not be served by streets with the capacity to carry traffic generated by the development.
4. The proposed use or mix of uses is inappropriate at the subject location.
5. Conditions cannot be recommended to the concept plan and other applicable regulations do not provide sufficient safeguards to the public interest.
6. Conditions cannot be recommended which would be reasonably related to the impacts on the public's interest created by or expected from the proposed development.

III. BACKGROUND INFORMATION AND ANALYSIS:

Introduction/Synopsis

The applicant is seeking a rezoning from TFC-2 and C-1 to Commercial Planned Development. The original intent of this request was to redevelop this site as a 60 unit hotel and subordinate restaurant and bar and cocktail lounge with a building height of a maximum of 60 feet. This has been amended to reduce the proposed building height to 44 feet, 4 stories, above flood elevation. The resulting height above current grade, including the base flood elevation would be about 51 feet. The site is currently used as a restaurant (Steamers Restaurant).

North of the subject property is land zoned commercial and residential. The commercial portion of this property is used as a mixed use commercial building. The residential portion is predominately vacant, but does have a gated access point to South Street. South of the subject property the land is also zoned commercial and residential. The commercial zone portion of this property is used as a bar/cocktail lounge. The residential portion of this property is used to park/store semi trailer rigs and is also developed with a single family residence. To the east is San Carlos Boulevard, and then commercial, industrial and residential zoning. The commercial/industrial area is used as a gasoline station and convenience store. The residential portion is a mobile home park. To the west is South Street and then residentially zoned property. The residential property consists of a mixture of single family/duplex dwelling units and a motel (Hidden Harbor Inn).

Master Concept Plan (MCP)

The Master Concept Plan was revised and resubmitted on June 8, 2000. This revision changes the height of the structure from 6 stories over parking to a 44 foot structure (4 stories) above the required flood elevation. This proposed Master Concept Plan plans to maintain a majority of the existing Steamers Restaurant building, while constructing a new building to house the hotel units and new restaurant. The existing restaurant structure is to be remodeled to accommodate the lobby of the hotel and TV/card room. In the new building, the applicant plans a hotel/motel of 60 units and restaurant/bar/lounge containing 3,299 square feet. The restaurant would be 3,049 square feet and the bar/lounge would have 250 square feet. Additional space dedicated to the Consumption on Premises (COP) use is found in the lobby and pool deck area.

The MCP shows a specific off-street parking arrangement and provides parking calculations to support the development. The applicant also has indicated that they have provided additional parking, a committed total of 20 additional spaces.

The plan proposes two means of vehicular ingress and egress. The existing access point on San Carlos Boulevard will be maintained. A second access is proposed from South Street described as a service emergency access. This would still open up South Street to more intense commercial traffic by directing all commercial delivery and support traffic to this road resulting in adverse impacts to the residential units located along South Street.

Deviations

The applicant has requested 8 deviations from the Land Development Code (LDC). Attachment B includes a copy of the applicant's deviations and justifications.

Deviation A requests to eliminate the required 5 foot buffer along the south property line and reduce the required street landscaping width of 15 feet to 8 feet. This would allow the applicant to keep the existing restaurant building and allow the development of the new 44 foot building to be erected or maintained as shown on the Master Concept Plan. Staff does not object to the granting of this request for the existing conditions only.

Deviation B requests that the required minimum separation of buildings be eliminated as part of this request. This again would permit the applicant to keep the existing building and construct the new 44 foot high motel structure up to the southern property line. If this request is to be approved, staff recommends it be just for the existing structure only. All new buildings should be required to maintain the required setbacks. The new building is going to be a habited building 24 hours a day with sleeping accommodations. Although the fire district has offered no objection to this request, County staff recommends that the new building adhere to the required setbacks for construction. Failure to provide this reduces not only the ability to evacuate the building in the event of an emergency, it further allows the potential to impact an adjacent property in the case of an emergency since it would be placed immediately adjoining the common property line.

Deviation C requests reduce or eliminate the required structural setback from the development perimeters. The existing building is 0 and 8 feet as depicted on the MCP, and the applicant seeks a 0 foot setback from the southern property line for the new 44 foot high hotel structure. Staff's objection to this request is the same as the objection to Deviation B above.

Deviation D seeks to reduce the required buffer along the north and south property line abutting the existing residentially zoned tracts from the required C or F type buffer to a 10 foot wide buffer. The applicant's justification includes a discussion that the property to the north is partially

developed as commercial and it is logical to assume that if and when additional parking is required for that use it would be in the TFC-2 zoned portion of the site. This is incorrect since the Land Development Code would not permit parking to support commercial uses to be located within a residential district. This scenario requires a rezoning of the property and it should not be assumed that a commercial rezoning of the residentially zoned parcel would be approved. The Lee Plan requires existing and future residential areas be protected from the impacts of new land uses. The proposed development increases the intensity of use of this site and therefore until and if the adjoining property is ever zoned for commercial rather than residential use these residential parcels must be buffered from the adjoining use.

Deviation E seeks to allow a 6 foot fence along the north, south, and western property lines. The applicant's requests this to allow the existing fence to be maintained and to provide a measure of security even though 6 foot high fencing cannot be allowed beyond the required street setbacks. This deviation does not appear to be necessary. LDC Section 1744 does not prohibit a commercial use from placing a fence as described in this request. This Section specifically relates to the placement of fences or walls on residentially zoned parcels and does not address commercially zoned lands. This deviation would not be necessary if the CPD zoning is granted.

Deviation F seeks to reduce the required sign setback from a property line of 10 feet to 6 feet and the street right-of-way setback from 15 feet to 6 feet. Staff objects to the granting of this request. No information was supplied by the applicant depicting the proposed sign and the design of the sign. Therefore, Staff cannot determine if the requested deviation will be for a sign that will block visibility in entering or leaving the site or if it would have any other detrimental impact on the public's life, health, or safety.

Deviation G seeks to reduce the required interconnection separation along South Street from 125 feet to 5 feet. Staff recommends that this deviation be denied. The applicant has designed the site to provide parking that they claim will exceed the required number of spaces. The design could easily be revised to eliminate a minimal number of spaces while complying with the LDC requirements.

Deviation H requests a deviation from the LDC addressing subordinate commercial uses to a hotel/motel use to allow the name for the subordinate use to be on the project sign. Staff recommends this deviation request be denied. Approval of this request defeats the purpose and intent of LDC Section 34-3021. This section allows the development of subordinate uses to be allowed to be developed to support principal uses. In the case of hotel/motel uses, these uses must be clearly subordinate uses that are housed totally within the building housing the principal use, does not occupy more than 10 percent of the total floor area of the principal use, and public access is not evident from any abutting street. By advertising the subordinate use this advertises the fact the subordinate use may be accessed by the public and would be visible from the abutting street. In advertising the request, it makes it evident that the public is invited to the restaurant resulting in making it a principal use. Customers would be attracted to the restaurant from the general public with this advertising (signage) making this a principal use. A principal use must be supported with adequate off-street parking to support the use. This project, even with 20 additional parking spaces, has insufficient parking to support both a principal use of a hotel/motel and a restaurant. Staff estimates the project would be short no less than 41 off-street parking spaces (difference of 92 spaces committed to and 133 spaces required). This does not take into account the additional parking to support either the amount of square footage or the number of tables devoted to the TV/card room and the pool deck. These areas could also be included since they may be open to the public and would require off-street parking.

Lee Plan Considerations

The applicant's analysis, found in Attachment B, finds the property to the north is a multi-use commercial building. This analysis does not note that the property is zoned C-1 to the front (along San Carlos Boulevard) where the commercial uses are located and zoned TFC-2 and unused to the rear facing South Street. The property to the south is similarly zoned with commercial use fronting on San Carlos Boulevard and the property fronting on South Street used for the parking/storage of semi-trailers. Staff disagrees with the applicant's conclusion that the residential zoning along South Street is obsolete. There are existing and improved residential units on the east side of South Street abutting the commercial zoning and uses along San Carlos Boulevard. Residential use is clearly a viable and ongoing land use on these residentially zoned properties.

The applicant further describes the general area as mixed commercial. This would be true for the commercially zoned lots fronting on San Carlos Boulevard. However, the next row of parcels behind the lots fronting on San Carlos Boulevard are not commercial in nature, but are predominately found to be used today as residential. Staff agrees the first row of lots fronting on San Carlos Boulevard, and zoned commercial, are used as a mixed use of commercial activities. However, the next row of lots, zoned residential today, are not used commercially. These lots are either residential units or vacant parcels.

The subject property is located within the Urban Community future land use category of the Lee Plan. Adjoining and nearby properties are found in this same category, and in the Suburban and Industrial Development future land use categories.

The Urban Community category is described as follows in the Lee Plan:

POLICY 1.1.4: *The Urban Community areas are areas outside of Fort Myers and Cape Coral that are characterized by a mixture of relatively intense commercial and residential uses. Included among them, for example, are parts of Lehigh Acres, San Carlos Park, Fort Myers Beach, South Fort Myers, Bonita Springs, Pine Island, and Gasparilla Island. Although the Urban Communities have a distinctly urban character, they should be developed at slightly lower densities. As the vacant portions of these communities are urbanized, they will need to maintain their existing bases of urban services and expand and strengthen them accordingly. As in the Central Urban area, predominant land uses in the Urban Communities will be residential, commercial, public and quasi-public, and limited light industry (see Policy 7.1.6). Standard density ranges from one dwelling unit per acre (1 du/acre) to six dwelling units per acre (6 du/acre), with a maximum of ten dwelling units per acre (10 du/acre). (Amended by Ordinance No. 94-30)*

This category allows the consideration of a wide variety of land uses. The proposed land uses in this request have been found to be uses which can be allowed in this future land use category. There must be a complete analysis of the application with the entire Lee Plan before a recommendation can be made as to the consistency of this application with this category.

Staff feels it is important to also place into the record the description of the Suburban future land use category, since it adjoins the subject property to the west.

POLICY 1.1.5: *The Suburban areas are or will be predominantly residential areas that are either on the fringe of the Central Urban or Urban Community areas or in areas where it is appropriate to protect existing or emerging residential neighborhoods. These areas provide housing near the more urban areas but do not provide the full mix of land uses typical of urban areas. The standard residential densities are the same as the Urban Community category. Higher densities, commercial development greater than neighborhood centers, and industrial land uses are not permitted. Bonus densities are not allowed. (Amended by Ordinance No. 94-30)*

The following analysis of Lee Plan goals, objectives and policies is provided in support of staff's recommendation of a finding of inconsistency with the Lee Plan.

GOAL 2: GROWTH MANAGEMENT. *To provide for an economically feasible plan which coordinates the location and timing of new development with the provision of infrastructure by government agencies, private utilities, and other sources.*

OBJECTIVE 2.1: DEVELOPMENT LOCATION. *Contiguous and compact growth patterns shall be promoted through the rezoning process to contain urban sprawl, minimize energy costs, conserve land, water, and natural resources, minimize the cost of services, prevent development patterns where large tracts of land are by-passed in favor of development more distant from services and existing communities. (Amended by Ordinance No. 94-30)*

POLICY 2.1.1: *Most residential, commercial, industrial, and public development is expected to occur within the designated Future Urban Areas on the Future Land Use Map through the assignment of very low densities to the non-urban categories.*

This Goal, Objective, and Policy of the Lee Plan relate to the provision of an economically feasible plan to make sure that infrastructure is committed to or available to service the development being considered. In this instance, there is adequate infrastructure to serve development of this site.

OBJECTIVE 2.2: DEVELOPMENT TIMING. *Direct new growth to those portions of the Future Urban Areas where adequate public facilities exist or are assured and where compact and contiguous development patterns can be created. Development orders and permits (as defined in F.S. 163.3164(7)) shall be granted only when consistent with the provisions of Sections 163.3202(2)(g) and 163.3180, Florida Statutes and the county's Concurrency Management Ordinance. (Amended by Ordinance No. 94-30)*

POLICY 2.2.1: *Rezoning and development-of-regional-impact proposals shall be evaluated as to the availability and proximity of the road network; central sewer and water lines; community facilities and services such as schools, EMS, fire and police protection, and other public facilities; compatibility with surrounding land uses; and any other relevant facts affecting the public health, safety, and welfare. (Amended by Ordinance No. 94-30)*

This Objective and Policy provides that new growth is being directed to the areas of the County where adequate facilities exist to serve the development with the creation of compact and

contiguous development patterns. The subject property is located in an area of the County where potable water and sanitary sewage is available. Infrastructure like police, fire, and EMS is available to serve development in this area. Compatibility with the surrounding land uses is an issue. The project calls for 60 hotel/motel units and a restaurant with bar or cocktail lounge. Properties to the west are developed with a mix of uses: a motel, duplexes, and single family residences. These have been developed mostly as single story structures some over parking or on stilts, none exceeding more than two stories. Development of a four story building over parking would be out of character in this area. Furthermore, this just permits the owner to maximize the overall development of this site. As discussed in the Site Development Concerns section of the staff report, this development scheme may over maximize development of the site to the point that it exceeds the parcel's ability to support the project. Staff finds the applicant's proposal is inconsistent with this Policy of the Lee Plan.

POLICY 5.1.5: Protect existing and future residential areas from any encroachment of uses that are potentially destructive to the character and integrity of the residential environment. If such uses are proposed in the form of a planned development and generally applicable development regulations are deemed to be inadequate, conditions shall be attached to minimize or eliminate the potential impacts or, where no adequate conditions can be devised, the application shall be denied altogether. Requests for conventional rezonings shall be denied in the event that the buffers provided in Chapter 10 of the Land Development Code are not adequate to address potentially incompatible uses in a satisfactory manner. The Land Development Code shall continue to require appropriate buffers for new developments. (Amended by Ordinance No. 94-30)

The development of this site, as proposed in this application, is potentially destructive to the character and integrity of the area to the west. The Master Concept Plan proposes a potentially intense land use with direct access to a local road serving these adjoining and nearby residential uses. The applicant proposes to increase the intensity of the use by adding a 60 unit hotel/motel. In addition, the proposed development may require a substantial portion of the commercial vehicles supporting this development to access the site from South Street. This could place a substantial amount of additional commercial traffic on a local residential street. However, the Lee Plan provides the lands adjoining to the west are to remain predominately residential in character (Suburban) and protection of the existing and emerging residential neighborhoods must be considered. The proposal to increase the use of this site from a restaurant with limited access to South Street to a 60 unit hotel/motel with a restaurant with the same number of seats (150) and advertising of the restaurant along the abutting arterial highway with commercial service vehicles entering and exiting onto a local residential street within a building of 51 feet in height will adversely impact the existing residential neighborhood.

POLICY 6.1.1: All applications for commercial development shall be reviewed and evaluated as to:

- a. Traffic and access impacts (rezoning and development orders);*
- b. Landscaping and detailed site planning (development orders);*
- c. Screening and buffering (planned development rezoning and development orders);*
- d. Availability and adequacy of services and facilities (rezoning and development orders);*
- e. Impact on adjacent land uses and surrounding neighborhoods (rezoning);*

- f. Proximity to other similar centers (rezoning); and
- g. Environmental considerations (rezoning and development orders).

At this time the site has direct access to San Carlos Boulevard and frontage on South Street. Traffic from the site primarily enters and leaves from San Carlos Boulevard. The proposed redesign of this site places nearly all off-street parking to the rear portion of this site. This design also encourages traffic to use the access to South Street, since this is a more direct access to and from the parking lot. This adversely impacts the residential area on South Street by placing more traffic, both customer and commercial service vehicles, on the road. This would be increased traffic since the applicant is seeking additional use of this site.

Screening and buffering this project will not adequately achieve the protection of the adjoining residential neighborhood. The height of the proposed structure of 44 feet (about 51 feet above existing grade) cannot be adequately buffered. Even with vegetation (trees) planted at a height of 10 feet will not adequately buffer the view of the building from the adjoining residential area. A reduced intensity use within a building of two stories over parking may be consistent, depending on the site development arrangement. Protection of the existing community to the west is an important issue concerning the redevelopment of this site.

The site is not proximate to other uses and intensities of similar characteristic. This would represent the first mid-rise to high rise building on this island. All development on the island consists of one to two stories over parking, with the exception of the dry storage buildings of the marinas. These, however, are found in the areas planned for these types of uses within the Lee Plan. The proposed building in this request is four stories over parking.

Staff finds this request inconsistent with this Policy.

POLICY 6.1.3: *Commercial developments requiring rezoning and meeting Development of County Impact (DCI) thresholds shall be developed as commercial planned developments designed to arrange uses in an integrated and cohesive unit in order to:*

- *provide visual harmony and screening;*
- *reduce dependence on the automobile;*
- *promote pedestrian movement within the development;*
- *utilize joint parking, access and loading facilities;*
- *avoid negative impacts on surrounding land uses and traffic circulation;*
- *protect natural resources; and*
- *provide necessary services and facilities where they are inadequate to serve the proposed use.*

(Amended by Ordinance No. 94-30)

The proposed development does not provide for visual harmony. The buffering of the project is inadequate to provide visual harmony and adequate screening to offset the impacts of a development of a 4 story over parking hotel/motel. Additionally, the uses and intensities are such that development of all of the principal uses will detrimentally impact the adjoining areas by increasing traffic along the local roads in the area.

POLICY 6.1.4: *Commercial development shall be approved only when compatible with adjacent existing and proposed land uses and with existing and programmed public services and facilities. (Amended by Ordinance No. 94-30)*

The proposed commercial development is not compatible with the adjacent existing and expected future land uses to the west. This area consists of a low intensity motel project and residential land uses within the Suburban future land use category. These residential and motel uses have been existing for many years and are expected to continue into the future. The construction of a four story building above flood elevation will be the highest building in the area. Buffering of this building will be insufficient to offset the visual impacts of the building and use.

POLICY 24.1.5: *Main access points from new development shall not be established where traffic is required to travel through areas with significantly lower densities or intensities (e.g. multifamily access through single-family areas, or commercial access through residential areas) except where adequate mitigation can be provided.*

The proposed new development has two main access points: one from San Carlos Boulevard and one from South Street. The limited area in the front of this site (toward San Carlos Boulevard) does not leave enough room for service vehicles to park and make deliveries or pick up trash. In addition, delivery vehicles may have difficulty traveling under the proposed building. Therefore, the applicant has designed the site to have service vehicles enter from South Street. This entrance could also serve to allow emergency access to this portion of the development. Staff objects to requiring service vehicles to enter from South Street. This street is predominately a residential street serving to provide access to the individual homes along this street. This would be placing commercial traffic and access in a residential area, which is inconsistent with this Policy of the Lee Plan.

Neighborhood Compatibility

As discussed in the above Lee Plan discussion, staff recommends this project be found incompatible with the surrounding land uses. The applicant seeks to extend commercial zoning and use into a predominately residential area and have commercial traffic travel through this area. The resulting commercial traffic and intrusion of commercial use combined with the increased intensity of the use of the site will detrimentally impact the residential character of the area.

Environmental Issues

Environmental Sciences reports that the site was previously developed and contains no indigenous native vegetation. The Master Concept Plan meets the requirements of the Land Development Code for the amount of open space available to serve the project.

Building Height

The applicant has amended the proposed building height from 60 feet to 44 feet above flood elevation. The applicant indicates the current ground elevation is 5 feet above sea level. The Flood Insurance Rate Map indicates the property is within the A12 zone with a required minimum first floor elevation of 12 feet. The resulting height of the structure, as proposed, would be a minimum of 51 feet above current ground elevations.

Transportation

The applicant's Traffic Impact Analysis (TIS) on Page 5 indicates the applicant realizes that the restaurant will be patronized by non-hotel guests. This contradicts the applicant's intent of this rezoning to allow for the development of a hotel/motel with a subordinate use of a restaurant for the hotel's guests.

The applicant's TIS estimates a total of 40 trips in the weekday A.M. peak hour and 45 trips in the weekday P.M. peak hour. Daily two-way trips for this project are expected to be 715 trips. It must be emphasized that the trip generation reduces by 75 percent the trip generations for the restaurant to account for the internal trips for the hotel. The TIS does not note that the analysis was based on the fact that the public on the abutting streets would know through signage that there was or was not a restaurant on the site. The requested deviation to allow the signage for the restaurant would advertise the fact that there was a restaurant on the site and attract customers to that business. It is clear to staff that additional trips to this project would be generated and thus greater impacts must be expected.

Attachment D is a copy of Development Services staff analysis of the submitted TIS. Staff estimates a generation of 832 trips per day, with 43 in the AM peak hour and 68 in the PM peak hour. Staff finds the current Level of Service (LOS) for San Carlos Boulevard is a LOS C with the road remaining at LOS C with the anticipated build out background traffic added in.

Site Development Concerns

Off-Street Parking:

In meetings with staff and as part of the sufficiency review, staff requested clarification regarding the proposed restaurant use and whether it would be a permitted use or subordinate use of the site in conjunction with the hotel/motel. The applicant amended the request changing the total floor area of the restaurant and the activity group for the Restaurant from a Group III to a Group II. The applicant has stated their intent was to comply with the Subordinate Use section of the Land Development Code Section 34-3021(c).

This distinction is important toward consideration of consistency as stated in the Lee Plan analysis. If all of these uses are listed as permitted uses, the LDC requires each permitted use that is established on the site to be supported by adequate off-street parking. At this time, the Master Concept Plan indicates a commitment to provide 92 off-street parking spaces. The proposed request would only require, based on LDC Section 34-2020(2)I.2., a total of 72 off-street parking spaces. If the hotel use and restaurant use were permitted uses, then no less than 133 parking spaces would be required. This number could even be higher depending on the amount of area devoted to the TV/card room and the pool deck. In both instances, the applicant seeks to have Consumption on the Premises allowed. If this should occur, additional off-street parking must be supplied to support the area deviated to those uses.

The applicant also contends that Resolution ZB-83-117 (Attachment C) approved by the Board of County Commissioners allows the use of the property currently zoned residential as a parking lot. The attached Resolution does not permit the use of the property as a parking lot but accepts that applicant's interpretation that the use of the parking lot was considered a non-conforming use of the land and also accepts the applicant's withdrawal of an application for a zone change that was being considered at that time. The factor that a use is considered to be a non-conforming

use is not a basis for approval or denial of a rezoning application. Any rezoning application must be considered based upon the required findings and conclusions of the Land Development Code.

Subordinate uses:

The applicant commits as part of this request to have the Restaurant and Bar and Cocktail Lounge as a subordinate use to the Hotel/Motel use. Subordinate commercial uses to a hotel/motel use are specifically addressed in LDC Section 34-3021(c). The uses listed can be permitted when they are clearly subordinate to the principal use and subject to the following requirements:

- a. The retail use must be totally within the building housing the principal use;
- b. The retail use may not occupy more than 10 percent of the total floor area of the principal use; and
- c. Public access to the commercial uses must not be evident from any abutting street.

The applicant, however, seeks a deviation from this LDC Section (Deviation G). This deviation seeks to show that public access to the restaurant use is available. This would be achieved by allowing the sign for the hotel to be located along San Carlos Boulevard to also advertise the restaurant. This is contrary to the standard cited above.

Any approval of subordinate commercial uses within this development must comply with these standards. Staff, as part of the any potential conditioning of this project, recommends that the subordinate uses be conditioned to conform with these rules. This should include prohibiting signage visible from any abutting street which advertise the restaurant, the total floor area of all subordinate commercial uses should be limited as provided for in the LDC, and no public access to the commercial uses must be evident from abutting streets.

IV. ATTACHMENTS:

- A. Maps of surrounding Zoning and Future Land Use
- B. Applicant's supporting documentation
- C. Resolution ZB-83-117
- D. Comments from Development Services
- E. Comments from Environmental Sciences
- F. Hearing Examiner Decision, Case #93-10-07-VSN-03

cc: Applicant
County Attorney
Zoning/DCI File

ZONING MAP



A

LEE PLAN



STEAMERS HOTEL

MINOR CPD

EXHIBIT IV-D

DESCRIPTION OF PROPOSED DEVELOPMENT

AND

EXHIBIT II-E-2

NARRATIVE STATEMENT

REVISED JUNE 7, 2000

RECEIVED
JUN 08 2000

PREPARED BY

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DCT . B - 00013

Description of Proposed Development EXHIBIT IV-D &
Narrative Statement EXHIBIT II-E-2

Description of Proposed Development

The subject property currently contains Steamers Seafood Restaurant (hereafter Steamers) that is approximately 6000 square feet in size on San Carlos Island. The applicant intends to redevelop the site and change its primary use, by removing a portion of the existing restaurant/lounge and building another, minimally attached structure, that will contain 58 hotel units within the first three floors, and two hotel units and a restaurant/lounge on the top (fourth) floor. That portion of the existing building that remains will be used for accessory uses related to the hotel. Some of these include hotel reception, managers quarters, work out room, TV Lounge, possibly a game room and hotel laundry. The restaurant/lounge on the top floor of the expansion will be a total of approximately 3299 square feet, with 3049 square feet in the seating/kitchen area and 250 square feet in the lounge area. The primary use of the property therefore will change from a restaurant/lounge to a hotel with restaurant facilities, primarily intended for its guests. The height of this new construction will be approximately 44' or four stories above required flood elevation. It is notable, that the current C-1 zoning on the property allows a building of this height by right, with increased setbacks.

Although Steamers is a quality restaurant, it currently does not enjoy acceptable levels of patronage to sustain it. The applicant is certain that this is due to the fact that Steamers is in very close proximity to Fort Myers Beach, (adjacent island). The rationale for this request is that it is apparent to the applicant, that given the choice, a potential restaurant patron will prefer to go over the bridge to Fort Myers Beach, where they can dine indoors or outdoors and most importantly, do so on the water. The alternative that is most logical and has the greatest chance of success, is to construct a favorably priced, full service hotel, offering a restaurant, primarily for its guests and located on the trolley route, which provides access to Fort Myers Beach amenities.

Land Use Analysis

The property is zoned C-1 along its frontage on San Carlos Boulevard and its rear half, which abuts South Street SW to the west, is zoned TFC-2. The TFC-2 portion of the property serves as part of the property's parking lot. The use of the TFC-2 portion of the property as a parking lot was approved by the then Lee County Zoning Board in Resolution Number ZB-83-117. Moreover, the properties to the immediate north and south of the subject property are being used in a similar fashion.

The contiguous property to the immediate north is a multi-use commercial building with an approved liquor store with the rear being used primarily for storage of miscellaneous items. The contiguous property to the immediate south of subject contains a nightclub on the San Carlos Boulevard frontage and a parking lot for tractor-trailers in the rear. This clearly demonstrates the TFC-2 zoning to the rear of these three properties is unrealistic and functionally obsolete today, given the area's evolution. Non-contiguous properties to the west on and across South Street SW include a motel, interspersed multifamily, duplex and single family units and vacant parcels.

To the east across San Carlos Boulevard land uses include a gas/convenience store, lumberyard, and RV Rental Park.

The more general area in which the subject property is located is best and predominantly described as highly mixed commercial along the street frontage of San Carlos Boulevard. The diversity of the commercial uses near the subject property is significant because it demonstrates a well-established, historical commercial boundary. Some of these include a strip shopping center, nightclub, gas stations, lumber yard, convenience store, RV Park, industrial, marinas and marina related services, social clubs such as the Moose Lodge and Shriners Club, Lee County sewage pump station and trolley parking lot, trailer truck parking lot, newspaper offices, trailer park, and auto parts. The proposed use is therefore consistent and compatible with its neighbors and the immediate area as a whole.

LDC Section 34-2020(2)l.2. provides that "When a restaurant is located within the same building as the principal use, and is clearly provided primarily for the employees and customers of the principal use, no additional parking spaces are required." In this case, the applicant is providing the required 72 spaces for the motel, which is the principal use. Although it is not required, he is also providing an additional 20 spaces for patrons who may wish to use the restaurant without being a guest at the hotel. The Master Concept Plan shows a total of 97 spaces, which exceeds the number of spaces (92), the applicant is committing to. He is doing this for purposes of design flexibility so that in the event during the development order process, it is found that some of the land shown as parking needs to be used for some other purpose, it would be available without the need for an amendment to the MCP. An example of such a situation would be the final location of pilings.

Compatibility

LDC Section 34-1802(4)d. indicates that hotels approved as planned developments are not subject to unit size or density requirements provided all other aspects of the development (height, traffic, intensity of use, etc.) are shown to be compatible with the surrounding area and the Lee Plan. Since this request is to allow 60 hotel units and accompanying uses, this section is applicable.

To address these criteria, it is essential to know what "compatibility" means in the context of the LDC. Section 34-2 of the Land Development Code, provides that meaning as follows:

"Compatible means, in describing the relation between two land uses, buildings or structures, or zoning districts, the state wherein those two things exhibit either a positive relationship based on fit, similarity or reciprocity of characteristic, or a neutral relationship based on a lack of conflict (actual or potential) or on a failure to communicate negative or harmful influences to one another."

Height

Height should not be an issue in this case because the current zoning, C-1, would allow an even taller structure, by right. Under current C-1 zoning, this would require enlarged side setbacks, which the applicant could meet. However, per County staff's request to decrease the height of the building from the original proposed six stories to four stories, one setback deviation is required as discussed below. Under the proposed Planned Development scenario, the setback requirement would be ½ the height of the building or 22'.

Traffic

The submitted Traffic Impact Statement indicates that p.m./ peak hour traffic increases as a result of the project will be very minor. The level of service will not change as a result of the project and no road improvements will be necessary. In terms of compatibility of traffic generation of the proposed project with that of other nearby uses, for example, the convenience/gas station, strip shopping center and probably the 20 unit/acre RV park, experience a higher PM/peak hour trip generation rate than the proposed project.

Intensity

Normally, a stand alone, well-patronized restaurant, the size of the existing Steamers, would be more intensive than a 60-unit motel. As proposed, the restaurant will be decreased in square footage by more than 50% and relocated from the ground level to the top floor of the new construction, where its primary patrons will be the hotel guests. Moreover, one of the measures of intensity is traffic generation. The biggest attraction in the area is Fort Myers Beach, which is on the adjoining island. It will be most likely that hotel guests' real destination will be Fort Myers Beach and that they will make use of trolley service available that is available approximately 100' from the property. Turnover traffic from the subject property should therefore be much less that which would be normally expected due to the readily availability alternate means of transportation. Another measure of intensity is whether the project can meet the open space and parking requirements. In both instances, this project exceeds those requirements.

Returning to the definition of "Compatible" as stated above, we find that this project as proposed is compatible with the area and that there are no inconsistencies or conflict given the nature and diversity of uses in the area, the location of the proposed use toward the front of the property as far as possible from any residential use, increased setbacks, neutral intensity of use, minimal traffic impact and the fact that a structure of the height described is permitted by right.

Deviations

Since the redevelopment of this property will involve the use of a portion of an existing structure, which in some respects is non-conforming, several of the deviations requested are intended to cure those situations. The other deviations are justified when viewed in the context

of the unusualness of the particular circumstance requiring it. The deviations are depicted on the Master Concept Plan by location and letter and the justification for granting them, is as follows:

- (A) Deviation from LDC Section 10-416(d)(4) from the required 5' buffer to 0' (side property line) and from 15' to 8' (along right of way).

Justification: The existing building was constructed less than 1' from the property line in 1955, prior to zoning and a buffer is therefore not possible. Applicant is offering to plant 4 trees/100 linear feet along the unpaved portion of the property abutting San Carlos Boulevard.

- (B) Deviation from LDC 34-935(e)(4) from the minimal separation of buildings of $\frac{1}{2}$ the sum of their heights or 20' whichever is greater to 0'

Justification: The existing building does not meet current FEMA flood regulations due to the time it was constructed. FEMA regulations allow the expansion of an existing structure without floodproofing of the existing portion if the new addition is "minimally connected" to the old portion. The connection between the old (hotel lobby, preparation room etc.) and new (hotel and restaurant) parts is a doorway connection. The new construction portion will meet flood regulations and will be constructed on pilings. The new portion will also be sprinkled for fire protection.

- (C) Deviation from LDC Section 34-935(b)(1)e, from structure setback from the development perimeter boundaries of $\frac{1}{2}$ the height of the building or 20' whichever is greater to approximately 0' and 8', for existing construction and 0 feet on the south property line for new construction.

Justification: The rationale for this request is the same as Deviation A above.

- (D) Deviation from LDC Section 10-416(d)(4) from the required C/F buffer to a 10' buffer with no wall.

Justification: The western approximately $\frac{1}{2}$ of the subject property is zoned TFC-2 and has been and will continue to be used for parking purposes. To the immediate south of that portion of the subject, that property is being used to park trailer trucks. It is also zoned TFC-2, but is being used commercially. On the west property line abutting South Street, applicant will provide a 15' buffer and 8' masonry or wood wall. Applicant asserts that since the use is commercial, then a 5', A-type buffer is required even though it is zoned residential. The MCP shows a 10' buffer which will be planted with 4 trees/100 linear feet and 18 shrubs or hedges/100 linear feet.

Somewhat similarly, the portion of the property to the immediate north of subject that abuts the TFC-2 portion of the applicant's, is zoned TFC-2, is vacant, and is used to store miscellaneous items. The front, or San Carlos Boulevard portion of that property, contains a mixed-use commercial building which was the subject of a variance case,

specifically, Case 98-11-110.05V. While the parking for the proposed use, in that case i.e. a liquor store, is provided on the San Carlos Boulevard side of the building, it was acknowledged by the Hearing Examiner, Mr. Territo, that if and when additional uses beyond the liquor store are added, there might be inadequate parking and additional parking will need to be provided elsewhere. It is logical to assume that the intensity is likely to increase since there are two other currently vacant spaces in that building that are available. Given the fact that the lot on which that building sits is only 60' wide, and the building takes up all of the frontage, the most logical place for that parking would be to the immediate rear of the building where that part of the property is zoned TFC-2 just as is the applicant's.

Applicant believes that given the nature of the immediate properties and their use, his proposed buffer of 10' is more than adequate to address current and future situations. This is especially true when it is considered that the actual, physical location of the proposed building on the property, i.e., hotel with restaurant/lounge, is located on the front or San Carlos Boulevard portion of the property and does not abut the TFC-2 portions of the adjacent properties. Rather, that area of the subject abutting the TFC-2 portions of them will be parking only, and will have a 10' buffer between it and the adjacent TFC-2 portions.

E

Deviation for LDC Section 34-1744 to allow a 6' fence on all property lines with the exception of the property line at San Carlos Boulevard.

Justification: This deviation is requested due to an abundance of caution of a situation that may be technically non-conforming. Specifically, the subject property has a 6' fence on portions of three sides. Normally, Section 34-1744 allows 6' fences on the side and rear property lines. In this case the "rear" property line is at South Street, or in other words, the property has double frontage and a 6' fence would not be permitted within what would be the front yard setback on the South Street end of the property. The fence is needed for security purposes as evidenced by the fact that the adjoining properties to the north and south of the subject are also similarly fenced. Given the depth of the property, about 280' and the proposed location of the expanded structure toward the front (San Carlos Boulevard) end of the property, security toward the rear, which is more hidden, presents a security problem without a fence of reasonable height. This would also serve to protect the security of the more residential properties to the west, on and across South Street SW.

F

Deviation from LDC Section 30-153(3)a.3. and e, from the required sign setback from a property line of 10' to 6' and from the required setback of 15' from a right of way to 0'.

Justification: These setbacks were approved as part of a variance request, Case Number 93-10-07-VSN-03. In rendering his favorable decision, the Hearing Examiner, Mr. Territo, observed that given the widening of San Carlos Boulevard and the location of long established structures and the visual blocking effect they would have on a sign that met the required setbacks, that the variance was warranted. Since the situation has not

changed, applicant wishes to continue the use of the sign as located and to change sign copy in the future without further variances.

G

Deviation from LDC Section 10-285 (a) from required intersection separation of 125' to 5', 48', 80', 95', 100'.

Justification: The intersections in question are existing driveways on South Street. The location proposed by the applicant makes sense if the internal circulation of applicant's project is considered and also the fact that, the access will be for emergency or service access only.

H

Deviation from LDC 34-3021 (C) (1) C. from the requirement that for subordinate commercial uses, public access to the commercial use, must not be evident from any abutting street to permit the name of the subordinate use on the project sign.

Justification: This deviation is requested in an abundance of caution. Applicant interprets this requirement to apply to obvious entrance to the subordinate use. In fact, entry to the subordinate use will be through the hotel (primary use) lobby. Staff's interpretation is that the section would preclude having the restaurant name on the hotel sign.

Narrative Statement

The applicant's request for rezoning to CPD and the accompanying deviations are consistent with the Lee Plan and the guidelines for decision-making for the following reasons:

1. Error or ambiguity in the zoning ordinance or map that must be corrected.

Response: There is no ambiguity in the LDC that must be corrected.

2. Are there changed or changing conditions, which makes approval of the application appropriate?

Response: The change of principal use from a restaurant/lounge to a hotel/restaurant/lounge is in response to changes in the marketplace, i.e., the increased preference of restaurant patrons to dine in a waterfront setting. That type of setting is readily available on Ft. Myers Beach, the adjacent island and the result is functional obsolescence of the present use of the subject property. Applicant believes that a reasonably priced hotel with restaurant services, near, but not on Ft. Myers Beach, with convenient trolley service, which is available, would be a logical and productive response to the changing conditions and times.

3. Will urban services be available and adequate to serve the proposed land use change?

Response: All urban services, including trolley service are available to the property.

4. Is the request consistent with the goals, objectives, policies and intent and densities and intensities and general uses set forth in the Lee Plan?

Response: Yes as follows:

Policy 1.1.4, which describes the Urban Community land use category as being freestanding communities of a distinctly urban character. The proposed use is consistent with that description.

Policy 18.2.1. The area in which the property is located is generally characterized as highly mixed, principally commercial. The physical building that will house the proposed use fronts on San Carlos Boulevard the only access point to Ft. Myers Beach at its northern end. The rear of the property will be a screened parking area, which is a low intensity use, and will be closest to any use along South Street SW. The parking lot therefore will function as a step down of intensity from the commercial uses along the San Carlos Boulevard frontage, which is a well-known and accepted planning principle. Similarly, with regard to height, this building that will be 44' above required flood elevation, meets setback requirements for either Planned Development (one half the height of the building) and would exceed setback requirements under the existing zoning of C-1 (one half foot additional setback for every foot over 35'). The only exception to this is the south side setback deviation that is necessary due to requests from staff to reduce the building height from 6 to 4 stories. The portion of the existing building that is to remain has a 0-foot setback. Moreover, in the interest of compatibility, the building will be located as far as possible (about 140' from South Street SW) from any residential uses. Therefore, the proposed improvements should in no way be considered as an intrusion into a residential neighborhood.

Policy 6.1.2. The proposed use is compatible with adjacent existing or proposed land uses and with the existing public services.

Objective 2.1. The approval of the application will promote a contiguous and compact growth pattern thereby containing sprawl and is redevelopment rather than new development.

5. Will this request protect, conserve environmentally critical areas and natural resources?

Response: The property is already developed.

6. Will it be compatible with existing or planned uses and not cause damage, hazard, nuisance or detriment to persons or property?

Response: The property is located in a highly mixed-use area and it will therefore be compatible with the other uses.

7. Will the location of the project place an undue burden upon existing transportation facilities?

Response: As indicated in the submitted Traffic Impact Statement, the project "will have little impact on the surrounding roadway system. No improvements are required as part of the proposed development."

8. Will the project be served by streets with the capacity to carry traffic generated by this project?

Response: See previous response, and add that level of service will not change, with or without the project.

9. Is the requested use in compliance with all applicable zoning regulations?

Response: Yes.

TRAFFIC IMPACT ANALYSIS

FOR

STEAMERS HOTEL 19220 San Carlos Boulevard

(PROJECT NO. 991121)

PREPARED BY:
Southwest Transportation Engineering, Inc.
A Metro Transportation Group, Inc. Company
1342 Colonial Boulevard, Suite 30
Fort Myers, Florida 33907
941-278-3090

RECEIVED
FEB 25 2000

ZONING COUNTER

January 14, 2000

DCI 2000-00013

CONTENTS

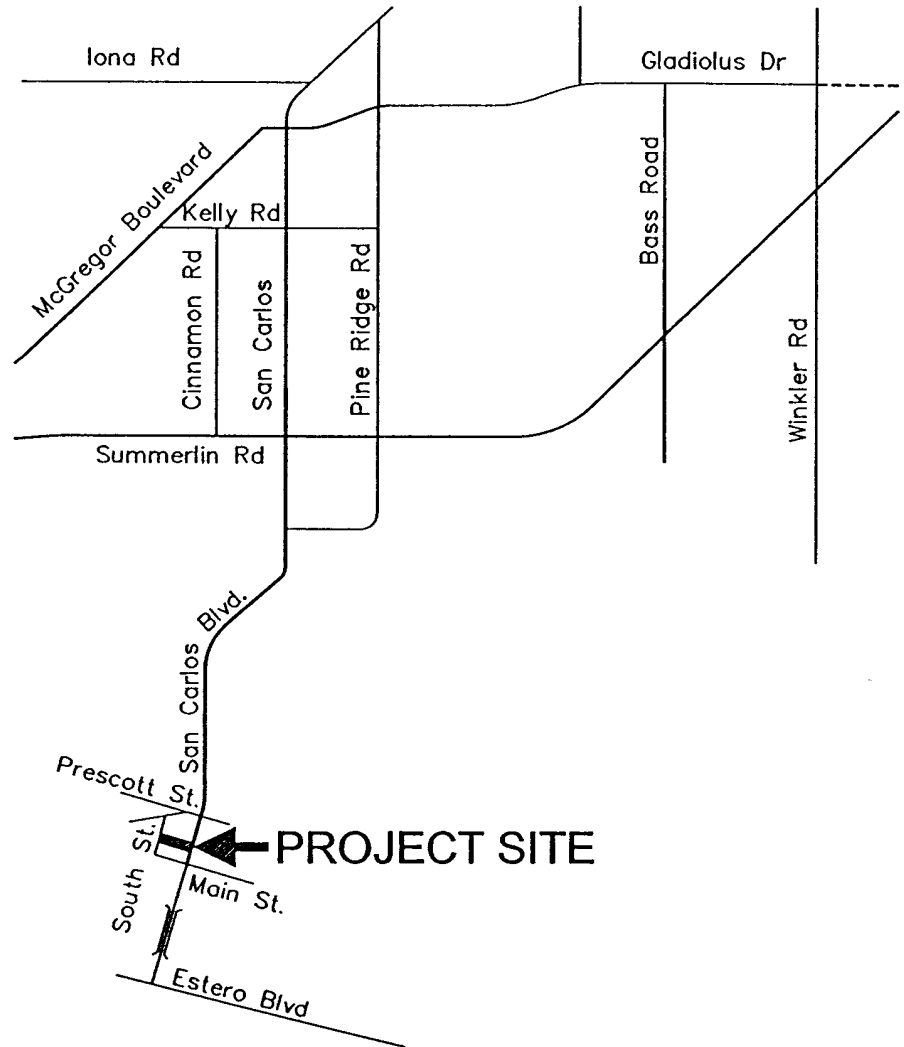
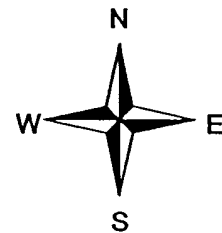
- I. INTRODUCTION
- II. EXISTING CONDITIONS
- III. PROPOSED DEVELOPMENT
- IV. TRIP GENERATION
- V. TRIP DISTRIBUTION
- VI. FUTURE TRAFFIC CONDITIONS
- VII. LEVEL OF SERVICE DETERMINATIONS
- VIII. CONCLUSION

I. INTRODUCTION

Southwest Transportation Engineering, Inc. (SWTE) has conducted a traffic impact analysis for a proposed hotel development. The site is located on San Carlos Island on the west side of San Carlos Boulevard, just north of the bridge leading to Fort Myers Beach Lee County, Florida. The site location is illustrated on **Figure 1**.

The proposed development on the approximately 0.84-acre site will consist of a 60 room hotel with a restaurant. The site is currently occupied by the Steamers Restaurant. A portion of that structure will remain and be incorporated into the design of the hotel. Access to the property is currently provided via an access drive onto San Carlos Boulevard. Additional access exists to the rear of the property via South Street. The following report will examine the anticipated trip generation of the proposed development and evaluate the impact the additional trips will have on the surrounding roadway network.

The following report has been prepared in order to fulfill requirements set forth by the Lee County Department of Community Development for projects seeking approval for zoning. This report has been completed in accordance to the criteria outlined in the Lee County Traffic Study Guidelines for Planned Development Rezoning (AC 13-17).



LEGEND

- TWO LANE ROADWAY
- FOUR LANE DIVIDED ROADWAY
- - - SIX LANE DIVIDED ROADWAY



II. EXISTING CONDITIONS

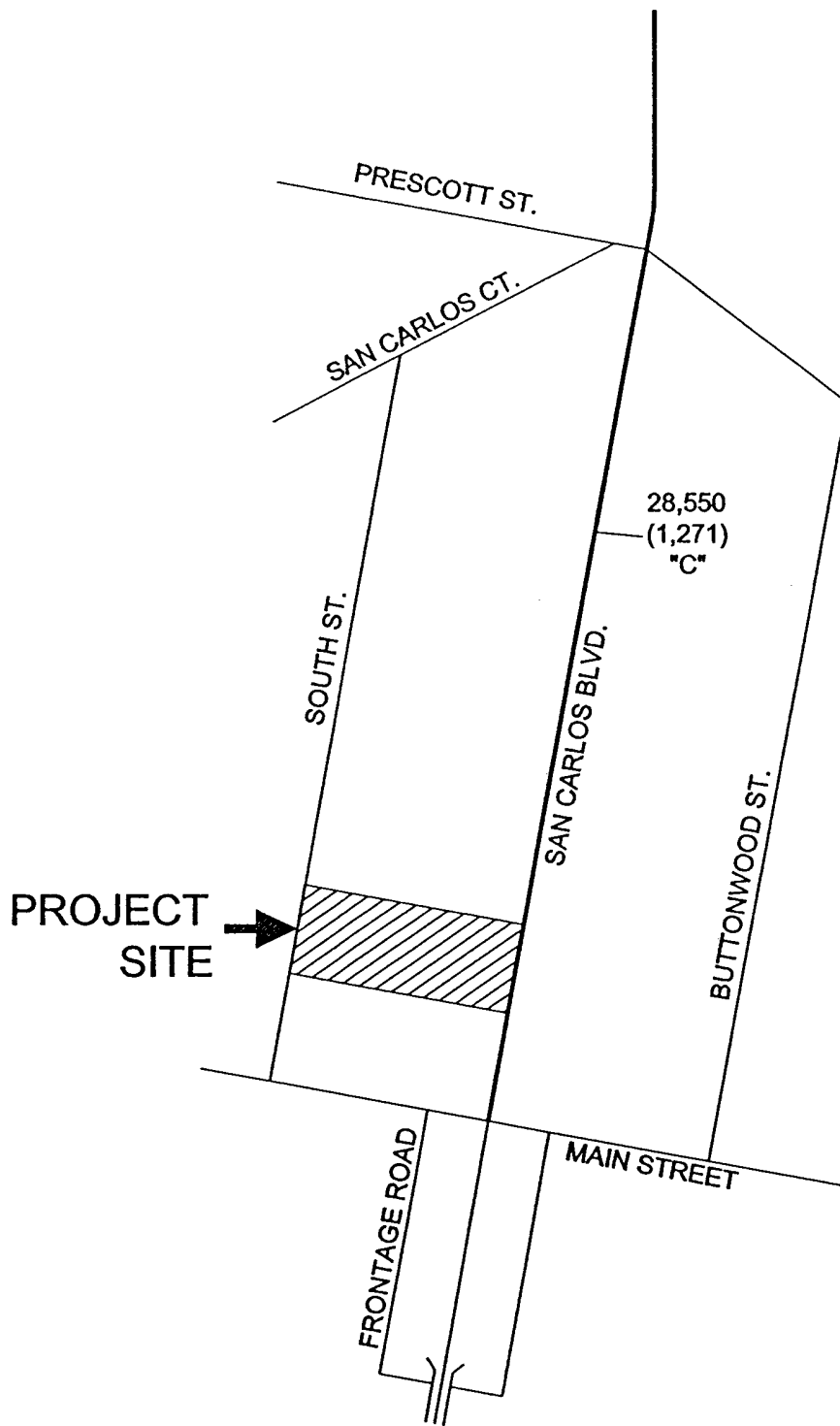
The subject site currently contains the Steamers Restaurant, which has approximately 150 seats. The site is bordered to the east by San Carlos Boulevard, to the west by South Street and to the north and south by commercial establishments. The restaurant is served by a single access drive to San Carlos Boulevard, which provides full turning movements.

San Carlos Boulevard is under the jurisdiction of the Lee County Department of Transportation. San Carlos Boulevard, in the vicinity of the site, has two travel lanes in each direction with a center bi-directional left turn lane. Signalized intersections in the vicinity of the site include Prescott Street to the north. San Carlos Boulevard has a posted speed limit of 45 MPH in the vicinity of the site. South of the site, past Main Street, San Carlos Boulevard narrows to one lane in each direction as it passes over the Mantazas Bridge to Fort Myers Beach.

Figure 2 depicts the existing 2000 peak season traffic volumes for all links being analyzed inside the project's area of influence. These traffic volumes were derived from the 1999 Lee County Traffic Count Report. **Table 1-B**, contained in the Appendix of the report, outlines the methodology used in determining 2000 traffic volumes.

III. PROPOSED DEVELOPMENT

The current owner of the property is planning to construct a hotel on the approximately 0.84-acre site. A restaurant would be relocated to the roof of the proposed multi-story hotel building. The proposed hotel would contain a total of 60 rooms. The restaurant would accommodate 150 seats, the same number of seats provided in the existing restaurant on the site. The land plan, prepared by CPH Engineer's, was referenced to determine the overall size of the uses proposed. **Table 1** summarizes the land uses utilized for trip generation purposes for the subject development.



LEGEND

- XX 2000 PEAK SEASON DAILY TRAFFIC
- (XX) 2000 PEAK SEASON PEAK HOUR PEAK DIRECTION
- "C" LEVEL OF SERVICE DESIGNATION



2000 EXISTING TRAFFIC VOLUMES AND LOS DESIGNATION STEAMED'S

Figure 2

Table 1
Steamer's Hotel
Land Uses

Land Use	Size
Hotel	60 Rooms
Restaurant	150 Seats

IV. TRIP GENERATION

The trip generation for the proposed development was determined by referencing the Institute of Transportation Engineer's (ITE) report, titled *Trip Generation*, 6th Edition. Land Use Code 310 (Hotel) was utilized. The restaurant proposed for the top level of the hotel will primarily serve the guests of the hotel. The restaurant will be an ancillary use to the hotel and will not be the primary trip generator of the property as is the existing restaurant. Realizing the restaurant will be patronized by non-hotel guest, some external trips were generated for the restaurant use. Land Use Code 832 (High Turnover (Sit-down) Restaurant) was utilized from the ITE report. The trip generation for the restaurant was reduced by 75% to account for internal trips that will occur when hotel guests patronize the restaurant. This reduction can be supported by the fact that the restaurant will be incorporated into the design of the hotel and be located on the top floor of the facility. Additionally, the new restaurant will not be on the ground level where it would be easily accessible and viewable to the general public driving by the site on San Carlos Boulevard. The primary patronage of the new restaurant on top of the hotel facility will be the hotel guests.

Table 2 indicates the number of trips anticipated to be generated by the hotel use and the additional traffic to account for non-hotel use of the restaurant.

Table 2
Trip Generation
Steamer's Hotel w/Ancillary Restaurant

Land Use	Weekday A.M. Peak Hour			Weekday P.M. Peak Hour			Daily 2-way
	In	Out	Total	In	Out	Total	
Hotel	10	10	20	15	15	30	535
Restaurant ¹	10	10	20	10	5	15	180
Total	20	20	40	25	20	45	715

¹ Trip Generation for restaurant reduced 75% to account for internal trips from hotel.

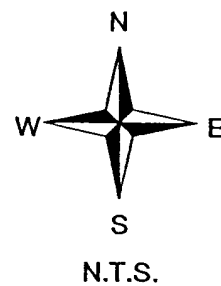
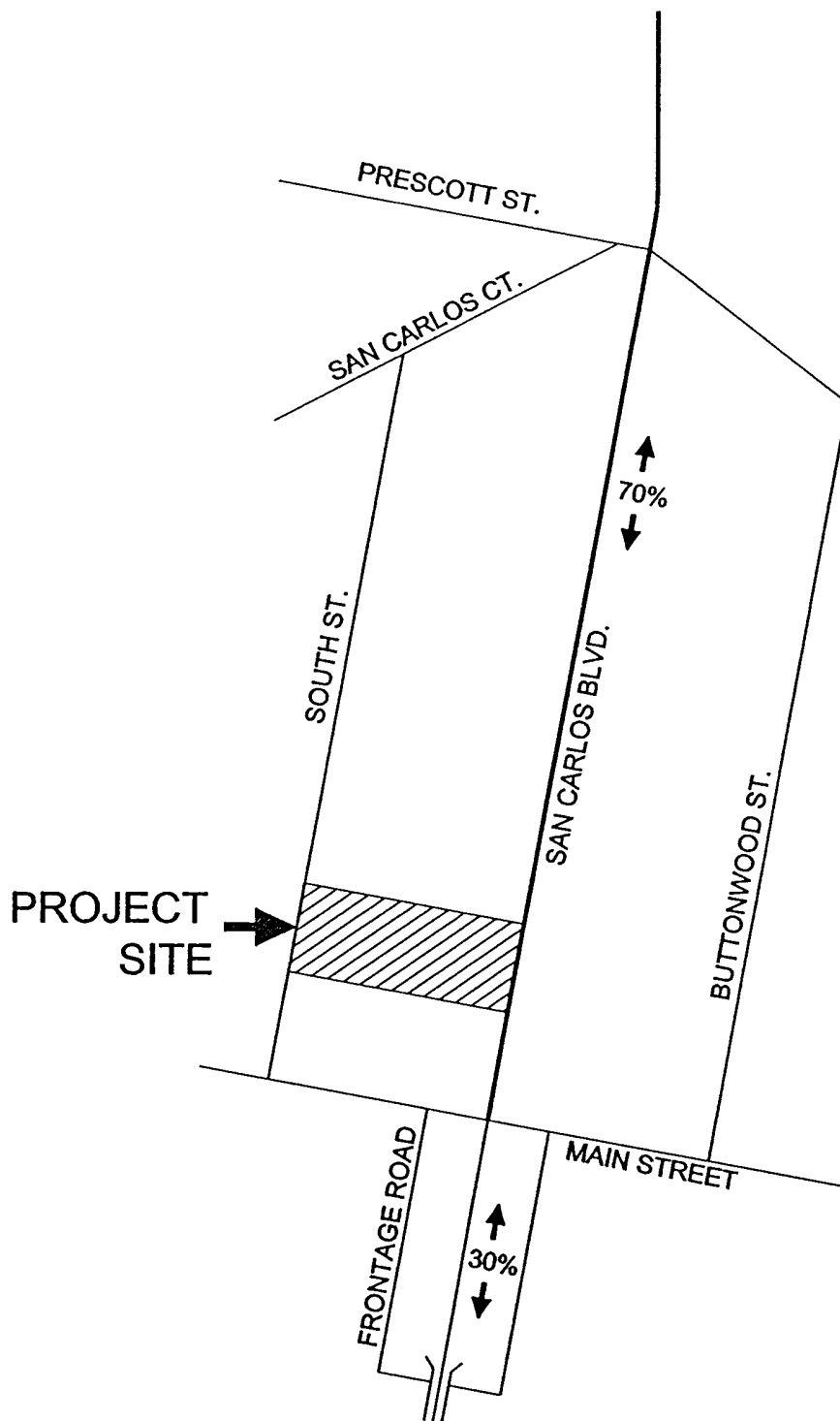
The equations for each land use are contained in the Appendix of this report for reference.

Based on the anticipated trip generation shown in Table 2, the Steamer's Hotel development will be classified and analyzed based on the guidelines established for a development generating "less than 300 trip ends" during the peak hour by the Lee County Traffic Impact Statement Guidelines.

V. TRIP DISTRIBUTION

The trips shown in Table 2 were then assigned to the surrounding roadway system based on the anticipated routes the drivers will utilized to approach the site. Current and projected population in the area and other existing or planned competing/complementary uses in the area were utilized to assist in determining a distribution of the site traffic. Based on this information, the anticipated trip distribution of the development traffic is shown on **Figure 3**.

The traffic shown in Table 2 was assigned to the surrounding street network based on the distribution shown on Figure 3. The assignment of the trips to the area roadway network is shown on **Figure 4**.



↑
20% PERCENT DISTRIBUTION
↓

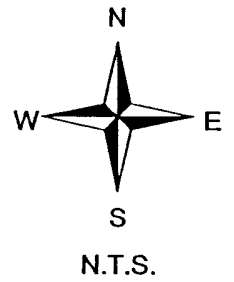
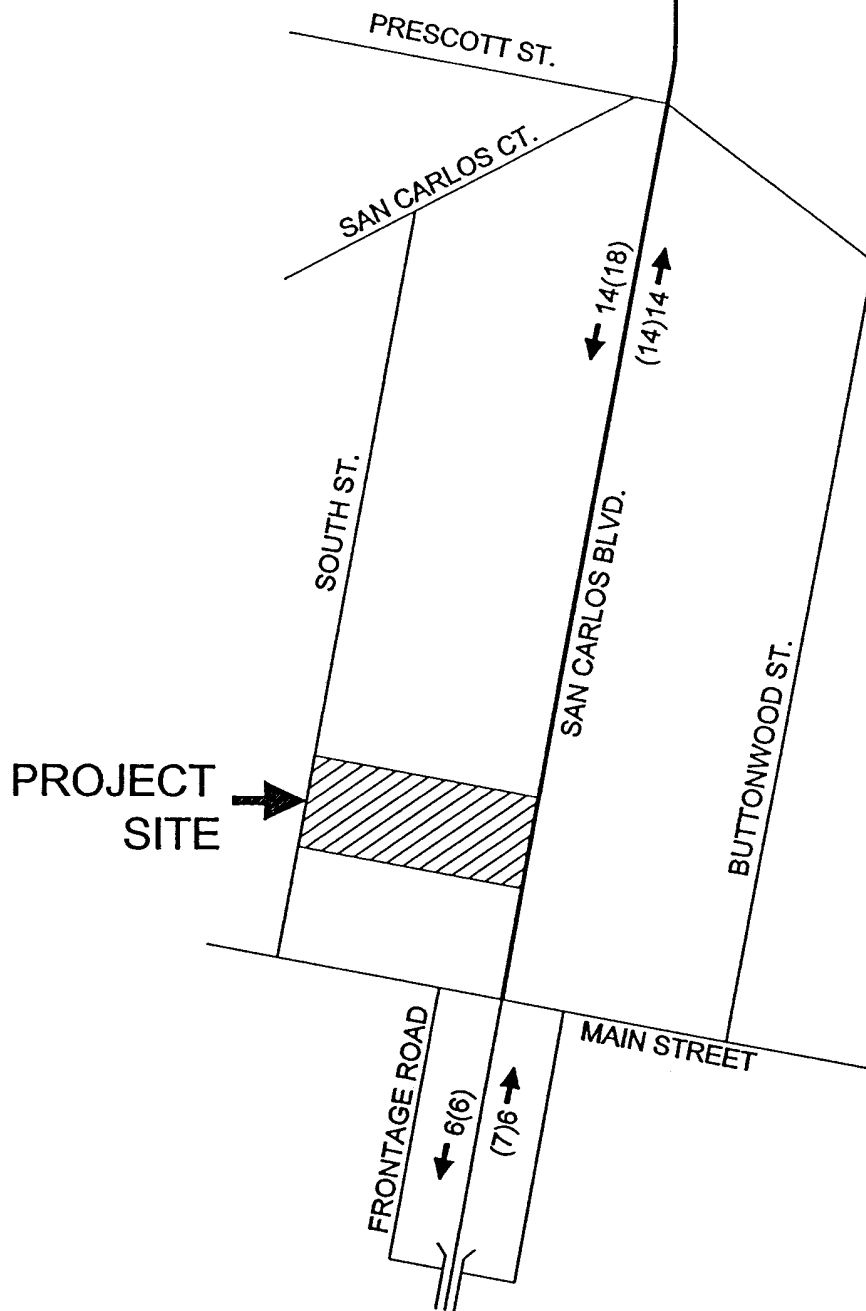
LEGEND

991121TSGRAPHICS



AM & PM PEAK HOUR
PROJECT TRAFFIC DISTRIBUTION
STEAMER'S

Figure 3



LEGEND

- ← 000 AM PEAK HOUR TRAFFIC
- ← (000) PM PEAK HOUR TRAFFIC



**AM & PM PEAK HOUR
PROJECT TRAFFIC BY DIRECTION
STEAMFR'S**

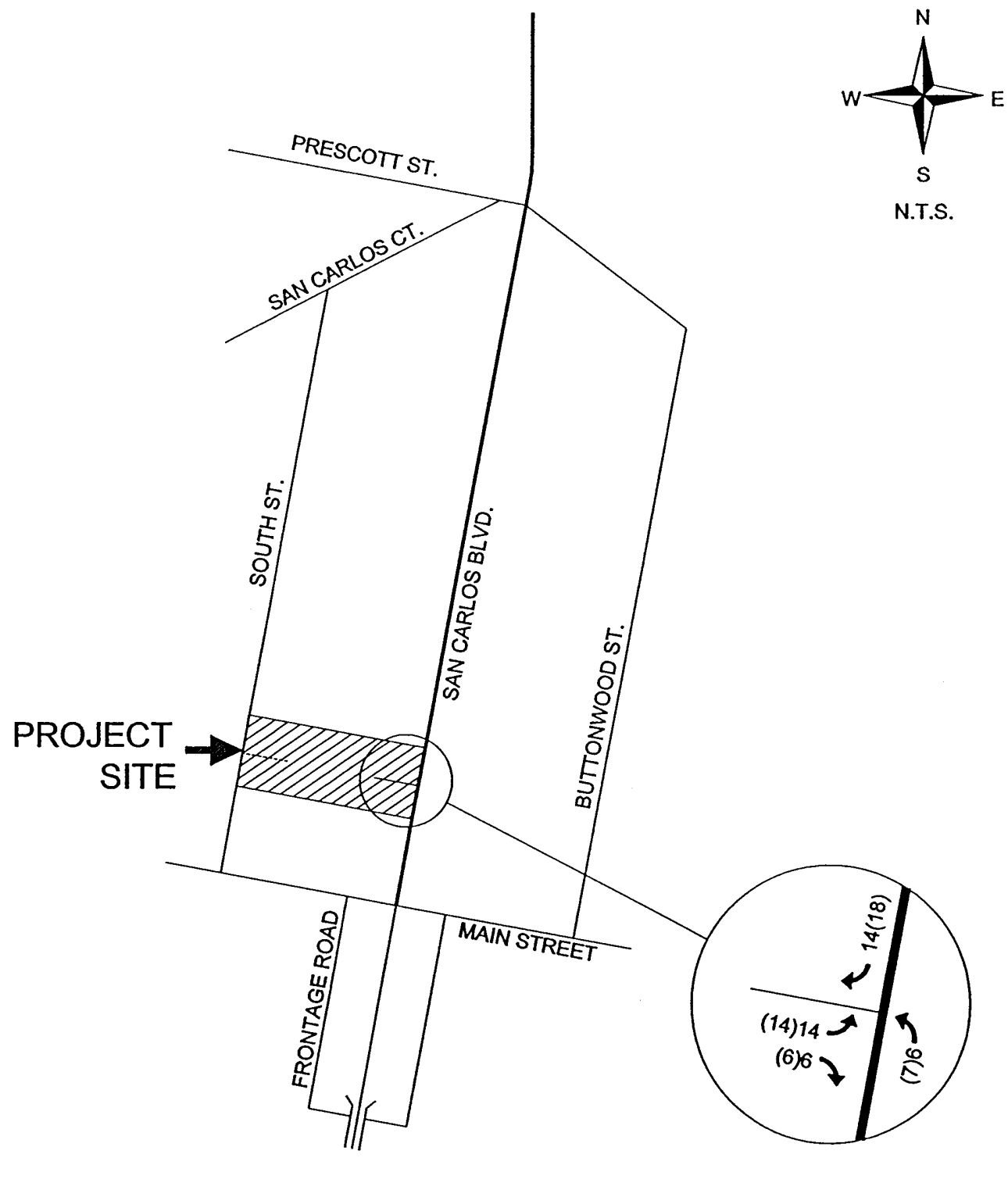
Figure 4

Figure 5 indicates the assignment of the development traffic to the proposed site access drive on San Carlos Boulevard. As previously indicated, access to the site is currently provided via a full access drive on San Carlos Boulevard. A secondary access will be provided to South Street, or to the rear of the property. This access is anticipated to be utilized during peak season periods when traffic on San Carlos Boulevard is queued beyond the site access drive. In that case, development traffic can utilize South Street to either access the traffic signal at Prescott Street to the north or access the frontage road that travels under the Mantazas Bridge to the south. Utilizing the frontage road will allow traffic to make a right turn onto San Carlos Boulevard to travel north rather than make a left turn from the site.

991121TISGRAPHICS



AM & PM PROJECT TURNING MOVEMENT VOLUMES STEAMFR'S



LEGEND
↶ 000 WEEKDAY AM PEAK HOUR TRAFFIC
↷ (000) WEEKDAY PM PEAK HOUR TRAFFIC
* NOTE- INCLUDE EXISTING RESTAURANT TRAFFIC

Figure 5

VI. FUTURE TRAFFIC CONDITIONS

In order to determine which links and intersections were significantly impacted, the peak hour project traffic was compared to the 10% LOS "C" hourly traffic volumes for all links receiving a substantial amount of project traffic. **Table 1-A** in the Appendix provides a detail of the impact percentages. Based on the significant impact criteria, the following links and intersections were analyzed:

Links

San Carlos Boulevard

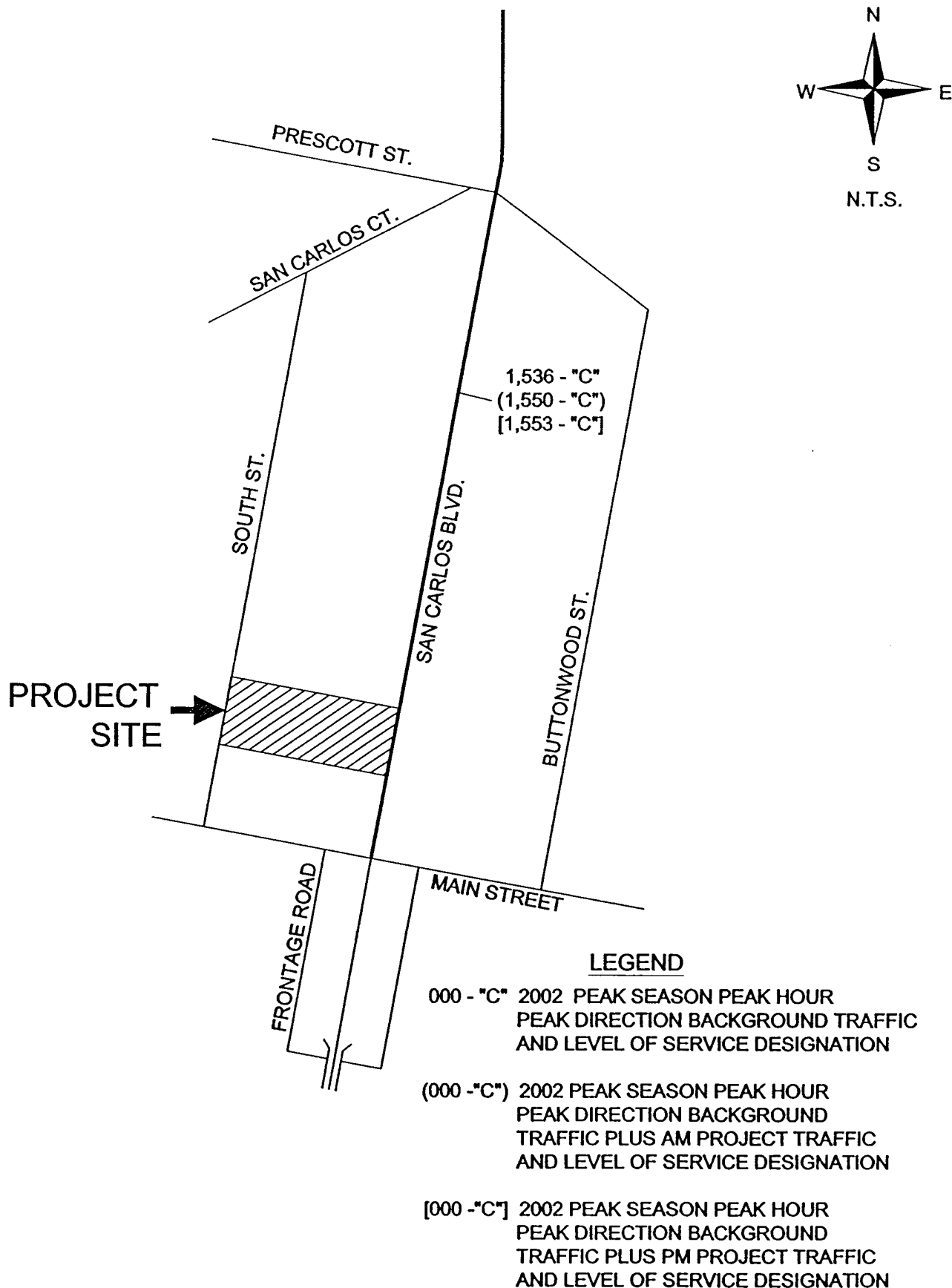
(South of Prescott Street)

Intersections

San Carlos Boulevard @ Site Access

In order to calculate the future background traffic volumes for the project build-out year of 2002, an annual growth rate was determined for all links and intersections under study. The compound growth factors used were derived from the 1999 Lee County Traffic Count Report. Refer to the Lee County Traffic Counts and Calculations in the appendix. The project traffic for the A.M. and P.M. peak hours was distributed to the surrounding roadway network based on directions of approach and distributions as previously discussed.

Future traffic volumes were determined after combining the background traffic and the project traffic at build-out (see Table 3). The future 2002 peak hour traffic volumes without development traffic and the corresponding levels of service are shown in **Figure 6**. Development traffic and total traffic (i.e. background + development traffic) are also shown by link in Figure 6, along with the corresponding levels of service.



2002 TRAFFIC VOLUMES AND
LEVEL OF SERVICE DESIGNATION
STEAMFR'S

Figure 6

VII. LEVEL OF SERVICE DETERMINATIONS

Table 4 and Figure 6 detail the levels of service for all links inside the project's area of influence. These levels of service were derived based on Lee County Service Volume Tables. Table 1-A in the Appendix details the calculations to determine the Level of Service on the analyzed links. In comparing the links' functional classification and calculated 2002 traffic volumes to the Service Volume Tables, it was determined that all roadways inside the project's area of influence would operate at acceptable levels of service for 2002 conditions.

Table 4
Steamer's Hotel
Level Of Service Volumes

Link	2000 Peak Season	2002 Peak Season without Development	2002 Peak Season with Development
San Carlos Blvd. South of Site Access	C	C	C

VIII. CONCLUSION

Based on the analysis prepared, the proposed hotel to be constructed on the site of the existing Steamer's Restaurant will have little impact to the surrounding roadway system. No improvements are required as part of the proposed development. The left-in movement can be accommodated from the existing bi-directional left turn lane on San Carlos Boulevard without impacting other developments in the area. The warrants for a separate right turn lane, pursuant to Administrative Code 11-4 is not satisfied, thus not requiring a separate right turn lane.

Traffic exiting the site desiring to travel north on San Carlos Boulevard has several options when queues on San Carlos Boulevard extend beyond the site access drive. Traffic can exit the site to the west and travel to the traffic signal at Prescott Street via South Street. In addition, traffic can turn right out of the site, and access northbound San Carlos Boulevard via the frontage road that goes under the bridge leading to Fort Myers Beach, completing the movement with a right turn from the other side of San Carlos Boulevard.

\\K:\99\11\21\report.doc

RESOLUTION OF THE ZONING BOARD

OF LEE COUNTY, FLORIDA

WHEREAS, Doris J. Tiedt, has properly filed an application for: A District Boundary Change from RM-1 to CC on Lots 4 & 5. Or in the Alternative: a variance in the C-1 District from the required minimum parking spaces for a restaurant of 66 parking spaces to 24 spaces on Lots 32 and 33 (Sec. 500.21.I.2) on a piece of property located at 817 San Carlos Boulevard, Fort Myers Beach, described more particularly as;

Section 24, Township 46 South, Range 23 East, Lee County, Florida.

Lots 4, 5, 32 and 33, Block 6, San Carlos On the Gulf S/D, PB 6, Page 6, Ft. Myers Beach, Lee County, Florida

WHEREAS, Doris J. Tiedt, the owner of the subject parcel has given proper authorization to Kenneth A. Jones to act as her agent, and has given him the authority to pursue this zoning action; and,

WHEREAS, the public hearing on this matter was advertised and conducted legally and properly; and,

WHEREAS, the Zoning Board considered the recommendation of the Staff, the Local Planning Authority, documents on file with the County and the testimony of all interested persons; and,

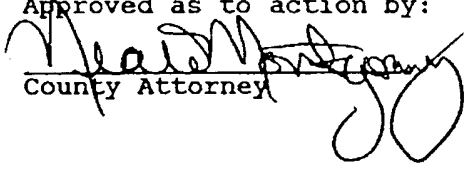
The Zoning Board does hereby make the following findings of fact:

The case was continued from the March 1, 1983 Zoning Board hearing to allow further review for clarification of request. The application was withdrawn, an affidavit was presented to the Board ascertaining lots 4 and 5 have been used prior to June 27, 1982 for commercial purposes including parking of vehicles and that such use has been continuous in nature has never been abandoned for a period of six (6) consecutive months.

NOW, THEREFORE, BE IT RESOLVED BY THE LEE COUNTY ZONING BOARD, LEE COUNTY, FLORIDA, that the Zoning Board does hereby accept the applicants interpretation and withdrawal pursuant to the affidavit presented. The non-conforming use of parking of vehicles in the RM-1 District remains in full and affect.

DULY PASSED AND ADOPTED this 28th day of March, A.D., 1983, by the Lee County Zoning Board.

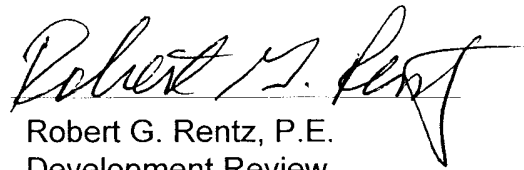
Approved as to action by:


County Attorney

MEMORANDUM
FROM THE
DEPARTMENT OF
COMMUNITY DEVELOPMENT
DEVELOPMENT SERVICES DIVISION

DATE: June 12, 2000

To: Alvin "Chip" Block, AICP
Senior Planner

FROM: 
Robert G. Rentz, P.E.
Development Review
Engineer

RE: **Steamers Hotel**
Case No. DCI2000-00013

The proposed development consists of the renovation of an existing restaurant, and addition of a 60-unit hotel. The project is expected to generate 832 trips per day, with 43 occurring in the AM peak hour and 68 occurring in the PM peak hour.

Based on the 1999 Traffic Count Report issued by the Lee County Department of Transportation the 2000 peak season, peak hour, peak direction of flow is 987 vehicles per hour. At this volume San Carlos Boulevard provides Level of Service (LOS) C.

When the project traffic is added to the anticipated build out background traffic the peak season, peak hour, peak direction of flow will be expected to increase to approximately 1,022 vehicles per hour. At this volume San Carlos Boulevard will still provide LOS C.

D

**MEMORANDUM
FROM
DEPARTMENT OF COMMUNITY DEVELOPMENT
DIVISION OF PLANNING: ENVIRONMENTAL SCIENCES**

Date: May 15, 2000

To: Alvin "Chip" Block, Senior Planner
From: Kim Trebatoski, Environmental Planner

Re: Staff Report: Steamers Hotel CPD
Case DCI 2000-00013
Master Concept Plan Counter Stamped April 13, 2000
STRAP 24-46-23-01-00006.0040

Division of Planning / Environmental Sciences (ES) staff have reviewed the above referenced project and conducted a site inspection on April 19, 2000. The following are ES staff comments:

Vegetation:

The site was previously developed and does not contain native indigenous vegetation.

Open Space:

The Land Development Code per Sections 34-935(g)(3) and 10-415(a) requires 20% open space for small commercial developments. This requirement is met on the Master Concept Plan with the note indicating 7,280 square feet or 20% open space required and 8,241 square feet or 23% open space provided.

Deviations:

ES staff defer Deviations 'A' and 'D' to Development Services staff as issues relating to compatibility.

OFFICE OF THE HEARING EXAMINER, LEE COUNTY, FLORIDA

HEARING EXAMINER DECISION

VARIANCE: CASE 93-10-07-VSN-03
APPLICANT: NICK KASTAN, in reference to STEAMERS SEAFOOD
HEARING DATE: October 7, 1993

I. APPLICATION:

Filed by NICK KASTAN, P.O. Box 2403, Ft. Myers, FL 33932
(Applicant/Owner).

Requests:

a) A variance from the Lee County Sign Ordinance (Ord. 85-26, as amended), (Section IV.C.3.a.3.), from the requirement that property with over 100 feet and up to 300 feet of frontage on a public right-of-way shall be set back a minimum of 10 feet from any side property line, to allow a sign 6 feet; and

b) A variance from the Lee County Sign Ordinance (Ord. 85-26, as amended), (Section IV.C.3.e.), from the requirement that identification signs shall be set back a minimum of 15 feet from any right-of-way or easement, to allow a sign zero feet from San Carlos Boulevard.

The Applicant wants to relocate an existing business sign.

The subject property is located at 19220 San Carlos Boulevard (north of the San Carlos Boulevard/Main Street intersection on the west side) Fort Myers Beach, in Section 24, Township 46 South, Range 23 East, Lee County, Florida. (District #3)

The Strap # as furnished by the Applicant is: 24-46-23-01-00006.0040

II. STAFF RECOMMENDATION: APPROVE REQUEST a); APPROVE REQUEST b) WITH CONDITIONS

The Department of Community Development Staff Report was prepared by Margaret Emblidge. The staff report is incorporated herein by this reference.

III. HEARING EXAMINER DECISION:

The undersigned Lee County Hearing Examiner APPROVES the Applicant's request and hereby grants a Variance from the Lee County Sign Ordinance (Ord. 85-26, as amended), (Section IV.C.3.a.3.), from the requirement that property with over 100 feet and up to 300 feet of frontage on a public right-of-way shall be set back a minimum of 10 feet from any side property line, to allow a sign 6 feet for the real estate described in Section VIII. Legal Description.

The undersigned Lee County Hearing Examiner APPROVES the Applicant's request and hereby grants a Variance from the Lee County Sign Ordinance (Ord. 85-26, as amended), (Section IV.C.3.e.), from the requirement that identification signs shall be set back a minimum of 15 feet from any right-of-way or easement, to allow a sign zero feet from San Carlos Boulevard for the real estate described in Section VIII. Legal Description with the condition all on-site signage shall comply with Section IV.C.3. of the Sign Ordinance except as modified herein.

IV. HEARING EXAMINER DISCUSSION:

The Applicant, Nick Kastan (owner of Steamers Seafood), is requesting a variance from the Lee County Sign Ordinance to allow a sign to be located 6 feet from the side property line, and to allow a zero foot setback from San Carlos Boulevard.

Steamers Seafood is located at 19220 San Carlos Boulevard, just before the bridge to Fort Myers Beach. The request came about because the business name was changed and it was found that the existing sign was non-conforming. Since the Applicant must bring all on-site signs into compliance as a result of the name change he wishes to replace an existing on-site sign with a new sign which will be located zero feet from the San Carlos Boulevard right-of-way, and 6 feet from the side property line. This change will accommodate the Sign Ordinance, and it will allow the Applicant to place his sign in an unobstructed location. The sign, at its present location, has become obstructed due to the extensive development that has taken place since its construction. The request is not unusual in this area because of the Florida Department of Transportation's (FDOT) proposed widening of San Carlos Boulevard.

If the Applicant were required to meet the 15-foot setback from the right-of-way, the identification sign would have had to be inappropriately located either behind the front of the building, within the existing parking area, or blocking the existing "Budget Rent-A-Car" sign located adjacent to the side property line. Furthermore, to meet the required side property setback of 10 feet, the sign would have to be located within an existing improved area. It should also be noted that the proposed FDOT San Carlos Boulevard design shows a curb, sidewalk, and landscaped area between the right-of-way line and the travel lanes of the street. -

Based upon the foregoing, Staff is of the opinion that the proposed location of the identification sign will not create a traffic hazard since the sign will be set back several feet from the existing and proposed travel lanes; nor will the sign obstruct the view of other signs, or vehicular and pedestrian traffic. The undersigned Hearing Examiner concurs with Staff's recommendations, and approves the requested variances, as conditioned.

V. FINDINGS AND CONCLUSIONS:

Based upon the Staff Report, the testimony and exhibits presented in connection with this matter, the undersigned Hearing Examiner makes the following findings and conclusions:

A. That exceptional or extraordinary conditions or circumstances inherent in the configuration of the land create a hardship for the property owner which is not generally applicable to other lands in the same zoning district.

B. That these conditions or circumstances are not the result of actions of the Applicant taken subsequent to the adoption of the Zoning Ordinance.

C. That these variances, as conditioned, are the minimum variances that will relieve the Applicant of an unreasonable burden caused by the application of the regulations in question to the subject property.

D. That the literal interpretation of the provisions of the Zoning Ordinance would deprive the Applicant of rights commonly enjoyed by properties in the same district under the terms of the Zoning Ordinance.

E. That the granting of these variances, as conditioned, will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

F. That the condition or situation of the subject property is not of so general or recurrent nature as to make it more reasonable and practical to amend the Zoning Ordinance.

VI. PRESENTATION SUMMARY:

Margaret Emblidge with the Division of Zoning presented the Staff Report in this request for two variances that would allow the existing on-site

sign to be replaced with a new sign located zero feet from the right-of-way and six feet from the side property line. Attachment C of the Staff Report showed the location of the existing sign and Attachment D showed the location of the proposed sign. The sign identifies Steamers Seafood Restaurant, which is located on San Carlos Boulevard just before the bridge to Fort Myers Beach.

The reason these variances are needed is that when the business name was changed to Steamers Seafood, the existing sign was found to be non-conforming. The Applicant must bring all on-site signs, including the existing identification sign and all wall-mounted signs that currently exist, into compliance. The Applicant has requested the variances because the existing development on the property and in the general area obstruct the visibility of the current sign.

The restaurant building itself is set back only 8 feet from the right-of-way. There are planters and parking spaces in front of the building that are encroaching into the current right-of-way of San Carlos Boulevard. These setback scenarios exist throughout the area and part of this scenario has been created by the widening of San Carlos Boulevard by the Florida Department of Transportation (FDOT).

For the sign to meet the required 15-foot setback from the right-of-way, the identification sign would have to be inappropriately located either behind the building or in an area that is already developed on the property such as the parking area or where the existing building is located. Additionally, to meet the side property line setback of 10 feet the sign would have to be located in the existing parking area or where there are building structures.

As stated earlier, the actual right-of-way is 8 feet from the existing building. The planned improvement of San Carlos Boulevard would include a sidewalk, a grassed area and curbing in between the subject property and the actual travel lanes of San Carlos Boulevard. The location of the proposed sign would have several feet in between it and the actual travel lanes of the road. Due to the proposed improvements that will be occurring on San Carlos Boulevard, no traffic hazards will be created.

In accordance with Section 900.02.B of the Zoning Ordinance, Staff finds that there has been a hardship created by the widening of San Carlos Boulevard and that unique and exceptional circumstances do surround the subject property in that, the setbacks and the development of this area occurred under previous regulations. Most of the businesses and properties in the area have non-conforming setbacks and signage locations.

This situation is also being addressed by the Lee County Community Redevelopment Agency (CRA), which is proposing a zoning overlay district which will address these special development scenarios in this area. CRA is proposing to alleviate some of the development regulations normally applied to other properties outside of this area also.

In conclusion, Staff is recommending approval of both requests with the condition that all of the on-site signage is brought into compliance with Sections IV.C.3 of the Sign Ordinance.

Nick Kastan asked that the two variances for on-site sign location be granted. Request a) was needed because there is a hardship condition where the sign is located behind the building. The building was constructed prior to the signage; therefore, it and other buildings in the area obstruct the visibility of the existing identification sign. The Applicant felt that a zero setback would make the sign more visible to the public and help traffic flow in the area. Since the sign will be set back 5 or 6 feet off the actual travel lanes of San Carlos Boulevard, no traffic hazards will be created.

Request b) would allow the Applicant to keep the sign out of developed parking areas which would keep it from being bumped by cars and out of the traffic area. The Applicant felt that this request was not injurious to the neighborhood in any fashion and that it will help the visibility situation. He asked that both variances be granted to help avoid these situations.

Mrs. Emblidge submitted three photographs (Staff's Composite Exhibit 1A, 1B, and 1C) of the subject property and pointed out that the existing sign was situated adjacent to the Budget Rent-A-Car sign. If the sign was required to meet the current regulations, it would actually block the Budget Rent-A-Car sign. By bringing the sign out to zero feet from the right-of-way, it would be approximately aligned with the power-line pole that is located in the Applicant's parking area.

VII. PUBLIC PARTICIPATION: The following persons appeared at the hearing or became "parties of record" in this case by submitting written materials:

ADDITIONAL COUNTY STAFF:

1. Joe MADDEN, Jr., Assistant County Attorney, Lee County, P.O. Box 398, Ft. Myers, FL 33902-0398

FOR:

1. Joanne GRAY, 1130 Main St., Ft. Myers, FL 33931
Letter 10/6/93: I completely support the variance request by Nick Kastan in reference to Steamers Restaurant sign. I am a property owner and business owner on San Carlos Island and applaud this actions to improve the appearance of his property.

2. William J. SEMMER, 1130 Main St., Ft. Myers Bch., FL 33931
Letter 10/6/93: As a neighbor and property owner on San Carlos Island, I am in full support of the variance requested by Mr. Kastan. His improvements on his property are an asset to the community. His efforts to upgrade the appearance of his business can only benefit the area.

AGAINST: NONE

VIII. LEGAL DESCRIPTION:

Lots #4, #5, #32 and #33, Block 6, SAN CARLOS ON THE GULF, as recorded in Plat Book 6, Page 6, of the Public Records of Lee County, Florida, lying in Section 24, Township 46 South, Range 23 East.

IX. APPEALS:

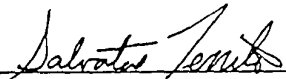
This Decision becomes final on the date rendered. A Hearing Examiner Decision may be appealed to the Circuit Court in Lee County. Appeals must be filed within thirty (30) days of the date the Hearing Examiner Decision is rendered.

X. COPIES OF TESTIMONY AND TRANSCRIPTS:

A. A complete verbatim transcript of the testimony presented at the hearing can be purchased from the Official Court Reporter, 20th Judicial Circuit, Lee County Justice Center, Fort Myers, Florida. The original documents and original file in connection with this matter are located at the Lee County Department of Community Development, 1831 Hendry Street, Fort Myers, Florida.

B. The original file and documents used at the hearing will remain in the care and custody of the Department of Community Development. The documents are available for examination and copying by all interested parties during normal business hours.

This decision is rendered this 20th day of October, 1993. Copies of this decision will be delivered to the offices of the Lee County Board of County Commissioners.


SALVATORE TERRITO
LEE COUNTY HEARING EXAMINER
2269 Bay Street
Post Office Box 398
Fort Myers, FL 33902-0398
Telephone: 813/335-2241

INSTRUCTIONS

(Section C.1.c., Lee County Administrative Code AC 2-8)

A zoning sign must be posted on the parcel subject to any zoning application for a minimum of ten (10) days in advance of the Hearing Examiner's Public Hearing and maintained through the Board of County Commissioners Hearing, if any. This sign will be provided by the Development Services Division in the following manner:

- Signs for case #DCI 2000-00013 must be posted by **June 16, 2000**.
- The sign must be erected in full view of the public, not more than five (5) feet from the nearest street right-of-way or easement.
- The sign must be securely affixed by nails, staples or other means to a wood frame or to a wood panel and then fastened securely to a post, or other structure. The sign may not be affixed to a tree or other foliage.
- The applicant must make a good faith effort to maintain the sign in place, and readable condition until the requested action has been heard and a final decision rendered.
- If the sign is destroyed, lost, or rendered unreadable, the applicant must report the condition to the Development Services Division, and obtain duplicate copies of the sign from the Development Services Division.

The Division may require the applicant to erect additional signs where large parcels are involved with street frontages extending over considerable distances. If required, such additional signs must be placed not more than three hundred (300) feet apart.

When a parcel abuts more than one (1) street, the applicant must post signs along each street. When a subject parcel does not front a public road, the applicant must post the sign at a point on a public road which leads to the property, and the sign must include a notation which generally indicates the distance and direction to the parcel boundaries and the dimensions of the parcel.

NOTE: AFTER THE SIGN HAS BEEN POSTED, THE AFFIDAVIT OF POSTING NOTICE, BELOW, SHOULD BE RETURNED NO LATER THAN THREE (3) WORKING DAYS BEFORE THE INITIAL HEARING DATE TO LEE COUNTY DEVELOPMENT SERVICES DIVISION, 1500 MONROE ST., FT. MYERS, FL 33901.

(Return the completed Affidavit below to the Development Services Division as indicated in previous paragraph.)

AFFIDAVIT OF POSTING NOTICE

STATE OF FLORIDA
COUNTY OF LEE

BEFORE THE UNDERSIGNED AUTHORITY, PERSONALLY APPEARED _____

WHO ON OATH SAYS THAT HE/SHE HAS POSTED PROPER NOTICE AS REQUIRED BY SECTION 34-236(b) OF THE LEE COUNTY LAND DEVELOPMENT CODE ON THE PARCEL COVERED IN THE ZONING APPLICATION REFERENCED BELOW:

SIGNATURE OF APPLICANT OR AGENT

NAME (TYPED OR PRINTED)

ST. OR PO BOX

CITY, STATE & ZIP

#DCI2000-00013/steamers/

6/28/00

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was sworn to and subscribed before me this 22 day of June, 2000, by NICK KASTAN, personally known to me or who produced FL K23562052209 as identification and who did/did not take an oath.

Signature of Notary Public

Printed Name of Notary Public

My Commission Expires:
(Stamp with serial number)





ORIGINAL

APPLICATION FOR PUBLIC HEARING FOR PLANNED DEVELOPMENT

Applicant's Name: _____ Nick Kastan and Chris Kastan _____

Project Name: _____ Steamers Hotel _____

STRAP Number(s): _____ 24-46-23-01-00006.0040 _____

Application Form: ☒ Computer Generated* ☐ County Printed

* By signing this application, the applicant affirms that the form has not been altered.

STAFF USE ONLY

Commission District: _____ 03 _____

Land Use Classification(s): _____ UC _____

Current Zoning: _____ TFC-2 + C-1 _____

Lee Plan Density Range: _____ 1-6 du/ac _____

Case Number: _____ DCI 2000-00013 _____

Fee: _____ \$3000.00 _____

Date of Application: _____ 02-25-00 _____

Date Fee Paid: _____ 02-25-00 _____

Date HEX Public Hearing: _____

Receipt Number: _____

Intake By: _____ TK _____

TYPE OF APPLICATION

_____ DRI

_____ PD - Existing Development

_____ DCI - Major

_____ PD - Amendment

☒ DCI - Minor

_____ OPTION 1 ☒ OPTION 2

DCI 2000-00013
LEE COUNTY
COMMUNITY DEVELOPMENT
300 MONROE STREET P.O. BOX 398
FORT MYERS, FLORIDA 33902
PHONE (941) 479-8585

PART I

APPLICANT/PROPERTY OWNERSHIP INFORMATION

A. Name(s) of applicant(s): Nick Kastan and Chris Kastan

Mailing Address: Street: P.O. Box 2403

City: Fort Myers Beach State: FL Zip: 33932

Phone Number: Area Code: 941 Number: 765-4442 Ext:

Fax Number: Area Code: Number:

B. Relationship of applicant to property:

☒ Owner ☐ Trustee ☐ Option holder
☐ Lessee ☐ Contract Purchaser
☐ Other (indicate):

If applicant is NOT the owner or the person authorized by the Covenant of Unified Control, submit a Notarized Authorization Form from the owner or his authorized representative. Label as Exhibit I-B.

** If the application is County-initiated, enter the date the action was initiated by the Board:
Attach a copy of the "blue sheet" and a list of all property owners, and their mailing addresses, for all properties within the area described. Names and addresses must be those appearing on the latest tax rolls of Lee County. Label the "blue sheet" as "Exhibit I-B-2" and the list as "Exhibit I-B-3". [Sec. 34-202(a)(5)]*

C. Name of owner(s) of property: Nick Kastan and Chris Kastan

Mailing Address: Street: P.O. Box 2403

City: Fort Myers Beach State: FL Zip: 33932

Phone Number: Area Code: 941 Number: 765-4442 Ext:

Fax Number: Area Code: Number:

D. Date property was acquired by present owner(s): October 1986

E. Is the property subject to a sales contract or sales option? ☒ NO ☐ YES

F. Is owner(s) or contract purchaser(s) required to file a disclosure form? ☐ NO ☒ YES. If yes, please complete and submit Exhibit I-F (attached).

G. Are there any existing deed restrictions or other covenants on this property which may affect this request? ☒ NO ☐ YES. If yes, submit a copy of the deed restrictions or other covenants and a statement explaining how the restrictions may affect the requested action. Label as "Exhibit I-G".

H. Authorized Agent(s): List names of authorized agents (submit additional sheets if necessary).

Name: Carleton Ryffel, AICP, CPH Engineers, Inc.

Address: 3501 Del Prado Blvd., Suite 312, Cape Coral, FL 33904

Phone: 941-549-6122 Fax: 941-549-1631

DCI 2000-00013

**PART II
GENERAL INFORMATION**

A. Request:

1. Rezoning from C1/TFC-2 TO: (check all applicable)

☐ RPD - Residential	☐ MPD - Mixed Use
☐ MHPD - Mobile Home	☐ RVPD - Recreational Vehicle
☒ CPD - Commercial	☐ CFPD - Community Facilities
☐ IPD - Industrial	☐ AOPD - Airport Operations

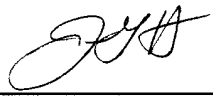
2. Option Chosen: ☐ Option 1 [34-373(a)(6)a] ☒ Option 2 [34-373(a)(6)b]

3. Other - Provide specific details. _____

B. Legal Description and Boundary Sketch: Is property within a platted subdivision recorded in the official Plat Books of Lee County?

☐ NO. Attach a legible copy of the legal description (label it Exhibit II-B-1.) and Boundary Sketch labeled Exhibit II-B-2.). **If the legal description is available on computer disc (Word or Word Perfect) please provide a copy at time of application.**

☒ YES. Property is identified as:

Subdivision Name: San Carlos on the Gulf 

Plat Book: 6 Page: 6 Unit: _____ Block: 6 Lot: 4, 5, 32, 33

Section: 24 Township: 46 Range: 23

Attach a copy of the Plat Book page with subject property clearly marked. Label this Exhibit II-B-3.

C. Project Street Address: 19220 San Carlos Blvd., Fort Myers Beach, FL 33932*

*San Carlos Island

D. General Location Of Property (referenced to major streets): _____

San Carlos Island, west side of San Carlos Blvd. , north of Main Street

E. Lee Plan Information

1. Lee Plan Land Use Classification: Urban Community

2. Are you proposing any Lee Plan amendments which could affect the subject property? ☒ NO

☐ YES. If yes, submit a copy of the proposed amendment (labeled as "Exhibit II-E-1") along with a statement as to how the proposed amendment will affect your property (labeled as "Exhibit II-E-2").

F. Drainage, Water Control and Other Environmental Issues

1. Is the property within an Area of Special Flood Hazard as indicated in the Flood Insurance Rate Maps (FIRM)s? ☐ NO ☒ YES. If yes, specify the minimum elevation required for the first habitable floor). 12 NGVD (MSL)

2. Are there any environmentally sensitive lands such as, but not limited to: wetlands (as defined in the

Lee Plan); flow-ways, creek beds, sand dunes, other unique land forms [see Lee Plan Policy 77.1 (2)] or listed species occupied habitat (see Sec. 10-474 of the Land Development Code) on the subject property? ☒ NO ☐ YES If yes, delineate these areas on a map or aerial photo and label it Exhibit II-F-1. Also, complete Exhibit II-F-2. attached hereto.

G. Present Use of Property: Is the property vacant? ☒ NO ☐ YES

If the property is not vacant, the owner or applicant's signature on this application indicates that the Owner agrees to either remove all existing buildings and structures, OR that the proposed use of the building or structure(s) will be in compliance with all applicable requirements of the Land Development Code. [Sec. 34-202(b)(3)]

Briefly describe current use of the property: Restaurant

H. Property Dimensions

1. Width (average if irregular parcel): 130 Feet
2. Depth (average if irregular parcel): 280 Feet
3. Frontage on road or street: 130' Feet on San Carlos Blvd.
130' Feet on South Street SW (Name of street)
4. Total land area: 0.84 Acres or Square Feet

I. Land Area Calculations

1. Undevelopable Areas:
 - a. Freshwater wetland areas
 - b. Other wetland areas
 - c. Submerged land subject to tidal influence:
 - d. Total (a + b + c): 0
2. Remaining developable land (H.4 less I.1.d): 0.84

PART III

PROPOSED DEVELOPMENT

A. Nature of Request

1. Will the development contain living units? ☒ NO ☐ YES. If the answer is yes, please indicate the total number of living units proposed, by type:

☐ Single Family ☐ Mobile Homes ☐ Recreational Vehicles
☐ Zero-Lot-Line ☐ Duplex/Two Family ☐ Townhouses
☐ Multiple Family ☐ TOTAL ALL TYPES **Existing Manager's Apartment*

2. If the development will contain living units, please complete Exhibit III-A-2 (attached) and enter the following information: n/a - See LDC 34-1802 (4) d.

a. PERMITTED total units (from Exhibit III-A-2): _____

b. PROPOSED total units (from A-1. above): _____

c. PROPOSED density (from Exhibit III-A-2): _____

3. Will the development contain non-residential areas? ☐ NO ☒ YES. If the answer is yes, please indicate the size [gross square footage (gsf) unless indicated otherwise] of each general class of uses below:

Restaurant/Retail: 3299 *CR 6/15/00*
5000 Total gsf

Offices: _____ Total gsf

Medical: _____ gsf Non-medical: _____ gsf

Hotel/Motel: 60 *CR 6/15/00*
 Total units

Size of units: 60 0-425 sq. Ft. _____ 426-725 sq. Ft. _____ 726 or more sq. Ft.
 (number) (number) (number)

Industrial: _____ Total gsf

Under roof: _____ gsf Not under roof: _____ gsf

Mines, Quarries, or General Excavation:

Acres to be excavated: _____

Other-specify: _____

Number of Beds (if applicable): _____ OR: _____ gsf

4. Building Height

44'
CR 6/15/00 → 44' Maximum height of buildings (in feet above grade) Above flood elevation
4 Number of Habitable Floors

5. Aviation Hazard: Do you propose any structures, lighting, or other features that might affect safe flight conditions? ☒ NO ☐ YES. If yes, please submit an explanation and label it Exhibit III-A-5.

B. Facilities

1. Fire District: Fort Myers Beach

2. Water Supply

a. Estimated daily consumption of potable water:

1. Residential units: _____ gpd

2. Mobile Home units: _____ gpd

3. Rec. Vehicle units: _____ gpd

4. Commercial: 125,000 gpd

5. Industrial: _____ gpd

b. Source of potable water: Florida Cities

c. Do you have a written agreement from the utility company to serve your project? ☒ NO
_____ YES. If yes, please submit a copy of the agreement.

d. Source of Non-potable water: n/a

3. Sanitary Sewer Service

a. Estimated daily production of wastewater:

1. Residential units: _____ gpd

2. Mobile Home units: _____ gpd

3. Recreational Vehicles: _____ gpd

4. Commercial: 125,000 gpd

5. Industrial: _____ gpd

b. Is any special effluent anticipated? ☒ NO _____ YES. If yes, please complete Exhibit III-B-3 (attached).

c. Source of sanitary sewer service: Lee County Utilities

d. Do you have a written agreement from the utility company to serve your project? ☒ NO
_____ YES. If yes, please submit a copy of the agreement.

e. Will a private on-site disposal facility be used? ☒ NO _____ YES. If yes, please complete Exhibit III-B-3 (attached).

f. Are individual sewage disposal systems proposed? ☒ NO _____ YES.

C. Transportation

1. Has this project been exempted from filing a Traffic Impact Statement? ☒ NO _____ YES
_____ NOT REQUIRED (Exist. development). If it has been exempted, attach a copy of the exemption and label it Exhibit III-C.

PART IV **SUBMITTAL REQUIREMENTS**

COPIES REQUIRED				Exhibit #	Item
SUB	DR/DCI	EXIST	MINOR		
	10	10	10 ✓		Completed application [34-201(b)]
	1	1	1 ✓		Application Fee [34-202(a)(9)]
	2	2	2 ✓	I-B-1	Notarized Authorization Form (if applicable) [34-201(a)(1)]
	2	2	2	I-B-2	Blue Sheet (If applicable) [34-201(a)(2)]
	2	2	2	I-B-3	List of Property Owners (If applicable) [34-202(a)(5)]
	2	2	2 ✓	I-B-4	Notarized Covenant & doc. Of Unified Control [34-373(a)(3)]
	2	2	2 ✓	I-B-5	Surrounding Property Owners List [34-202(a)(6)]
	2	2	2 ✓	I-B-6	Property Owners Map [34-202(a)(7)]
1/12	2	2	2 ✓	I-F	Notarized Disclosure Form (if applicable) [34-201(b)(1)]
1/12	2	2	2	I-G	Deed Restrictions & Narrative (if applicable) [34-202(b)(2)]
	10	10	10 ✓	II-B-1	Legal Description [34-202(a)(1)]
1/12	10	10	10	II-B-2	Boundary Sketch (if applicable) [34-202(a)(2)]
	2	2	2 ✓	II-B-3	Plat Book Page (if applicable) [34-202(a)(1)]
	10	10	10 ✓	II-D	Area Location Map [34-202(a)(4)]
1/12	10	10	10	II-E-1	Lee Plan Amendment (if applicable) [34-373(a)(5) & 34-491]
	10	10	10 ✓	II-E-2	Narrative/how prop. complies with Lee Plan, etc. [34-373(a)(5)]
1/12	10	10	10	II-F-1	Environ Sensitive Lands map (if app.) [34-373(a)(5)]
	4	4	4 ✓	II-F-2	Environmental Assessment [34-1573]
	10	4	4 ✓	II-F-3	Exist. zoning & current land use map/photo [34-373(a)(4)]
	10	4	4 ✓	II-F-4	Soils, vegetation and ground cover maps [34-373(a)(4)b.]
	10	4	4 ✓	II-F-5	Topography map (if available) [34-373(a)(4)b.]
	10	-	-	III-A-2	Density Calcs (if applicable) [34-373(a)(6)a.3 & (6)b.3 & (7)a.]
	10	-	-	III-A-5	Aviation Hazard (if applicable) [34-1001 et seq.]
	10	-	-	III-B-3	Sanitary Sewer Facilities(if applicable) [34-442 (1)n]
	4	-	4 ✓	III-C	Traffic Imp. Statement (if applicable) [34-373(a)(6)a.11 or b.10]
1/12	4	-	4	III-C	TIS Exemption Form (if applicable) [34-373(a)(6)a.11 or b.10]
	10	4	4 ✓	IV-A	Public transit routes map (if applicable) [34-373(a)(4)d.]
	10	4	4	IV-B	Protected Species Survey (if applicable) [34-373(a)(4)e.]
	10	4	4	IV-B	Prot. Spec. Survey Exemption (if applicable) [34-373(a)(4)e.]
	10	4	4 ✓	IV-C	Existing easements and r-o-w map. [34-373(a)(4)f.]
	10	10	10 ✓	IV-D	Description of proposed development. [34-373(a)(6)]
1/12	10	10	10	IV-E	Master Concept Plan (Option 1) [34-373(a)(6)a.]
	10	10	10 ✓	IV-F	Master Concept Plan (Option 2) [34-373(a)(6)b.]
	1	1	1 ✓		11 inch by 17 inch copy of the Master Concept Plan
1/12	10	10	10	IV-G	Schedule of Uses [34-373(a)(6)a.3. or b.3 and 34-373(a)(7)]
	10	10	10 ✓	IV-H	Schedule of Dev. & Justification [34-373(a)(6)a.9 or b.9 & (7)d]
	4	-	-	IV-I	Surface Water Management Plan [34-373(b)(1)]
	4	-	-	IV-J	Protected Species Management Plan [34-373(b)(2)]
	10	10	0	IV-K	Program for phased development (if applicable) [34-373(b)(3)]
1/12	10	10	10	IV-L	Haz. Mat Emer Plan (if applicable) [34-202(b)(4)]
	-	4	-	IV-M	Mobile Home Park Rezoning Information [34-373(d)]

PART V

AFFIDAVIT

I, Nick Kastan certify that I am the owner or authorized representative of the property described herein, and that all answers to the questions in this application and any sketches, data or other supplementary matter attached to and made a part of this application, are honest and true to the best of my knowledge and belief. I also authorize the staff of Lee County Community Development to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made thru this application.

[Signature]
Signature of Owner or Owner-authorized Agent

2/24/2000
Date

Nick Kastan
Typed or printed name and title

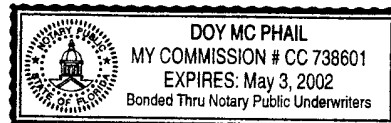
STATE OF FLORIDA)
COUNTY OF LEE)

The foregoing instrument was certified and subscribed before me this 24 day of FEB 2000, by NICK KASTAN, who is personally known to me or who has produced Known as identification.

(SEAL)

[Signature]
Signature of notary public

DOY MC PHAIL
Printed name of notary public



DCI 2000-00013

EXHIBIT II-F-2
ENVIRONMENTAL ISSUES

A. **Topography:** Describe the range of surface elevations of the property:

5' - 5.8'

B. **Sensitive Lands:** Identify any environmentally sensitive lands, including, but not limited to, wetlands (as defined in the Lee Plan), flowways, creek beds, sand dunes, other unique land forms [see Lee Plan Policy 77.1.1 (2)] or listed species occupied habitat (see Sec. 10-4730 of the Land Development Code).

N/A

Continued

DCI 2000-00013

C. **Preservation/Conservation of Natural Features:** Describe how the lands listed in B. above will be protected by the completed project: _____

N/A

D. **Shoreline Stabilization:** If the project is located adjacent to navigable natural waters, describe the method of shoreline stabilization, if any, being proposed: _____

N/A

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EXHIBIT IV-I

Surface Water Management Plan

Introduction

The proposed project is located at 19220 San Carlos Boulevard (State Road 865), Fort Myers, Florida, as generally depicted in the vicinity map (see Exhibit II-D). The 0.835-acre site contains an existing restaurant (Steamers Seafood), which is currently in operation. The proposed development would include the addition of a six-story hotel with asphalt parking and a swimming pool with deck. The existing building will remain as an office, but partial demolition will be required to accommodate the proposed hotel. The site will be improved to meet the stormwater quality and quantity standards of the current Lee County Land Development Code (LDC), Florida Department of Transportation (FDOT) and South Florida Water Management District (SFWMD).

Existing Stormwater Drainage Conditions

The total site consists of approximately 0.835 acres with approximately 0.40 acres of the existing site containing concrete parking and building. The remaining 0.435 acres contains grass and a gravel drive. Approximately 0.35 acres of the eastern portion of the existing site sheet flows into the FDOT Right of Way (ROW). The remaining 0.485 acres sheet flows across the site north and west into South Street and then sheet flow northerly down South Street and ultimately discharges into Pelican Bay, which is connected indirectly to the Gulf of Mexico.

Proposed Stormwater Management System Conceptual Improvements

The proposed stormwater management system will include a proposed dry retention pond contained in the south, west, and north buffer areas. The proposed dry retention pond will have 3:1 side slopes and an operating depth of 2 feet, with a freeboard of 6 inches. The approximated high seasonal water table is 4 feet below the existing grade. The site will sheet flow into several drainage inlets and then channel flow into the proposed dry retention pond. Stormwater from the proposed dry retention pond will discharge via a pipe into an existing FDOT stormwater structure. The discharge rates from the proposed pond will meet FDOT Pre/Post requirements.

SFWMD requires peak storm discharge rates from the proposed development not to exceed existing 25yr/72hr-storm event. As a dry retention pond, the system must also retain (for stormwater quality purposes) the greater of either 0.5" of runoff over the entire site or 1.25" of total impervious area.

Hydrologic soil characteristics will be taken from the SCS Soil Survey for Lee County to develop runoff curve numbers by the methodology outlined in SCS TR-55 publication. The time of concentration (T_c) for each drainage condition will be estimated by delineating flow characteristics as overland sheet flow, shallow concentrated flow, or channel flow in swales, and in accordance with the accepted methods presented in SCS TR-55 publication. The runoff hydrographs will be generated using the Santa Barbara Urban Hydrograph method and flood routed applying the Continuity Equation through the assistance of the Advanced Interconnecting Pond Routing (ICPR) computer program version 2.11

Fill material will not be required because the first floor of the proposed hotel will be a minimum of 8 feet above the existing finish floor, and would not be subject to seasonal inundation.

Steamers Restaurant Water Usage

In order to estimate water demand for the proposed Steamers Restaurant, in our calculations, we used data from Standard Plumbing Code 1997 (please refer to the enclosed tables E101B and E102).

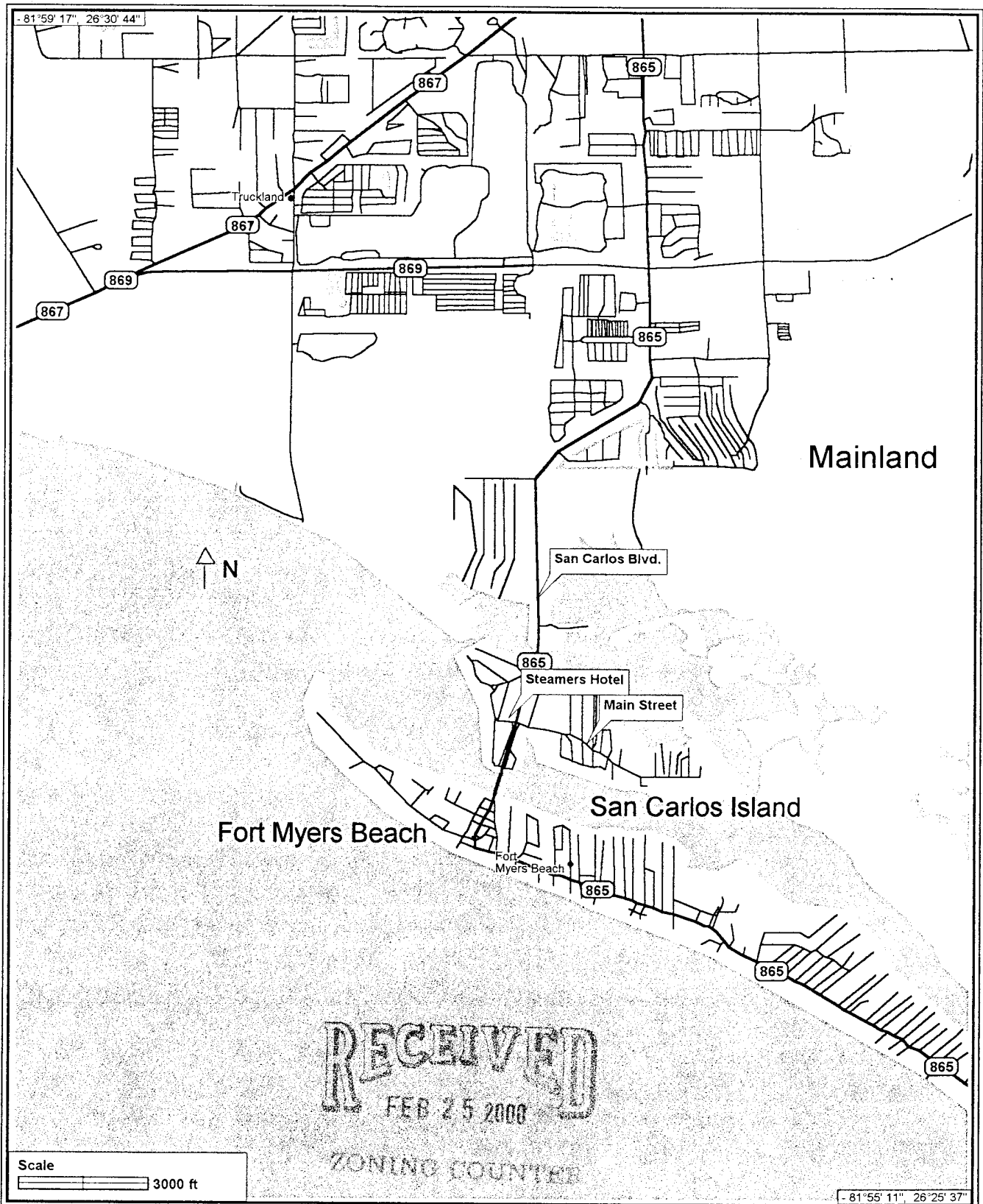
Number and type of fixtures are estimated for the proposed Steamers Restaurant and hotel. Load Values, in Water Supply Fixture Units are taken from Table E101B (enclosed) of the Standard Plumbing Code 1997.

Hotel.	Item no.	Quantity	Description	Load Values
	1	60	Water closet, Private (flush tank)	$60 \times 2.2 = 132$
	2	60	Lavatory sink, Private	$60 \times 0.7 = 42$
	3	60	Shower head, Private (Mix. Valve)	$60 \times 1.4 = 84$
Pool.	Item no.	Quantity	Description	Load Values
	1	4	Water closet, Public (flush tank)	$4 \times 10 = 40$
	2	1	Shower head, Public	$1 \times 4 = 4$
	3	1	Urinal, Public	$1 \times 3 = 3$
	4	2	Lavatory sink, Public	$2 \times 2 = 4$
Total Load Value				309.0

From Table E102 (enclosed) of the Standard Plumbing Code, with a total load value of 309.0+, the Estimated (Interpolated) Demand = **86.8 Gallons per Minute** (Predominantly Flush Tank).

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EXHIBIT II-D - AREA LOCATION MAP



Map Image Created Using Precision Mapping Streets 4.0

Copyright 1999, Chicago Map Corporation.

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TABLE E101B
LOAD VALUES ASSIGNED TO FIXTURES^a

FIXTURE	OCCUPANCY	TYPE OF SUPPLY CONTROL	LOAD VALUES, IN WATER SUPPLY FIXTURE UNITS (wsfu)		
			Cold	Hot	Total
Bathroom group	Private	Flush tank	2.7	1.5	3.6
Bathroom group	Private	Flush valve	6.0	3.0	8.0
Bath tub	Private	Faucet	1.0	1.0	1.4
Bath tub	Public	Faucet	3.0	3.0	4.0
Bidet	Private	Faucet	1.5	1.5	2.0
Combination fixture	Private	Faucet	2.25	2.25	3.0
Dishwashing machine	Private	Automatic		1.4	1.4
Drinking fountain	Offices, etc.	$\frac{3}{8}$ " valve	0.25		0.25
Kitchen sink	Private	Faucet	1.0	1.0	1.4
Kitchen sink	Hotel, restaurant	Faucet	3.0	3.0	4.0
Laundry trays (1 to 3)	Private	Faucet	1.0	1.0	1.4
Lavatory	Private	Faucet	0.5	0.5	0.7
Lavatory	Public	Faucet	1.5	1.5	2.0
Service sink	Offices, etc.	Faucet	2.25	2.25	3.0
Shower head	Public	Mixing valve	3.0	3.0	4.0
Shower head	Private	Mixing valve	1.0	1.0	1.4
Urinal	Public	1" flush valve	10.0		10.0
Urinal	Public	$\frac{3}{4}$ " flush valve	5.0		5.0
Urinal	Public	Flush tank	3.0		3.0
Washing machine (8 lbs.)	Private	Automatic	1.0	1.0	1.4
Washing machine (8 lbs.)	Public	Automatic	2.25	2.25	3.0
Washing machine (15 lbs.)	Public	Automatic	3.0	3.0	4.0
Water closet	Private	Flush valve	6.0		6.0
Water closet	Private	Flush tank	2.2		2.2
Water closet	Public	Flush valve	10.0		10.0
Water closet	Public	Flush tank	5.0		5.0
Water closet	Public or private	Flushometer tank	2.0		2.0

For SI: 1 inch = 25.4 mm.

^a For fixtures not listed, loads should be assumed by comparing the fixture to one listed using water in similar quantities and at similar rates. The assigned loads for fixtures with both hot and cold water supplies are given for separate hot and cold water loads and for total load, the separate hot and cold water loads being three-fourths of the total load for the fixture in each case.

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**TABLE E102
TABLE FOR ESTIMATING DEMAND**

SUPPLY SYSTEMS PREDOMINANTLY FOR FLUSH TANKS			SUPPLY SYSTEMS PREDOMINANTLY FOR FLUSH VALVES		
Load	Demand		Load	Demand	
(Water supply fixture units)	(Gallons per minute)	(Cubic feet per minute)	(Water supply fixture units)	(Gallons per minute)	(Cubic feet per minute)
1	3.0	0.04104			
2	5.0	0.0684			
3	6.5	0.86892			
4	8.0	1.06944			
5	9.4	1.256592	5	15.0	2.0052
6	10.7	1.430376	6	17.4	2.326032
7	11.8	1.577424	7	19.8	2.646364
8	12.8	1.711104	8	22.2	2.967696
9	13.7	1.831416	9	24.6	3.288528
10	14.6	1.951728	10	27.0	3.60936
11	15.4	2.058672	11	27.8	3.716304
12	16.0	2.13888	12	28.6	3.823248
13	16.5	2.20572	13	29.4	3.930192
14	17.0	2.27256	14	30.2	4.037136
15	17.5	2.3394	15	31.0	4.14408
16	18.0	2.90624	16	31.8	4.241024
17	18.4	2.459712	17	32.6	4.357968
18	18.8	2.513184	18	33.4	4.464912
19	19.2	2.566656	19	34.2	4.571856
20	19.6	2.620128	20	35.0	4.6788
25	21.5	2.87412	25	38.0	5.07984
30	23.3	3.114744	30	42.0	5.61356
35	24.9	3.328632	35	44.0	5.88192
40	26.3	3.515784	40	46.0	6.14928
45	27.7	3.702936	45	48.0	6.41664
50	29.1	3.890088	50	50.0	6.684
60	32.0	4.27776	60	54.0	7.21872
70	35.0	4.6788	70	58.0	7.75344
80	38.0	5.07984	80	61.2	8.181216
90	41.0	5.48088	90	64.3	8.595624
100	43.5	5.81508	100	67.5	9.0234
120	48.0	6.41664	120	73.0	9.75864
140	52.5	7.0182	140	77.0	10.29336
160	57.0	7.61976	160	81.0	10.82808
180	61.0	8.15448	180	85.5	11.42964
200	65.0	8.6892	200	90.0	12.0312
225	70.0	9.3576	225	95.5	12.76644
250	75.0	10.0260	250	101.0	13.50168
275	80.0	10.6944	275	104.5	13.96956
300	85.0	11.3628	300	108.0	14.43744
400	105.0	14.0364	400	127.0	16.97736
500	124.0	16.57632	500	143.0	19.11624
750	170.0	22.7256	750	177.0	23.66136
1,000	208.0	27.80544	1,000	208.0	27.80544
1,250	239.0	31.94952	1,250	239.0	31.94952
1,500	269.0	35.95992	1,500	269.0	35.95992
1,750	297.0	39.70296	1,750	297.0	39.70296

(Continued)

EXHIBIT I-F
DISCLOSURE OF INTEREST FORM FOR:

STRAP NO. 24-46-23-01-00006 0090 CASE NO. _____

1. 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 of Ownership

NICK KASTAN
PO Box 9403
FT MYERS BEACH FL 33932
CHRIS KASTAN
PO Box 57
E. Amherst NY 14051

50%
50%

2. 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

3. 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

4. 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

(over)

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5. If there is a CONTRACT OR PURCHASE, whether contingent on 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, & Office(if applicable)

Percentage of Stock

Date of Contract: _____

6. If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust.

Name and 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 public hearing, a supplemental disclosure of interest shall 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: _____

(Applicant)

Nick Kastan
(Printed or typed name of applicant)

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 21 day of Jan, ²⁰⁰⁰19, by Nick Kastan, who is personally known to me or who has produced _____ as identification.

(SEAL)



JEANIE M. ZUMAR
COMMISSION # CC628792
EXPIRES MARCH 4, 2001

Signature of Notary Public

Jeanie M Zumar
Printed Name of Notary Public

DCI 2000-00013

LETTER OF AUTHORIZATION

TO LEE COUNTY COMMUNITY DEVELOPMENT

The undersigned do hereby swear or affirm that they are the fee simple title holders and owners of record of property commonly known as 19220 San Carlos Blvd P22B and legally described in exhibit A attached hereto.

The property described herein is the subject of an application for zoning or development. We hereby designate NICK KASTAN as the legal representative of the property and as such, this individual is authorized to legally bind all owners of the property in the course of seeking the necessary approvals to develop. This authority includes but is not limited to the hiring and authorizing of agents to assist in the preparation of applications, plans, surveys, and studies necessary to obtain zoning and development approval on the site. This representative will remain the only entity to authorize development activity on the property until such time as a new or amended authorization is delivered to Lee County.

Owner* (signature)

Printed Name

Owner* (signature)

Printed Name

Owner* (signature)

Printed Name

Owner* (signature)

Printed Name

STATE OF FLORIDA
COUNTY OF LEE

Sworn to (or affirmed) and subscribed before me this 21 day of Jan., 2000, by

Nick Kastan, who is personally known to me or who has produced SA as identification.

(SEAL)



JEANIE M. ZUMAR
COMMISSION # CC626792
EXPIRES MARCH 4, 2001

Notary Public

Jeanie M Zumar
(Name typed, printed or stamped)

DCI 2000-00013

*If more than one owner then all owners must sign. See explanation on back.

On January 31, 2000, Chris Kastan affirmed and subscribed before me who has produced NY DL 904 380 284 as identified. Katherine A. Bock

ZDS0103 Rev.04
3/4/97

KATHERINE A. BOCK
Notary Public, State of New York
Qualified in Erie County

Reg. No. 01B15015500
My Commission Expires, July 28, 2001

EXPLANATORY NOTES

Where there is more than one owner, either legal or equitable, then all such owners must jointly initiate the application. Exceptions to this are:

- 1) It is not required that both husband and wife initiate the application on private real property owned by them.
- 2) Where the property is subject to a land trust agreement, the trustee may initiate the application.
- 3) Where the fee owner is a corporation, any duly authorized corporate official may initiate the application.
- 4) Where the fee owner is a partnership, the general partner may initiate the application.
- 5) Where the fee owner is an association, the association may appoint an agent to initiate the application on behalf of the association.
- 6) Where the property is a condominium or time-share condominium, refer to Sec. 34-201(a)(1)b. for rules.
- 7) Where the property is a subdivision, refer to Sec. 34-201(a)(1)c. for rules.
- 8) Rezoning initiated by the Board of County Commissioners on property not owned by the county.

EXHIBIT I-B-1

AGENT AUTHORIZATION

I, Nick Kastan, as the owner and legal representative of a property known as Steamer's Seafood Restaurant, (Strap number 24-46-23-01-00006.0040) whose mailing address is 19220 San Carlos Boulevard, hereby appoint Carleton Ryffel and CPH Engineers, Inc, as my agent to file a rezoning application on this property to CPD and to represent me before Lee County.

[Signature]
Signature of Owner or Owner-authorized Agent

9/24/2000
Date

Nick Kastan
Typed or printed name and title

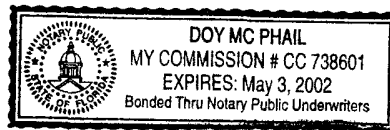
STATE OF FLORIDA)
COUNTY OF LEE)

The foregoing instrument was certified and subscribed before me this 24 day of FEB 2000, by NICK KASTAN, who is personally known to me or who has produced Known as identification.

(SEAL)

[Signature]
Signature of notary public

Doyle McPhail
Printed name of notary public



DCI 2000-00013

EXHIBIT II-F-5
TOPO

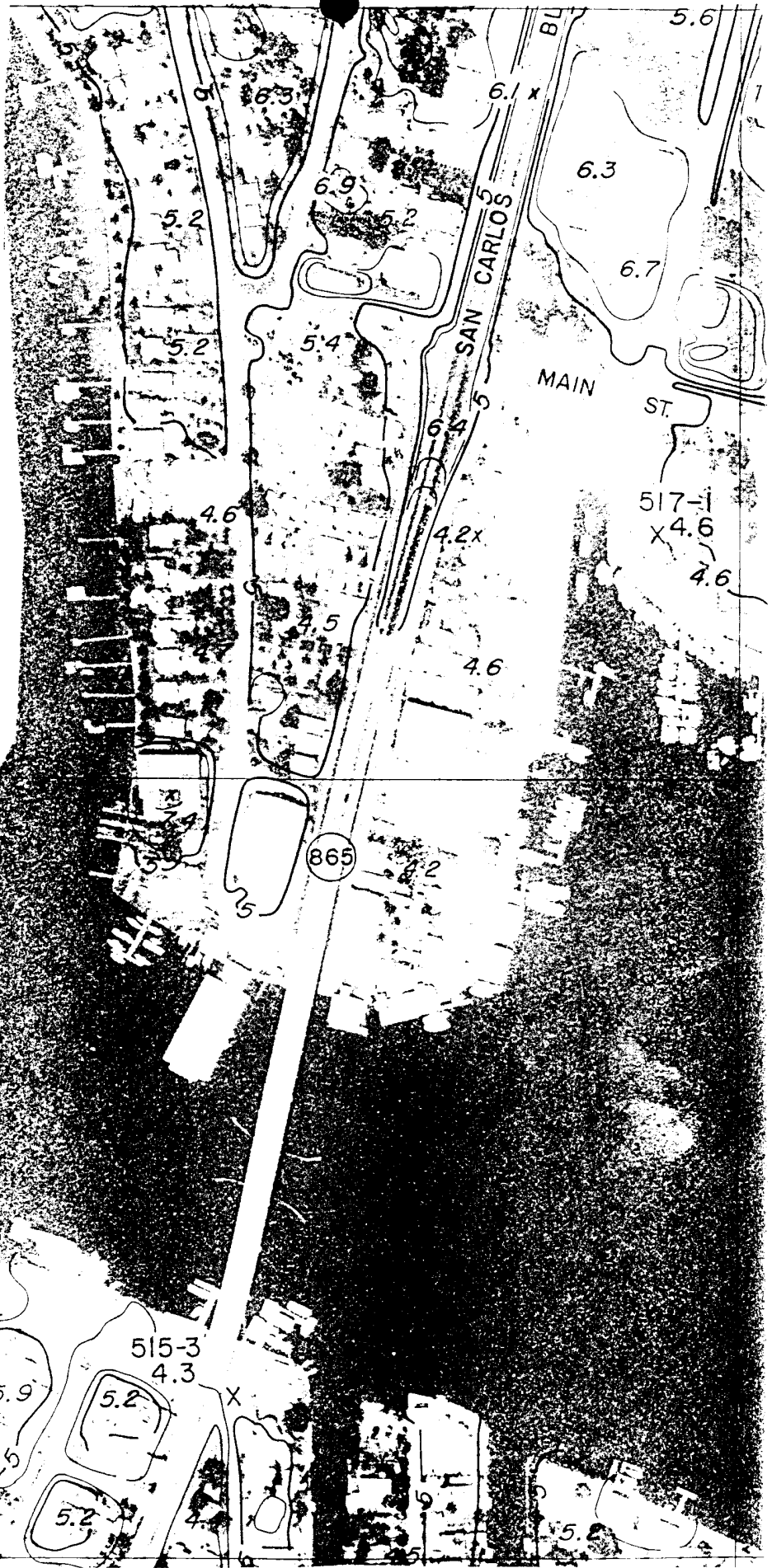


Exhibit: II-B-1

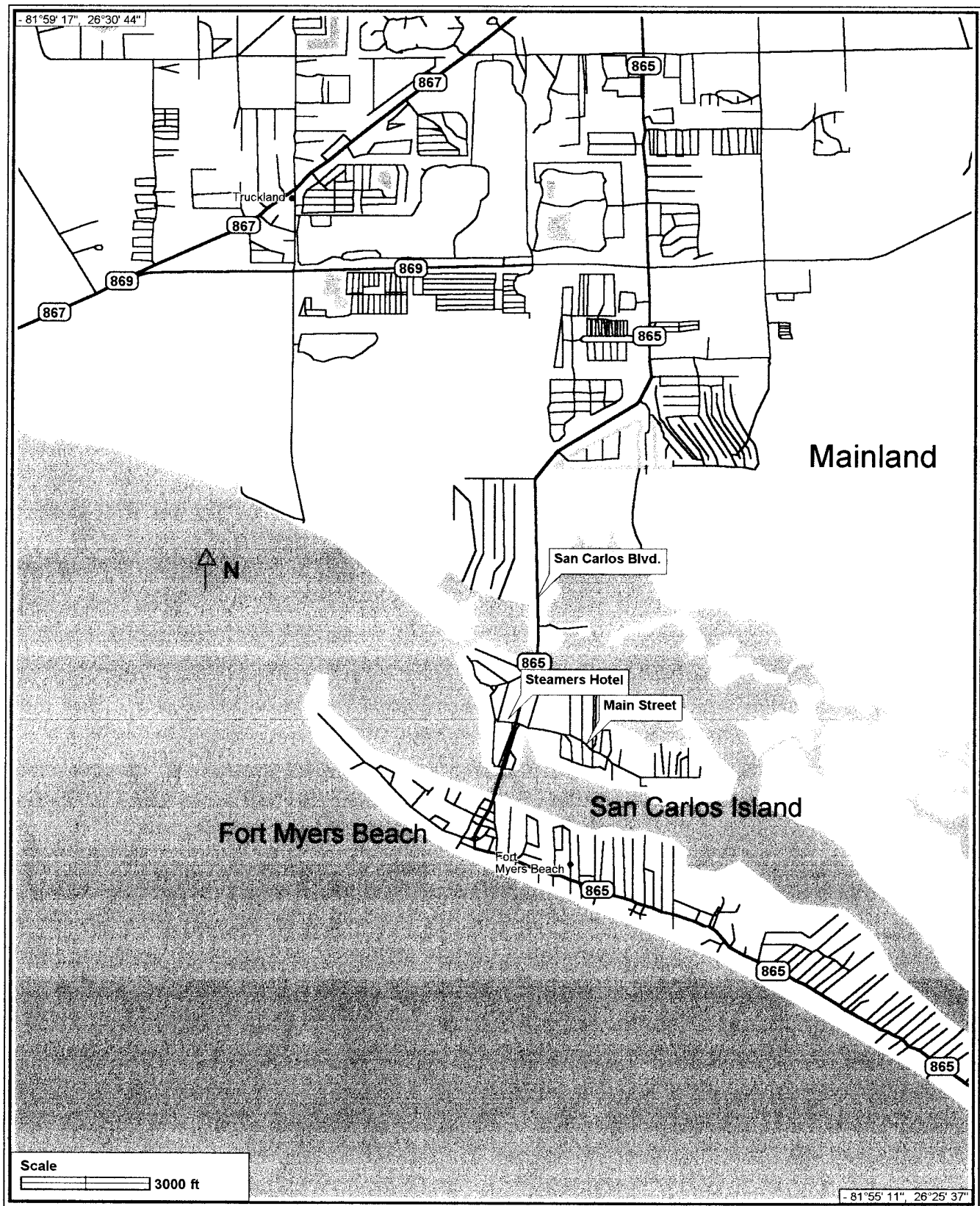
Legal Description

LOTS 4, 5, 32 AND 33, BLOCK 6, SAN CARLOS ON THE GULF, AS RECORDED
IN PLAT BOOK 6, PAGE 6 OF THE PUBLIC RECORDS OF LEE COUNTY,
FLORIDA.

A handwritten signature in black ink, appearing to be "JHA" or similar, located in the middle right portion of the page.

DCI 2000-00013

EXHIBIT II-D - AREA LOCATION MAP



DCI 2000-00013

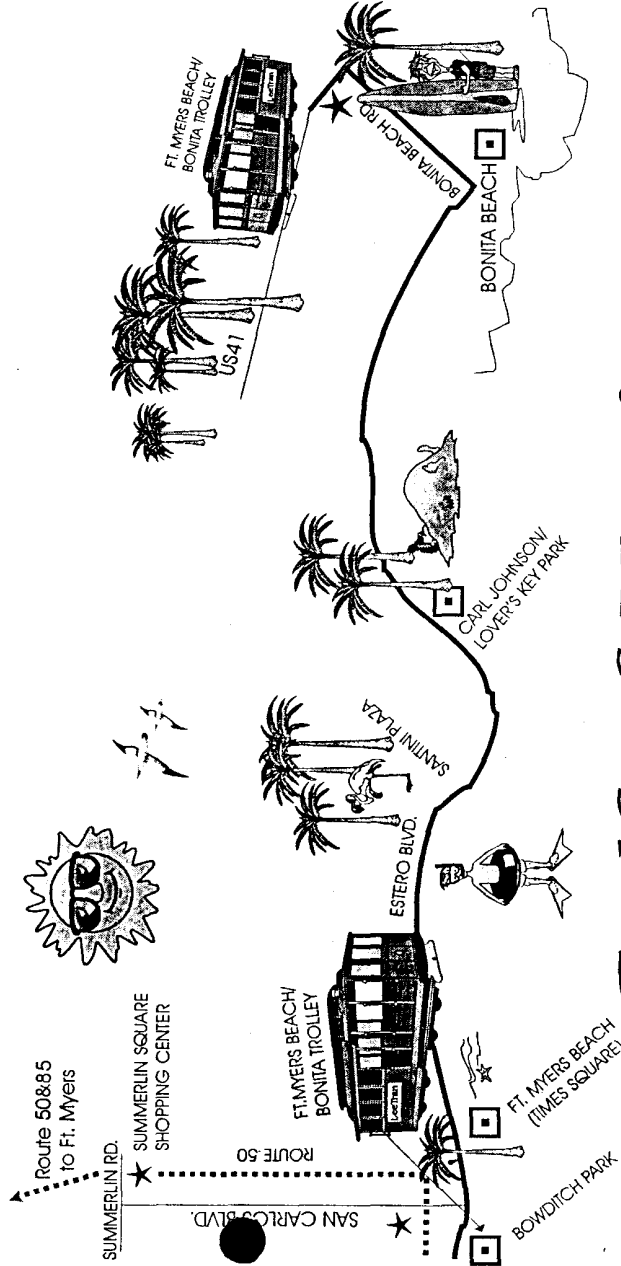
The Beach Connection

Ft. Myers Beach to & from Bonita Springs

25¢ Trolley

★ PARK & RIDE LOTS ☐ BEACHES

BONITA TO BOWDITCH PARK - 7 DAYS PER WEEK - YEAR ROUND



Gulf of Mexico

DCI 2000-00013

FORT MYERS BEACH TROLLEY (4)

NORTHBOUND SOUTHBOUND

DEPARTS GRAND- VIEW	SANTINI PLAZA	ORSEMIT ST.	ARRIVES BOW- DITCH PARK	DEPARTS BOW- DITCH PARK	BEACH PIER	SANTINI PLAZA	ARRIVES GRAND- VIEW
6:10	6:30	7:30	6:40	1	6:45	7:00	----
8:10	8:15	8:30	7:40	3	7:30	7:45	7:50
8:40	8:45	9:00	8:45	1	8:05	8:30	8:35
9:00	9:10	9:25	9:10	3	8:50	9:05	9:10
9:15	9:20	9:35	9:45	2	9:05	9:25	9:30
9:35	9:40	9:55	10:00	1	9:20	9:40	9:45
9:50	9:55	10:10	10:15	4	9:35	9:55	10:05
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10:15	10:20	10:35	10:45	1	10:15	10:25	10:30
10:35	10:40	10:55	11:00	4	10:30	10:40	10:45
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11:05	11:10	11:25	11:30	2	11:00	11:10	11:15
11:15	11:20	11:35	11:45	1	11:15	11:25	11:30
11:35	11:40	11:55	12:00	4	11:30	11:40	11:45
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3:15	3:20	3:35	3:40	1	3:05	3:10	3:15
3:35	3:40	3:55	4:00	4	3:20	3:25	3:30
3:50	3:55	4:10	4:15	3	3:35	3:40	3:45
4:05	4:10	4:25	4:30	2	3:50	3:55	4:00
4:15	4:20	4:35	4:40	1	4:05	4:10	4:15
4:35	4:40	4:55	5:00	4	4:20	4:25	4:30
4:50	4:55	5:10	5:15	3	4:30	4:35	4:40
5:05	5:10	5:25	5:30	2	4:45	4:50	4:55
5:15	5:20	5:35	5:40	1	5:00	5:05	5:10
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7:50	7:55	8:10	8:15	1	7:00	7:05	7:10
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9:15	9:20	9:35	9:40	1	8:00	8:05	8:10
9:35	9:40	9:55	10:00	4	8:15	8:20	8:25
9:50	9:55	10:10	10:15	3	8:30	8:35	8:40
10:10	10:15	10:30	10:35	2	8:45	8:50	8:55
10:30	10:35	10:50	10:55	1	9:00	9:05	9:10
10:50	10:55	11:10	11:15	4	9:15	9:20	9:25
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7:30	7:35	7:50	7:55	2	9:35	9:40	9:45

Bus Fare Information

(All bus passes good on trolleys)

Adult Fare.....\$1.00
 Senior Citizen (65 or older with Medicare Card or LeeTren I.D.).....\$.50
 Disabled Citizen (with Medicare card or LeeTren I.D.).....\$.50
 Pre-School Children (under 42 in.).....Free
 Transfers.....\$.15
 (Good for next available bus only)

Passes

All Day Pass.....\$ 3.00
 Adult Monthly Pass.....\$33.00
 Student Monthly Pass.....\$25.00
 Senior/Disabled Monthly Pass.....\$18.00
 Adult Ten Trip.....\$10.00
 Student Ten Trip.....\$ 7.50
 Senior Ten Trip.....\$ 5.00

Se requiere cambio exacto

Tariffas para Adultos.....\$ 1.00
 Tariffas para Ancianos e Impedidos 65 años De edad o mayor (con tarjeta de Medicare). \$.50
 Pre-escolar niños menos de 42 pulgadas...No Pagan
 Boleto de transbordo.....\$.15

Passes

Pase Para de Dia.....\$ 3.00
 Pase Mensual para Adultos.....\$33.00
 Pase Mensual para Estudiantes.....\$25.00
 Pase para Ancianos e Impedidos...\$18.00
 Pase de Diez Viajes para Adultos.....\$10.00
 Pase de diez Viajes para Ancianos.....\$ 5.00
 Pase de Diez Viajes para Estudiantes..\$ 7.50

PARK & RIDE SUNDAY SERVICE

SOUTHBOUND NORTHBOUND

DEPART Summerlin Square	ARRIVE Bowditch Park	DEPART Bowditch Park	ARRIVE Summerlin Square
7:00	7:20	7:40	7:00
8:10	8:30	8:40	8:00
9:10	9:30	9:40	9:00
10:10	10:30	10:40	10:00
11:10	11:30	11:40	11:00
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4:10	4:30	4:40	4:00
5:10	5:30	5:40	5:00
6:10	6:30	6:40	6:00
7:10	7:30	7:40	7:00
8:10	8:30	8:40	8:00
9:10	9:30	9:30	9:50

Bonita Trolley

DEPART K-Mart Park & Ride	Bonita Beach	ARRIVE Grand View	DEPART Lover's Key	Bonita Beach	ARRIVE K-Mart Park & Ride
7:30	7:35	8:00	8:05	8:15	8:25
8:30	8:35	9:00	9:05	9:15	9:25
9:30	9:35	10:00	10:05	10:15	10:25
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Summerlin Square To Beach

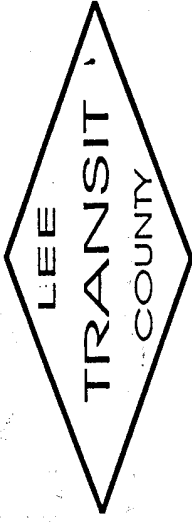
PARK & RIDE

MONDAY THROUGH SATURDAY

SOUTHBOUND NORTHBOUND

DEPART Summerlin Square	ARRIVE Bowditch Park	DEPART Bowditch Park	ARRIVE Summerlin Square
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8:00	8:20	8:30	8:50
9:00	9:20	9:30	9:50
10:00	10:20	10:30	10:50
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7:00	7:20	7:30	7:50
8:00	8:20	8:30	8:50
9:00	9:20	9:30	9:50

25¢ TROLLEY



SCHEDULE EFFECTIVE FROM
DECEMBER 16TH. TO APRIL 19TH

Call 275-8726

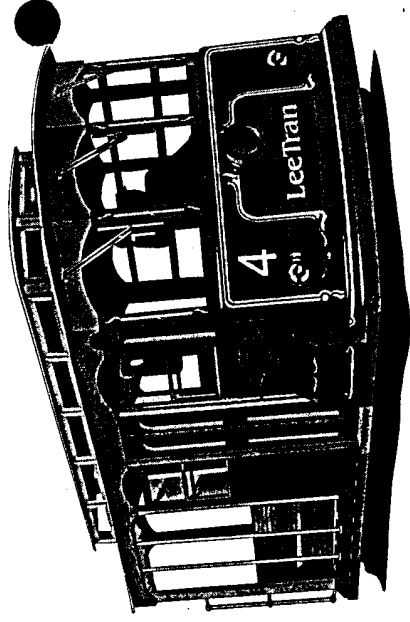
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on most routes. Call us for details

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SERVICING:

↕ SUMMERLIN SQUARE ↕ SANTINI PLAZA
 ↕ BOWDITCH PARK ↕ BONITA BEACH
 ↕ FT. MYERS BEACH(Pier)



EFFECTIVE DECEMBER 16, 1999

Printed on recycled paper



TED B. TREESH

Senior Transportation Consultant

EXPERIENCE

Relative Experience: Mr. Treesh is a Senior Transportation Consultant with more than 10 years experience in the area of transportation engineering and transportation planning. Specifically, he has expertise in the areas of traffic impact studies, corridor planning studies, traffic signal justifications studies and traffic signal systems analysis. Mr. Treesh has served as Project Manager on numerous transportation planning studies. He has performed capacity evaluations of signalized and unsignalized intersections, evaluated development plans in terms of traffic circulation and safety, making recommendations for improvements to parking areas and on-site design to accommodate development traffic.

Traffic Impact Analysis: Managed and conducted traffic impact studies of numerous land uses ranging in size from 1,400 acres to less than 1 acre. Land uses analyzed include shopping centers, mixed use developments, medical office buildings, residential developments, industrial developments, and office buildings. Conducted capacity analyses of critical intersections, utilizing the Highway Capacity Software (HCS), and recommended appropriate geometric improvements to accommodate development, as well as, non-development traffic. Evaluated development plans in terms of traffic circulation and safety, making recommendations for improvements to parking and on-site design to accommodate development traffic. Accepted as an expert witness in transportation and testified before Planning Commissions, Zoning Boards, Village Boards, and City Councils, as well as, neighborhood and local organizations. Studies completed in the metropolitan Chicago area, southeast Wisconsin, St. Louis metropolitan area, Ohio, Kentucky, and Indiana.

Traffic Signal Justification Studies:

Performed traffic signal justification studies for private developments, as well as, for public streets on both state and local roadways.

Traffic Signal Systems:

Assisted in the analysis and development of a coordinated traffic signal system to alleviate congestion and reduce vehicle emissions. Analysis of existing traffic volumes, flow patterns, and signal spacing was completed utilizing the progression programs SYNCHRO and PASSER II-90 to develop an optimum signal progression program.

Transportation Planning:

Project Manager on the Daniels Parkway corridor study for the Lee County Department of Transportation. Also served as project consultant on Strategic Regional Arterial (SRA) corridor projects conducted by the Illinois Department of Transportation and the Chicago Area Transportation Study. These projects involved analyses and recommendations of proposed roadway geometrics, right-of-way requirements, cost estimates and access management alternatives for future planning.

Parking: Analyzed and designed parking configuration for neighborhood shopping center and various small retail developments. Also analyzed existing parking facilities, identified internal deficiencies and made recommendations for improvement. Performed numerous parking studies including downtown areas to determine peak parking demand and characteristics.

Trip Generation Research:

Involved in research to better quantify the trip generation of various land uses in the Chicagoland area. These land uses include gas stations with car washes, small retail centers anchored by a convenience store, and residential developments. Involvement includes methodology, data collection, and analysis of statistical data.

PROFESSIONAL POSITIONS

Metro Transportation Group, Inc. -
Florida Office
Senior Transportation Consultant
1999 - Present

Woolpert, LLP
Dayton, Ohio
Project Manager
1997 - 1999

Metro Transportation Group, Inc.
Senior Transportation Consultant
1990 - 1997

EDUCATION

Purdue University
West Lafayette, Indiana
Bachelor of Science - Civil Engineering

AFFILIATIONS

Institute of Transportation Engineers

Transportation Research Board

Urban Land Institute

STEAMERS HOTEL

MINOR CPD

EXHIBIT IV-D

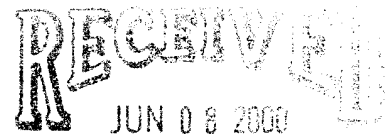
DESCRIPTION OF PROPOSED DEVELOPMENT

AND

EXHIBIT II-E-2

NARRATIVE STATEMENT

REVISED JUNE 7, 2000



PREPARED BY

PERMIT COUNTER

CARLETON RYFFEL, AICP

CPH ENGINEERS, INC.

3501 DEL PRADO BLVD., SUITE 312

CAPE CORAL, FLORIDA 33904

DCI 2000-00013

**Description of Proposed Development EXHIBIT IV-D &
Narrative Statement EXHIBIT II-E-2**

Description of Proposed Development

The subject property currently contains Steamers Seafood Restaurant (hereafter Steamers) that is approximately 6000 square feet in size on San Carlos Island. The applicant intends to redevelop the site **and change its primary use**, by removing a portion of the existing restaurant/lounge and building another, minimally attached structure, that will contain 58 hotel units within the first three floors, and two hotel units and a restaurant/lounge on the top (fourth) floor. That portion of the existing building that remains will be used for accessory uses related to the hotel. Some of these include hotel reception, managers quarters, work out room, TV Lounge, possibly a game room and hotel laundry. The restaurant/lounge on the top floor of the expansion will be a total of approximately 3299 square feet, with 3049 square feet in the seating/kitchen area and 250 square feet in the lounge area. The primary use of the property therefore will change from a restaurant/lounge to a hotel with restaurant facilities, primarily intended for its guests. The height of this new construction will be approximately 44' or four stories above required flood elevation. It is notable, that the current C-1 zoning on the property allows a building of this height **by right**, with increased setbacks.

Although Steamers is a quality restaurant, it currently does not enjoy acceptable levels of patronage to sustain it. The applicant is certain that this is due to the fact that Steamers is in very close proximity to Fort Myers Beach, (adjacent island). The rationale for this request is that it is apparent to the applicant, that given the choice, a potential restaurant patron will prefer to go over the bridge to Fort Myers Beach, where they can dine indoors or outdoors and **most** importantly, do so on the water. The alternative that is most logical and has the greatest chance of success, is to construct a favorably priced, full service hotel, offering a restaurant, primarily for its guests and located on the trolley route, which provides access to Fort Myers Beach amenities.

Land Use Analysis

The property is zoned C-1 along its frontage on San Carlos Boulevard and its rear half, which abuts South Street SW to the west, is zoned TFC-2. The TFC-2 portion of the property serves as part of the property's parking lot. The use of the TFC-2 portion of the property as a parking lot was approved by the then Lee County Zoning Board in Resolution Number ZB-83-117. Moreover, the properties to the immediate north and south of the subject property are being used in a similar fashion.

The **contiguous** property to the immediate north is a multi-use commercial building with an approved liquor store with the rear being used primarily for storage of miscellaneous items. The contiguous property to the immediate south of subject contains a nightclub on the San Carlos Boulevard frontage and a parking lot for tractor-trailers in the rear. This clearly demonstrates the TFC-2 zoning to the rear of these three properties is unrealistic and functionally obsolete today, given the area's evolution. **Non-contiguous** properties to the west on and across South Street SW include a motel, interspersed multifamily, duplex and single family units and vacant parcels.

To the east across San Carlos Boulevard land uses include a gas/convenience store, lumberyard, and RV Rental Park.

The **more general area** in which the subject property is located is best and predominantly described as highly mixed commercial along the street frontage of San Carlos Boulevard. The diversity of the commercial uses near the subject property is significant because it demonstrates a well-established, historical commercial boundary. Some of these include a strip shopping center, nightclub, gas stations, lumber yard, convenience store, RV Park, industrial, marinas and marina related services, social clubs such as the Moose Lodge and Shriners Club, Lee County sewage pump station and trolley parking lot, trailer truck parking lot, newspaper offices, trailer park, and auto parts. The proposed use is therefore consistent and compatible with its neighbors and the immediate area as a whole.

LDC Section 34-2020(2)l.2. provides that "When a restaurant is located within the same building as the principal use, and is clearly provided primarily for the employees and customers of the principal use, no additional parking spaces are required." In this case, the applicant is providing the required 72 spaces for the motel, which is the principal use. Although **it is not required**, he is also providing an additional 20 spaces for patrons who may wish to use the restaurant without being a guest at the hotel. The Master Concept Plan shows a total of 97 spaces, which exceeds the number of spaces (92), the applicant is committing to. He is doing this for purposes of design flexibility so that in the event during the development order process, it is found that some of the land shown as parking needs to be used for some other purpose, it would be available without the need for an amendment to the MCP. An example of such a situation would be the final location of pilings.

Compatibility

LDC Section 34-1802(4)d. indicates that hotels approved as planned developments are not subject to unit size or density requirements provided all other aspects of the development (height, traffic, intensity of use, etc.) are shown to be compatible with the surrounding area and the Lee Plan. Since this request is to allow 60 hotel units and accompanying uses, this section is applicable.

To address these criteria, it is essential to know what "compatibility" means in the context of the LDC. Section 34-2 of the Land Development Code, provides that meaning as follows:

"Compatible means, in describing the relation between two land uses, buildings or structures, or zoning districts, the state wherein those two things exhibit either a positive relationship based on fit, similarity or reciprocity of characteristic, or a neutral relationship based on a lack of conflict (actual or potential) or on a failure to communicate negative or harmful influences to one another."

Height

Height should not be an issue in this case because the current zoning, C-1, would allow an even taller structure, **by right**. Under current C-1 zoning, this would require enlarged side setbacks, which the applicant could meet. However, per County staff's request to decrease the height of the building from the original proposed six stories to four stories, one setback deviation is required as discussed below. Under the proposed Planned Development scenario, the setback requirement would be $\frac{1}{2}$ the height of the building or 22'.

Traffic

The submitted Traffic Impact Statement indicates that p.m./ peak hour traffic increases as a result of the project will be very minor. The level of service will not change as a result of the project and no road improvements will be necessary. In terms of compatibility of traffic generation of the proposed project with that of other nearby uses, for example, the convenience/gas station, strip shopping center and probably the 20 unit/acre RV park, experience a higher PM/peak hour trip generation rate than the proposed project.

Intensity

Normally, a stand alone, well-patronized restaurant, the size of the existing Steamers, would be more intensive than a 60-unit motel. As proposed, the restaurant will be decreased in square footage by **more than 50%** and relocated from the ground level to the top floor of the new construction, where its primary patrons will be the hotel guests. Moreover, one of the measures of intensity is traffic generation. The biggest attraction in the area is Fort Myers Beach, which is on the adjoining island. It will be most likely that hotel guests' **real** destination will be Fort Myers Beach and that they will make use of trolley service available that is available approximately 100' from the property. Turnover traffic from the subject property should therefore be much less that which would be normally expected due to the readily availability alternate means of transportation. Another measure of intensity is whether the project can meet the open space and parking requirements. In both instances, this project exceeds those requirements.

Returning to the definition of "Compatible" as stated above, we find that this project as proposed is compatible with the area and that there are no inconsistencies or conflict given the nature and diversity of uses in the area, the location of the proposed use toward the front of the property as far as possible from any residential use, increased setbacks, neutral intensity of use, minimal traffic impact and the fact that a structure of the height described is permitted by right.

Deviations

Since the redevelopment of this property will involve the use of a portion of an existing structure, which in some respects is non-conforming, several of the deviations requested are intended to cure those situations. The other deviations are justified when viewed in the context

of the unusualness of the particular circumstance requiring it. The deviations are depicted on the Master Concept Plan by location and letter and the justification for granting them, is as follows:

- A** Deviation from LDC Section 10-416(d)(4) from the required 5' buffer to 0' (side property line) and from 15' to 8' (along right of way).

Justification: The existing building was constructed less than 1' from the property line in 1955, prior to zoning and a buffer is therefore not possible. Applicant is offering to plant 4 trees/100 linear feet along the unpaved portion of the property abutting San Carlos Boulevard.

- B** Deviation from LDC 34-935(e)(4) from the minimal separation of buildings of $\frac{1}{2}$ the sum of their heights or 20' whichever is greater to 0'

Justification: The existing building does not meet current FEMA flood regulations due to the time it was constructed. FEMA regulations allow the expansion of an existing structure without floodproofing of the existing portion if the new addition is "minimally connected" to the old portion. The connection between the old (hotel lobby, preparation room etc.) and new (hotel and restaurant) parts is a doorway connection. The new construction portion will meet flood regulations and will be constructed on pilings. The new portion will also be sprinkled for fire protection.

- C** Deviation from LDC Section 34-935(b)(1)e, from structure setback from the development perimeter boundaries of $\frac{1}{2}$ the height of the building or 20' whichever is greater to approximately 0' and 8', for existing construction and 0 feet on the south property line for new construction.

Justification: The rationale for this request is the same as Deviation A above.

- D** Deviation from LDC Section 10-416(d)(4) from the required C/F buffer to a 10' buffer with no wall.

Justification: The western approximately $\frac{1}{2}$ of the subject property is zoned TFC-2 and has been and will continue to be used for parking purposes. To the immediate south of that portion of the subject, that property is being used to park trailer trucks. It is also zoned TFC-2, but is being used commercially. On the west property line abutting South Street, applicant will provide a 15' buffer and 8' masonry or wood wall. Applicant asserts that since the use is commercial, then a 5', A-type buffer is required even though it is zoned residential. The MCP shows a 10' buffer which will be planted with 4 trees/100 linear feet and 18 shrubs or hedges/100 linear feet.

Somewhat similarly, the portion of the property to the immediate north of subject that abuts the TFC-2 portion of the applicant's, is zoned TFC-2, is vacant, and is used to store miscellaneous items. The front, or San Carlos Boulevard portion of that property, contains a mixed-use commercial building which was the subject of a variance case,

specifically, Case 98-11-110.05V. While the parking for the proposed use, in that case i.e. a liquor store, is provided on the San Carlos Boulevard side of the building, it was acknowledged by the Hearing Examiner, Mr. Territo, that if and when additional uses beyond the liquor store are added, there might be inadequate parking and additional parking will need to be provided elsewhere. It is logical to assume that the intensity is likely to increase since there are two other currently vacant spaces in that building that are available. Given the fact that the lot on which that building sits is only 60' wide, and the building takes up all of the frontage, the most logical place for that parking would be to the immediate rear of the building where that part of the property is zoned TFC-2 just as is the applicant's.

Applicant believes that given the nature of the immediate properties and their use, his proposed buffer of 10' is more than adequate to address current and future situations. This is especially true when it is considered that the actual, physical location of the proposed building on the property, i.e., hotel with restaurant/lounge, is located on the front or San Carlos Boulevard portion of the property and does not abut the TFC-2 portions of the adjacent properties. Rather, that area of the subject abutting the TFC-2 portions of them will be parking only, and will have a 10' buffer between it and the adjacent TFC-2 portions.

E

Deviation for LDC Section 34-1744 to allow a 6' fence on all property lines with the exception of the property line at San Carlos Boulevard.

Justification: This deviation is requested due to an abundance of caution of a situation that may be technically non-conforming. Specifically, the subject property has a 6' fence on portions of three sides. Normally, Section 34-1744 allows 6' fences on the side and rear property lines. In this case the "rear" property line is at South Street, or in other words, the property has double frontage and a 6' fence would not be permitted within what would be the front yard setback on the South Street end of the property. The fence is needed for security purposes as evidenced by the fact that the adjoining properties to the north and south of the subject are also similarly fenced. Given the depth of the property, about 280' and the proposed location of the expanded structure toward the front (San Carlos Boulevard) end of the property, security toward the rear, which is more hidden, presents a security problem without a fence of reasonable height. This would also serve to protect the security of the more residential properties to the west, on and across South Street SW.

F

Deviation from LDC Section 30-153(3)a.3. and e, from the required sign setback from a property line of 10' to 6' and from the required setback of 15' from a right of way to 0'.

Justification: These setbacks were approved as part of a variance request, Case Number 93-10-07-VSN-03. In rendering his favorable decision, the Hearing Examiner, Mr. Territo, observed that given the widening of San Carlos Boulevard and the location of long established structures and the visual blocking effect they would have on a sign that met the required setbacks, that the variance was warranted. Since the situation has not

changed, applicant wishes to continue the use of the sign as located and to change sign copy in the future without further variances.

G

Deviation from LDC Section 10-285 (a) from required intersection separation of 125' to 5', 48', 80', 95', 100'.

Justification: The intersections in question are existing driveways on South Street. The location proposed by the applicant makes sense if the internal circulation of applicant's project is considered and also the fact that, the access will be for emergency or service access only.

H

Deviation from LDC 34-3021 (C) (1) C. from the requirement that for subordinate commercial uses, public access to the commercial use, must not be evident from any abutting street to permit the name of the subordinate use on the project sign.

Justification: This deviation is requested in an abundance of caution. Applicant interprets this requirement to apply to obvious entrance to the subordinate use. In fact, entry to the subordinate use will be through the hotel (primary use) lobby. Staff's interpretation is that the section would preclude having the restaurant name on the hotel sign.

Narrative Statement

The applicant's request for rezoning to CPD and the accompanying deviations are consistent with the Lee Plan and the guidelines for decision-making for the following reasons:

1. Error or ambiguity in the zoning ordinance or map that must be corrected.

Response: There is no ambiguity in the LDC that must be corrected.

2. Are there changed or changing conditions, which makes approval of the application appropriate?

*Response: The change of principal use from a restaurant/lounge to a hotel/restaurant/lounge is in response to changes in the marketplace, i.e., the increased preference of restaurant patrons to dine in a waterfront setting. That type of setting is readily available on Ft. Myers Beach, the adjacent island and the result is **functional obsolescence** of the present use of the subject property. Applicant believes that a reasonably priced hotel with restaurant services, near, but not on Ft. Myers Beach, with convenient trolley service, which is available, would be a logical and productive response to the changing conditions and times.*

3. Will urban services be available and adequate to serve the proposed land use change?

Response: All urban services, including trolley service are available to the property.

4. Is the request consistent with the goals, objectives, policies and intent and densities and intensities and general uses set forth in the Lee Plan?

Response: Yes as follows:

Policy 1.1.4, which describes the Urban Community land use category as being freestanding communities of a distinctly urban character. The proposed use is consistent with that description.

Policy 18.2.1. The area in which the property is located is generally characterized as highly mixed, principally commercial. The physical building that will house the proposed use fronts on San Carlos Boulevard the only access point to Ft. Myers Beach at its northern end. The rear of the property will be a screened parking area, which is a low intensity use, and will be closest to any use along South Street SW. The parking lot therefore will function as a step down of intensity from the commercial uses along the San Carlos Boulevard frontage, which is a well-known and accepted planning principle. Similarly, with regard to height, this building that will be 44' above required flood elevation, meets setback requirements for either Planned Development (one half the height of the building) and would exceed setback requirements under the existing zoning of C-1 (one half foot additional setback for every foot over 35'). The only exception to this is the south side setback deviation that is necessary due to requests from staff to reduce the building height from 6 to 4 stories. The portion of the existing building that is to remain has a 0-foot setback. Moreover, in the interest of compatibility, the building will be located as far as possible (about 140' from South Street SW) from any residential uses. Therefore, the proposed improvements should in no way be considered as an intrusion into a residential neighborhood.

Policy 6.1.2. The proposed use is compatible with adjacent existing or proposed land uses and with the existing public services.

Objective 2.1. The approval of the application will promote a contiguous and compact growth pattern thereby containing sprawl and is redevelopment rather than new development.

5. Will this request protect, conserve environmentally critical areas and natural resources?

Response: The property is already developed.

6. Will it be compatible with existing or planned uses and not cause damage, hazard, nuisance or detriment to persons or property?

Response: The property is located in a highly mixed-use area and it will therefore be compatible with the other uses.

7. Will the location of the project place an undue burden upon existing transportation facilities?

Response: As indicated in the submitted Traffic Impact Statement, the project "will have little impact on the surrounding roadway system. No improvements are required as part of the proposed development."

- 8. Will the project be served by streets with the capacity to carry traffic generated by this project?**

Response: See previous response, and add that level of service will not change, with or without the project.

- 9. Is the requested use in compliance with all applicable zoning regulations?**

Response: Yes.

OFFICE OF THE HEARING EXAMINER, LEE COUNTY, FLORIDA

ORDER FOR CONTINUANCE

CASE NUMBER: DCI20020-00013
APPLICANT: NICK KASTAN and CHRIS KASTAN, in ref. to STEAMERS HOTEL
RESPONSE DATES: FRIDAY, JULY 14, 2000; 5:00 P.M.

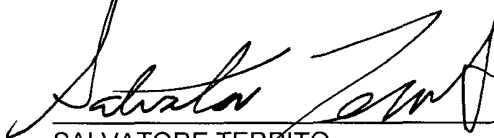
The hearing on the above-styled case began as scheduled on June 28, 2000. At the conclusion of the presentations of Staff and Applicant and, following the comments and presentations of other interested parties present, the matter was continued to the date and time set forth below to allow the Staff and the Applicant to submit additional materials, only as requested by the Hearing Examiner, which are responsive to questions, issues and concerns which arose during the course of the proceedings.

Written submissions shall be in the form of Proposed Conditions. Applicant and Staff may submit separately, or together. Staff may, but does not have to, submit a different recommendation.

This matter is continued to FRIDAY, JULY 14, 2000, 5:00 P.M., FOR SUBMISSION OF MATERIALS AS REQUESTED BY THE HEARING EXAMINER. At, or before this time, the requested materials will be submitted to the Hearing Examiner, and other responding parties, and the Hearing Examiner will determine if these submissions are sufficient. **NO HEARING WILL BE HELD AND NO TESTIMONY WILL BE HEARD.** If the Hearing Examiner determines that these submissions are insufficient, a subsequent hearing will be set to discuss this matter further and notices will be sent to all parties involved.

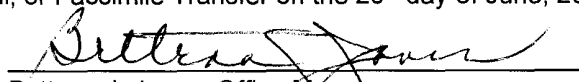
Accordingly, written submittals will be delivered to the Office of the Hearing Examiner, 1500 Monroe Street, Suite 218, Fort Myers, Florida, on or before these dates. Copies of this order will be furnished to the Staff and Applicant.

DONE AND ORDERED this 28th day of June, 2000.


SALVATORE TERRITO
LEE COUNTY HEARING EXAMINER
1500 Monroe Street, Suite 218
Post Office Box 398
Fort Myers, Florida 33902-0398
Telephone: 941/479-8100
Facsimile: 941/479-8106

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the aforesaid Order was sent to the Applicant, the Applicant's consultants, and County Staff, either by U.S. Mail, Inter-County Mail, or Facsimile Transfer on the 29th day of June, 2000.


Bettina J. Jones, Office Manager

June 29, 2000

PAVESE, HAVERFIELD, DALTON, HARRISON & JENSEN, L.L.P.

A FLORIDA LIMITED LIABILITY PARTNERSHIP

ATTORNEYS AND COUNSELORS AT LAW

<http://paveselaw.com>

1833 HENDRY STREET
FORT MYERS, FLORIDA 33901

POST OFFICE DRAWER 1507
FORT MYERS, FLORIDA 33902-1507

(941) 334-2195
FAX (941) 332-2243
SteveHartsell@PaveseLaw.com

FILE COPY

**LEE COUNTY
RECEIVED**

02 MAY -1 AM 11:33

**COMM. DEV/
PUB. WRKS. CNTR.
SECOND FLOOR**

STEVEN C. HARTSELL
(941) 336-6244

PLEASE REPLY TO
FORT MYERS OFFICE

April 30, 2002

Dawn Perry-Lehnert
Lee County Attorney's Office
P. O. Box 398
Fort Myers, FL 33902

VIA FACSIMILE

RE: Stoneybrook Zoning Case #DRI2000-13 & DCI 2000-46
Resolution #Z-02-010

Dear Dawn:

As requested I have reviewed the draft Resolution for the Stoneybrook DRI and RPD/CPD amendment. Resolution #Z-02-010 appears to accurately reflect the Hearing Examiner's Recommendations. Under the Site Development Regulations the Maximum "Lot Coverage" for Tract S-1 and Tracts S-2 through S-5 are shown to be 40% based on the LDC §34-2 definition of "Lot Coverage." I have asked Carron to reflect a footnote on the Master Concept Plan where those two references to "Lot Coverage" are made in order to clarify that the Lot Coverage being referenced is the definition found in LDC §34-2. I would request that a similar footnote be included under the Site Development Regulations section of the Zoning Resolution on pages 3 and 4 of 6. The Exhibit "A" legal description for the 21.1-acre amendment from RPD to CPD is correct.

The Convenience Food & Beverage Use is shown in the Hearing Examiner Recommendation as being restricted to Tracts S-2, S-3 or S-4. However, U. S. Home initially met with the Estero Community representatives and requested that use only on Tracts S-3 and S-4. Consistent with the limitation of the initial request after meeting with those representatives, U. S. Home will not be requesting that use on Tract S-2 and the Master Concept Plan will reflect that, so it makes sense for the Resolution to also show that limitation to Tracts S-3 and S-4 only.

I have also reviewed the DRI Development Order attached as Exhibit "D" to the Resolution. You have already confirmed that the two references to prohibitions against the Medical Office Use have been removed from page 2 of 14. I suggest the following clarifications as well:

4635 S. DEL PRADO BLVD.
P.O. BOX 100088
CAPE CORAL FLORIDA 33910-0088
(941) 542-3148
FAX (941) 542-8953

461 S. MAIN STREET
P.O. DRAWER 2280
LABELLE, FLORIDA 33935
(863) 675-5800
FAX (863) 675-4998

SUITE 203
4524 GUN CLUB ROAD
WEST PALM BEACH, FLORIDA 33415
(561) 471-1366
FAX (561) 471-0522

Dawn Perry-Lehnert, Esquire

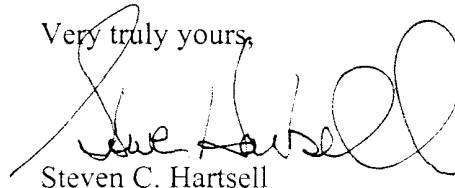
April 30, 2002

Page 2

1. At the end of the second sentence in §I.A, the parenthetical sentence, add the following: "...units plus 36,200 gross leasable square feet of retail commercial space and 40,000 gross leasable square feet of office space." The parenthetical statement was there to explain the original reduction from the 3,000 dwelling units to the 1,840 units. The present reduction down to 1,285 units is for the purposes of accommodating the additional retail and office square footage, so the proposed language is simply a clarification.
2. I noticed that you clarified the references to the present zoning categories on page 3 of 14, §I.B by adding "CPD" and I suggest that on page 6 of 14, §II.B.3 you also add the same reference: "...property currently zoned CPD, CC or CG..."
3. Finally, on page 10 in §II.G.2 is the Hearing Examiner's condition that requires looking into how the school site and utility site were removed from the original DRI. It looks like the 5th Amended Codified Development Order specifically called for the removal of those sites and adopted an amended Map H which reflected their removal. If you have had a chance to confirm those facts, it would probably be wise to eliminate Condition G.2 in order to avoid confusion in the future.

Please let me know if any of these clarifications cause you any concern.

Very truly yours,



Steven C. Hartsell

SCH:llg

cc: Mike Pavese
Carron Day
Mike Huenikin



BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: (941) 335-2236

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Douglas R. St. Cerny
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District Three

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District Four

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County Manager

James G. Yaeger
County Attorney

Diana M. Parker
County Hearing
Examiner

September 15, 2000

**VIA FACSIMILE (941-489-2444)
AND REGULAR U.S. MAIL**

Michael J. Ciccarone, Esquire
Annis, Mitchell, Cockey, Edwards and Roehn, P.A.
P. O. Box 60259
Fort Myers, FL 33906-6259

Re: Steamers Hotel (Case #DCI 2000-00013 & Resolution #Z-00-042)

Dear Mike:

I have received a copy of your email received at 9:16 a.m. on September 7, 2000 concerning, in part, the correctness of the legal description of the property being rezoned. Your email states as follows:

"...for your files please note that the legal description is correct."

This is apparently a response to the County's request for verification that the draft resolution contains an accurate description of the property subject to this zoning action. Consequently, the County will rely on it for this purpose

In the event your statement was not intended to verify the accuracy of the legal description as it relates to the property subject to this zoning action, please notify our office in writing immediately.

Should you have any questions concerning the above, please do not hesitate to contact me.

Very truly yours,

John J. Fredyma
Assistant County Attorney

JJF/mme

cc: Donna Marie Collins, Assistant County Attorney
Donna Dilg, Development Services

MEMORANDUM
FROM THE
DEPARTMENT OF COMMUNITY DEVELOPMENT
DEVELOPMENT SERVICES DIVISION

DATE: August 8, 2000

TO: Salvatore Territo
Hearing Examiner

FROM: Alvin Block, AICP *act*
Senior Planner

RE: Steamers Hotel, DCI2000-00013

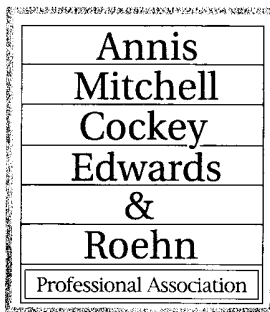
County Staff and the applicant have met and communicated with the applicant's agent since the original continuance for this case. On July 13, 2000 Staff offered a set of conditions that the Hearing Examiner could consider, if the Examiner chose to recommend approval of the case.

A copy of this was faxed to the applicant's agent to allow them the opportunity to respond and offer any additional conditions or suggested changes. Attached is a copy of a letter with three photographs received by the Department on July 19, 2000 from the applicant's agent.

Staff continues to recommend DENIAL of this request. However, if the Hearing Examiner decides to recommend approval of this request, then staff recommends that the conditions found in the Department's memorandum of July 13, 2000 be included.

cc: Zoning/DCI File
Michael Ciccarone, via fax
Donna Marie Collins, Assistant County Attorney

Attachment: 3 photographs



LEE COUNTY
FLORIDA
JUL 19 PM 4:10
JUL 19 1900
JUL 19 1900

One University Park, Suite 600
12800 University Drive
P.O. Box 60259 (Zip 33906)
Ft. Myers, Florida 33907
Telephone: (941) 489-1776
Facsimile: (941) 489-2444
mcicc@annislaw.com

July 19, 2000

Mary Gibbs, AICP, Director
Alvin "Chip" Block, AICP, Senior Planner
Department of Community Development
Post Office Box 398
Fort Myers, Florida 33901

Re: Steamer's Hotel DCI2000-00013
Our File No: 11815-0001

Dear Mary and Chip:

At your suggestion I am setting forth proposed architectural standards which hopefully you will find adequate to justify a recommendation of approval for the proposed hotel which we have agreed to reduce from 60 rooms to 50 rooms. We had at one point proposed 6 stories and, at Chip's suggestion, reduced it to 4 stories at the time of the hearing. However, that causes the building to spread out into areas that are needed for setbacks. Therefore, the proposed hotel would be 5 stories with a maximum height of 54 feet above flood elevation, with a minimum 14 foot clearance to enable vehicles to pass under the building to park in the rear. I will propose additional setbacks as further concessions, presuming that we are making progress with the condition offered below. If you need additional time to react to this then I am sure that the Hearing Examiner will continue to hold the record open if both applicant and County request it. My goal here is to find something that addresses compatibility issues. Mary's concern was that the building not be monolithic or otherwise inconsistent with the general area. To that end, we propose the following condition:

New construction shall have a stucco or other textured external finish. No plain concrete or exposed concrete block shall be permitted. Exterior walls shall be neutral, pastel or earth-tone in color and coordinated with the color of the roof. The roof shall be a flat roof of mansard design with colored tin or Spanish tile on the mansard. Gables with overhangs may be permitted at the option of the owner. Trim and other accents shall be color-coordinated to complement the colors of the exterior walls and roof. The general style of architecture shall be Old Florida or Key West style with open rails where balconies are constructed. Exterior walls shall be designed to avoid unbroken straight lines or a monolithic appearance. Existing structures that are to remain shall be repainted or otherwise refurbished to match new construction.

I am enclosing three photographs of hotels in Key West to illustrate the type of construction we envision.

ANNIS, MITCHELL, COCKLY,
EDWARDS & ROEHN, P.A.

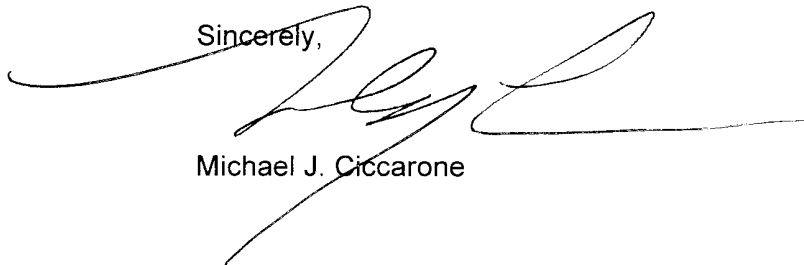
Mary Gibbs
Alvin "Chip" Block
July 19, 2000
Page 2

I am sure that you can appreciate the fact that it would be premature to have architectural plans at this stage and there is no point in producing renderings without at least some consultation with the architects. Moreover, such renderings are expensive and cannot be produced quickly enough for your purposes. Hopefully, therefore, the language set forth above will be adequate. If so, then I look forward to working with Chip on the other aspects of the site plan which should result in additional concessions and improvements along the lines that Chip and I discussed when we last met.

If the above language is not satisfactory, I would be more than happy to discuss any changes with you either via telephone or in person if you would please be so kind as to call me.

I very much appreciate Mary's willingness to consider this case in light of identifying architectural controls that would not make the sheer size of height of the building a justification for denial. I am unaware of any planning principle or regulation that makes density or sheer size the controlling factor in this case. Your flexibility in this regard is greatly appreciated. I personally think that the resulting structure will be a material enhancement to the general area and a vast improvement over what currently occupies this site. As we pointed out at the hearing, it is simply not financially feasible to build a new hotel with fewer than 50 rooms. If this area is going to improve in appearance, then I think it is important to recognize the realities of the market and permit developments like this one so long as they are done in a fashion that produces the sort of up-scale look that I believe you envision.

Sincerely,

A handwritten signature in black ink, appearing to read "MJC", with a long horizontal flourish extending to the right.

Michael J. Ciccarone

MJC/ma
Enclosure(s)
cc: Nick Kastan
#58806





MEMORANDUM
FROM THE
DEPARTMENT OF COMMUNITY DEVELOPMENT
DEVELOPMENT SERVICES DIVISION

DATE: July 13, 2000

TO: Salvatore Territo
Hearing Examiner

FROM: Alvin Block, AICP 
Senior Planner

RE: Steamers Hotel, DCI2000-00013

At the completion of the Hearing Examiner's public hearing for this case, the Hearing Examiner requested that Staff and the Applicant prepare a set of conditions that could be considered, if the Hearing Examiner decided that a recommendation of approval was appropriate.

The applicant requested staff send a draft of potential conditions, which was done on July 3, 2000. The applicant had indicated a desire to meet with staff to try to work out any potential conflicts, if possible. If one set of conditions could be agreed on then these could be submitted and if not the applicant could still present their own set of conditions.

As of the date of this memorandum no meeting has been requested by the applicant. Staff therefore submits the following conditions, as suggested language, if the Hearing Examiner disagrees with the Staff recommendation of Denial.

Conditions:

1. The development of this project must be consistent with the one-page Master Concept Plan entitled "Steamers Hotel," stamped received April 13, 2000, except as modified by the conditions below.

This development must comply with all requirements of the Lee County Land Development Code (LDC) at time of local Development Order Approval, except as may be granted by deviation as part of this planned development. If changes to the Master Concept Plan are subsequently pursued, appropriate approvals will be necessary.

2. A maximum of 24 hotel/motel units are allowed within this planned development. The subordinate use of a Restaurant is limited to the intensity of use for subordinate uses as found in LDC Section 34-3021(c).

3. The following are the permitted, accessory and subordinate uses allowed within this planned development:

Permitted Use

HOTEL/MOTEL (not to exceed 24 units)

Accessory Uses

ACCESSORY USES AND STRUCTURES (LDC Sections 34-1171 et seq., 34-2441 et seq., 34-1863, and 34-2141 et seq.)

ACCESSORY APARTMENT (LDC Section 34-1177)

ADMINISTRATIVE OFFICE

CARETAKER'S RESIDENCE

ESSENTIAL SERVICES (LDC Sections 34-1611 et seq., and 34-1741 et seq.)

ESSENTIAL SERVICE FACILITIES (LDC Section 34-622(c)(13)): Group I (only) (Sections 34-1611 et seq., 34-1741 et seq., and 34-2141 et seq.)

RECREATIONAL FACILITIES:

Private, On-Site

SIGNS only in accordance with chapter 30

Subordinate Use (LDC 34-3021(c))

RESTAURANT (LDC Section 34-622(c)(43)): Group II (only)

Accessory Use to the RESTAURANT use:

CONSUMPTION ON PREMISES (LDC Section 34-1261 et seq.) (To be located within the Restaurant use)

4. Development of the CPD will comply with the following Property Development Regulations:

Minimum Lot Area and Dimensions:

Area: 0.84± acres

Width: 130 feet

Depth: 280 feet

Minimum Setbacks:

Street: variable according to the functional classification of the street or road
Section 34-2191 et seq.)

Side: 15 feet

Rear: 25 feet

Water Body: 25 feet

Accessory Use and Structure setbacks must comply with LDC Sections 34-1171 et seq. and 34-2194.

Maximum Lot Coverage: 45 percent

Maximum Building Height: may not exceed 35 feet

5. All access for commercial purposes to this development must be provided from San Carlos Boulevard. The only permitted vehicular access to this site from South Street is for emergency access only, subject to LDC 34-1749(2).
6. Public access to the subordinate use must not be evident from any abutting street, in accordance with LDC Section 34-3021(c).
7. The proposed subordinate Restaurant use, and all related accessory uses, must be entirely contained within the building. No restaurant or related accessory activities to this use may be conducted outside of the building.
8. Outdoor entertainment is prohibited as part of this planned development.
9. Approval of this zoning request does not address mitigation of the project's vehicular or pedestrian traffic impacts. Additional conditions consistent with the Lee County LDC may be required to obtain a local development order.
10. Approval of this rezoning does not guarantee local development order approval. Future development order approvals must satisfy the requirements of the Lee Plan Planning Communities Map and Acreage Allocation Table, Map 16 and Table 1(b).
11. The developer must contact Lee County Emergency Management to prepare a written hurricane preparation and evacuation/sheltering procedure consistent with LDC Section 10-154(22). This plan must be submitted to Lee County Emergency Management for review and approval prior to approval of a local development order.
12. In accordance with LDC Section 34-936(g), lighting of the exterior and parking areas of this planned development uses must be of the lowest intensity and energy use adequate for its purpose, and must not create conditions of glare outside the area designated for commercial uses.
13. The hotel and restaurant use must prepare and provide to all guests directional mapping directing all vehicular traffic leaving northbound on San Carlos Boulevard but unable to turn left because of traffic, must take an alternate route. This route would be to turn right (south) on San Carlos Boulevard to Main Street, then turn right (east) on Main Street to San Carlos Drive, then turn left (south) on San Carlos Drive. Follow San Carlos Drive under bridge back to Main Street and turn left onto Main Street to San Carlos Boulevard. Then turn right onto San Carlos Boulevard heading northbound. The applicant will work with Lee County Department of Transportation to have erected and maintained signage with limits traffic on San Carlos Drive and South Street north of Main Street to local residential traffic only.

Deviations

Deviation A requests relief from LDC Section 10-416(d)(4) which requires a 5 foot buffer along the side property line and a 15 foot wide buffer along the right-of-way; to allow no buffer along the side property line and 8 foot along the right-of-way. This deviation is recommended to be **APPROVED only for the area between the existing building and the southern perimeter property line and the right-of-way line for San Carlos Boulevard.**

Deviation B requests relief from LDC Section 34-935(e)(4) which requires where there are two or more principal buildings on a development tract the minimum separation of buildings shall be one-half the sum of their heights. Or 20 feet, whichever is greater; to allow a zero foot setback. This deviation is recommended to be **APPROVED only for the separation between the existing building and the proposed hotel/motel building.**

Deviation C requests relief from LDC Section 34-935(b)(1)e which requires the minim setback of structures or buildings from the development perimeter boundaries is one-half the height of the building or structure; to allow a setback of zero (0) feet on the south and eight (8) feet on the north. This deviation is recommended to be **APPROVED for only the existing building on the property. All new structure and buildings must maintain the required setbacks.**

Deviation D requests relief from LDC Section 10-416(d)(4) which requires a Type C or Type F buffer; to allow a 10 foot buffer with no wall. This deviation is recommended to be **DENIED.**

Deviation E requests relief from LDC Section 34-1744 which provides the requirements for fences and walls; to allow a six foot fence on all property lines with the exception of along San Carlos Boulevard. This deviation is recommended to be **DENIED.**

Deviation F requests relief from LDC Section 30-153(3)a.3.and e. which requires a sign be set back a minimum of ten feet from any side property line and also must be set back a minimum of 15 feet from any right-of-way; to allow 6 foot side setback and zero (0) foot right-of-way setback. This deviation is recommended to be **DENIED.**

Deviation G requests relief from LDC Section 10-285(a) which requires a minimum connection separation of 125 feet for a local road; to allow a connection separation of 5 feet, 48 feet, 80 feet, 95 feet, and 100 feet along South Street. This deviation is recommended to be **DENIED.**

Deviation H requests relief from LDC Section 34-3021(c)(1)c. which requires subordinate commercial uses also have the requirement that public access to the commercial uses must not be evident from any abutting street; to allow the name of the subordinate use to be located on the project sign. This deviation is recommended to be **DENIED.**

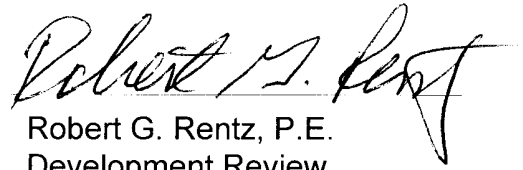
cc: Zoning/DCI File
Michael Ciccarone, Applicant's agent (via fax)
Donna Marie Collins, Assistant County Attorney

MEMORANDUM
FROM THE
DEPARTMENT OF
COMMUNITY DEVELOPMENT
DEVELOPMENT SERVICES DIVISION

DATE: June 12, 2000

To: Alvin "Chip" Block, AICP
Senior Planner

FROM:


Robert G. Rentz, P.E.
Development Review
Engineer

RE: **Steamers Hotel**
Case No. DCI2000-00013

The proposed development consists of the renovation of an existing restaurant, and addition of a 60-unit hotel. The project is expected to generate 832 trips per day, with 43 occurring in the AM peak hour and 68 occurring in the PM peak hour.

Based on the 1999 Traffic Count Report issued by the Lee County Department of Transportation the 2000 peak season, peak hour, peak direction of flow is 987 vehicles per hour. At this volume San Carlos Boulevard provides Level of Service (LOS) C.

When the project traffic is added to the anticipated build out background traffic the peak season, peak hour, peak direction of flow will be expected to increase to approximately 1,022 vehicles per hour. At this volume San Carlos Boulevard will still provide LOS C.

BGR

S:/WRITERS/RENTZRG/DCI2K00013TRAFFICSUBSTANTIVECOMMENTS

DEVELOPMENT SERVICES DIVISION
DCI SUBSTANTIVE REVIEW - COMMERCIAL PLANNED DEVELOPMENT
TRANSMITTAL SHEET

TO: Distribution FROM: Chip Block DATE: June 8, 2000
Walter McCarthy, Director, Development Services - Xmtl sheet only
Dawn Perry-Lehnert, CAO
DS Reviewer - Don Blackburn
TIS Reviewer - Bob Rentz
Elaine Wicks, LCDOT
Kim Trebatoski, Planning
Paul O'Connor, Planning

PROJECT NAME: Steamers Hotel

CASE DCI 2000-00013

INFORMATION SUMMARY:

 To update your file
 X Please provide substantive comments

RESPONSE REQUIRED BY: **ASAP**

Additional Comments:

Case is being heard on June 28, 2000.

cc: DCI File
ZONE File

**MEMORANDUM
FROM
DEPARTMENT OF COMMUNITY DEVELOPMENT
DIVISION OF PLANNING: ENVIRONMENTAL SCIENCES**

Date: May 15, 2000

To: Alvin "Chip" Block, Senior Planner
From: Kim Trebatoski, Environmental Planner

Re: Staff Report: Steamers Hotel CPD
Case DCI 2000-00013
Master Concept Plan Counter Stamped April 13, 2000
STRAP 24-46-23-01-00006.0040

Division of Planning / Environmental Sciences (ES) staff have reviewed the above referenced project and conducted a site inspection on April 19, 2000. The following are ES staff comments:

Vegetation:

The site was previously developed and does not contain native indigenous vegetation.

Open Space:

The Land Development Code per Sections 34-935(g)(3) and 10-415(a) requires 20% open space for small commercial developments. This requirement is met on the Master Concept Plan with the note indicating 7,280 square feet or 20% open space required and 8,241 square feet or 23% open space provided.

Deviations:

ES staff defer Deviations 'A' and 'D' to Development Services staff as issues relating to compatibility.



LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: 479-8371

John E. Manning
District One

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Andrew W. Coy
District Four

John E. Albion
District Five

Donald D. Stilwell
County Manager

James G. Yaeger
County Attorney

Diana M. Parker
County Hearing
Examiner

March 16, 2000

Mr. Carleton Ryffel, AICP
CPH Engineers, Inc.
3501 Del Prado Boulevard, Suite 312
Cape Coral, Florida 33904

RE: Steamers Hotel CPD; File #DCI2000-00013

Dear Mr. Ryffel:

The Development Services Division has reviewed the information provided on February 25, 2000 for the above zoning application. The Land Development Code requires additional information for the application to be sufficient. Please respond to each requirement not satisfied on the attached sufficiency checklists. For your assistance, we have attached any additional memoranda from the various Lee County reviewing agencies.

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. Please feel free to contact me or the staff reviewers if you have any questions.

Sincerely,

DEPARTMENT OF COMMUNITY DEVELOPMENT
Development Services Division

Alvin Block, AICP
Senior Planner

Enclosures:
Checklists and comments from various review agencies

cc: Walter J. McCarthy, Division Director
Dawn Perry-Lehnert, Assistant County Attorney
Don Blackburn, Development Services
Bob Rentz, Development Services
Paul O'Connor, Planning
Kim Trebatoski, Planning
Elaine Wicks, LCDOT
Zoning/DCI File

S:\CASES\200003\DCI20000.001\3\Steamers\Insuffl.Let.wpd

P.O. Box 398, Fort Myers, Florida 33902-0398 (941) 335-2111
Internet address <http://www.lee-county.com>

AN EQUAL OPPORTUNITY AFFIRMATIVE ACTION EMPLOYER

- d. N/A The fee owner is a partnership and a general partner initiated the application. [34-201(a)(1)a.4.]
1. N/A The names of all parties having interest in the subject property include including the names of all stockholders and the names of beneficiaries of trusts must be provided. [34-201(b)(2)a. & 34-202(b)(1)a]
- e. N/A The fee owner is an association and the association or its governing body appointed an agent to initiate the application on behalf of the association. [34-201(a)(1)a.5.]
- f. N/A The application was initiated by the Board of County Commissioners. [34-201(a)(2)]
1. N/A A copy of the "Blue Sheet" authorizing initiation of the rezoning must be provided.
- 02) N/A **Condominium or Timeshare Condominium.** The property is a condominium or a timeshare condominium, as defined and regulated in F.S. chs. 718 and 721, respectively, and the application or petition has been initiated by both the condominium association and no less than 75 percent of the total number of condominium unit owners, or by both the owners' association and no less than 75 percent of timeshare condominium unit owners. [34-201(a)(1)b.]
- a. N/A The applicant(s) has provided a complete list of all unit owners, identified by unit number and time-share period, as applicable, along with proof that all unit owners who did not join in the application were given actual written notice thereof by the applicants. The applicant has provided a sworn statement that the list has been verified and that written notice was given. [34-201(a)(1)b.2.]
- b. N/A The application contains a letter of opinion from a licensed Florida attorney, attesting 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 county 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 county would violate no such rights. [34-201(a)(1)b.3.]
- 03) N/A **Subdivision.** The property is a subdivision and the application or petition has been initiated by no less than 75 percent of the total number of lot or parcel owners and the homeowners' association, if applicable. [34-201(a)(1)c.]
- a. N/A The applicant(s) has provided a complete list of all lot owners identified by lot number. Proof that all lot owners who did not join in the application were given actual written notice thereof by the applicant(s). The applicant(s) has provided a sworn statement that the list has been verified and that written notice was given. [34-201(a)(1)c.2]

General Submittal Requirements For All Applications.

- 04) OK All properties within a single application must be abutting. [34-201(b)(1)]
- 05) OK Applications must be presented on the official forms provided by the department, or on county-approved computer-generated forms containing the same information. [34-201(b)(2)]

06) OK All applications requiring a public hearing must include the following: [34-202(a)]

- a. OK **Legal description.** The request must include a legal description of the property upon which the action is to be initiated. [34-202(a)(1)]
 1. OK The legal description must be sufficiently detailed so as to locate the property on county maps or section aerial photographs. [34-202(a)(1)]
 2. OK The legal description must include a copy of the plat, if any, and the county STRAP number. [34-202(a)(1)]
- b. OK **Certified sketch of description.** A certified sketch of description as set out in chapter 61G 17-6.006, Florida Administrative Code, unless the subject property consists of one or more undivided platted lots. [34-202(a)(2)]
 1. OK If the application includes multiple abutting parcels, the legal description must describe the perimeter boundary of the total area, but need not describe each individual parcel. However, the STRAP number for each parcel must be included. [34-202(a)(2)]
 2. OK If the request is owner-initiated, the boundary sketch must include the location of existing structures on the property. [34-202(a)(2)]
- c. N/A **Confirmation of Ownership.** If at any time during the review process the director concludes there is a question regarding ownership of the property, the director may require a title insurance policy, attorney's opinion of title, or owner's and encumbrance report. [34-202(a)(3)]
- d. OK **Area location map.** A map, at suitable scale, indicating the property described in the legal description. The map must be sufficiently referenced to known major streets or other physical boundaries so as to be clearly identifiable to the general public. [34-202(a)(4)]
- e. OK **Property owners list.** A complete list of all property owners, and their mailing addresses, for all property within the area described. For the purpose of this subsection, names and addresses of property owners will be deemed to be those appearing on the latest tax rolls of the county. [34-202(a)(5)]
- f. OK **Surrounding property owners list.** A complete list of all property owners, and their mailing addresses, for all property within 375 feet of the perimeter of the subject parcel or the portion thereof that is the subject of the request. For the purpose of this subsection, names and addresses of property owners will be deemed to be those appearing on the latest tax rolls of the county at the time of sufficiency. [34-202(a)(6)]
- g. OK **Property owners map.** A map displaying all parcels of property within 375 feet of the perimeter of the subject parcel or the portion thereof that is the subject of the request. This map must reference by number or other symbol the names on the property owners list. [34-202(a)(7)]

- h. N/A **Property restrictions.** Except for applications initiated by the Board of County Commissioners for land not owned by the county, the application must include a copy of the deed restrictions or other types of covenants and restrictions on the parcel, along with a statement as to how the restrictions may affect the requested action. If there are no restrictions on the property, the applicant must indicate so on the application form. **[34-202(b)(2)]**
- i. N/A **Affidavit regarding proposed use.** Except for applications initiated by the Board of County Commissioners for land not owned by the county, if buildings or structures exist on the property, the applicant must submit an affidavit stating that the buildings and structures will be removed or that the proposed use of the buildings, structures and land is, or will be, in compliance with all applicable requirements of chapter 10 and this code. **[34-202(b)(3)]**
- j. N/A **Hazardous materials emergency plan for port facilities.** Except for applications initiated by the Board of County Commissioners for land not owned by the county, any applicant seeking a rezoning for a private port facility must submit a hazardous materials emergency plan, which will be subject to the approval of the county divisions of emergency management, water resources and planning, and of the appropriate fire district. The plan must provide for annual monitoring for capacity and effectiveness of implementation. At the minimum, the plan must comply with the spill prevention control and countermeasure plan (SPCC) called for in the federal oil pollution prevention regulations, 40 CFR 112, as amended. **[34-202(b)(4)]**
- k. N/A **Rezoning of Mobile Home Parks.** If the proposed rezoning of an existing mobile home park as defined in F.S. Sec. 723.003, would result in the removal or relocation of mobile home owners, then the application must include facts sufficient to allow staff to conclude that adequate mobile home parks or other suitable facilities exist for the relocation of displaced owners. The facts to be provided are intended to meet the requirements of F.S. sec. 723.083 (1995). Therefore, the statutory definitions will prevail to the extent there is conflict with terms of this Code. **[34-203(d)]**
- N/A (1) Facts to be provided may typically include: STRAP number and street addresses of properties where mobile homes are to be removed from, and relocated to (i.e., the "relocation site"); and any building permit numbers issued for placement of the mobile home on the relocation site.
- N/A (2) If the relocation site is not within the legal description of the subject rezoning, then the property owner of property proposed for relocation must submit an affidavit stating that suitable facilities exist at the relocation site to accommodate the mobile home proposed to be relocated there.
- 07) N/A **Multiple Zoning Categories.** Applications for two or more planned development categories may be combined in one application. **[34-373(a)(1)]**
- a. N/A The subject property must be divided into development areas, each of which corresponds to a different planned development category. **[34-373(a)(1)a.]**
- b. N/A Each development area must be identified by a separate legal description. **[34-373(a)(1)b.]**

- 08) OK **Covenants.** Any applicant for a rezoning or master concept plan confirmation under the planned development regulations as provided in this article must submit documentation corroborating unified control over the subject property. [34-373(a)(3) & 34-374(a)]
- 09) X **Description of existing conditions.** The application must be accompanied by the following: [34-373(a)(4)]
- a. X A map or other depiction of the existing zoning and current land uses (i.e. single family residence, multiple-family building, retail commercial, office building, etc.) surrounding the tract or parcel to a distance of 375 feet. [34-373(a)(4)a.]
 - b. REF Maps or aerial photographs marked or overprinted to show soils, vegetation and ground cover, and a county topographic map (required if available) or a USGS quadrangle map showing the subject property. Soils and vegetation, etc., should be classified in accordance with the USDA/SCS system and the Florida Land Use and Cover Classification System, respectively. [34-373(a)(4)b.]
 - c. REF The location of any environmentally sensitive land and water, based upon standard environmental data and verified by a field inspection by the county staff, unless waived by the director. A survey is not required until the plan has been incorporated into an application for a development order. [34-373(a)(4)c.]
 - d. OK A map or other depiction of the property in relation to existing and proposed public transit routes, as well as to bus stops, if located within the Lee Tran public transit service area. [34-373(a)(4)d.]
 - e. REF A survey as required by chapter 10, article III, division 8, pertaining to protected species requirements. Upon written request, the director may waive this requirement for minor planned developments. [34-373(a)(4)e.]
 - f. OK A map showing the exact location of existing easements and rights-of-way. The boundary sketch or Master Concept Plan may substitute for this map if the information is contained therein. [34-373(a)(4)f.]
- 10) X A narrative explanation as to how the proposed development complies with the Lee Plan, as well as the guidelines for decision-making embodied in sections 34-145(c)(2)a. and e., and 34-145(d)(3). [34-373(a)(5)]
- 11) X **Description of proposed development.** The application must be accompanied by a description of the proposed development. The applicant has the choice of using one of two options as follows. The option chosen must be clearly indicated on the application form. [34-373(a)(6)]

Option chosen was:

- a. N/A **Option 1.** The subject parcel may be divided into development areas. For each development area, the following must be shown, either within the areas or on schedules keyed to the areas: [34-373(a)(6)a]
- 1. N/A The general size, configuration and location of each sub area of development; [34-373(a)(6)a.1.]
 - 2. N/A The maximum height, in feet and number of stories, of any proposed buildings or structures; [34-373(a)(6)a.2]

-
3. N/A The kinds of uses and the number of units proposed for each use, in terms of dwelling units by type, hotel or motel units, number of beds for health care facilities, gross square feet of commercial or industrial use, or other appropriate measures of intensity; **[34-373(a)(6)a.3]**
 4. N/A The minimum width and composition of all proposed buffers along the perimeter of the subject property, as well as between the individual sub areas of development, if the types of proposed uses requires buffer separations. References to types of buffers as described in chapter 10 are acceptable; **[34-373(a)(6)a.4]**
 5. N/A The exact location of all points of vehicular ingress and egress from existing easements or rights-of-way into the development, the general location of all proposed internal street rights-of-way or easements, and the general location of all points of vehicular ingress and egress from the proposed internal rights-of-way or easements into each development area; **[34-373(a)(6)a.5.]**
 6. N/A Proposed access and facilities for public transit, in accordance with sections 34-411(e) and 10-442. **[34-373(a)(6)a.6.]**
 7. N/A The percentage of open space, unless the proposed development is in a development area consisting solely of conventional single-family dwelling units on lots of no less than 6,500 square feet. For commercial and industrial developments, the percentage of open space within each lot or outparcel must be as set forth in section 34-414(c); **[34-373(a)(6)a.7]**
 8. N/A The general location of excavations for on-site fill and wet retention; **[34-373(a)(6)a.8.]**
 9. N/A The location of any requested deviations, keyed to the schedule of deviations, including sample detail drawings of the effect on the site plan of the requested deviation; **[34-373(a)(6)a.9.]**
 10. N/A Where the subdivision of land is a feature of the proposed development, indicate on the plan of the proposed development regulations for each sub area, ie., minimum size and dimensions of all of the lots, lot coverage, as well as all of the minimum proposed setbacks for principal structures. If the property development regulations for a specific zoning district will be used, reference to the specific district shall be sufficient.; **[34-373(a)(6)a.10.]**
 11. N/A A traffic impact statement in a format and to the degree of detail required by a form furnished by the county and in conformance with the adopted county administrative code. Upon written request, the director may waive this requirement for minor planned developments. **[34-373(a)(6)a.11.]**
 12. N/A The master concept plan must also include a summary schedule of uses for the entire property with the following information:
-

- a) N/A The types of uses proposed for the entire site. For projects with residential uses, the master concept plan must include the types of proposed dwelling units. [34-373(a)(7)a.]
- b) N/A The units (gross square feet for commercial/industrial uses, number of units for residential or motel/hotel uses, beds for institutional types of uses, etc.) of each kind of use. [34-373(a)(7)b.]
- c) N/A The proposed percentage of open space for the entire site. [34-373(a)(7)c.]
- d) N/A The master concept plan shall also include a schedule of deviations, including sample detail drawings, unless such drawings would merely duplicate the information shown pursuant to Section 34-373 (a)(5)a.9. and b.9., and a written justification for each requested deviation. [34-373(a)(7)d.]
- b. X Option 2. The plan must indicate the general location of all proposed land uses, the general location and configuration and approximate dimensions of all proposed lots, parcels or outparcels, and the general location and pattern of vehicular and pedestrian circulation and movement within the site, for the entire site. [34-373(a)(6)b.]

This option requires the submittal of a clearly legible master concept plan, 24 inches by 36 inches in size, at an appropriate scale to adequately show the following information for each lot or on a schedule keyed to the lots.

1. OK The exact location of all points of vehicular ingress and egress from existing easements or rights-of-way into the development. If a subdivision, the plan must also show the general location of all proposed internal street rights-of-way or easements and the general location of all points of vehicular ingress and egress from the proposed internal rights-of-way or easements into multiple-family, commercial, or industrial use lots. [34-373(a)(6)b.1.]
2. X The minimum width and composition of all proposed buffers along the perimeter of the subject property, as well as between the individual lots, if the types of proposed uses requires buffer separations. References to types of buffers as described in chapter 10 are acceptable; [34-373(a)(6)b.2.]
3. X The kinds of uses and the number of units proposed for each use, in terms of dwelling units by type, hotel or motel units, number of beds for health care facilities, gross square feet of commercial or industrial use, or other appropriate measures of intensity, for the parcel or for each lot if subdivided. [34-373(a)(6)b.3.]

-
4. N/A Where the subject property is divided into lots, indicate on the plan the general location, configuration, approximate dimensions and use of all proposed lots, parcels or outparcels as well as lot coverage, and the minimum proposed setbacks for principal structures. If the property development regulations for a specific zoning district, will be used, reference to the specific district will be sufficient. **[34-373(a)(6)b.4.]**
5. X The maximum height, in feet and number of stories, of any proposed buildings or structures; **[34-373(a)(6)b.5.]**
6. X Proposed access and facilities for public transit in accordance with sections 34-411(e) and 10-442. **[34-373(a)(6)b.6.]**
7. OK The percentage of open space, unless the proposed development is a development consisting solely of conventional single-family dwelling units on lots of no less than 6,500 square feet. For commercial and industrial developments, the percentage of open space within each lot or outparcel must be as set forth in section 34-414(c); **[34-373(a)(6)b.7.]**
8. N/A The general location of excavations for on-site fill and wet retention; and **[34-373(a)(6)b.8.]**
9. X The location of any requested deviations, keyed to the schedule of deviations, including sample detail drawings of the effect on the site plan of the requested deviation. **[34-373(a)(6)b.9.]**
10. REF A traffic impact statement in a format and to the degree of detail required by a form furnished by the county and in conformance with the adopted county administrative code. Upon written request, the director may waive this requirement for minor planned developments **[34-373(a)(6)b.10.]**
11. X The master concept plan must also include a summary schedule of uses for the entire property with the following information: **[34-373(a)(7)]**
- a) OK The types of uses proposed for the entire site. For projects with residential uses, the master concept plan must include the types of proposed dwelling units. **[34-373(a)(7)a.]**
- b) X The units (gross square feet for commercial/industrial uses, number of units for residential or motel/hotel uses, beds for institutional types of uses, etc.) of each kind of use. **[34-373(a)(7)b.]**
- c) OK The proposed percentage of open space for the entire site. **[34-373(a)(7)c.]**
- d) X The master concept plan shall also include a schedule of deviations, including sample detail drawings, unless such drawings would merely duplicate the information shown pursuant to Section 34-373 (a)(5)a.9. and b.9., and a written justification for each requested deviation. **[34-373(a)(7)d.]**
-

12) N/A **Additional Requirements for All Major Planned Development Rezoning**

- a. N/A A written description of the surface water management plan that includes: [34-373(b)(1)]
1. N/A the runoff characteristics of the property in its existing state; [34-373(b)(1)a.]
 2. N/A in general terms, the drainage concept proposed, including the outfall to canals or natural water bodies including how drainage flow from adjacent properties will be maintained; [34-373(b)(1)b.]
 3. N/A the retention features (including existing natural features) that will be incorporated into the drainage system and the legal mechanism which will guarantee their maintenance; [34-373(b)(1)c.]
 4. N/A how existing natural features will be preserved. Include an estimate of the ranges of existing and post development water table elevations, where appropriate; [34-373(b)(1)d.]
 5. N/A the requirements for fill materials posed by this development for other than building pads (use, volume, etc.); [34-373(b)(1)e.]
 6. N/A If the property is subject to seasonal inundation or subject to inundation by a stream swollen by the rains of a 100-year storm event, indicate the measures that will be taken to mitigate the effects of expectable flooding. [34-373(b)(1)f.]
- b. N/A A protected species management plan as required by chapter 10, sections 10-471 to 10-476. [34-373(b)(2)]
- c. N/A If the development is to be constructed in phases or if the Traffic Impact Statement utilized phasing, then a description of the phasing program must be submitted. [34-373(b)(3)]

COMMENTS

-
- 9) Exhibit II-F-3 does not show the current land use for all properties within 375 feet of the subject property. Please revise the Exhibit to provide this information in accordance with this section.
- 10) This document has been provided, but there are inconsistencies between this document and other portions of the application. The proposed restaurant in the narrative indicates one size for the restaurant, while Page 5 of 8 of the application indicates a different size. Although this document has been provided, there appears to be some areas within the document which conflicts with statements elsewhere in the application.
- 11)b. According to this Section revise the proposed Master Concept Plan (MCP) to provide the general location of all land uses. The proposed plan only shows a proposed addition with an indication that there would be a restaurant/lounge/outdoor seating and existing building to remain with COP and Lobby (T.V./card room, eg). The MCP is required by this Section to indicate the general location of all proposed land uses.

DCI 2000-00013

- 11)b.2. The minimum width of the buffer has been noted on the Master Concept Plan, but the MCP fails to provide the minimum composition of this buffer. In accordance with this section, provide on the MCP the proposed composition of all buffers within this proposed planned development.
- 11)b.3. The intensity of the development has not been fully addressed on the proposed MCP. Revise the MCP to provide the maximum square footage of the restaurant. In addition, a number of other uses have been requested and discussed in this application without noting on the MCP the proposed intensity of development for those uses. Revise the MCP to provide the overall expected development intensity within this project.

It needs to also be noted here that the description in Exhibit IV-D and Exhibit II-E-2 is inconsistent with the development intensity on Page 5 of 8 of the application. Please revise the necessary documentation so that these intensities are consistent with each other. Then make sure that the intensity of the project is also correctly reflected within the Traffic Impact Statement and Analysis.

- 11)b.5. Revise the MCP, in accordance with this Section, to provide the maximum number stories for structure and buildings within this development. In addition, the application specifically states that the height would be measured from the flood elevation. Is this statement change on the application form on Page 5 of 8 and the Master Concept Plan an attempt to seek a deviation from the County's regulations in the Land Development Code (LDC) in how height of buildings are measured?
- 11)b.6. Note on the MCP, in accordance with this Section, the proposed access and facilities for public transit proposed for this planned development.
- 11)b.9. In the Schedule of Uses, the use of Signs indicates a previous variance would still be applicable. Please provide a copy of the referenced decision rendered for this application. A check of the computer records does not indicate the existence of this case. Staff was, also, unable to find any record of this Sign Variance in the County's records.
- 11)b.11.b) The proposed MCP does not include the proposed intensity of use required by this Section. Revise the MCP to include the total gross floor area of the uses being proposed. This would include the proposed area of the restaurant, bar or cocktail lounge, retail areas, professional office areas, and maximum number of housing units for employees.

LDC Section 34-3021 clearly explains what uses may be considered as subordinate uses for a hotel/motel, and how much of the total floor area these uses may occupy. Please revise the MCP to provide the total floor area of the hotel/motel use only, then provide the total floor area of any proposed subordinate uses to the hotel/motel use, and finally provide the total floor area of the remaining uses as requested 11)b.3. above.

- 11)b.11.d) Please provide sample detail drawings of the requested deviations so that a complete staff analysis of the requested deviations can be completed in the future, unless these detailed drawings would be merely duplicating information already shown on the proposed Master Concept Plan.

DCI 2000-00013

DEPARTMENT OF COMMUNITY DEVELOPMENT
DIVISION OF PLANNING/ENVIRONMENTAL SCIENCES
PLANNED DEVELOPMENT REZONING SUFFICIENCY CHECKLIST

PROJECT NAME: Steamers Hotel CPD

CASE NUMBER: DCI 2000-00013

STRAP NUMBER(S): 24-46-23-01-00006.0040

ACREAGE: 0.84 acres

SUBMITTAL DATE: February 28, 2000

END DATE OF REVIEW: March 13, 2000

REVIEWED BY: Kim Trebatoski (*The reviewer may be contacted at # 479-8183*) 

RECOMMENDATION: X - Please see comments.

OK =Sufficiency requirement satisfied.

OK/A=sufficiency satisfied, but additional information needed.

X=Sufficiency requirement not satisfied.

N/A=Not applicable to this submittal.

N/R=Not a requirement for Sufficiency Submittal: Minor PD.

**This checklist is for sufficiency of information to review for planned development rezoning.
It does not grant or imply any approvals.**

ADDITIONAL INFORMATION MAY BE REQUESTED BEFORE ANY HEARINGS.

1) Soils, Vegetation FLUCCS, Topography - Maps or aerial photographs marked or overprinted to show soils, vegetation and ground cover, and a Lee county topographic map (required if available) or a USGS quadrangle map showing the subject property. Soils and vegetation, etc. should be classified in accordance with USDA/SCS system and the Florida Land Use and Cover classification system, respectively. [34-373(a)(4) b.]

SUFFICIENCY STATUS: OK - Information submitted is sufficient.

2) Protected Species Survey - A survey as required by Chapter 10, Division 8 of the Lee County Land Development Code. [34-373(a)(4) e.]

SUFFICIENCY STATUS: N/R

DCI 2000-00013

Sufficiency Checklist: Steamers Hotel CPD - DCI 2000-00013

March 13, 2000

Page 2 of 2

3) Protected Species Management Plan - A management plan as required by Chapter 10, Division 8 of the Lee County Land Development Code. {Protected species preserve areas must be indicated on the master concept plan; a final management plan is not required until time of local development order.} [34-373(b)(2)]

SUFFICIENCY STATUS: N/A

4) Environmentally Sensitive Areas: - The location of any environmentally sensitive land and water, based upon standard environmental data and verified by a field inspection by the county staff, unless waived by the director. **A survey is not required until the plan has been incorporated into an application for a development order.**[34-373(a)(4) c.]

Wetland jurisdictional lines must be established by the South Florida Water Management District (SFWMD).

SUFFICIENCY STATUS: N/A

5) Open Space - Open space must be stated on the plans, unless the proposed development is in a development area consisting solely of conventional single family dwelling units on lots of no less than 6500 square feet. For commercial and industrial developments, the percent of open space within each lot or outparcel shall be as set forth in 34-414(c).

[34-373(a)(6) a.7. and 34-373(a)(6) b.7.]

SUFFICIENCY STATUS: X - Please delineate the proposed open space. The plan indicates 8,836 s.f. provided. ES staff scaled 8,286 s.f.

6) Design Standards: Preservation Areas, Environmentally Sensitive Areas, and Conservation Easements - Every effort shall be made in the planning, design and execution of a planned development to protect, preserve or to not unnecessarily destroy or alter natural features of the site, particularly mature native trees and threatened or endangered native vegetation. [34-411(g)] All preservation areas and/or conservation easements must be delineated on the plan and labeled as such. [34-373(a)(4) c.], [34-414(d)], [34-932(b)].

SUFFICIENCY STATUS: N/A

7) Deviations - All environmental deviation requests must be explained by documentation.

[34-412(a)]

SUFFICIENCY STATUS: ES staff defer Deviations A & D to Development Services staff as an issue relating to compatibility.

8) Vehicle Use Area - LDC Section 10-416(c)(d) requires no more than an average of ten parking spaces must occur in an uninterrupted row.

SUFFICIENCY STATUS: X - The MCP shows 15 -34 parking spaces in uninterrupted rows. The LDC does not differentiate between valet and non-valet parking spaces. Please address.

DCI 2000-00013

DEPARTMENT OF COMMUNITY DEVELOPMENT
DEVELOPMENT SERVICES DIVISION

ZONING TRAFFIC IMPACT STATEMENT SUFFICIENCY CHECKLIST

PROJECT STEAMERS HOTEL
SUBMITTED CPD
DATE OF REVIEW: March 14, 2000
COMMENTS INCLUDED Yes
METHODOLOGY MEETING No

DCI CASE DCI2000-00013
RECOMMENDATION find INSUFFICIENT
REVIEWED Bob Rentz
DATE March 14, 2000
SUFFICIENT (Y/N) NO

LEGEND

S- REQUIREMENT SATISFIED I - REQUIREMENT NOT SATISFIED

INFORMATION REQUIRED FOR ALL PROJECTS

- 1) I DESCRIPTION OF DEVELOPMENT AND ITE LAND USE CATEGORY. The TIS contains a general description of each type of use proposed, the units of development (i.e. the number of dwelling units, square feet of building floor area, etc.) and the Land Use Code for each type of use used in Trip Generation (i.e. Single-Family Detached Housing, 200 Lots, Land Use Code 210).
- I Land Use Codes are complete and appropriate for each proposed use.
- 2) I TRIP END RATES OR EQUATIONS. The TIS contains the equations or the average trip end generation rates for each type of use proposed and the name of the document from which this information was obtained (i.e. ITE TRIP GENERATION, current edition).
- I Trip generation is based on the combination of uses shown in the Schedule of Uses on the
- I Master Concept Plan which generates the highest total number of trips during the A.M. and P.M. peak hour of the adjacent street(s) and the A.M. and P.M. peak hour of the generator(s).
- I Trip generation has been based on regression equations where available; or
- I Average generation rates, where regression equations are unavailable or were approved in advance by Z&DS; or
- NA Trip generation rates from a study of one or more similar developments when the study was approved in advance by Z&DS.
- I Trip generation equations or average trip rates are complete and correct.

DCI 2000-00013

- 3) S SITE PLAN. The TIS contains a drawing showing the project's access point(s), and the location of all other access point(s) within 660' for project entrances on an arterial road, 330' for

Road(s) accessed:

Functional Classification:

Trafficway Classificati

San Carlos Blvd.

arterial

arterial

South St. S.W.

local

local

- 4) S BACKGROUND TRAFFIC. The TIS contains peak season peak hour traffic for the current year and for the year in which the project is expected to be completed. For projects which are to be constructed in phases, peak season peak hour traffic for the year in which each phase of the project is expected to be completed is shown.

- 5) S DIRECTIONAL SPLITS. The TIS contains a drawing showing the percentage and the direction of travel for trips entering and exiting the project at each proposed access point. Distribution of traffic to project entrances is reasonable.

- 6) I AREA OF INFLUENCE. (Required of projects generating more than 100 trips during the A.M. or P.M. peak hour of the adjacent street.) The TIS contains a drawing showing the area of influence of the project (the area in which project traffic is 10% or more of the maximum service volume at LOS "C" on roadway links and 10% or more of the total approach volumes at intersections at project buildout).

 I Distribution of traffic throughout the area of influence is reasonable. Distribution shows a reasonable reduction in trips as they move away from the project. reasonable reduction in trips as

- 7) I LEVEL OF SERVICE ANALYSIS. (Required of projects generating more than 100 trips during the A.M. or P.M. peak hour of the adjacent street.) The TIS contains an analysis of the Level of Service for all links within the area of influence.

 I The TIS contains an analysis of the Level of Service for each 'of the project's access points and of all intersections within one-quarter mile of the project. The analysis follows the methods established in the most current edition of the HIGHWAY CAPACITY MANUAL for either unsignalized or signalized intersections.

- 8) I ARTERIAL ANALYSIS. (Required of projects generating more than 300 trips during the A.M. or P.M. peak hour of the adjacent street.) The TIS contains an analysis of the arterial road accessed or impacted in the area of influence which follows the methods established in the most current edition of the HIGHWAY CAPACITY MANUAL for an urban or suburban arterial road.

- 9) I NECESSARY IMPROVEMENTS. (Required of projects when the Level of Service analysis shows that the LOS on links or at intersections falls below the minimums adopted in THE LEE PLAN.) The TIS contains a recommendation and analysis of the improvements that are needed to meet or exceed the LOS standard.

DCI 2000-00013

COMMENTS

- 1) & 2) The trip generation must be based on the combination of proposed permitted uses that would generate the highest number of peak hour trips. The list of proposed permitted uses on the MCP includes a number of uses that would be significantly higher generators than a Hotel and/or High-Turnover Sit-Down Restaurant.
- 6) The ZTIS should include a drawing showing the area of influence.
- 7) & 8) The LOS analyses, with project traffic, should be based on the potentially highest project traffic generation, as explained above.
- 9) Necessary improvements, if any, will be based on the level of service analyses utilizing the potentially highest traffic generation, as outlined above.

DCI 2000-00013



DEPARTMENT OF TRANSPORTATION

Memo

To: Chip Block, AICP
Senior Planner

From: Elaine Wicks, E.I.
LDOT Engineer III *EW*

Date: March 10, 2000

Re: Steamers Hotel
Sufficiency Review
DCI 2000-00013

LEE COUNTY
RECEIVED
00 MAR 13 PM 2:07
COUNTY DEV/
HUB. VMS. CTR.
SECTION 1.00R

The Department of Transportation has received the Application for Public Hearing for Planned Development for the above referenced project, has found it sufficient for review and has no substantive comments.

If you have any questions, please give me a call.

EW/mlb

DCI 2000-00013

DEVELOPMENT SERVICES DIVISION
DCI SUBSTANTIVE REVIEW - COMMERCIAL PLANNED DEVELOPMENT
TRANSMITTAL SHEET

TO: Distribution FROM: Alvin "Chip" Block DATE: May 2, 2000
Walter J. McCarthy - Xmittal sheet only
Dawn Perry-Lehnert, Assistant County Attorney
DS Reviewer - Don Blackburn
TIS Reviewer - Bob Rentz
Paul O'Connor, Planning
Kim Trebatoski, Planning
Elaine Wicks, LCDOT

PROJECT NAME: Steamers Hotel

CASE DCI2000-00013

INFORMATION SUMMARY:

- ☐ To update your file
☒ Please provide substantive comments

RESPONSE REQUIRED BY: May 19, 2000

Additional Comments:

BE ADVISED THE APPLICANT HAS REQUESTED A PRE-HEARING CONFERENCE TO GO OVER

SUBSTANTIVE COMMENTS. PLEASE ADVISE WHAT DATES AND TIMES YOU WOULD HAVE

AVAILABLE THE WEEK OF MAY 22ND FOR THIS HEARING. THANKS

cc: DCI File/ZONE File

DCI 2000-00013



LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: 479-8371

John E. Manning
District One

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Andrew W. Coy
District Four

John E. Albion
District Five

Donald D. Stilwell
County Manager

James G. Yaeger
County Attorney

Diana M. Parker
County Hearing
Examiner

May 5, 2000

Mr. Carleton Ryffel, AICP
c/o CPH Engineers, Inc.
3501 Del Prado Boulevard, Suite 312
Cape Coral, Florida 33904

Re: Steamers Hotel; File #DCI2000-00013

Dear Mr. Ryffel:

The Development Services Division has reviewed the information provided February 25, 2000 and supplemented April 13, 2000 for the rezoning request referenced above. The formal request has been drafted from your application as follows:

Rezone 0.84± total acres of land from Residential Two Family Conservation District (TFC-2) and Commercial District (C-1) to Commercial Planned Development (CPD) to permit a maximum of a 60 unit Hotel/Motel with a 3,174 square foot Restaurant/Bar/Lounge with a maximum building height not to exceed 60 feet.

NOTE: If approved, the Master Concept Plan (available for inspection at 1500 Monroe St., in Ft. Myers) may deviate from certain Land Development Code (LDC) standards.

Please review this language carefully, and notify me in writing by May 19, 2000 whether or not this wording is satisfactory. Staff's substantive comments will be forwarded to you once they are received.

You have asked to schedule a pre-hearing conference to discuss substantive issues. Staff has also reserved a spot on the Hearing Examiner's public hearing date of June 28, 2000. This is tentative and a time on this date has not been decided. You will be advised of the actual public hearing date and time under separate cover.

DCI 2000-00013

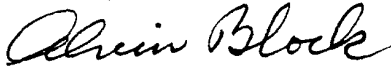
S:\CASES\200005\DCI20000.001\3\SteamersSuffLetter.wpd

Mr. Carleton Ryffel
Re: Steamers Hotel; DCI2000-00013
May 3, 2000
Page 2

Contact me if you have any questions or if you would like to meet informally prior to the public hearings.

Sincerely,

DEPARTMENT OF COMMUNITY DEVELOPMENT
Development Services Division



Alvin Block, AICP
Senior Planner

cc: Walter J. McCarthy, Division Director
Dawn Perry-Lehnert, Assistant County Attorney
Don Blackburn, Development Services
Bob Rentz, Development Services
Paul O'Connor, Planning
Kim Trebatoski, Planning
Elaine Wicks, LCDOT
Donna Dilg, ISA Secretary
Zoning/DCI Files

DCI 2000-00013

DEVELOPMENT SERVICES DIVISION
DCI SUFFICIENCY REVIEW -COMMERCIAL PLANNED DEVELOPMENT
TRANSMITTAL SHEET

TO: Distribution FROM: Chip Block DATE: April 14, 2000
Walter J. McCarthy - Xmittal sheet only
Dawn Perry-Lehnert, Assistant County Attorney
DS Reviewer - Don Blackburn
TIS Reviewer - Bob Rentz
Paul O'Connor, Planning
Kim Trebatoski, Planning
Elaine Wicks, LCDOT

PROJECT NAME: Nick Kastan & Chris Kastan in ref to Steamers Hotel CASE DCI2000-00013

INFORMATION SUMMARY:

RESUBMITTAL

☐ To update your file RESPONSE REQUIRED BY: April 28, 2000
☒ Review and forward sufficiency
questions or make finding of
sufficiency

Additional Comments:

(DCI) Lee County LDC Section 34-373(d)(1).

Sufficiency and Completeness

No hearing will be scheduled for an application for a Planned Development until the application has been found sufficient. All applications for Planned Developments will be deemed sufficient unless a letter advising the applicant of any insufficiencies has been mailed within fifteen (15) working days of submittal of the application. All amended applications will be deemed sufficient unless a subsequent letter advising the applicant of any insufficiencies has been mailed within fifteen (15) working days of the date of the resubmittal. The contents of insufficiency letters will be limited to brief explanations of the manner in which insufficient applications do not comply with the formal requirements in Section 34-373.

cc: DCI File/ZONE File

April 13, 2000



Alvin "Chip" Block
Department of Community Development
PO Box 398
Ft. Myers, FL 33902

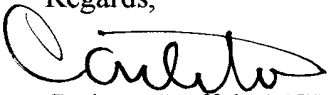
CPH Engineers, Inc.
3501 Del Prado Blvd.,
Suite 312
Cape Coral, FL 33904
Phone: (941) 549-6122
Fax: (941) 549-1631
www.cphengineers.com

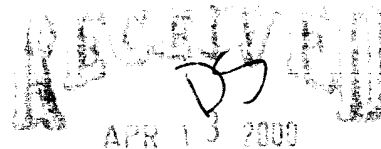
Re: Sufficiency response **STEAMERS HOTEL**

Dear Chip:

Attached are our responses to your letter of March 16th. Please ask the review staff to replace and insert the attached pages where appropriate. If you need anything else, please let me know.

Regards,


Carleton Ryffel, AICP



PERMIT COUNTER

DCI 2000-00013

Lee County Case Name and Number: Steamers Hotel CPD, Case #DCI2000-00013

The following response address comments from Lee County staff for the referenced case.

Comment:

- 9) Exhibit II-F-3 does not show the current land use for all properties within 375 feet of the subject property. Please revise the Exhibit to provide this information in accordance with this section.

Response: The revised exhibit is attached.

RECEIVED
APR 13 2000

DCI 2000-00013

PERMIT COUNTER

Comment:

- 10) This document has been provided, but there are inconsistencies between this document and other portions of the application. The proposed restaurant in the narrative indicates one size for the restaurant, while Page 5 of 8 of the application indicates a different size. Although this document has been provided, there appears to be some areas within the document, which conflicts with statements elsewhere in the application.

Response: We are amending our square footage of the restaurant to 3174 square feet which is 10% of the total square footage of the hotel. (The hotel and hotel lobby and accessory uses there totals 31,712 square feet) Page 5 of 8 of the application (attached) has been amended to reflect this as well as in the "Description of Proposed Development" (attached). Other changes include:

1. The removal of the preparation room in the lobby area; it will be moved into the restaurant on the sixth floor. The prep room that was removed on the ground floor, will be converted to lobby area.
2. We are not changing the total number of hotel rooms (60) but are adding two rooms to the sixth floor where the restaurant is located and reducing the number of rooms on the 5th floor by 2 rooms and slightly enlarging the room sizes on that floor.

Comment:

- 11)b. According to this Section revise the proposed Master Concept Plan (MCP) to provide the general location of all land uses. The proposed plan only shows a proposed addition with an indication that there would be a restaurant/lounge/outdoor seating and existing building to remain with COP and Lobby (TV/card room, eg). The MCP is required by this Section to indicate the general location of all proposed land uses.

Response: We have removed all uses that were not hotel/ accessory uses/restaurant/lounge as described.

DCI 2000-00013

Comment:

- 11)b.2. The minimum width of the buffer has been noted on the Master Concept Plan, but the MCP fails to provide the minimum composition of this buffer. In accordance with this section, provide on the MCP, the proposed composition of all buffers within this proposed planned development.

Response: **The MCP now shows the composition of the buffers under #7 in the notes.**

RECEIVED
APR 13 2000

Comment:

PERMIT COUNTER

- 11)b.3. The intensity of the development has not been fully addressed on the proposed MCP. Revise the MCP, to provide the maximum square footage of the restaurant. In addition, a number of other uses have been requested and discussed in this application without noting on the MCP the proposed intensity of development for those uses. Revise the MCP to provide the overall expected development intensity within this project.

It needs to also be noted here that the description in Exhibit IV-D and Exhibit II-E-2 is inconsistent with the development intensity on Page 5 of 8 of the application. Please revise the necessary documentation so that these intensities are consistent with each other. Then make sure that the intensity of the project is also correctly reflected within the Traffic Impact Statement and Analysis.

Response: **All uses except the hotel/hotel accessory uses/restaurant/bar/lounge have been removed. The maximum size of the restaurant/bar/lounge is 3174 square feet which is 10% of the total size of the hotel. The TIS should now be reviewed with the reduced number of permitted uses.**

Comment:

- 11)b.5. Revise the MCP, in accordance with this Section, to provide the maximum number stories for structure and buildings within this development. In addition, the application specifically states that the height would be measured from the flood elevation. Is this statement change on the application form on Page 5 of 8 and the Master Concept Plan an attempt to seek a deviation from the County's regulations in the Land Development Code (LDC) in how height of buildings are measured?

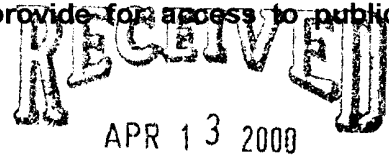
Response: **The words "six stories" has been added to #4 on the MCP. LDC Section 34-2171(a)(1) indicates that areas within the Coastal Building Zone or other flood prone areas, "height" is measured from the minimum required flood elevation. Therefore a deviation is not necessary.**

201 2000-00013

Comment:

- 11)b.6. Note on the MCP, in accordance with this Section, the proposed access and facilities for public transit proposed for this planned development.

Response: **There are no opportunities for the applicant to provide for access to public transit.**



Comment:

PERMIT COUNTER

- 11)b.9. In the Schedule of Uses, the use of Signs indicates a previous variance would still be applicable. Please provide a copy of the referenced decision rendered for this application. A check of the computer records does not indicate the existence of this case. Staff was, also, unable to find any record of this Sign Variance in the County's records,

Response: **We have provided you with a copy of this document. It is our intent to maintain the location and size of the present sign but be allowed to change the copy on the sign.**

Comment:

- 11)b.11.b) The proposed MCP does not include the proposed intensity of use required by this Section. Revise the MCP to include the total gross floor area of the uses being proposed. This would include the proposed area of the restaurant, bar or cocktail lounge, retail areas, professional office areas, and maximum number of housing units for employees.

LDC Section 34-3021 clearly explains what uses may be considered as subordinate uses for a hotel/motel, and how much of the total floor area these uses may occupy. Please revise the MCP to provide the total floor area of the hotel/motel use only, then provide the total floor area of any proposed subordinate uses to the hotel/motel use, and finally provide the total floor area of the remaining uses as requested 11)b.3. above.

Response: **The primary use, the hotel, will consist of a total of 31,736 square feet which includes 60 rooms, (approximately 25,900 square feet) and a hotel lobby area, (approximately 5836 square feet) that will contain: check in, Laundry, TV room, Game room, Storage, Exercise Room, Card room, souvenir shop and possibly some other similar forms of hotel amenity.**

The restaurant and bar/cocktail lounge, which is the subordinate use to the hotel, will be 10% of the floor area of the hotel, which is consistent with LDC Section 34-3021(c)(1)b. The restaurant is also consistent with LDC Section 34-3021(c)(2)d. which allows Restaurant, Group II. The cooking and seating area of the restaurant will be approximately 2924 square feet, and have 150 seats. and the bar cocktail area will be approximately 250 square feet for a total of 3174 square feet.

The restaurant will be called a "grill" or "café" consistent with the findings of Administrative Appeal ADM-90-19 in which the Hearing Examiner found, among other things, that:

"In this case, the practical result is that if the Appellant names his business a "café" or a "grill" or a "luncheonette" or an "oyster bar" or a "sandwich shop" he is eligible for inclusion in the Group II category because of the way the ordinance is written"

Comment:

11)b.11.d) Please provide sample detail drawings of the requested deviations so that a complete staff analysis of the requested deviations can be completed in the future, unless these detailed drawings would be merely duplicating information already shown on the proposed Master Concept Plan.

Response: We agreed that the notations on the MCP were adequate as is.

Other Staff Comments

Bob Rentz: Ask Bob to re-review the submitted TIS based on the new list of permitted uses.

Kim Trebatoski: We have recalculated the open space area and it is reflected on the MCP. We have also adjusted our valet parking area so that there are no longer more than 10 spaces in an row without a vegetation break. We have also indicated on the MCP where the open space areas are with a shading pattern.

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APR 13 2000

PERMIT COUNTER

DCI 2000-00013

PROPOSED DEVELOPMENT

A. Nature of Request

1. Will the development contain living units? ☒ NO ☐ YES. If the answer is yes, please indicate the total number of living units proposed, by type:

_____ Single Family _____ Mobile Homes _____ Recreational Vehicles
_____ Zero-Lot-Line _____ Duplex/Two Family _____ Townhouses
_____ Multiple Family _____ TOTAL ALL TYPES *Existing Manager's Apartment

2. If the development will contain living units, please complete Exhibit III-A-2 (attached) and enter the following information: n/a - See LDC 34-1802 (4) d.

a. PERMITTED total units (from Exhibit III-A-2): _____

b. PROPOSED total units (from A-1. above): _____

c. PROPOSED density (from Exhibit III-A-2): _____

3. Will the development contain non-residential areas? ☐ NO ☒ YES. If the answer is yes, please indicate the size [gross square footage (gsf) unless indicated otherwise] of each general class of uses below:

Restaurant/Lounge: 3174 Total gsf

Offices: _____ Total gsf

Medical: _____ gsf

Non-medical: _____ gsf

Hotel/Motel: 60 Total units

Size of units: 60 0-425 sq. Ft. _____ 426-725 sq. Ft. _____ 726 or more sq. Ft.
(number) (number) (number)

Industrial: _____ Total gsf

Under roof: _____ gsf

Not under roof: _____ gsf

Mines, Quarries, or General Excavation:

Acres to be excavated: _____

Other-specify: _____

Number of Beds (if applicable): _____ OR: _____ gsf

4. Building Height

60 Maximum height of buildings (in feet above grade) Above flood elevation

6 Number of Habitable Floors

5. Aviation Hazard: Do you propose any structures, lighting, or other features that might affect safe flight conditions? ☒ NO ☐ YES. If yes, please submit an explanation and label it Exhibit III-A-5.

STEAMERS HOTEL

MINOR CPD

EXHIBIT IV-D

DESCRIPTION OF PROPOSED DEVELOPMENT

AND

EXHIBIT II-E-2

NARRATIVE STATEMENT

REVISED APRIL 11, 2000

RECEIVED
APR 13 2000

PREPARED BY

PERMIT COUNTER

CARLETON RYFFEL, AICP

CPH ENGINEERS, INC.

3501 DEL PRADO BLVD., SUITE 312

CAPE CORAL, FLORIDA 33904

DCT 2000-00013

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APR 13 2000

Description of Proposed Development EXHIBIT IV-D &
Narrative Statement EXHIBIT II-E-2

PERMIT COUNTER

Description of Proposed Development

The subject property currently contains Steamers Seafood Restaurant (hereafter Steamers) that is approximately 6000 square feet in size on San Carlos Island. The applicant intends to redevelop the site **and change its primary use**, by removing a portion of the existing restaurant/lounge and building another, minimally attached structure, that will contain 58 hotel units within the first five floors, and two hotel units and a restaurant/lounge on the top (sixth) floor. That portion of the existing building that remains will be used for accessory uses related to the hotel. Some of these include hotel reception, managers quarters, work out room, TV Lounge, possibly a game room and hotel laundry. The restaurant/lounge on the top floor of the expansion will be a total of approximately 3174 square feet, with 2924 square feet in the seating/kitchen area and 250 square feet in the lounge area. The primary use of the property therefore will change from a restaurant/lounge to a hotel with restaurant facilities, primarily intended for its guests. The height of this new construction will be approximately 60' or six stories above required flood elevation. It is notable, that the current C-1 zoning on the property allows a building of this height **by right**, with increased setbacks that are easily met in this case.

Although Steamers is a quality restaurant, it currently does not enjoy acceptable levels of patronage to sustain it. The applicant is certain that this is due to the fact that Steamers is in very close proximity to Fort Myers Beach, (adjacent island). The rationale for this request is that it is apparent to the applicant, that given the choice, a potential restaurant patron will prefer to go over the bridge to Fort Myers Beach, where they can dine indoors or outdoors and **most** importantly, do so on the water. The alternative that is most logical and has the greatest chance of success, is to construct a favorably priced, full service hotel, offering a restaurant, primarily for its guests and located on the trolley route, which provides access to Fort Myers Beach amenities.

Land Use Analysis

The property is zoned C-1 along its frontage on San Carlos Boulevard and its rear half, which abuts South Street SW to the west, is zoned TFC-2. The TFC-2 portion of the property serves as part of the property's parking lot. The use of the TFC-2 portion of the property as a parking lot was approved by the then Lee County Zoning Board in Resolution Number ZB-83-117. Moreover, the properties to the immediate north and south of the subject property are being used in a similar fashion.

The **contiguous** property to the immediate north is a multi-use commercial building with an approved liquor store with the rear being used primarily for storage of miscellaneous items. The contiguous property to the immediate south of subject contains a nightclub on the San Carlos Boulevard frontage and a parking lot for tractor-trailers in the rear. This clearly demonstrates the TFC-2 zoning to the rear of these three properties is unrealistic and functionally obsolete today, given the area's evolution. **Non-contiguous** properties to the west on and across South Street SW include a motel, interspersed multifamily, duplex and single family units and vacant parcels.

DCI 2000-00013

To the east across San Carlos Boulevard land uses include a gas/convenience store, lumberyard, and RV Rental Park.

The **more general area** in which the subject property is located is best and predominantly described as highly mixed commercial along the street frontage of San Carlos Boulevard. The diversity of the commercial uses near the subject property is significant because it demonstrates a well-established, historical commercial boundary. Some of these include a strip shopping center, nightclub, gas stations, lumber yard, convenience store, RV Park, industrial, marinas and marina related services, social clubs such as the Moose Lodge and Shriners Club, Lee County sewage pump station and trolley parking lot, trailer truck parking lot, newspaper offices, trailer park, and auto parts. The proposed use is therefore consistent and compatible with its neighbors and the immediate area as a whole.

LDC Section 34-2020(2)1.2. provides that "When a restaurant is located within the same building as the principal use, and is clearly provided primarily for the employees and customers of the principal use, no additional parking spaces are required." In this case, the applicant is providing the required 72 spaces for the motel, which is the principal use. Although **it is not required**, he is also providing an additional 20 spaces for patrons who may wish to use the restaurant without being a guest at the hotel. The Master Concept Plan shows a total of 97 spaces, which exceeds the number of spaces (92), the applicant is committing to. He is doing this for purposes of design flexibility so that in the event during the development order process, it is found that some of the land shown as parking needs to be used for some other purpose, it would be available without the need for an amendment to the MCP. An example of such a situation would be the final location of pilings.

Compatibility

LDC Section 34-1802(4)d. indicates that hotels approved as planned developments are not subject to unit size or density requirements provided all other aspects of the development (height, traffic, intensity of use, etc.) are shown to be compatible with the surrounding area and the Lee Plan. Since this request is to allow 60 hotel units and accompanying uses, this section is applicable.

To address these criteria, it is essential to know what "compatibility" means in the context of the LDC. Section 34-2 of the Land Development Code, provides that meaning as follows:

"Compatible means, in describing the relation between two land uses, buildings or structures, or zoning districts, the state wherein those two things exhibit either a positive relationship based on fit, similarity or reciprocity of characteristic, or a neutral relationship based on a lack of conflict (actual or potential) or on a failure to communicate negative or harmful influences to one another."

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APR 13 2000

000 0000-000012

PERMIT COUNTER

DEVELOPMENT SERVICES DIVISION
DCI SUFFICIENCY REVIEW -COMMERCIAL PLANNED DEVELOPMENT
TRANSMITTAL SHEET

TO: Distribution FROM: Chip Block
Walter J. McCarthy - Xmittal sheet only
Dawn Perry-Lehnert, Assistant County Attorney
DS Reviewer - Don Blackburn
TIS Reviewer - Bob Rentz
Paul O'Connor, Planning
Kim Trebatoski, Planning
Elaine Wicks, LCDOT

DATE: February 28, 2000

PROJECT NAME: Nick Kastan & Chris Kastan in ref to Steamers Hotel CASE DCI2000-00013

INFORMATION SUMMARY:

NEW SUBMITTAL

- ☐ To update your file
- ☒ Review and forward sufficiency
questions or make finding of
sufficiency

RESPONSE REQUIRED BY: March 10, 2000

Additional Comments:

(DCI) Lee County LDC Section 34-373(d)(1).

Sufficiency and Completeness

No hearing will be scheduled for an application for a Planned Development until the application has been found sufficient. All applications for Planned Developments will be deemed sufficient unless a letter advising the applicant of any insufficiencies has been mailed within fifteen (15) working days of submittal of the application. All amended applications will be deemed sufficient unless a subsequent letter advising the applicant of any insufficiencies has been mailed within fifteen (15) working days of the date of the resubmittal. The contents of insufficiency letters will be limited to brief explanations of the manner in which insufficient applications do not comply with the formal requirements in Section 34-373.

cc: DCI File/ZONE File

DCI 2000-00013

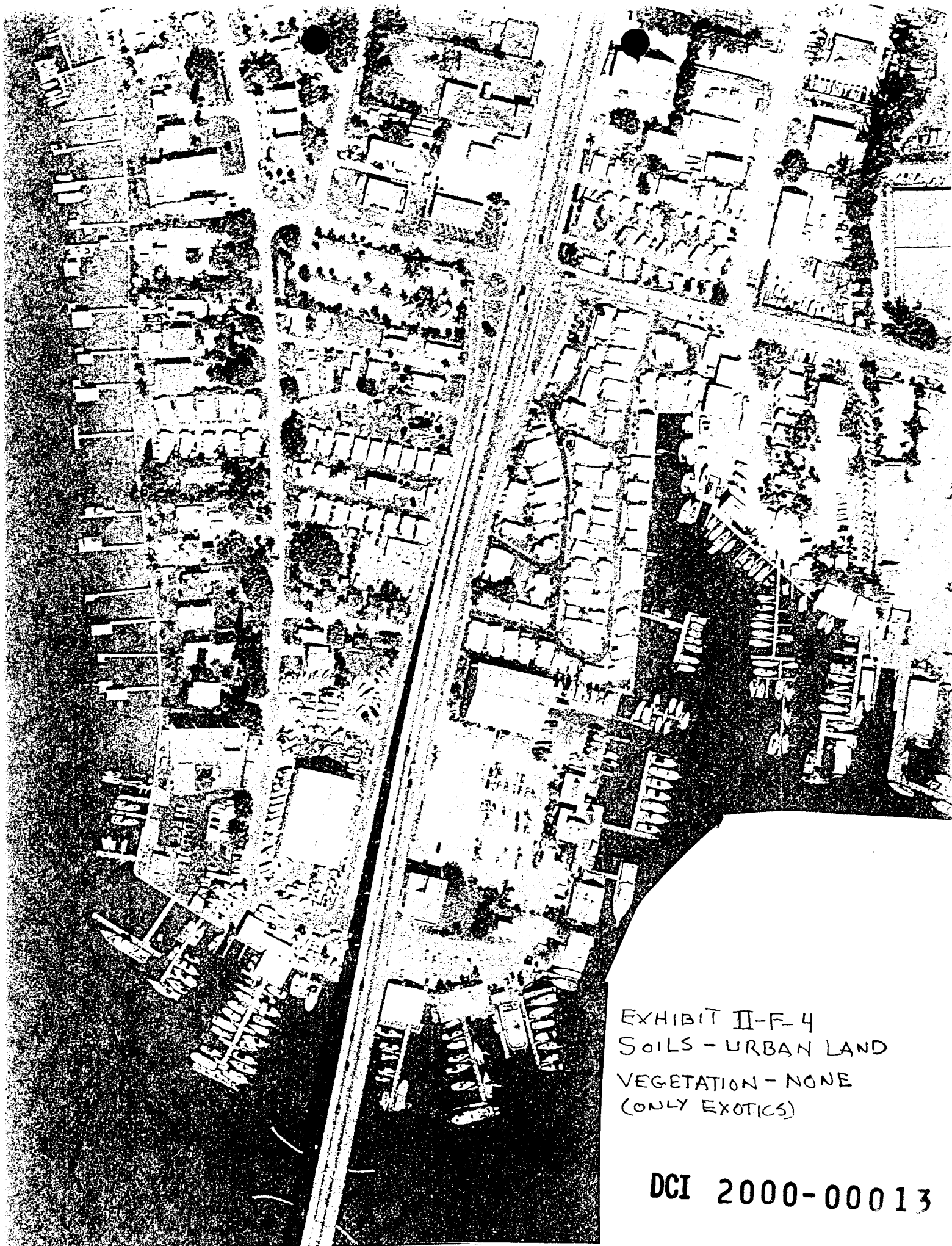


EXHIBIT II-F-4
SOILS - URBAN LAND
VEGETATION - NONE
(ONLY EXOTICS)

DCI 2000-00013



LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number 479-8585

John E. Manning
District One

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Andrew W. Coy
District Four

John E. Albion
District Five

Donald D. Stilwell
County Manager

James G. Yaeger
County Attorney

Diana M. Parker
County Hearing
Examiner

May 30, 2000

CPH Engineers, Inc.
3501 Del Prado Blvd.
Suite 312
Cape Coral, FL 33904

Re: Agenda Schedule for Nick Kastan and Chris Kastan in ref to Steamers Hotel
Case No. DCI 2000-00013

Dear Ryffel:

Your zoning request has been scheduled before the Hearing Examiner on June 28, 2000, at 1:00 pm. The hearing will be conducted in the Hearing Examiner Meeting Room, 1500 Monroe St., Ft. Myers, FL.

Your zoning sign will be ready for pickup any time **after June 2, 2000**, at the drive-thru window at 1500 Monroe St., Ft. Myers, FL. This sign must be posted in accordance with Department procedures **no later than June 16, 2000**, and is to remain posted until final decision is rendered.

Call if you have any questions.

DEPARTMENT OF COMMUNITY DEVELOPMENT
Development Services Division

Donna Dilg
Internal Services Secretary

cc: Nick Kastan and Chris Kastan
Alvin "Chip" Block, AICP, Senior Planner
Zoning File

S:\CASES\200005\DCI20000.001\3\app ltr steamers.wpd

MEMORANDUM
FROM THE
DEPARTMENT OF
COMMUNITY DEVELOPMENT
DEVELOPMENT SERVICES DIVISION

DATE: June 13, 2000

TO: File

FROM: Donna Dilg
Secretary, Internal Services

RE: Notice of Public Hearing - June 28, 2000
Lee County Hearing Examiner's Meeting

I, Donna Dilg, Secretary, Internal Services, Development Services Division, do hereby certify that I have mailed notices to the adjacent property owners on the above referenced date, in the attached style, pursuant to the list marked and attached hereto and made a part of this certification.

NOTICE TO ADJACENT PROPERTY OWNER

CASE NUMBER: DCI 2000-00013

NAME: Nick Kastan and Chris Kastan in ref to Steamers Hotel

REQUEST: Rezone 0.84± total acres of land from Residential Two Family Conservation District (TFC-2) and Commercial District (C-1) to Commercial Planned Development (CPD) to permit a maximum of a 60 unit Hotel/Motel with a 3,174 square foot Restaurant/Bar/Lounge with a maximum building height not to exceed 60 feet.

NOTE: If approved, the Master Concept Plan (available for inspection at 1500 Monroe St., in Ft. Myers) may deviate from certain Land Development Code (LDC) standards.

LOCATION: The subject property is located at 19220 San Carlos Blvd., (San Carlos Island, west side of San Carlos Blvd, north of Main Street) Fort Myers Beach, in S24-T46S-R23E, Lee County, FL. (District #3)

SIZE OF PROPERTY: .84± acres

STAFF REPORT: Direct inquiries to Alvin "Chip" Block, AICP, Senior Planner, at 941/479-8371, at the Department of Community Development, 1500 Monroe St., Ft. Myers, FL 33901.

Notice is hereby given that the Lee County Hearing Examiner will hold a public hearing at 1:00 pm on June 28, 2000, on the above case. The public hearing will be held in the Hearing Examiner's Meeting Room, 1500 Monroe St., Ft. Myers, FL 33901.

You must appear in person, or through counsel, or an authorized agent and provide testimony, legal argument or other evidence at the hearing to become a participant with the right to address the Board of County Commissioners.

After the Hearing Examiner has made a written recommendation, the case will be scheduled for a public hearing before the Board of County Commissioners who will review the recommendation and make a final decision.

If you do not appear before the Hearing Examiner, by law, you will not be allowed to appear before the Board of County Commissioners at the final hearing in this case.

Copies of the staff report may be obtained or the file reviewed at the Development Services Division, 1500 Monroe St., Fort Myers, FL 33901. Call 941/479-8585 for additional information.

DEPARTMENT OF COMMUNITY DEVELOPMENT
Development Services Division

24-46-23-01-00006.0040

KASTAN CHRIS +

PO BOX 2403

FORT MYERS BEACH FL 33932 USA

24-46-23-00-00003.0010

SLEE KAREN LORAYN

6061 TIDEWATER ISLAND CIR

FORT MYERS FL 33908 USA

24-46-23-01-00001.0130

HARRISON THOMAS D + JULIA E

789 SAN CARLOS DR

FT MYERS BCH FL 33931 USA

24-46-23-01-00001.0150

THOMAS WALTER W + DANA S

801 SAN CARLOS DR

FT MYERS BEACH FL 33931 USA

24-46-23-01-00001.0180

LEA R A + BARBARA K

807 SAN CARLOS DR

FT MYERS BEACH FL 33931 USA

24-46-23-01-00001.0200

JORGENSEN TRACY R

11 SIGNE RD

DENNIS MA 02638 USA

24-46-23-01-00001.0240

RAY JAMES W SR + PATRICIA L

9 NEWFIELD DEPOT RD

NEWFIELD NY 14867 USA

24-46-23-01-00002.0010

DAWSON MARGARET C

12910 MAI TAI LN

FT MYERS FL 33908 USA

24-46-23-00-00001.0000

VAN SELOW S D + KATHRYN L

903 SAN CARLOS DR

FT MYERS BEACH FL 33931 USA

24-46-23-01-00001.0120

WILLOUGHBY JUNE M TR

777 SAN CARLOS DR

FT MYERS BCH FL 33931 USA

24-46-23-01-00001.0140

BENJAMIN PATRICIA E

793 SAN CARLOS DR

FT MYERS BEACH FL 33931 USA

24-46-23-01-00001.0170

BELESLIN GEORGE + CAROL

805 SAN CARLOS DR

FT MYERS BEACH FL 33931 USA

24-46-23-01-00001.0190

ROSS LAWRENCE G

18006 SAN CARLOS BLVD 22

FT MYERS BEACH FL 33931 USA

24-46-23-01-00001.0210

PARADISE FOUND INC
C/O THOMAS WANDERON + ASSOC
P O BOX 6108

FT MYERS BEACH FL 33932 USA

24-46-23-01-00001.025A

PROUDFOOT DONN

845 SAN CARLOS DR

FT MYERS BEACH FL 33931 USA

24-46-23-01-00001.025C

FENNEMAN CRAIG E +

5864 SOUTH EAST ST

INDIANAPOLIS IN 46227 USA

DCI 2000-00013

24-46-23-01-00002.0060
ROSS D N + DONNA K

834 SAN CARLOS DR

FT MYERS BEACH FL 33931 USA

24-46-23-01-00002.0080
RYDER BETTY J +

844 SAN CARLOS DR

FT MYERS BEACH FL 33931 USA

24-46-23-01-00002.0100
GILCHRIST BRUCE H + BEVERLY A

P O BOX 2892

FT MYERS BEACH FL 33932 USA

24-46-23-01-00002.0120
JOHNSON ANDREW D + KELLY L

2727 COLONIAL BLVD #104

FT MYERS FL 33907 USA

24-46-23-01-00002.0160
CONDOS GREGORY A

853 SOUTH ST

FT MYERS BEACH FL 33931 USA

24-46-23-01-00002.0180
NADEAU DONNA M

847 SOUTH ST

FT MYERS BEACH FL 33931 USA

24-46-23-01-00002.0200
NADEAU THOMAS R

843 SOUTH ST

FT MYERS BEACH FL 33931 USA

24-46-23-01-00006.0020
NAPIER JOSEPH J + MARGARET

810 SOUTH ST

FORT MYERS BEACH FL 33931 USA

24-46-23-01-00002.0070
CANBY DONALD S + DEE ANN

921 KATY'S LN

WILMINTON OH 45177 USA

24-46-23-01-00002.0090
MATANZAS CORP

850 SAN CARLOS DR

FT MYERS BEACH FL 33931 USA

24-46-23-01-00002.0110
WHITE BARBARA G

12299 MCGREGOR WOODS CIR

FT MYERS FL 33908 USA

24-46-23-01-00002.0130
GLODEN RAYMOND P

960 SAN CARLOS CT

FT MYERS BEACH FL 33931 USA

24-46-23-01-00002.0170
HAMANN KATHLEEN A +

907 SAN CARLOS DR

FT MYERS BCH FL 33931 USA

24-46-23-01-00002.0190
GUTIERREZ ROBERT J + MARI

845 SOUTH ST

FORT MYERS BEACH FL 33931 USA

24-46-23-01-00006.0030
SEMMER WILLIAM J

1130 MAIN ST

FT MYERS BEACH FL 33931 USA

DCI 2000-00013

24-46-23-01-00006.0060
SCIWAVE INC

16640 MCGREGOR BLVD STE 12

FORT MYERS FL 33908 USA

24-46-23-01-00006.0080
TUTHILL J RICHARD + MARY J

17105 A6 SAN CARLOS BLVD

FT MYERS BEACH FL 33931 USA

24-46-23-01-00006.0100
BORGER ROBERT J +

1300 S A1A #627

JUPITER FL 33477 USA

24-46-23-01-00006.0120
FT MYERS BEACH LODGE #964

LOYAL ORDER OF MOOSE INC
PO BOX 2771
FT MYERS BEACH FL 33932 USA

24-46-23-01-00006.0270
FLINT CHARLES W + ANNALYNE M +

6071 BUCKINGHAM RD

FT MYERS FL 33905 USA

24-46-23-01-00006.0340
MARTIN ANDREW M

5 RED RIDGE CIR

S BARRINGTON IL 60010 USA

24-46-23-01-00007.0110
SAN CARLOS LODGE INC
C/O JAMES D HALL PRES
21266 SAIL BAY DR

CASSOPOLIS MI 49031 USA

24-46-23-01-00009.0010
SUNNYLAND COURT INC

19241 SAN CARLOS BLVD

FT MYERS BEACH FL 33931 USA

24-46-23-01-00009.0050
GSF INC

898 BUTTONWOOD DR #202

FT MYERS BEACH FL 33931 USA

24-46-23-01-00009.0100
CICERO JOSEPH +

2785 NILES VIENNA RD

NILES OH 44446 USA

24-46-23-01-00006.0070
BUHRIG HEINZ + ROXANNE

19190 SAN CARLOS BLVD

FT MYERS BEACH FL 33931 USA

24-46-23-01-00006.0090
COWART RICHARD T

1204 LOGAN LN

FT MYERS FL 33919 USA

24-46-23-01-00006.0110
WENDLING MELINDA A

49 OSCEOLA RD

RICHMOND MA 01254 USA

24-46-23-01-00006.0290
DEYNZER ALBERT E + BEVERLY A

1614 PERIWINKLE WAY

SANIBEL FL 33957 USA

24-46-23-01-00006.0360
BREEZE CORPORATION

PO BOX 151306

CAPE CORAL FL 33915 USA

24-46-23-01-00009.0040
GLEISLE DEVELOPMENT CORP

PO BOX 5079

FT MYERS BEACH FL 33932 USA

24-46-23-01-00009.0080
FT MYERS BEACH SHRINE CLUB

P O BOX 2568

FT MYERS BEACH FL 33932 USA

24-46-23-01-00009.0250
AMERICAN LEGION POST 274

PO BOX 2456

FT MYERS BEACH FL 33932 USA

DCI 2000-00013

24-46-23-01-00009.0280
FT MYERS BEACH SHRINE CLUB

PO BOX 2568

FT MYERS BEACH FL 33932 USA

24-46-23-01-00009.0320
HENDERSON D L + RANELL S 50% +

PO BOX 6189

FT MYERS BEACH FL 33932 USA

24-46-23-01-00010.0030
VAMSELOW SCOTT D + KATHYRN

1204 ESTERO BLVD

FT MYERS BEACH FL 33931 USA

24-46-23-01-00010.0050
ANDREW RALPH

18339 CUTLASS DR

FT MYERS BEACH FL 33931 USA

24-46-23-35-00000.0010
GULF COVE TRLR PARK INC
C/O PAUL + WANDA MACER
19281 SAN CARLOS BLVD BOX 1

FT MYERS BCH FL 33931 USA

24-46-23-35-00000.0040
GULF COVE TRLR PARK INC
C/O KAREN J SANDROCK
6821 LOCKWIND BLVD

BOARDMAN OH 44512 USA

24-46-23-35-00000.0060
GULF COVE TRLR PARK INC
H R JOHNSON + JACQUELINE P
19281 SAM CARLOS BLVD 6

FT MYERS BEACH FL 33931 USA

24-46-23-35-00000.0080
GULF COVE TRLR PARK INC
C/O AUDREY J KUROWSKY
7560 BEDFORD RD

HUBBARD OH 44425 USA

24-46-23-35-00000.0350
GULF COVE TRLR PARK INC
C/O DONALD SMITH + LORRAINE
19281 SAN CARLOS BLVD LT 35-31

FT MYERS BEACH FL 33931 USA

24-46-23-35-00000.0370
GULF COVE TRLR PARK INC
C/O HUBATCHEK H F DARLENE F
19281 SAN CARLOS BLVD

FT MYERS BCH FL 33931 USA

24-46-23-01-00009.0330
GLEISLE DEVELOPMENT CORP

P O BOX 5079

FT MYERS BEACH FL 33932 USA

24-46-23-01-00010.0040
ANDREW RALPH

18339 CUTLASS DR

FT MYERS BEACH FL 33931 USA

24-46-23-01-00010.0060
SEMMER WILLIAM

1130 MAIN ST

FT MYERS FL 33931 USA

24-46-23-35-00000.0030
GULF COVE TRLR PARK INC
C/O JAMES R + MARYLOU SMITH
19281 SAN CARLOS BLVD BOX 80

FT MYERS BEACH FL 33931 USA

24-46-23-35-00000.0050
GULF COVE TRLR PARK INC
C/O JAMES R & M L SMITH
169 EMS T34CLN

LEESBURG IN 46538 USA

24-46-23-35-00000.0070
GULF COVE TRLR PARK INC
C/O LOVE RUTH V
19281-7 SAN CARLOS BLVD

FT MYERS BEACH FL 33931 USA

24-46-23-35-00000.0090
GULF COVE TRLR PARK INC
C/O CAMPBELL JAMES+ CHERIE J/T
3968 NEW CASTLE ROAD LOT 2

PULASKI PA 16143 USA

24-46-23-35-00000.0360
GULF COVE TRLR PARK INC
C/O EULALIE BOSWORTH ETAL
215 N CANAL LOT 150

LANSING MI 48917 USA

24-46-23-35-00000.0380
GULF COVE TRLR PARK INC
C/O N E + LORETTA M NESBIT J/T
P O BOX 93

HECKER IL 62248 USA

DCI 2000-00013

24-46-23-35-00000.0390
GULF COVE TRLR PARK INC
%L E + JANE E HUFFMAN 1/T
19281 SAN CARLOS BLVD LOT 39

FT MYERS BEACH FL 33931 USA

24-46-23-35-00000.0410
GULF COVE TRLR PARK INC
C/O BOWEN C BLAIR ETAL
1322 SR 68

LYNNVILLE IN 47619 USA

24-46-23-35-00000.0430
GULF COVE TRLR PARK INC
C/O JENNINGS + ESTHER MOORE
19281 SAN CARLOS BLVD #43

FT MYERS BCH FL 33931 USA

24-46-23-35-0000A.0000
GULF COVE TRLR PARK INC

19281 SAN CARLOS BLVD
BOX 90
FT MYERS BCH FL 33931 USA

CPH Engineers, Inc.
Mr. Carleton Ryffel, AICP
3501 Del Prado Blvd.
Suite 312
Cape Coral, FL 33904

24-46-23-35-00000.0400
GULF COVE TRLR PARK INC
C/O HOLLAND JOHN T + DOLLY M
19281 SAN CARLOS BLVD BOX 40

FT MYERS BCH FL 33931 USA

24-46-23-35-00000.0420
GULF COVE TRLR PARK INC
C/O ROBERT GARRETT
3293 HUBBARD MIDDLESEX RD

W MIDDLESEX PA 16159 USA

24-46-23-35-00000.0440
GULF COVE TRLR PARK INC
C/O MADGE LUCILE POTTER
19281 SAN CARLOS BLVD

FT MYERS BCH FL 33931 USA

24-46-23-35-0000E.0000
GULF COVE TRLR PARK INC

19281 SAN CARLOS BLVD
BOX 90
FT MYERS BCH FL 33931 USA

DCI 2000-00013



Gleisle Lumber & Millwork, Inc.

P.O. Box 5079

Ft. Myers Beach, FL 33932

(941) 463-6857 Fax: (941) 463-7875

JUNE 5, 2000

HEARING EXAMINER
1500 MONROE STREET
FT. MYERS FL. 33901

DEAR HEARING EXAMINER:

I AM IN FAVOR OF THE PROPOSED HOTEL AND RESTAURANT TO BE
CONSTRUCTED OVER THE EXISTING STEAMERS SEAFOOD SITE. I
UNDERSTAND THAT IT WILL HAVE 60 ROOMS, A RESTAURANT, AND BE
APPROXIMATLY 60 FEET TALL.

SINCERELY

James E. Gleisle, Pres.

RICHARD TUTHILL
838 SOUTH STREET
FT. MYERS BEACH, FL. 33931

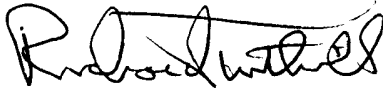
MAY 25, 2000

HEARING EXAMINER
1500 MONROE STREET
FT. MYERS FL. 33901

DEAR HEARING EXAMINER:

I AM IN FAVOR OF THE PROPOSED HOTEL AND RESTAURANT TO BE
CONSTRUCTED OVER THE EXISTING STEAMERS SEAFOOD SITE. I
UNDERSTAND THAT IT WILL HAVE 60 ROOMS, A RESTAURANT, AND BE
APPROXIMATLY 60 FEET TALL.

SINCERELY

A handwritten signature in black ink, appearing to read "Richard Tuthill", written over a horizontal line.

RICHARD TUTHILL



OSTEGO BAY ENVIRONMENTAL, INC.

research • permitting • planning • inspections • marine services

1130 Main Street • San Carlos Island, Florida 33931
Phone 941.463.2588 • Fax 941.463.0865

May 25, 2000

Hearing Examiner Of Lee County
1500 Monroe Street
P.O. Box 398
Fort Myers, Florida 33902

Dear Hearing Examiner

As a property owner and business owner on San Carlos Island I support the rezoning of the Steamers Seafood property. I feel the property has strong merits and will be an asset our our community.

Thank You,


Joanne James

19200 San Carlos Blvd.
Fort Myers Beach, Florida
May 17, 2000

Lee County Hearing Examiner
1500 Main Street
Fort Myers, FL 33902

Re: Rezoning of Steamers Seafood property, 19220 San Carlos Blvd.

Dear Hearing Examiner,

In regards to the rezoning of the Steamers Seafood property, I am in favor of the proposal and feel the project will enhance the San Carlos Island business community and provide attractive tourist accommodations on this island.

I feel by having accommodations available on San Carlos Island also relieves Estero Blvd. of additional traffic.

Sincerely yours,



Edward Keohane

RAY GLODEN
960 SAN CARLOS CT
FT. MYERS BEACH FL 33931

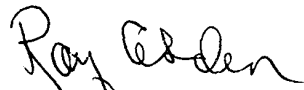
MAY 22, 2000

LEE COUNTY HEARING EXAMINER
1500 MONROE STREET
FORT MYERS FL. 33901

DEAR HEARING EXAMINER:

I AM WRITING THIS LETTER IN SUPPORT OF THE REZONING AT STEAMERS
SEAFOOD. I FEEL THAT THE PROJECT HAS STRONG MERITS AND WILL BE
AN ASSET TO OUR COMMUNITY. THANK YOU FOR ALLOWING ME TO
EXPRESS MY FEELINGS.

VERY TRULY YOURS,

A handwritten signature in cursive script that reads "Ray Gloden".

RAY GLODEN

GREGORY CONDOS
853 SOUTH STREET
FT. MYERS BCH., FL 33931

MAY 22,2000

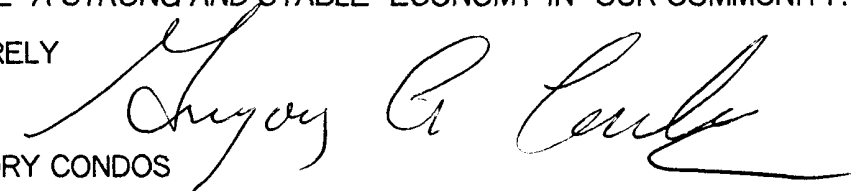
HEARING EXAMINER
1500 MONROE STREET
FORT MYERS, FL 33902

DEAR HEARING EXAMINER:

THIS LETTER IS IN SUPPORT OF THE PROPOSED REZONING OF THE
STEAMERS SEAFOOD PROPERTY. I FEEL THAT IT WOULD BE AN ASSET TO
BOTH OUR RESIDENTIAL AND COMMERCIAL COMMUNITIES IN HELPING TO
CREATE A STRONG AND STABLE ECONOMY IN OUR COMMUNITY.

SINCERELY

GREGORY CONDOS

A large, stylized handwritten signature in cursive script, appearing to read "Gregory A. Condos".

765-0880

A large, stylized handwritten signature in cursive script, appearing to be a single letter "M" or "H" with a long horizontal stroke.

GSF, INC. D.B.A.
CITGO By The Bridge
19201 San Carlos Blvd.
Ft. Myers Beach, FL. 33931

May 5, 2000

Lee County Hearing Examiner
1500 Monroe Street
Ft. Myers FL 33902

Dear Hearing Examiner:

As an owner and operator of a business on San Carlos Island , I am truly in favor of the rezoning necessary to provide for the hotel and restaurant as proposed at the Steamers Seafood property. I feel that this will greatly enhance our community and be good for the general welfare of our area.

Sincerely,

A handwritten signature in cursive script, appearing to read "Lou Ann Gaglio".

Lou Ann Gaglio, Pres.

William J. Semmer
1130 Main Street
Fort Myers Beach, Florida 33931

May 25, 2000

Hearing Examiner Of Lee County
1500 Monroe Street
P.O. Box 398
Fort Myers, Florida 33902

Dear Hearing Examiner

As a neighboring property owner I am writing this letter in support of the rezoning at Steamers Seafood. I feel that the project will be a positive addition to our community and contribute to a strong and stable economy.

Thank You,

A handwritten signature in black ink, appearing to read 'W. J. Semmer', written in a cursive style.

William J. Semmer

DENNIS HENDERSON PRES
SUNNYLAND COURT INC.
19241 SAN CARLOS BLVD.
FT. MYERS BEACH, FL. 33931

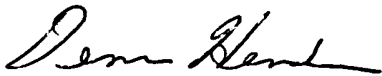
MAY 25, 2000

HEARING EXAMINER
1500 MONROE STREET
FT. MYERS FL. 33902

DEAR HEARING EXAMINER:

I AM IN FAVOR OF THE PROPOSED HOTEL AND RESTAURANT TO BE
CONSTRUCTED OVER THE EXISTING STEAMERS SEAFOOD SITE. I
UNDERSTAND THAT IT WILL HAVE 60 ROOMS, A RESTAURANT, AND BE
APPROXIMATLY 60 FEET TALL.

SINCERELY

A handwritten signature in cursive script, appearing to read "Dennis Henderson", written in black ink.

DENNIS HENDERSON

THOMAS NADEAU
843 SOUTH STREET
FT. MYERS BEACH, FL. 33931

MAY 25, 2000

HEARING EXAMINER
1500 MONROE STREET
FT. MYERS FL. 33901

DEAR HEARING EXAMINER:

I AM IN FAVOR OF THE PROPOSED HOTEL AND RESTAURANT TO BE
CONSTRUCTED OVER THE EXISTING STEAMERS SEAFOOD SITE. I
UNDERSTAND THAT IT WILL HAVE 60 ROOMS, A RESTAURANT, AND BE
APPROXIMATLY 60 FEET TALL.

SINCERELY

A handwritten signature in black ink, appearing to read 'T. Nadeau', followed by a long horizontal flourish.

THOMAS NADEAU

GEORGE BELESLIN
805 SAN CARLOS DR.
FT. MYERS BEACH, FL 33931

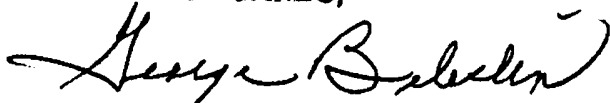
MAY 12, 2000

HEARING EXAMINER OF LEE COUNTY
1500 MONROE STREET
FORT MYERS, FLORIDA 33901

DEAR HEARING EXAMINER

THE PROPOSED REZONING OF THE PROPERTY AT STEAMERS
SEAFOOD WOULD BE A PLUS FOR OUR COMMUNITY. IT WILL ADD
TO OUR ALREADY DIVERSE COMMERCIAL INTERESTS WITH
MINIMAL IMPACT ON THE NEARBY RESIDENTIAL AREAS. A
STRONG AND THRIVING COMMERCIAL DISTRICT IS CRUCIAL IN
CREATING STABLE RESIDENTIAL COMMUNITIES.

BEST REGARDS,

A handwritten signature in cursive script, appearing to read "George Beleslin", written in dark ink.

GEORGE BELESLIN



HEINZ MARINE ELECTRONICS, INC.

19190 SAN CARLOS BOULEVARD • SUITE 2

FORT MYERS BEACH, FL 33931

TELEPHONE: 941-463-3500

FAX: 941-463-3545

SALES & DOCKSIDE SERVICE
CUSTOM INSTALLATIONS

AUTHORIZED DEALER
MAJOR BRANDS

HEINZ BUHRIG, President

JUNE 5, 2000

HEARING EXAMINER
1500 MONROE STREET
FT. MYERS FL. 33901

DEAR HEARING EXAMINER:

I AM IN FAVOR OF THE PROPOSED HOTEL AND RESTAURANT TO BE
CONSTRUCTED OVER THE EXISTING STEAMERS SEAFOOD SITE. I
UNDERSTAND THAT IT WILL HAVE 60 ROOMS, A RESTAURANT, AND BE
APPROXIMATLY 60 FEET TALL.

SINCERELY

Roxanne Buhrig

Larry & Gayle Bell906 San Carlos Drive
Ft. Myers Beach, FL 33931Phone: 941-765-7894
FAX: 941-765-7897
Email: LarryandGayle@aol.com

Facsimile

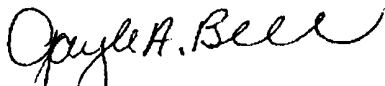
To: Alvin "Chip" Block
Lee County Development Office
Fax: 479-8313
From: Larry and Gayle Bell
Date: June 26, 2000
Ref: **Case Number DCI 2000-00013**
Pages: 3, including this cover page

While we are not adjacent property owners to the property in question, we are located in the residential area on San Carlos Island. With such a small area, we feel any commercial zoning changes has the potential of impacting all island residents.

We strongly object to the rear entrance being opened up onto South Street. This is a residential area and feel the commercial traffic making deliveries, employees arriving for work, excessive noise, bar patrons leaving at night, etc. pose a threat to the community and the safety of the children and its residents. We also feel with Fantasy's located directly next door, that this could potentially further attract undesirable people to our community.

Thank you for your consideration. It is our hope that this zoning request be denied.

Sincerely,


Gayle A. Bell

REF: CASE number DC1 2000-00013

To Lee County Hearing Examiner:

I, Gayle A. Bell who owns property at, 906 San Carlos Drive
Am against rezoning from a Residential Two Family Conservation District (TFC-2) and
Commercial District (C-1) to Commercial Planned Development (CPD) to permit a
maximum of a 60 unit Hotel/Motel with a 3,174 square foot Restaurant/Bar/Lounge with
a maximum building height not to exceed 60 feet.

The subject property is located at 19220 San Carlos Blvd. The subject property also
borders South Street a residential neighborhood.

I would like to preserve our neighborhood as residential without commercial intrusion.

I am authorizing Barbara White to represent me at the
Lee County Hearing Examiner's public hearing at 1:00 pm on June 28, 2000.

Thank you for your time, sincerely,

Gayle A. Bell

DATE: June 26, 2000

REF: CASE number DCI 2000-00013

To Lee County Hearing Examiner:

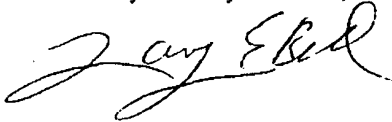
I, LARRY E. BELL who owns property at, 906 SAN CARLOS DRIVE.
Am against rezoning from a Residential Two Family Conservation District (TFC-2) and
Commercial District (C-1) to Commercial Planned Development (CPD) to permit a
maximum of a 60 unit Hotel/Motel with a 3,174 square foot Restaurant/Bar/Lounge with
a maximum building height not to exceed 60 feet.

The subject property is located at 19220 San Carlos Blvd. The subject property also
borders South Street a residential neighborhood.

I would like to preserve our neighborhood as residential without commercial intrusion.

I am authorizing BARBARA WHITE to represent me at the
Lee County Hearing Examiner's public hearing at 1:00 pm on June 28, 2000.

Thank you for your time, sincerely,



DATE: JUNE 26, 2000

*** ERROR TX REPORT ***

TX FUNCTION WAS NOT COMPLETED

TX/RX NO 3897
CONNECTION TEL 94892444
CONNECTION ID
ST. TIME 06/27 16:51
USAGE T 00'00
PGS. 0
RESULT NG 0 #001



FAX TRANSMITTAL

FROM
LEE COUNTY
DEPARTMENT OF COMMUNITY DEVELOPMENT
PLANNING & DEVELOPMENT SERVICES DIVISIONS
P.O. BOX 398
FORT MYERS, FL 33902-0398
TELEPHONE 941-479-8585

DEVELOPMENT SERVICES FAX NO. 479-8386
PLANNING FAX NO. 479-8319

DATE: 6/27/2000

TO: Molly @ Mike Ciccarone's
FAX=489-5444
TELEPHONE # 489-1776

FROM: Ruby

TELEPHONE # 479-8585

RE: Letter from Bell's opposing
Steamer's Hotel case.



LEE COUNTY
SOUTHWEST FLORIDA

479-8585

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: _____

John E. Manning
District One

August 30, 2000

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Andrew W. Coy
District Four

John E. Albion
District Five

Donald D. Stilwell
County Manager

James G. Yaeger
County Attorney

Diana M. Parker
County Hearing
Examiner

Mr. Carleton Ryffel, AICP
CPH Engineers, Inc.
3501 Del Prado Blvd. Suite 312
Cape Coral, FL 33904

**Re: Agenda Schedule for Nick Kastan and Chris Kastan in ref to Steamers Hotel
Case No. DCI 2000-00013**

Dear Mr. Ryffel, AICP:

Your zoning request has been scheduled before the Board of County Commissioners to take final action after reviewing the Hearing Examiner's recommendation.

DATE & TIME: September 18, 2000, Meeting commences at 9:30 a.m.

LOCATION: Commissioners' Meeting Room
2120 Main Street
Ft. Myers, Florida

Call if you have any questions.

DEPARTMENT OF COMMUNITY DEVELOPMENT
Development Services Division

Rebecca Tatlock
Rebecca Tatlock
Internal Services Secretary

cc: Nick Kastan and Chris Kastan
Zoning File

S:\CASES\200008\DCI20000.001\3\DCI2000-00013 bcc app ltr.wpd

MEMORANDUM

FROM
THE DEPARTMENT OF
COMMUNITY DEVELOPMENT
Development Services Division

DATE: September 5, 2000

TO: Zoning File FROM: Rebecca Tatlock
Secretary Internal Services

RE: DCI2000-00013
Nick & Chris Kastan in ref. to Steamers Hotel

This is to certify that copies of the attached notice have been mailed to the list, also attached, on the date stated above.

NOTICE TO PARTICIPANT

CASE NUMBER: DCI 2000-00013
NAME: Nick Kastan and Chris Kastan in ref to Steamers Hotel
REQUEST: Rezone 0.84± total acres of land from Residential Two Family Conservation District (TFC-2) and Commercial District (C-1) to Commercial Planned Development (CPD) to permit a maximum of a 60 unit Hotel/Motel with a 3,174 square foot Restaurant/Bar/Lounge with a maximum building height not to exceed 60 feet.
NOTE: If approved, the Master Concept Plan (available for inspection at 1500 Monroe St., in Ft. Myers) may deviate from certain Land Development Code (LDC) standards.
LOCATION: The subject property is located at 19220 San Carlos Blvd., (San Carlos Island, west side of San Carlos Blvd, north of Main Street) Fort Myers Beach, in S24-46S-R23E, Lee County, FL. (District #3)

Notice is hereby given that the Lee County Board of Commissioners will hold a public hearing at 9:30 am on September 18, 2000, to review the written recommendation made by the Hearing Examiner and make a final decision in the above-referenced case. This hearing will be held in the Commissioners' Meeting Room, 2120 Main St., Ft. Myers, FL.

The law states that, as a participant, you have the right to appear and address the Board on this case. However, the law strictly limits all testimony before the Board to statements challenging the correctness of findings and conclusions contained in the record, or statements alleging the discovery of relevant new evidence which was not known by the speaker at the time of the Hearing Examiner's hearing and not otherwise disclosed in the record. Statements will be limited to five (5) minutes or as the Board may otherwise allow.

Additional copies of the Hearing Examiner's recommendation may be obtained or the file reviewed at the Development Services Division, 1500 Monroe St., Ft. Myers, FL. Call 479-8585, ext. 5915, for additional information.

DEPARTMENT OF COMMUNITY DEVELOPMENT
Development Services Division

CASE NUMBER

DCI2000-00013

NAME OF CASE

Nick Kastan and Chris Kastan in ref. to Steamers Hotel

DATE TO BE HEARD

September 18, 2000

AGENT

CPH Engineers, Inc.
3501 Del Prado Blvd.
Suite 312
Cape Coral, FL 33904

PARTICIPANTS

Gayle A. BELL
906 San Carlos Dr.
Ft. Myers Beach, FL 33931

Tom NADEAU
847 South St.
Ft. Myers Beach, FL 33931

Bradford BENSON
927 Prescott St.
Ft. Myers Beach, FL 33931

Margaret NAPIER
810 South St.
Ft. Myers Beach, FL 33931

Marguerite BURNS
P. O. Box 2722
Ft. Myers Beach, FL 33932

Patrick TENNANT
927 Prescott Ln., Unit B
Ft. Myers Beach, FL 33931

Mari Lynn GUTIERREZ
845 South St.
Ft. Myers Beach, FL 33931

William THOMPSON
880 Buttonwood Dr.
Ft. Myers Beach, FL 33931

Robert GUTIERREZ
845 South St.
Ft. Myers Beach, FL 33931

Barbara G. WHITE
864 San Carlos Dr.
Ft. Myers Beach, FL 33931

Matt HANSON
2500 Main St.
Ft. Myers Beach
FL 33931

LOYAL ORDER OF MOOSE
Attn: Charlie Prentiss
P. O. Box 2771
Ft. Myers Beach, FL 33931

Marguerite HUSEBYE
P. O. Box 2722
Ft. Myers Beach, FL 33932

EXHIBIT I-A-5

Page 1 of 23

*** VARIANCE REPORT ***

*** Prepared By ***
*** LEE COUNTY PROPERTY APPRAISER ***
*** Kenneth M. Wilkinson ***

DATE OF REPORT : 22DEC99
SUBJECT PROPERTY : 24-46-23-01-00006.0040
VARIANCE DISTANCE : 500(ft)
PARCELS AFFECTED : 88

DCI 2000-00013

24-46-23-01-00006.0040

SAN CARLOS ON THE GULF BL
K 6 PB 6 PG 6 LOTS 4
+ 5 + 32 + 33
***** SITE *****

Subject
***** OWNER *****
KASTAN CHRIS +

PO BOX 2403

19230 SAN CARLOS BLVD

FORT MYERS BEACH FL 33932
USA

Fort Myers Beach
33931

24-46-23-00-00001.0000

PARL IN OR 1466 PG 1257 +
SAN CARLOS ON THE GULF B
LK 10 PB 6 PG 6 LTS 1 2 3
***** SITE *****

***** OWNER *****
2 VAN SELOW S D + KATHRYN L

903 SAN CARLOS DR

810 BUTTONWOOD DR

FT MYERS BEACH FL 33931
USA

Fort Myers Beach
33931

24-46-23-00-00003.0010

FR NW COR BLK 8 SAN CARLOS
ON GULF RUN S 81 DEG 26
MIN 40 SEC E ALG NELY LI
***** SITE *****

***** OWNER *****
3 SLEE KAREN LORAYN

6061 TIDEWATER ISLAND CIR

1100 MAIN ST

FORT MYERS FL 33908
USA

Fort Myers Beach
33931

24-46-23-01-00001.0120

SAN CARLOS ON THE GULF BL
K 1 PB 6 PG 6 LOT 12

***** OWNER *****
4 WILLOUGHBY JUNE M TR

***** SITE *****

777 SAN CARLOS DR

777 SAN CARLOS DR

FT MYERS BCH FL 33931
USA

Fort Myers Beach
33931

DCI 2000-00013

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*** Kenneth M. Wilkinson ***

DATE OF REPORT : 22DEC99
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VARIANCE DISTANCE : 500(ft)
PARCELS AFFECTED : 88

24-46-23-01-00001.0130

SAN CARLOS ON THE GULF BL
K 1 PB 6 PG 6 LOT 13

***** OWNER *****
5 HARRISON THOMAS D + JULIA E

***** SITE *****

789 SAN CARLOS DR

789 SAN CARLOS DR

FT MYERS BCH FL 33931
USA

Fort Myers Beach
33931

24-46-23-01-00001.0140

SAN CARLOS ON THE GULF BL
K.1 PB 6 PG 6 LOT 14

***** OWNER *****
6 BENJAMIN PATRICIA E

***** SITE *****

793 SAN CARLOS DR

793 SAN CARLOS DR

FT MYERS BEACH FL 33931
USA

Fort Myers Beach
33931

24-46-23-01-00001.0150

SAN CARLOS ON THE GULF BL
K 1 PB 6 PG 6 LOTS 15
+ 16

***** OWNER *****
7 THOMAS WALTER W + DANA S

***** SITE *****

801 SAN CARLOS DR

801 SAN CARLOS DR

FT MYERS BEACH FL 33931
USA

Fort Myers Beach
33931

24-46-23-01-00001.0170

SAN CARLOS ON THE GULF BL
K 1 PB 6 PG 6 LOT 17 LESS
N 15 FT OF W 100 FT

***** OWNER *****
8 BELESLIN GEORGE + CAROL

***** SITE *****

805 SAN CARLOS DR

805 SAN CARLOS DR

FT MYERS BEACH FL 33931
USA

Fort Myers Beach
33931

DCI 2000-00013

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 *** LEE COUNTY PROPERTY APPRAISER ***
 *** Kenneth M. Wilkinson ***

DATE OF REPORT : 22DEC99
 SUBJECT PROPERTY : 24-46-23-01-00006.0040
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 PARCELS AFFECTED : 88

 24-46-23-01-00001.0180

SAN CARLOS ON THE GULF BLK
 1 PB 6 PG 6 LOT 18 + N 1
 5 FT OF W 100 FT LOT 17
 ***** SITE *****

***** OWNER *****
 LEA R A + BARBARA K

807 SAN CARLOS DR

807 SAN CARLOS DR

FT MYERS BEACH FL 33931
 USA

Fort Myers Beach
 33931

 24-46-23-01-00001.0190

SAN CARLOS ON THE GULF BL
 K.1 PB 6 PG 6 LOT 19

***** OWNER *****
 ROSS LAWRENCE G

***** SITE *****

18006 SAN CARLOS BLVD 22

811 SAN CARLOS DR

FT MYERS BEACH FL 33931
 USA

Fort Myers Beach
 33931

 24-46-23-01-00001.0200

SAN CARLOS ON THE GULF BL
 K 1 PB 6 PG 6 LOT 20
 + PT 19

***** OWNER *****
 JORGENSEN TRACY R

***** SITE *****

11 SIGNE RD

813 SAN CARLOS DR

DENNIS MA 02638
 USA

Fort Myers Beach
 33931

 24-46-23-01-00001.0210

SAN CARLOS ON THE GULF BL
 K 1 PB 6 PG 6 LOTS 21
 22 23

***** OWNER *****
 PARADISE FOUND INC
 C/O THOMAS WANDERON + ASSOC
 P O BOX 6108

***** SITE *****

819 SAN CARLOS DR

FT MYERS BEACH FL 33932
 USA

Fort Myers Beach
 33931

DCI 2000-00013

*** VARIANCE REPORT ***

*** Prepared By ***
*** LEE COUNTY PROPERTY APPRAISER ***
*** Kenneth M. Wilkinson ***

DATE OF REPORT : 22DEC99
SUBJECT PROPERTY : 24-46-23-01-00006.0040
VARIANCE DISTANCE : 500(ft)
PARCELS AFFECTED : 88

24-46-23-01-00001.0240

SAN CARLOS ON THE GULF BL
K 1 PB 6 PG 6 LOT 24

13 ***** OWNER *****
RAY JAMES W SR + PATRICIA L

***** SITE *****

9 NEWFIELD DEPOT RD

829 SAN CARLOS DR

NEWFIELD NY 14867
USA

Fort Myers Beach
33931

24-46-23-01-00001.025A

SAN CARLOS ON THE GULF BL
K 1 PB 6 PG 6 PT LOT
25

14 ***** OWNER *****
PROUDFOOT DONN

***** SITE *****

845 SAN CARLOS DR

845 SAN CARLOS DR

FT MYERS BEACH FL 33931
USA

Fort Myers Beach
33931

24-46-23-01-00001.025B

SAN CARLOS ON THE GULF BL
K 1 PB 6 PG 6 PT LOT
25

15 ***** OWNER *****
PROUDFOOT DONN

***** SITE *****

855 SAN CARLOS DR

855 SAN CARLOS DR

FT MYERS BEACH FL 33931
USA

Fort Myers Beach
33931

24-46-23-01-00001.025C

SAN CARLOS ON THE GULF BL
K 1 PB 6 PG 6 PT LOT
25

16 ***** OWNER *****
FENNEMAN CRAIG E +

***** SITE *****

5864 SOUTH EAST ST

857 SAN CARLOS DR

INDIANAPOLIS IN 46227
USA

Fort Myers Beach
33931

DCI 2000-00013

 *** VARIANCE REPORT ***

 *** Prepared By ***
 *** LEE COUNTY PROPERTY APPRAISER ***
 *** Kenneth M. Wilkinson ***

Page 5 of 23

DATE OF REPORT : 22DEC99
 SUBJECT PROPERTY : 24-46-23-01-00006.0040
 VARIANCE DISTANCE : 500(ft)
 PARCELS AFFECTED : 88

 24-46-23-01-00002.0010

SAN CARLOS ON THE GULF BL
 K 2 PB 6 PG 6 LOTS 1
 + 2

***** OWNER *****
 17 DAWSON MARGARET C

***** SITE *****

12910 MAI TAI LN

800 SAN CARLOS DR

FT MYERS
 USA

FL 33908

Fort Myers Beach

33931

24-46-23-01-00002.0030

SAN CARLOS ON THE GULF BL
 K 2 PB 6 PG 6 LOTS 3
 + 23 + BEG SE COR

***** OWNER *****
 18 DAWSON MARGARET C

***** SITE *****

12910 MAI TAI LN

820 SAN CARLOS DR

FT MYERS
 USA

FL 33908

Fort Myers Beach

33931

24-46-23-01-00002.0040

SAN CARLOS ON THE GULF BL
 K 2 PB 6 PG 6 LOT 4

***** OWNER *****
 19 DAWSON MARGARET C

***** SITE *****

12910 MAI TAI LN

826 SAN CARLOS DR

FT MYERS
 USA

FL 33908

Fort Myers Beach

33931

24-46-23-01-00002.0050

SAN CARLOS ON THE GULF BL
 K 2 PB 6 PG 6 LOT 5

***** OWNER *****
 20 DAWSON MARGARET C

***** SITE *****

12910 MAI TAI LN

830 SAN CARLOS DR

FT MYERS
 USA

FL 33908

Fort Myers Beach

33931

DCI 2000-00013

*** VARIANCE REPORT ***

*** Prepared By ***
*** LEE COUNTY PROPERTY APPRAISER ***
*** Kenneth M. Wilkinson ***

DATE OF REPORT : 22DEC99
SUBJECT PROPERTY : 24-46-23-01-00006.0040
VARIANCE DISTANCE : 500(ft)
PARCELS AFFECTED : 88

24-46-23-01-00002.0060

SAN CARLOS ON THE GULF BL
K 2 PB 6 PG 6 LOT 6

***** OWNER *****
21 ROSS D N + DONNA K

***** SITE *****

834 SAN CARLOS DR

834 SAN CARLOS DR

FT MYERS BEACH FL 33931
USA

Fort Myers Beach
33931

24-46-23-01-00002.0070

SAN CARLOS ON THE GULF BL
K 2 PB 6 PG 6 LOT 7

***** OWNER *****
22 CANBY DONALD S + DEE ANN

***** SITE *****

921 KATY'S LN

840 SAN CARLOS DR

WILMINGTON OH 45177
USA

Fort Myers Beach
33931

24-46-23-01-00002.0080

SAN CARLOS ON THE GULF BL
K 2 PB 6 PG 6 LOT 8

***** OWNER *****
23 RYDER BETTY J +

***** SITE *****

844 SAN CARLOS DR

844 SAN CARLOS DR

FT MYERS BEACH FL 33931
USA

Fort Myers Beach
33931

24-46-23-01-00002.0090

SAN CARLOS ON THE GULF BL
K 2 PB 6 PG 6 LOT 9

***** OWNER *****
24 MATANZAS CORP

***** SITE *****

850 SAN CARLOS DR

850/852 SAN CARLOS DR

FT MYERS BEACH FL 33931
USA

Fort Myers Beach
33931

DCI 2000-00013

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*** Prepared By ***
*** LEE COUNTY PROPERTY APPRAISER ***
*** Kenneth M. Wilkinson ***

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24-46-23-01-00002.0100

SAN CARLOS ON THE GULF BL
K 2 PB 6 PG 6 LOT 10

***** OWNER *****

***** SITE *****

25 GILCHRIST BRUCE H + BEVERLY A

P O BOX 2892

862 SAN CARLOS DR

FT MYERS BEACH FL 33932
USA

Fort Myers Beach
33931

24-46-23-01-00002.0110

SAN CARLOS ON THE GULF BL
K 2 PB 6 PG 6 LOT 11

***** OWNER *****

***** SITE *****

26 WHITE BARBARA G

12299 MCGREGOR WOODS CIR

864 SAN CARLOS DR

FT MYERS FL 33908
USA

Fort Myers Beach
33931

24-46-23-01-00002.0120

SAN CARLOS ON THE GULF BL
K 2 PB 6 PG 6 LOT 12

***** OWNER *****

***** SITE *****

27 JOHNSON ANDREW D + KELLY L

2727 COLONIAL BLVD #104

958 SAN CARLOS CT

FT MYERS FL 33907
USA

Fort Myers Beach
33931

24-46-23-01-00002.0130

SAN CARLOS ON THE GULF BL
K 2 PB 6 PG 6 LOT 13

***** OWNER *****

***** SITE *****

28 GLODEN RAYMOND P

960 SAN CARLOS CT

960 SAN CARLOS CT

FT MYERS BEACH FL 33931
USA

Fort Myers Beach
33931

DCI 2000-00013

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*** Prepared By ***
*** LEE COUNTY PROPERTY APPRAISER ***
*** Kenneth M. Wilkinson ***

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VARIANCE DISTANCE : 500(ft)
PARCELS AFFECTED : 88

24-46-23-01-00002.0140

SAN CARLOS ON THE GULF BL
K 2 PB 6 PG 6 LOT 14

***** OWNER *****
29 GLODEN RAYMOND P

***** SITE *****

960 SAN CARLOS CT

976 SAN CARLOS CT

FT MYERS FL 33931
USA

Fort Myers Beach
33931

24-46-23-01-00002.0150

SAN CARLOS ON THE GULF
BLK 2 PB 6 PG 6
LOT 15

***** OWNER *****
30 GLODEN RAYMOND P

***** SITE *****

960 SAN CARLOS CT

859/861 SOUTH ST

FT MYERS BEACH FL 33931
USA

Fort Myers Beach
33931

24-46-23-01-00002.0160

SAN CARLOS ON THE GULF BL
K 2 PB 6 PG 6 LOT 16

***** OWNER *****
31 CONDOS GREGORY A

***** SITE *****

853 SOUTH ST

853/855 SOUTH ST

FT MYERS BEACH FL 33931
USA

Fort Myers Beach
33931

24-46-23-01-00002.0170

SAN CARLOS ON THE GULF BL
K 2 PB 6 PG 6 LOT 17

***** OWNER *****
32 HAMANN KATHLEEN A +

***** SITE *****

907 SAN CARLOS DR

849/851 SOUTH ST

FT MYERS BCH FL 33931
USA

Fort Myers Beach
33931

DCI 2000-00013

 *** VARIANCE REPORT ***

 *** Prepared By ***
 *** LEE COUNTY PROPERTY APPRAISER ***
 *** Kenneth M. Wilkinson ***

DATE OF REPORT : 22DEC99
 SUBJECT PROPERTY : 24-46-23-01-00006.0040
 VARIANCE DISTANCE : 500(ft)
 PARCELS AFFECTED : 88

 24-46-23-01-00002.0180

SAN CARLOS ON THE GULF BL
 K.2 PB 6 PG 6 LOT 18

***** OWNER *****
 33 NADEAU DONNA M

***** SITE *****

847 SOUTH ST

847 SOUTH ST

FT MYERS BEACH FL 33931
 USA

Fort Myers Beach
 33931

 24-46-23-01-00002.0190

SAN CARLOS ON THE GULF BL
 K 2 PB 6 PG 6 LOT 19

***** OWNER *****
 34 GUTIERREZ ROBERT J + MARI

***** SITE *****

845 SOUTH ST

845 SOUTH ST

FORT MYERS BEACH FL 33931
 USA

Fort Myers Beach
 33931

 24-46-23-01-00002.0200

SAN CARLOS ON THE GULF BL
 K 2 PB 26 PG 6 LOT 20

***** OWNER *****
 35 NADEAU THOMAS R

***** SITE *****

843 SOUTH ST

841/843 SOUTH ST

FT MYERS BEACH FL 33931
 USA

Fort Myers Beach
 33931

 24-46-23-01-00002.0210

SAN CARLOS ON THE GULF BL
 K 2 PB 6 PG 6 LOT 21

***** OWNER *****
 34 DAWSON MARGARET C

***** SITE *****

12910 MAI TAI LN

839 SOUTH ST

FT MYERS FL 33908
 USA

Fort Myers Beach
 33931

DCI 2000-00013

 *** VARIANCE REPORT ***

 *** Prepared By ***
 *** LEE COUNTY PROPERTY APPRAISER ***
 *** Kenneth M. Wilkinson ***

DATE OF REPORT : 22DEC99
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 PARCELS AFFECTED : 88

 24-46-23-01-00002.0220

SAN CARLOS ON THE GULF BL
 K 2 PB 6 PG 6 LOT 22

***** OWNER *****
 37 DAWSON MARGARET C

***** SITE *****

12910 MAI TAI LN

833 SOUTH ST

FT MYERS FL 33908
 USA

Fort Myers Beach
 33931

 24-46-23-01-00006.0010

SAN CARLOS ON THE GULF BL
 K 6 PB 6 PG 6 LOT 1

***** OWNER *****
 38 LEE COUNTY

***** SITE *****

PO BOX 398

806 SOUTH ST

FT MYERS FL 33902
 USA

Fort Myers Beach
 33931

 24-46-23-01-00006.0020

SAN CARLOS ON THE GULF BL
 K 6 PB 6 PG 6 LOT 2

***** OWNER *****
 39 NAPIER JOSEPH J + MARGARET

***** SITE *****

810 SOUTH ST

810 SOUTH ST

FORT MYERS BEACH FL 33931
 USA

Fort Myers Beach
 33931

 24-46-23-01-00006.0030

SAN CARLOS ON THE GULF BL
 K 6 PB 6 PG 6 LOT 3

***** OWNER *****
 40 SEMMER WILLIAM J

***** SITE *****

1130 MAIN ST

816 SOUTH ST

FT MYERS BEACH FL 33931
 USA

Fort Myers Beach
 33931

DCI 2000-00013

*** VARIANCE REPORT ***

*** Prepared By ***
*** LEE COUNTY PROPERTY APPRAISER ***
*** Kenneth M. Wilkinson ***

DATE OF REPORT : 22DEC99
SUBJECT PROPERTY : 24-46-23-01-00006.0040
VARIANCE DISTANCE : 500(ft)
PARCELS AFFECTED : 88

24-46-23-01-00006.0060

SAN CARLOS ON THE GULF BL
K 6 PB 6 PG 6 LOTS 6
31

***** OWNER *****
41 SCIWAVE INC

***** SITE *****

16650 MCGREGOR BLVD STE 12

19200/220 SAN CARLOS BLVD

FORT MYERS FL 33908
USA

Fort Myers Beach
33931

24-46-23-01-00006.0070

SAN CARLOS ON THE GULF BL
K 6 PB 6 PG 6 LOTS 7
30

***** OWNER *****
42 BUHRIG HEINZ + ROXANNE

***** SITE *****

19190 SAN CARLOS BLVD

19190 SAN CARLOS BLVD

FT MYERS BEACH FL 33931
USA

Fort Myers Beach
33931

24-46-23-01-00006.0080

SAN CARLOS ON THE GULF BL
K 6 PB 6 PG 6 LOT 8

***** OWNER *****
43 TUTHILL J RICHARD + MARY J

***** SITE *****

17105 A6 SAN CARLOS BLVD

838 SOUTH ST

FT MYERS BEACH FL 33931
USA

Fort Myers Beach
33931

24-46-23-01-00006.0090

SAN CARLOS ON THE GULF BL
K 6 PB 6 PG 6 LOT 9

***** OWNER *****
44 COWART RICHARD T

***** SITE *****

1204 LOGAN LN

842 SOUTH ST

FT MYERS FL 33919
USA

Fort Myers Beach
33931

DCI 2000-00013

 *** VARIANCE REPORT ***

 *** Prepared By ***
 *** LEE COUNTY PROPERTY APPRAISER ***
 *** Kenneth M. Wilkinson ***

Page 12 of 23

DATE OF REPORT : 22DEC99
 SUBJECT PROPERTY : 24-46-23-01-00006.0040
 VARIANCE DISTANCE : 500(ft)
 PARCELS AFFECTED : 88

 24-46-23-01-00006.0100

SAN CARLOS ON THE GULF BL
 K 6 PB 6 PG 6 LOT 10

***** OWNER *****
 45 BORGER ROBERT J +

***** SITE *****

1300 S A1A #627

846 SOUTH ST

JUPITER FL 33477
 USA

Fort Myers Beach
 33931

 24-46-23-01-00006.0110

SAN CARLOS ON THE GULF BL
 K 6 PB 6 PG 6 LOTS 11
 26

***** OWNER *****
 46 WENDLING MELINDA A

***** SITE *****

49 OSCEOLA RD

19110 SAN CARLOS BLVD

RICHMOND MA 01254
 USA

Fort Myers Beach
 33931

 24-46-23-01-00006.0120

SAN CARLOS ON THE GULF BL
 K 6 PB 6 PG 6 LOTS 12 + 1
 3

***** OWNER *****
 47 FT MYERS BEACH LODGE #964

***** SITE *****

LOYAL ORDER OF MOOSE INC
 PO BOX 2771
 FT MYERS BEACH FL 33932
 USA

856/860 SOUTH ST
 Fort Myers Beach
 33931

 24-46-23-01-00006.0240

SAN CARLOS ON THE GULF BL
 K 6 PB 6 PG 6 LOTS 24 + 2
 5

***** OWNER *****
 48 FT MYERS BCH MOOSE LODGE # 964

***** SITE *****

LOYAL ORDER OF MOOSE INC
 P O BOX 2771
 FT MYERS BEACH FL 33932
 USA

19090 SAN CARLOS BLVD
 Fort Myers Beach
 33931

DCI 2000-00013

*** VARIANCE REPORT ***

*** Prepared By ***
*** LEE COUNTY PROPERTY APPRAISER ***
*** Kenneth M. Wilkinson ***

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24-46-23-01-00006.0270

SAN CARLOS ON THE GULF BL
K 6 PB 6 PG 6 LOTS 27
28

***** OWNER *****
49 FLINT CHARLES W + ANNALYNE M +

***** SITE *****

6071 BUCKINGHAM RD

19130/50 SAN CARLOS BLVD

FT MYERS
USA

FL 33905

Fort Myers Beach

33931

24-46-23-01-00006.0290

SAN CARLOS ON THE GULF BL
K 6 PB 6 PG 6 LOT 29

***** OWNER *****
50 DEYNZER ALBERT E + BEVERLY A

***** SITE *****

1614 PERIWINKLE WAY

19170 SAN CARLOS BLVD

SANIBEL
USA

FL 33957

Fort Myers Beach

33931

24-46-23-01-00006.0340

SAN CARLOS ON THE GULF BL
K 6 PB 6 PG 6 LOTS 34 + 3
5

***** OWNER *****
51 MARTIN ANDREW M

***** SITE *****

5 RED RIDGE CIR

19240 SAN CARLOS BLVD

S BARRINGTON
USA

IL 60010

Fort Myers Beach

33931

24-46-23-01-00006.0360

SAN CARLOS ON THE GULF BL
K 6 PB 6 PG 6 LOT 36

***** OWNER *****
52 BREEZE CORPORATION

***** SITE *****

PO BOX 151306

19260/62 SAN CARLOS BLVD

CAPE CORAL
USA

FL 33915

Fort Myers Beach

33931

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 24-46-23-01-00007.0110

SAN CARLOS ON THE GULF BL
 K 7 PB 6 PG 6 LOTS 11 THR
 U 13+18 THRU 20+VAC ST AK
 ***** SITE *****

***** OWNER *****

53 SAN CARLOS LODGE INC
 C/O JAMES D HALL PRES
 21266 SAIL BAY DR

790 SAN CARLOS DR

CASSOPOLIS MI 49031 Fort Myers Beach
 USA 33931

 24-46-23-01-00007.0140

SAN CARLOS ON THE GULF BL
 K 7 PB6 PG6 LTS 14-17 + A
 DJOINING VACATED S ST LES
 ***** SITE *****

***** OWNER *****

54 LEE COUNTY

P O BOX 398

796 SAN CARLOS DR

FT MYERS FL 33902 Fort Myers Beach
 USA 33931

 24-46-23-01-00009.0010

SAN CARLOS ON THE GULF BL
 K 9 PB 6 PG 6 LOTS 1
 2 3 36 37 38 AKA SUNNYLAN
 ***** SITE *****

***** OWNER *****

55 SUNNYLAND COURT INC

19241 SAN CARLOS BLVD

19241 SAN CARLOS BLVD

FT MYERS BEACH FL 33931 Fort Myers Beach
 USA 33931

 24-46-23-01-00009.0040

SAN CARLOS ON THE GULF BL
 K 9 PB 6 PG 6 LOT 4

***** OWNER *****

56 GLEISLE DEVELOPMENT CORP

***** SITE *****

PO BOX 5079

19221 SAN CARLOS BLVD

FT MYERS BEACH FL 33932 Fort Myers Beach
 USA 33931

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 24-46-23-01-00009.0050

SAN CARLOS ON THE GULF BL
 K.9 PB 6 PG 6 LOTS 5
 6 + 7

***** OWNER *****
 57 GSF INC

***** SITE *****

898 BUTTONWOOD DR #202

19201 SAN CARLOS BLVD

FT MYERS BEACH FL 33931
 USA

Fort Myers Beach
 33931

 24-46-23-01-00009.0080

SAN CARLOS ON THE GULF BL
 K 9 PB 6 PG 6 LOTS 8
 + 9

***** OWNER *****
 58 FT MYERS BEACH SHRINE CLUB

***** SITE *****

P O BOX 2568

19171 SAN CARLOS BLVD

FT MYERS BEACH FL 33932
 USA

Fort Myers Beach
 33931

 24-46-23-01-00009.0100

SAN CARLOS ON THE GULF BL
 K.9 PB 6 PG 6 LOTS 10
 THRU 14

***** OWNER *****
 59 CICERO JOSEPH +

***** SITE *****

2785 NILES VIENNA RD

19051 SAN CARLOS BLVD

NILES OH 44446
 USA

Fort Myers Beach
 33931

 24-46-23-01-00009.0250

SAN CARLOS ON THE GULF BL
 K 9 PB PG 6 LOTS 25 T
 HRU 27

***** OWNER *****
 60 AMERICAN LEGION POST 274

***** SITE *****

PO BOX 2456

891 BUTTONWOOD DR

FT MYERS BEACH FL 33932
 USA

Fort Myers Beach
 33931

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 24-46-23-01-00009.0280

SAN CARLOS ON THE GULF BL
 K 9 PB 6 PG 6 LOTS 28 + 2
 9

***** OWNER *****
 61 FT MYERS BEACH SHRINE CLUB

***** SITE *****

PO BOX 2568

871 BUTTONWOOD DR

FT MYERS BEACH FL 33932 Fort Myers Beach
 USA 33931

 24-46-23-01-00009.0300

SAN CARLOS ON THE GULF BL
 K 9 PB 6 PG 6 LOTS 30
 + 31

***** OWNER *****
 62 FT MYERS BEACH SHRINE CLUB

***** SITE *****

P O BOX 2568

859 BUTTONWOOD DR

FT MYERS BEACH FL 33932 Fort Myers Beach
 USA 33931

 24-46-23-01-00009.0320

SAN CARLOS ON THE GULF BL
 K 9 PB 6 PG 6 LOT 32

***** OWNER *****
 63 HENDERSON D L + RANELL S 50% +

***** SITE *****

PO BOX 6189

815 BUTTONWOOD DR

FT MYERS BEACH FL 33932 Fort Myers Beach
 USA 33931

 24-46-23-01-00009.0330

SAN CARLOS ON THE GULF BL
 K 9 PB 6 PG 6 LOTS 33 THR
 U 35

***** OWNER *****
 64 GLEISLE DEVELOPMENT CORP

***** SITE *****

P O BOX 5079

809 BUTTONWOOD DR

FT MYERS BEACH FL 33932 Fort Myers Beach
 USA 33931

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24-46-23-01-00010.0030

SAN CARLOS ON THE GULF BL
K 10 PB 6 PG 6 LOT 3 L
ESS S 16 FT

***** OWNER *****
65 VAMSELOW SCOTT D + KATHYRN

***** SITE *****

1204 ESTERO BLVD

816 BUTTONWOOD DR

FT MYERS BEACH FL 33931
USA

Fort Myers Beach
33931

24-46-23-01-00010.0040

SAN CARLOS ON THE GULF BL
K 10 PB 6 PG 6 LOT 4

***** OWNER *****
66 ANDREW RALPH

***** SITE *****

18339 CUTLASS DR

820 BUTTONWOOD DR

FT MYERS BEACH FL 33931
USA

Fort Myers Beach
33931

24-46-23-01-00010.0050

SAN CARLOS ON THE GULF BL
K 10 PB 6 PG 6 LOT 5

***** OWNER *****
67 ANDREW RALPH

***** SITE *****

18339 CUTLASS DR

826 BUTTONWOOD DR

FT MYERS BEACH FL 33931
USA

Fort Myers Beach
33931

24-46-23-01-00010.0060

SAN CARLOS ON THE GULF BL
K 10 PB 6 PG 6 LOT 6 THRU
9

***** OWNER *****
68 SEMMER WILLIAM

***** SITE *****

1130 MAIN ST

830 BUTTONWOOD DR

FT MYERS FL 33931
USA

Fort Myers Beach
33931

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24-46-23-35-00000.0010

SAN CARLOS ON THE GULF BL
K 8 PB 6 PG 6 1/60 SHARE
LTS 7 THRU 24 AKA LTS 1+2
***** SITE *****

***** OWNER *****

69 GULF COVE TRLR PARK INC
C/O PAUL + WANDA MACER
19281 SAN CARLOS BLVD BOX 1

19281 SAN CARLOS BLVD

FT MYERS BCH FL 33931 Fort Myers Beach
USA 33931

24-46-23-35-00000.0030

SAN CARLOS ON THE GULF BL
K 8 PB 6 PG 6 1/60 SHARE
LOTS 7 THRU 24 AKA LOT 3
***** SITE *****

***** OWNER *****

70 GULF COVE TRLR PARK INC
C/O JAMES R + MARYLOU SMITH
19281 SAN CARLOS BLVD BOX 80

19281 SAN CARLOS BLVD

FT MYERS BEACH FL 33931 Fort Myers Beach
USA 33931

24-46-23-35-00000.0040

SAN CARLOS ON THE GULF BL
K 8 PB 6 PG 6 1/60 SHARE
LOTS 7 THRU 24 AKA LOT 4
***** SITE *****

***** OWNER *****

71 GULF COVE TRLR PARK INC
C/O KAREN J SANDROCK
6821 LOCKWIND BLVD

19281 SAN CARLOS BLVD

BOARDMAN OH 44512 Fort Myers Beach
USA 33931

24-46-23-35-00000.0050

SAN CARLOS ON THE GULF BL
K 8 PB 6 PG 6 1/60 SHARE
LOTS 7 THRU 24 AKA LOT 5
***** SITE *****

***** OWNER *****

72 GULF COVE TRLR PARK INC
C/O JAMES R & M L SMITH
169 EMS T34CLN

19281 SAN CARLOS BLVD

LEESBURG IN 46538 Fort Myers Beach
USA 33931

DCI 2000-00013

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24-46-23-35-00000.0060

SAN CARLOS ON THE GULF BL
K 8 PB 6 PG 6 1/60 SHARE
LTS 7 THRU 24 AKA LT 6+ 6A
***** SITE *****

73 ***** OWNER *****
GULF COVE TRLR PARK INC
H R JOHNSON + JACQUELINE P
19281 SAM CARLOS BLVD 6

19281 SAN CARLOS BLVD

FT MYERS BEACH FL 33931 Fort Myers Beach
USA 33931

24-46-23-35-00000.0070

SAN CARLOS ON THE GULF BL
K 8 PB 6 PG 6 1/60 SHARE
LOTS 7 THRU 24 AKA LOT 7
***** SITE *****

74 ***** OWNER *****
GULF COVE TRLR PARK INC
C/O LOVE RUTH V
19281-7 SAN CARLOS BLVD

19281 SAN CARLOS BLVD

FT MYERS BEACH FL 33931 Fort Myers Beach
USA 33931

24-46-23-35-00000.0080

SAN CARLOS ON THE GULF BL
K 8 PB 6 PG 6 1/60 SHARE
LOTS 7 THRU 24 AKA LOT 8
***** SITE *****

75 ***** OWNER *****
GULF COVE TRLR PARK INC
C/O AUDREY J KUROWSKY
7560 BEDFORD RD

19281 SAN CARLOS BLVD

HUBBARD OH 44425 Fort Myers Beach
USA 33931

24-46-23-35-00000.0090

SAN CARLOS ON THE GULF BL
K 8 PB 6 PG 6 1/60 SHARE
LTS 7 THRU 24 AKA LTS 9+10
***** SITE *****

76 ***** OWNER *****
GULF COVE TRLR PARK INC
C/O CAMPBELL JAMES+ CHERIE J/T
3968 NEW CASTLE ROAD LOT 2

19281 SAN CARLOS BLVD

PULASKI PA 16143 Fort Myers Beach
USA 33931

DCI 2000-00013

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24-46-23-35-00000.0350

SAN CARLOS ON THE GULF BL
K 8 PB 6 PG 6 1/60 SHARE
LOTS 7 THRU 24 AKA LOT 35
***** SITE *****

***** OWNER *****
77 GULF COVE TRLR PARK INC
C/O DONALD SMITH + LORRAINE
19281 SAN CARLOS BLVD LT 35-31

19281 SAN CARLOS BLVD

FT MYERS BEACH FL 33931 Fort Myers Beach
USA 33931

24-46-23-35-00000.0360

SAN CARLOS ON THE GULF BL
K 8 PB 6 PG 6 1/60 SHARE
LOTS 7 THRU 24 AKA LOT 36
***** SITE *****

***** OWNER *****
78 GULF COVE TRLR PARK INC
C/O EULALIE BOSWORTH ETAL
215 N CANAL LOT 150

19281 SAN CARLOS BLVD

LANSING MI 48917 Fort Myers Beach
USA 33931

24-46-23-35-00000.0370

SAN CARLOS ON THE GULF BL
K 8 PB 6 PG 6 1/60 SHARE
LOTS 7 THRU 24 AKA LOT 37
***** SITE *****

***** OWNER *****
79 GULF COVE TRLR PARK INC
C/O HUBATCHEK H F DARLENE F
19281 SAN CARLOS BLVD

19281 SAN CARLOS BLVD

FT MYERS BCH FL 33931 Fort Myers Beach
USA 33931

24-46-23-35-00000.0380

SAN CARLOS ON THE GULF BL
K 8 PB 6 PG 6 1/60 SHARE
LOTS 7 THRU 24 AKA LOT 38
***** SITE *****

***** OWNER *****
80 GULF COVE TRLR PARK INC
C/O N E + LORETTA M NESBIT J/T
P O BOX 93

19281 SAN CARLOS BLVD

HECKER IL 62248 Fort Myers Beach
USA 33931

DCI 2000-00013

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 24-46-23-35-00000.0390

SAN CARLOS ON THE GULF BL
 K 8 PB 6 PG 6 1/60 SHARE
 LOTS 7 THRU 24 AKA LOT 39
 ***** SITE *****

***** OWNER *****

81 GULF COVE TRLR PARK INC
 %L E + JANE E HUFFMAN J/T
 19281 SAN CARLOS BLVD LOT 39

19281 SAN CARLOS BLVD

FT MYERS BEACH FL 33931 Fort Myers Beach
 USA 33931

 24-46-23-35-00000.0400

SAN CARLOS ON THE GULF BL
 K 8 PB 6 PG 6 1/60 SHARE
 LOTS 7 THRU 24 AKA LOT 40
 ***** SITE *****

***** OWNER *****

82 GULF COVE TRLR PARK INC
 C/O HOLLAND JOHN T + DOLLY M
 19281 SAN CARLOS BLVD BOX 40

19281 SAN CARLOS BLVD

FT MYERS BCH FL 33931 Fort Myers Beach
 USA 33931

 24-46-23-35-00000.0410

SAN CARLOS ON THE GULF BL
 K 8 PB 6 PG 6 1/60 SHARE
 LOTS 7 THRU 24 AKA LOT 41
 ***** SITE *****

***** OWNER *****

83 GULF COVE TRLR PARK INC
 C/O BOWEN C BLAIR ETAL
 1322 SR 68

19281 SAN CARLOS BLVD

LYNNVILLE IN 47619 Fort Myers Beach
 USA 33931

 24-46-23-35-00000.0420

SAN CARLOS ON THE GULF BL
 K 8 PB 6 PG 6 1/60 SHARE
 LOTS 7 THRU 24 AKA LOT 42
 ***** SITE *****

***** OWNER *****

84 GULF COVE TRLR PARK INC
 C/O ROBERT GARRETT
 3293 HUBBARD MIDDLESEX RD

19281 SAN CARLOS BLVD

W MIDDLESEX PA 16159 Fort Myers Beach
 USA 33931

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 24-46-23-35-00000.0430

SAN CARLOS ON THE GULF BL
 K 8 PB 6 PG 6 1/60 SHARE
 LOTS 7 THRU 24 AKA LOT 43
 ***** SITE *****

***** OWNER *****

85- GULF COVE TRLR PARK INC
 C/O JENNINGS + ESTHER MOORE
 19281 SAN CARLOS BLVD #43

19281 SAN CARLOS BLVD

FT MYERS BCH FL 33931 Fort Myers Beach
 USA 33931

 24-46-23-35-00000.0440

SAN CARLOS ON THE GULF BL
 K 8 PB 6 PG 6 1/60 SHARE
 LOTS 7 THRU 24 AKA LOT 44
 ***** SITE *****

***** OWNER *****

86 GULF COVE TRLR PARK INC
 C/O MADGE LUCILE POTTER
 19281 SAN CARLOS BLVD

19281 SAN CARLOS BLVD

FT MYERS BCH FL 33931 Fort Myers Beach
 USA 33931

 24-46-23-35-0000A.0000

SAN CARLOS ON THE GULF BL
 K 8 PB 6 PG 6 1/60 SHARE
 LOT 7 THRU 24 AKA TRACT A
 ***** SITE *****

***** OWNER *****

87 GULF COVE TRLR PARK INC

19281 SAN CARLOS BLVD 19281 SAN CARLOS BLVD
 BOX 90
 FT MYERS BCH FL 33931 Fort Myers Beach
 USA 33931

 24-46-23-35-0000E.0000

SAN CARLOS ON THE GULF BL
 K 8 PB 6 PG 6 1/60 SHARE
 LOTS 7 THRU 24 AKA TRACT E
 ***** SITE *****

***** OWNER *****

88 GULF COVE TRLR PARK INC

19281 SAN CARLOS BLVD 19281 SAN CARLOS BLVD
 BOX 90
 FT MYERS BCH FL 33931 Fort Myers Beach
 USA 33931

DCI 2000-00013

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*****
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***
***          Prepared By              ***
***          LEE COUNTY PROPERTY APPRAISER ***
***          Kenneth M. Wilkinson      ***
*****
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PARCELS AFFECTED    : 88

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***          END OF REPORT          ***
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DCI 2000-00013

Fees Associated with Case # DCI2000-00013

5/16/00
11:25:02 AM

Fee Type	Case Type	Start Date	End Date	Case No.	Dept. Description	Trans. Code	Revenue Account No.	Create Date	Created By	Amount	Due
MPD	DCI	1/1/99	12/31/05	DCI2000-00013	Minor PD		LC5150015500.341900.9008	2/25/00	C02	\$3,000.00	\$0.00
										<u>\$3,000.00</u>	<u>\$0.00</u>