

Exhibit B

ADMINISTRATIVE APPROVAL COP2011-00034

ADMINISTRATIVE APPROVAL CONSUMPTION ON PREMISES LEE COUNTY, FLORIDA

WHEREAS, Bell Tower Shops, LLC filed an application for administrative approval for Consumption on Premises for a 2COP Alcoholic Beverage License with outdoor seating on a project known as World of Beer; and

WHEREAS, the subject property is located at 13499 S Cleveland Avenue #A108, described more particularly as:

LEGAL DESCRIPTION: In Section 24, Township 45 South, Range 24 East, Lee County, Florida:

See Exhibit "A"

WHEREAS, the applicant has indicated the property's current STRAP number is 24-45-24-00-00005.1000; and

WHEREAS, the subject property is located in the Intensive Development Future Land Use Category as designated by the Lee Plan; and

WHEREAS, Bell Tower Shops LLC, the owner of the subject parcel, has authorized David Douglas Associates, Inc., Linda Stewart, to act as agent to pursue this application; and

WHEREAS, the subject property is zoned C-1 and permits a bar with administrative or by special exceptional approval; and

WHEREAS, the bar is located within a shopping plaza surrounded by parking area, and is not within 500 feet to any religious facility, school, daycare, park or dwelling unit; and

WHEREAS, the applicant is requesting approval for a 2-COP (beer and wine) alcoholic beverage license in conjunction with outdoor seating with a bar occupying patio space A108, 13499 S Cleveland Avenue, Fort Myers, Florida (see Site Plan, Exhibit B); and

WHEREAS, the bar will have a 1,665± square foot indoor seating area with a seating capacity of 50 and a 1,515± square foot outdoor seating area with a seating capacity of 100 (see Floor Plan, Exhibit C); and

WHEREAS, the Lee County Land Development Code provides for certain administrative approvals for Consumption on Premises; and

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

WHEREAS, the nearest residence is 940 feet to the east separated by commercial buildings and vegetation; and

WHEREAS, there will be no apparent deleterious effect of such use upon surrounding properties and the immediate neighborhood as represented by property owners within 500 feet of the premises; and

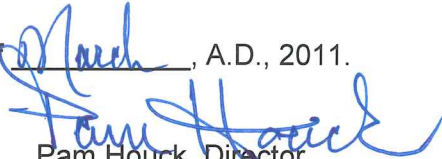
WHEREAS, the premises are suitable in regard to their location, site characteristics and intended purpose. Lighting on the permitted premises must be shuttered and shielded from surrounding properties.

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for administrative approval for consumption on premises in conjunction with a 2COP alcoholic beverage license and a bar with outdoor seating is **APPROVED, subject to the following conditions:**

1. Consumption on premises is limited to 1,665± square foot indoor seating area with a seating capacity of 50 and a 1,515± square foot outdoor seating area with a seating capacity of 100, as depicted on the attached Site Plan (Exhibit B) and Floor Plan (Exhibit C).
2. Approval is limited to a Bar and a 2-COP license only. If any other type of license is sought, a new approval in accordance with the LDC will be required.
3. The hours for the sale and service of alcoholic beverages outdoors is limited from 10:00 a.m to 1:00 a.m. daily. The hours for the sale and service of alcoholic beverages indoors are limited from 10:00 a.m to 2:00 a.m. daily.
4. No live outdoor entertainment is permitted. Outdoor music is limited to piped-in music (means recorded background music transmitted by radio, telephone or satellite) provided the volume is kept at or below a normal conversation level.
5. A minimum of 5 feet of straight, continuous, and unobstructed breezeway space must be maintained past the outdoor seating area for pedestrian traffic.

DULY SIGNED this 23rd day of March, A.D., 2011.

BY:


Pam Houck, Director
Division of Zoning
Department of Community Development

Exhibits:

- A - Legal description
- B - Site Plan
- C - Floor Plan

EXHIBIT A

A tract or parcel of land lying in the west half (W-½) of the northwest quarter (NW-¼) of Section 24, Township 45 South, Range 24 East, Lee County, Florida which tract or parcel is described as follows:

From the concrete monument marking the intersection of the north line of said section with the easterly line of Tamiami Trail (State Road No. 45) (68 feet from the centerline) run S 01°12'46" E along said easterly line for 591.96 feet to a 60d nail and the centerline of Big Pine Way S.E. and the Point of Beginning of the herein described parcel.

From said Point of Beginning continue S 01°12'46" E along said easterly line for 49.50 feet to a concrete monument and the south line of said Big Pine Way S.E.; thence run N 89°10'00" E along said south line for 173.17 feet to an iron rod; thence run S 45°50'00" E for 21.21 feet to a drill hole; thence run S 00°50'00" E for 450.31 feet to a point of curvature; thence run southwesterly along the arc of a curve to the right of radius 90.00 feet (delta 25°00'00") (chord 38.96 feet) (chord bearing S 11°40'00" W) for 39.27 feet to an iron rod and a point of tangency; thence run S 24°10'00" W for 57.11 feet to a ¾" steel pipe; thence run S 88°47'14" W for 151.93 feet to a ¾" steel pipe and said easterly line of Tamiami Trail; thence run S 01°12'46" along said easterly line for 90.00 feet to a ¾" steel pipe; thence run N 88°47'14" E for 112.13 feet to a ¾" steel pipe; thence run southwesterly along the arc of a curve to the left of radius 157.89 feet (delta 14°55'41") (chord 41.02) (chord bearing S 06°15'04" W) for 41.14 feet to a ¾" steel pipe and a point of tangency; thence run S 01°12'46" E for 312.33 feet to a ¾" steel pipe; thence run S 88°47'14" W for 106.80 feet to a ¾" steel pipe and said easterly line of Tamiami Trail; thence run S 01°12'46" E along said easterly line for 876.30 feet to a concrete monument and an intersection with the northerly right-of-way line (120 feet from the centerline) of Daniels Parkway; thence run N 89°11'50" E along said north right-of-way line for 1078.45 feet to an iron rod and the east line of Bell Tower Drive (a 75 foot roadway easement) thence run N 01°12'32" W along said east line for 445.26 feet to an iron rod; thence run N 89°11'50" E for 177.61 feet to a ¾" steel pipe and an intersection with the east line of said west half (W-½) of the northwest quarter (NW-¼); thence run N 01°12'32" W along said east line for 1060.72 feet to a ¾" steel pipe and the southeast corner of lands described in deed recorded in Official Record Book 1815 at Page 142, Lee County Records; thence run S 89°11'50" W along the south line of said lands for 453.76 feet to a ¾" steel pipe and an intersection with the easterly line of said Bell Tower Drive; thence run N 40°40'00" W along said easterly line for 121.64 feet to a ¾" steel pipe and a point of curvature; thence run northwesterly and northerly along the arc of a curve to the right of radius 257.50 feet (delta 39°50'00") (chord 175.44 feet) (chord bearing N 20°45'00" W) for 179.02 feet to an iron rod and a point of tangency; thence run N 00°50'00" W for 123.51 feet to a PK nail and disk and the northwest corner of said lands; thence run N 89°10'00" E along the north line of said lands for 588.93 feet to a concrete monument and the northeast corner of said lands; thence run N 01°12'32" W for 37.50 feet to a ¾" steel pipe and the centerline of said Big Pine Way S.E.; thence run S 89°10'00" W along said centerline for 1256.19 feet to a 60d nail and the Point of Beginning.

SUBJECT TO AND TOGETHER WITH a roadway easement (75 feet wide) known as Big Pine Way S.E., as described in instrument recorded in Official Record Book 1555 at page 1146 of said Public Records.

TOGETHER WITH drainage and utility easements recorded in Official Record Book 1714 at page 4118 of said Public Records.

SUBJECT TO Florida Power and Light Company easements as described in instruments recorded in Official Record Book 1759 at Page 3506, Official Record Book 2376 at page 1364, and Official Record Book 2449 at Page 1874 of said Public Records.

SUBJECT TO utility easements recorded in Official Record Book 2363 at Page 1481 and Official Record Book 2423 at Page 834 of said Public Records.

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FEB 24 2011
COMMUNITY DEVELOPMENT

COP 2011-00034

APPROVED
LEGAL

BSJ 3/1/11

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SEP 08 1999

PERMIT COUNTER

**APPROVED
Plan**

Subject to Case # COP2011-00034
Date 3/23/2011

PATIO SPACE
for A108

LOCATION PLAN
NO SCALE

SANS FIFTH AVENUE

RECEIVED
FEB 24 2011

COMMUNITY DEVELOPMENT

COP 2011-00034

BELL TOWER SHOPS
LOD Patio Space for A108
Fort Myers, Florida

Burt Hill /Pollock Krieg Architects, Inc.
13099 SOUTH CLEVELAND AVENUE
SUITE 500
FORT MYERS, FLORIDA 33907
Phone: (941) 482-4761
Fax: (941) 482-0265



Dwg. No.
SK-3
Date
8-20-99

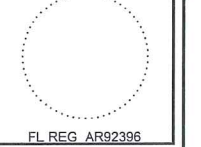
JVB
VB ARCHITECT, LLC
 Architecture • Interior Design • Planning
 1719 N. Howard Avenue
 Suite 201
 Tampa, Florida 33607
 Ph: 813.258.3233
 Fax: 813.258.3236
 FL AA26001002
 email: jvb@jvbarch.com
www.jvbarch.com
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REVISIONS	

World of Beer #A108
Bell Tower Shops
13499 S. Cleveland, Ft. Myers, FL

Joseph V. Belluccia, AIA



CERTIFY TO THE BEST OF
MY KNOWLEDGE THAT THE
DRAWINGS & SPECIFICATIONS
COMPLY WITH THE APPLICABLE
MINIMUM BUILDING CODES

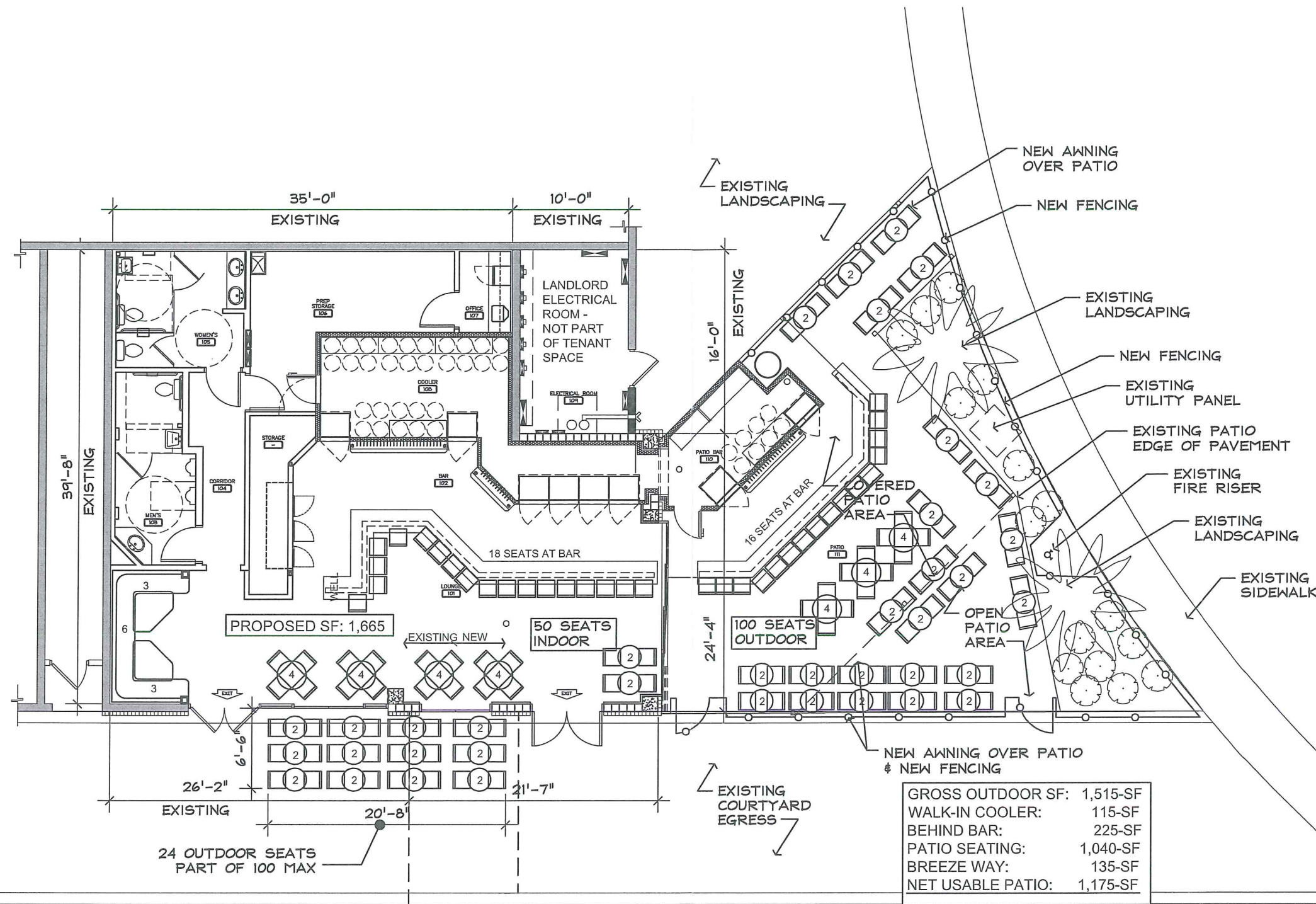
JOB NO :

DRAWN BY : _____

ISSUE DATE : _____

SHEET TITLE: _____

SHEET NUMBER |



NOT FOR CONSTRUCTION

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RECEIVED
MAR 09 2011
COMMUNITY DEVELOPMENT
COP 2011-00034

APPROVED

Plan

Subject to Case # COP2011-00034
Date 3/23/2011

WOB @ BELL TOWER 03-08-11

