



APPLICATION TO AMEND A PLANNED DEVELOPMENT OR PUD and/or APPLICATION FOR FINAL PLAN APPROVAL IN UNINCORPORATED AREAS ONLY

[LDC Section 34-380 or 34-1037]

Project Name: Nancy Lane MHPD Administrative Amendment
Current Zoning: MHPD

- ☒ Amendment to a PD or PUD to: (1) allow for the construction of conventionally built or modular single-family dwelling units as alternatives to mobile home development currently permitted under Zoning Resolution Z-86-216 (as amended); (2) maintain a minimum of 600 sf of living space for each dwelling unit; and (3) require U.S. Department of Housing and Urban Development approval for mobile or manufactured homes.

1. **Name of Applicant:** The Nancy Lane Association, Inc.
Contact Person: Jeff Groll, President
Address: 15 Nancy Lane
City, State, Zip: Fort Myers Beach, Florida 33931

2. **Relationship of Applicant to owner (check one) and provide [Affidavit of Authorization](#) form:**
☐ Applicant is the sole owner of the property. [34-201(a)(1)a.1.]
☒ Applicant has been authorized by the owner(s) to represent them for this action. [34-203(a)(3)]

3. **Authorized Agent: (If different than applicant) Name of the person who is to receive all County-initiated correspondence regarding this application. [34-203(a)(4)]**
 - a. **Company Name:** Becker & Poliakoff, P.A.
Contact Person: Katie Berkey, Esquire, AICP
Address: 12140 Carissa Commerce Court, Suite 200
City, State, Zip: Fort Myers, FL 33966
Phone Number: 239-433-7707 **E-mail:** kberkey@beckerlawyers.com

 - b. **[Additional Agent\(s\)](#):** Provide the names of other agents that the County may contact concerning this application. [34-203(a)(4)]

4. **Property owner(s): If multiple owners (corporation, partnership, trust, association), provide a list with owner interest. [34-203(a)(2)]**
Name: The Nancy Lane Association, Inc. (consisting of 74 Condominium Unit Owners – Unit Owner list attached)
Address: 35 Nancy Lane
City, State, Zip: Fort Myers Beach, Florida 33931

5. **Disclosure of Interest [34-201; 34-203(a)(2)]:**
☒ Attach [Disclosure of Interest](#) Form.

6. **STRAP Number(s) [34-203(a)(5)]:**
Please see attached Unit Owner List

7. **Street Address of Property:** Nancy Lane, Fort Mayers Beach, Florida 33931

8. **Legal Description (must submit one):**
☒ Legal description (metes and bounds) and sealed sketch of the legal description.¹ [34-203(a)(5)]
OR
☐ Legal description (NO metes and bounds) if the property is located within a subdivision platted per F.S. Chapter 177, and is recorded in the Official Records of Lee County under Instruments or Plat Books. ([Click here](#) to see an example of a legal description with no metes and bounds.) [34-203(a)(5)]
-
9. **Lee Plan (Future Land Use) Designation:** Suburban
-
10. **Original Project Name:** Canal Pointe MHPD
-
11. **Original Rezoning Resolution Number:** Z-86-216
-
12. **Subsequent Zoning Action Resolution/Case Numbers (if any):** Please list all previous zoning and administrative actions (approvals and denials) on this project subsequent to original rezoning. Include Resolution Numbers and Case Numbers (provide added sheets, if necessary).
- | | |
|----------------------|----------------------|
| <u>Z-87-79</u> | <u>Z-90-082</u> |
| <u>ADD2014-00222</u> | <u>ADD2023-00009</u> |
-
13. **Development Order Numbers (if any):** List all local development orders approved on this project. Please indicate the status of each development order (provide added sheets, if necessary).
- N/A
14. **Written Narrative:** Provide a written narrative statement explaining exactly what is proposed. [34-373(a)(5)] **Please see attached.**
15. **Deviations:** If any relief is requested from the provisions of the Lee County Land Development Code (LDC), provide a written explanation of the specific relief requested (a schedule of deviations). Explain what conditions currently exist which warrant this request for relief from the regulations (a written justification for each of the requested deviations). Include specific references to any section (number{s} and name{s}) of the LDC from which relief is sought including why the requested relief is necessary and how it will affect the project. All deviation requests must be specifically keyed to the location on the Master Concept Plan or Final Plan. [34-373(a)(9)] **N/A**
16. **Planning Community or Community Plan Area*:** Iona/McGregor
- *If in Caloosahatchee Shores [33-1482], Captiva [33-1612], Estero [33-64], Lehigh Acres [33-1401], North Fort Myers [33-1532], North (Upper) Captiva [33-1711], or Page Park [33-1203], attach meeting summary from informational meeting.
17. **Approved Master Concept Plan (MCP):** Provide an APPROVED MCP and DETAILED DRAWINGS of any DEVIATIONS OR CHANGES BEING PROPOSED at a size of 24"x36". [34-373(a)(6)] **No changes to the approved MCP are proposed as part of this request.**

¹ Attached please find: (1) the metes and bounds legal description for the property submitted to condominium ownership recorded in the Lee County Public Records as part of the Amended and Restated Declaration of Condominium of Nancy Lane, a Condominium at Official Record Book 4411 at Page 1994 et seq. on August 27, 2004 (the "Declaration"); (2) the Nancy Lane Condominium Plat recorded in the Lee County Public Records on August 27, 2004 as Exhibit "A" to the Declaration recorded at Plat Book 8, Page 261 et seq., restating the metes and bounds legal description for the condominium property and containing the surveyor's certification; (3) a copy of the Nancy Lane approved Master Concept Plan pursuant to Zoning Resolution No. Z-86-216 (also identified as Site Plan No. 86-218 and Zoning Case No. 86-12-15 DCI); and (4) the Covenant of Unified Control recorded in the Lee County Public Records on January 24, 1989 related to the original MHPD rezoning action pursuant to Zoning Resolution No. Z-86-216.

SUBMITTAL REQUIREMENT CHECKLIST

Clearly label your attachments as noted in bold below.

☒	Completed application [34-203(a)(1)]
☒	Filing Fee - [34-201(d)] Payment will be provided through eConnect
☒	Affidavit of Authorization Form [34-203(a)(3)]
☐	Additional Agents [34-203(a)(4)]
☒	Multiple Owners List (if applicable) [34-203(a)(2)]
☒	Disclosure of Interest Form [34-203(a)(2)]
☒	Legal description (must submit one) [34-203(a)(5)]
☒	Legal description (metes and bounds) and sealed sketch of legal description ²
	OR
☐	Legal description (NO metes and bounds) if the property is located within a subdivision platted per F.S. Chapter 177, and is recorded in the Official Records of Lee County under Instruments or Plat Books. (Click here to see an example of a legal description with no metes and bounds.)
☒	Previous Zoning Actions (if applicable)
☒	DO Numbers (if applicable)
☒	Narrative of Request [34-373(a)(5)] See attached cover letter
☐	Schedule of Deviations (if applicable) [34-373(a)(9)] N/A
☐	Meeting Summary (if applicable) N/A
☐	MCP and detailed drawings of any proposed deviations (if applicable) (24"x36") [34-373(a)(6)] N/A
☐	Proposed Final Plan including deviations keyed to the plan (24"x36") [34-373(a)(6)] N/A

Note: All information submitted with the application becomes a part of the public record and will be a permanent part of the file. Department staff will review this application for compliance with requirements of the Lee County Land Development Code. The applicant will be notified of any deficiencies.

Acceptance of an application for an administrative application in no way guarantees its approval. If the Director determines that a public hearing is necessary, then all fees paid toward the administrative application may be applied toward an application for public hearing.

The Director's decision on an administrative request is final and can not be appealed. In the event the Director denies the request, the applicant's only recourse is to apply for a public hearing. No fees paid for the administrative application will be refunded or applied towards the public hearing.

If it is determined that inaccurate or misleading information was provided to the county or the decision does not comply with the Land Development Code when rendered, then, at any time, the Director may issue a modified decision that complies with the Code or revoke the decision. If the approval is revoked, the applicant may acquire the necessary approvals by filing an application for public hearing in accordance with Chapter 34.

² See FN1.