

RESOLUTION OF THE LOCAL PLANNING AGENCY OF
THE TOWN OF FORT MYERS BEACH FLORIDA
RESOLUTION NUMBER 2013-011
SEZ2013-0003 Beach Bums

WHEREAS, applicants Sherry Bertucelli and Dianne Boulay have requested approval of a Special Exception in the DOWNTOWN zoning district to allow outdoor consumption of alcoholic beverages on premises on the subject property; and

WHEREAS, the subject property is located at 1190 Estero Boulevard, Fort Myers Beach, FL 33931; and

WHEREAS, the applicant has indicated that the STRAP for the subject property is 19-46-24-W4-0140B.0010 and the legal description of the subject property is CRESENT PARK BLK B PB 4 PG 39 LOT 1; and

WHEREAS, a public hearing on this matter was legally advertised and held before the Local Planning Agency (LPA) on September 17, 2013; and

WHEREAS, at the hearing the LPA gave full and complete consideration to the request of Applicant, recommendations of staff, the documents in the file, and the testimony of all interested persons, as required by Fort Myers Beach Land Development Code (LDC) Section 34-88.

IT IS HEREBY RESOLVED BY THE LPA OF THE TOWN OF FORT MYERS BEACH, FLORIDA, as follows:

Based upon the presentations by the applicant, staff, and other interested persons at the hearing, and review of the application and the standards for granting special exceptions, the LPA recommends the following findings of fact, conditions for approval, and conclusions for consideration by the Town Council:

The LPA recommends that the Town Council **APPROVE/DENY** the applicant's request for a Special Exception in the DOWNTOWN zoning district to allow outdoor consumption on premises on the subject property subject to the following conditions:

RECOMMENDED CONDITIONS OF APPROVAL:

1. Legible signs will be clearly posted at each entrance to the seating area for the areas not approved for on-premise consumption stating "Alcoholic Beverages are Prohibited Beyond this Point."
2. The COP area must be restricted by rope and posts.
3. Lighting on the outdoor seating areas must be shuttered and shielded from the surrounding properties and must comply with sea turtle lighting provisions.
4. The hours of alcohol service shall be from 11:00 AM to 1:45 AM Monday through Saturday and 11:00 AM to 11:00 PM on Sunday.
5. The outdoor seating area cannot exceed current building, fire and life safety codes for number of tables and chairs and will be re-evaluated on an annual basis for compliance.

6. No bars, tables, chairs, speakers or any other item may extend into the utility easement without written consent from the public utility(ies) entitled to utilize that easement.
7. The approved area is limited to the attached Site Plan *Exhibit B*.

RECOMMENDED FINDINGS AND CONCLUSIONS:

In accordance with the requirements of LDC Sections 34-84 and 34-88 regarding consideration of eligibility for a special exception, the LPA recommends that the Town Council make the following findings and reach the following conclusions:

1. Changed or changing conditions **do/do not** exist that make the requested approval, as conditioned, appropriate;
2. The requested special exception, as conditioned, **is/is not** consistent with the goals, objectives, policies, and intent of the Fort Myers Beach Comprehensive Plan;
3. The requested special exception, as conditioned, **meets or exceeds/does not meet or exceed** all performance and locational standards set forth for the proposed use;
4. The requested special exception, as conditioned, **will/will not** protect, conserve, or preserve environmentally critical areas and natural resources;
5. The requested special exception, as conditioned, **will/will not** be compatible with existing or planned uses and **will/will not** cause damage, hazard, nuisance or other detriment to persons or property;
6. The requested special exception, as conditioned, **will/will not** be in compliance with the applicable general zoning provisions and supplemental regulations pertaining to the use set forth in LDC Chapter 34.

The foregoing Resolution was adopted by the LPA upon a motion by LPA Member _____ and seconded by LPA Member _____, and upon being put to a vote, the result was as follows:

Hank Zuba, Chair	AYE/NAY	Joanne Shamp, Vice Chair	AYE/NAY
Al Durrett, Member	AYE/NAY	John Kakatsch, Member	AYE/NAY
Jane Plummer, Member	AYE/NAY	Alan Smith, Member	AYE/NAY
Jim Steele	AYE/NAY		

DULY PASSED AND ADOPTED THIS **17th** day of **SEPTEMBER 2013**.

Local Planning Agency of the Town of Fort Myers Beach

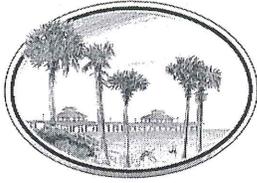
By: _____
Hank Zuba, LPA Chair

Approved as to legal sufficiency:

By: _____
Fowler White Boggs, P.A.
LPA Attorney

ATTEST:

By: _____
Michelle Mayher
Town Clerk



Town of Fort Myers Beach

DEPARTMENT OF COMMUNITY DEVELOPMENT STAFF REPORT

TYPE OF CASE: Special Exception
CASE NUMBER: SEZ2013-0003
LPA HEARING DATE: September 17, 2013
LPA HEARING TIME: 9:00 AM

I. APPLICATION SUMMARY

Applicant: Sherry Bertucelli and Dianne Boulay owners of Beach Bums Fort Myers Beach, LLC

Request: Special Exception in the DOWNTOWN zoning district to allow outdoor consumption of alcoholic beverages (2-COP) on premises

Subject property: CRESENT PARK
BLK B PB 4 PG 39
LOT 1

Physical Address: 1190 Estero Boulevard Fort Myers Beach, FL

STRAP #: 19-46-24-W4-0140B.0010

FLU: Pedestrian Commercial

Zoning: DOWNTOWN

Current use(s): Outdoor Cafe

Adjacent zoning and land uses:

North: Restaurant

	DOWNTOWN Pedestrian Commercial
South:	Residential DOWNTOWN Pedestrian Commercial
East:	Bar DOWNTOWN Pedestrian Commercial
West:	Retail DOWNTOWN Pedestrian Commercial

II. BACKGROUND AND ANALYSIS

Background:

The subject property is located at 1190 Estero Boulevard on the corner of Estero Boulevard and Canal Street. The property is owned by Lance King and is leased to business owners Sherry Bertucelli and Dianne Boulay. The business at this location is Beach Bums Fort Myers Beach, an outdoor café which operates from 11:00 AM to 2:30 AM Monday through Saturday, and 11:00 AM to 11:00 PM Sunday. Beach Bums only offers outdoor seating and has a total of six tables with umbrellas (see attached Floor Plan *Exhibit A*).

Analysis:

The subject property is located in the DOWNTOWN zoning district within close proximity to other establishments that serve alcohol and that include outdoor seating areas. This area is an intensive commercial area of the Town, and, with the exception of a few residential units, it is located generally away from the predominantly residential areas of the island. The regulations for the DOWNTOWN zoning district, as contained in LDC Section 34-678, encourage restaurants to provide outdoor seating areas located on porches or patios, mainly between enclosed buildings and the street.

The applicant is requesting approval of a special exception to allow 2-COP, outdoor consumption on premises. The 2-COP permits the sale of beer and wine only and only for consumption on premises. The applicant proposes to establish and delineate the area where alcohol may be consumed. This includes posted signs around the perimeter of the property. Along with these signs, the applicant has also offered to plant shrubs along the border of the subject property to further emphasize the permitted area. The request does not include any

area of the public right of way or any additional land area beyond the current serving area (see attached Site Plan *Exhibit B*).

The applicant is requesting permission to serve alcohol from 11:00 AM to 1:45 AM Monday through Saturday and 11 AM to 11 PM on Sundays.

The pedestrian nature of Estero Boulevard is attractive to beach-going pedestrians in the area. The applicant's outdoor cafe, Beach Bums, is among a large number of restaurants and retail uses in the DOWNTOWN zoning district, several of whom have outdoor seating.

The subject property is within the Pedestrian Commercial future land use category and the Comprehensive Plan's vision of this area specifically contemplates that this FLUM will include an intensive mix of commercial activities including outdoor uses.

In the past, Lee County and the Town issued location-specific approvals for alcoholic beverage uses which contained limitations on the number of seats, alcohol license type, hours of operation and prohibitions on live entertainment and/or music - presumably in an effort to limit potentially adverse effects on the neighboring properties and to aid with enforcement issues involving unauthorized expansions.

The applicant is requesting approval of a 2-COP allowing for the sale and the outdoor consumption on premises of beer and wine. Staff is not recommending any food sale restrictions; however, should Town Council deem it necessary, a condition of approval may be added that requires a certain percentage of food sales.

The applicant recognizes and acknowledges the responsibilities of outdoor consumption on premises and describes several ways to mitigate potential issues, such as maintaining a shrub border and posted signs. The applicant states they will restrict the outdoor consumption area by ropes and posts surrounding the subject property (see attached Floor Plan *Exhibit A*). They will also install signs that will delineate the area where consumption is allowed. The applicant is also willing to install a shrub border surrounding the subject property.

Because the subject property is located within the DOWNTOWN zoning district, which is the area where the Comprehensive Plan encourages a vibrant mix of uses for tourist and resident user alike, and because surrounding businesses and uses either already have or are requesting a similar license type, Staff is in support of the applicant's request for approval for outdoor COP.

The applicant is requesting that the hours of operation to be from 11:00 AM to 1:45 AM Monday through Saturday and 11:00 AM to 11:00 PM Sunday. This request is consistent with

surrounding businesses and, more importantly, the hours of operation for alcohol consumption as adopted in Ordinance 96-06 and state law.

Findings and Considerations:

- a. *Whether there exist changed or changing conditions [that] make approval of the request appropriate.*

As contemplated in the Comprehensive Plan, the Times Square area has continued to emerge as a vibrant urban core for the Town, and as such the area can support an intensive variety of uses that is consistent with the applicant's request.

The applicant has stated that the existing restaurant already had outdoor seating at the time the business was purchased. The applicant has already installed rope and posts on the subject property to delineate the area for consumption and is also willing to install a shrub bordering to further designate the consumption along with signs.

While there are no changing conditions at the subject property, the request remains consistent with the intended use of the area.

- e. *Whether the request is consistent with the goals, objectives, policies, and intent of the Fort Myers Beach Comprehensive Plan.*

The subject property is located in the Downtown Core area. The Comprehensive Plan describes a vision for this area that "boasts a revitalized entertainment area with tree-shaded outdoor cafes, pedestrian streets, and an 'Old Estero Island' character to the buildings." The applicant's request for outdoor COP certainly could further this goal.

The applicant's request is consistent with the Estero Boulevard Vision and contributes to the pedestrian scale and casual ambiance set forth by the goals of the Comprehensive Plan. Again, the applicant's request is in keeping with this vision, by providing an additional venue for the enjoyment of the unique outdoor environment of Fort Myers Beach.

- f. *Whether the request meets or exceeds all performance and locational standards set forth for the proposed use.*

The request of outdoor consumption on premises is not an allowable use by right on the subject property. It is however, a use permitted by special exception. The applicant's request is appropriate in this location because the subject property is located in the Downtown Core Area. The requested COP is consistent with the goals, objectives, policies and intent of the Comprehensive Plan which describes a vibrant tourist commercial district in the Downtown Core.

- g. Whether the request will protect, conserve, or preserve environmentally critical areas and natural resources.*

The proposed special exception will have no negative effect on the environmentally critical areas and natural resources of Fort Myers Beach since the subject property's location is landward of the 1978 Coastal Construction Control Line (CCCL), provided the Sea Turtle lighting standards are complied with.

- h. Whether the request will be compatible with existing or planned uses and not cause damage, hazard, nuisance, or other detriment to persons or property.*

The subject property and the area immediately surrounding it, is within the Pedestrian Commercial future land use category and the Comprehensive Plan's vision of this area does not require that it be transformed away from the established intensively commercial area. It possesses a vibrant mix of uses. The existing use is an outdoor café surrounded by many pedestrian friendly shops and restaurants. Staff feels the applicant's request is generally compatible and appropriate within this area.

- i. Whether the requested use will be in compliance with applicable general zoning provisions and supplemental regulations pertaining to the uses set forth in LDC Chapter 34.*

Staff recommends finding that the requested use, as conditioned, is in compliance with applicable zoning provisions and supplemental regulations pertaining to the use set forth in LDC Chapter 34 for the DOWNTOWN district.

III. RECOMMENDATION

Taking into consideration the current and existing conditions of the subject property, Staff recommends **APPROVAL** of the requested special exception in the DOWNTOWN zoning district for consumption on premises (2-COP).

If the Town Council chooses to approve the requested special exception, Staff recommends that approval be subject to the following conditions:

1. Legible signs will be clearly posted at each entrance to the seating area for the areas not approved for on-premise consumption stating "Alcoholic Beverages are Prohibited Beyond this Point."
2. The COP area must be restricted by rope and posts.
3. Lighting on the outdoor seating areas will be shuttered and shielded from the surrounding properties and will comply with sea turtle lighting provisions.
4. The hours of alcohol service will be from 11:00 AM to 1:45 AM Monday through Saturday and 11:00 AM to 11:00 PM on Sunday.

5. The outdoor seating area cannot exceed current building, fire and life safety codes for number of tables and chairs and will be re-evaluated on an annual basis for compliance.
6. No bars, tables, chairs, speakers or any other item may extend into the utility easement without written consent from the public utility(ies) entitled to utilize that easement.
7. The approved area is limited to the attached Site Plan *Exhibit B*.

IV. CONCLUSION

Regulations for the DOWNTOWN zoning district encourage outdoor dining, and many restaurants within the district have capitalized on this vision of the Comprehensive Plan and are providing outdoor seating areas.

The area surrounding the subject property is a very pedestrian friendly area, and aside from a minimal number of residential units, it is located generally away from the intensely residential areas of the island. Thus, the request the licensed outdoor consumption on premises is appropriate at this location. The applicant has offered to install a shrub around the premises and to put up signs signifying where alcohol is permitted. The applicants have stated they are willing to responsibly control their patrons. When considering the context and compatibility of the subject property's use and, tempered with the conditions listed previously, Staff finds that allowing the sale and consumption beer and wine at the aforementioned times are compatible and appropriate uses.

If Town Council finds that the requested use is contrary to the public interest or the health, safety, comfort, convenience, and/or welfare of the citizens of the Town, or that the request is in conflict with the criteria of LDC Section 34-88, Town Council should deny the request as provided in LDC Section 34-88(4). If Town Council chooses to approve the request, special conditions necessary to protect the health, safety, comfort, convenience, or welfare of the public may be attached if Council finds that such conditions are reasonably related to the requested special exception. Staff has recommended conditions for the Town Council's convenience.

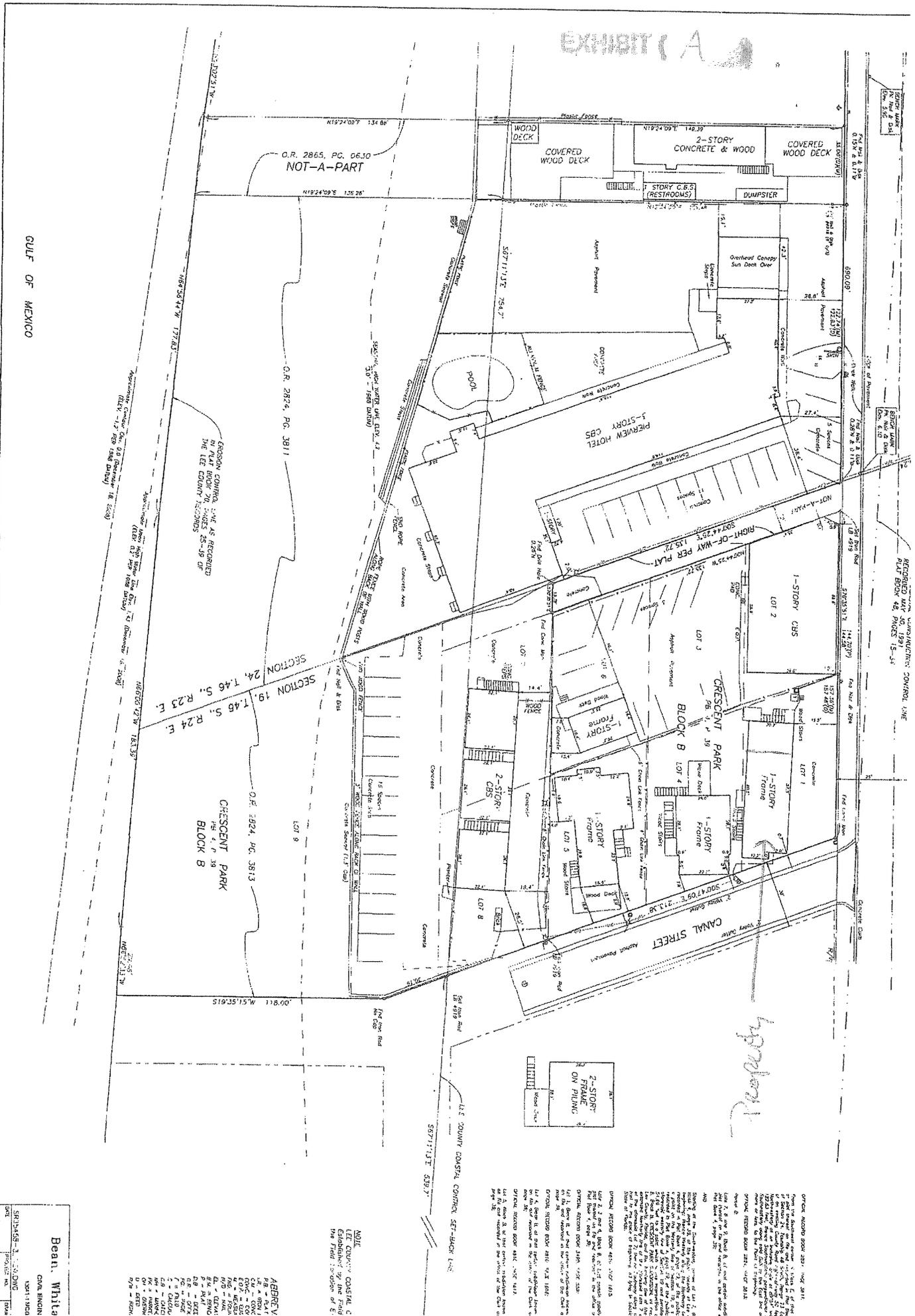
Staff recommends **APPROVAL** of the requested special exception, as conditioned.

Exhibits:

Exhibit A – Floor Plan
Exhibit B – Site Plan

EXHIBIT (A)

GULF OF MEXICO



RECORDED MAP NO. 20,000,000 CONTROL LINE
 PLAT BOOK 42, PAGE 15-31

Property

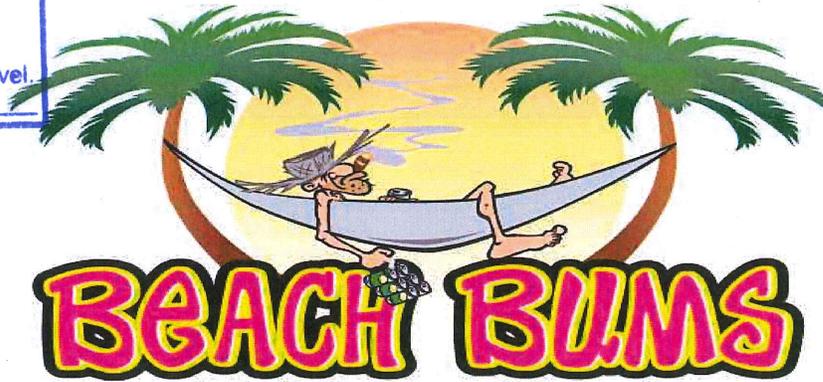
NOTE
 1. SEE COUNTY CONTROL LINE
 2. SEE PLAT BOOK 42, PAGE 15-31
 3. SEE PLAT BOOK 42, PAGE 15-31
 4. SEE PLAT BOOK 42, PAGE 15-31
 5. SEE PLAT BOOK 42, PAGE 15-31
 6. SEE PLAT BOOK 42, PAGE 15-31
 7. SEE PLAT BOOK 42, PAGE 15-31
 8. SEE PLAT BOOK 42, PAGE 15-31
 9. SEE PLAT BOOK 42, PAGE 15-31
 10. SEE PLAT BOOK 42, PAGE 15-31
 11. SEE PLAT BOOK 42, PAGE 15-31
 12. SEE PLAT BOOK 42, PAGE 15-31
 13. SEE PLAT BOOK 42, PAGE 15-31
 14. SEE PLAT BOOK 42, PAGE 15-31
 15. SEE PLAT BOOK 42, PAGE 15-31
 16. SEE PLAT BOOK 42, PAGE 15-31
 17. SEE PLAT BOOK 42, PAGE 15-31
 18. SEE PLAT BOOK 42, PAGE 15-31
 19. SEE PLAT BOOK 42, PAGE 15-31
 20. SEE PLAT BOOK 42, PAGE 15-31
 21. SEE PLAT BOOK 42, PAGE 15-31
 22. SEE PLAT BOOK 42, PAGE 15-31
 23. SEE PLAT BOOK 42, PAGE 15-31
 24. SEE PLAT BOOK 42, PAGE 15-31
 25. SEE PLAT BOOK 42, PAGE 15-31
 26. SEE PLAT BOOK 42, PAGE 15-31
 27. SEE PLAT BOOK 42, PAGE 15-31
 28. SEE PLAT BOOK 42, PAGE 15-31
 29. SEE PLAT BOOK 42, PAGE 15-31
 30. SEE PLAT BOOK 42, PAGE 15-31
 31. SEE PLAT BOOK 42, PAGE 15-31
 32. SEE PLAT BOOK 42, PAGE 15-31
 33. SEE PLAT BOOK 42, PAGE 15-31
 34. SEE PLAT BOOK 42, PAGE 15-31
 35. SEE PLAT BOOK 42, PAGE 15-31
 36. SEE PLAT BOOK 42, PAGE 15-31
 37. SEE PLAT BOOK 42, PAGE 15-31
 38. SEE PLAT BOOK 42, PAGE 15-31
 39. SEE PLAT BOOK 42, PAGE 15-31
 40. SEE PLAT BOOK 42, PAGE 15-31
 41. SEE PLAT BOOK 42, PAGE 15-31
 42. SEE PLAT BOOK 42, PAGE 15-31
 43. SEE PLAT BOOK 42, PAGE 15-31
 44. SEE PLAT BOOK 42, PAGE 15-31
 45. SEE PLAT BOOK 42, PAGE 15-31
 46. SEE PLAT BOOK 42, PAGE 15-31
 47. SEE PLAT BOOK 42, PAGE 15-31
 48. SEE PLAT BOOK 42, PAGE 15-31
 49. SEE PLAT BOOK 42, PAGE 15-31
 50. SEE PLAT BOOK 42, PAGE 15-31
 51. SEE PLAT BOOK 42, PAGE 15-31
 52. SEE PLAT BOOK 42, PAGE 15-31
 53. SEE PLAT BOOK 42, PAGE 15-31
 54. SEE PLAT BOOK 42, PAGE 15-31
 55. SEE PLAT BOOK 42, PAGE 15-31
 56. SEE PLAT BOOK 42, PAGE 15-31
 57. SEE PLAT BOOK 42, PAGE 15-31
 58. SEE PLAT BOOK 42, PAGE 15-31
 59. SEE PLAT BOOK 42, PAGE 15-31
 60. SEE PLAT BOOK 42, PAGE 15-31
 61. SEE PLAT BOOK 42, PAGE 15-31
 62. SEE PLAT BOOK 42, PAGE 15-31
 63. SEE PLAT BOOK 42, PAGE 15-31
 64. SEE PLAT BOOK 42, PAGE 15-31
 65. SEE PLAT BOOK 42, PAGE 15-31
 66. SEE PLAT BOOK 42, PAGE 15-31
 67. SEE PLAT BOOK 42, PAGE 15-31
 68. SEE PLAT BOOK 42, PAGE 15-31
 69. SEE PLAT BOOK 42, PAGE 15-31
 70. SEE PLAT BOOK 42, PAGE 15-31
 71. SEE PLAT BOOK 42, PAGE 15-31
 72. SEE PLAT BOOK 42, PAGE 15-31
 73. SEE PLAT BOOK 42, PAGE 15-31
 74. SEE PLAT BOOK 42, PAGE 15-31
 75. SEE PLAT BOOK 42, PAGE 15-31
 76. SEE PLAT BOOK 42, PAGE 15-31
 77. SEE PLAT BOOK 42, PAGE 15-31
 78. SEE PLAT BOOK 42, PAGE 15-31
 79. SEE PLAT BOOK 42, PAGE 15-31
 80. SEE PLAT BOOK 42, PAGE 15-31
 81. SEE PLAT BOOK 42, PAGE 15-31
 82. SEE PLAT BOOK 42, PAGE 15-31
 83. SEE PLAT BOOK 42, PAGE 15-31
 84. SEE PLAT BOOK 42, PAGE 15-31
 85. SEE PLAT BOOK 42, PAGE 15-31
 86. SEE PLAT BOOK 42, PAGE 15-31
 87. SEE PLAT BOOK 42, PAGE 15-31
 88. SEE PLAT BOOK 42, PAGE 15-31
 89. SEE PLAT BOOK 42, PAGE 15-31
 90. SEE PLAT BOOK 42, PAGE 15-31
 91. SEE PLAT BOOK 42, PAGE 15-31
 92. SEE PLAT BOOK 42, PAGE 15-31
 93. SEE PLAT BOOK 42, PAGE 15-31
 94. SEE PLAT BOOK 42, PAGE 15-31
 95. SEE PLAT BOOK 42, PAGE 15-31
 96. SEE PLAT BOOK 42, PAGE 15-31
 97. SEE PLAT BOOK 42, PAGE 15-31
 98. SEE PLAT BOOK 42, PAGE 15-31
 99. SEE PLAT BOOK 42, PAGE 15-31
 100. SEE PLAT BOOK 42, PAGE 15-31

Bean, White
 CIVIL ENGINEER
 13011-1-100
 4-20-07
 15-38
 193

Town of Fort Myers Beach

AUG 12 2013

Received Community Devel.



Ft. Myers Beach

1190 Estero Blvd.

(239) 314-5384

www.BeachBumsFtMyersBeach.com

ADDEDUM TO NARRATIVE FOR SPECIAL EXCEPTION REQUEST: OUTDOOR CONSUPTION ON PREMISE 2COP

To whom it may concern,

Our Business qualifies for a special exception because we are consistent with other businesses having the same usage of outdoor consumption on premise within the downtown core and Estero blvd. district.

Our planned hours of alcohol service of beer and wine will be 11 am to 1:45 am Monday-Saturday and 11 am to 11pm on Sundays

- a. Whether there exist change or changing conditions which make approval of the request appropriate:

The approval of this request is appropriate **BECAUSE**, This was already an existing restaurant with outdoor seating when we purchased the business. We have made changes by installing crowd control roping designating the appropriate areas to consume alcohol on premise. We also will be making immediate future changes by adding shrubs on the corner of the outdoor area for dining to further designate appropriate consumption area with signs saying "No alcohol beyond this point"

Our request for a special exception also provides changes that encourage the redevelopment that furthers the vision for the downtown core area.

- e. Whether the request is consistent with the goals, objective, policies and intent of the Fort Myers Beach Comprehensive Plan:

Our request meets with the goals, objective, policies and intent of the Fort Myers Beach Comprehensive Plan **BECAUSE**, our business is part of the Estero Blvd. Vision. Our newly refurbished structure frames the street and contributes to

the pedestrian scale and casual ambiance which meets the goals and policies of the Fort Myers Beach Comprehensive intent.

- f. Whether the request meets or exceeds all performance and locational standards set forth for the proposed use:

Our request meets or exceeds all performance and locational standards set forth for the proposed use **BECAUSE, our request is consistent with the locational standards usage within our area. We are on a private property with public improvements that are part of the Core Area Vision for outdoor cafés and pedestrian streets.**

- g. Whether the request will protect, conserve, or preserve environmentally critical areas and natural resources:

This request Will protect, conserve, and preserve environmentally critical areas and natural resources **BECAUSE, Our Business will have NO impact based on Location to environmentally critical areas and natural resources.**

- h. Whether the request will be compatible with existing or planned uses and not cause damage, hazard, nuisance, or other detriment to persons or property:

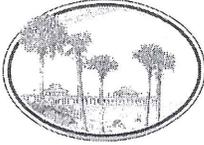
Our request is compatible with the existing use and will not cause damage, hazard, nuisance, or other detriment to persons or property **BECAUSE, our existing use is already an outdoor café. The special exception request for outdoor consumption on premises goes hand in hand with the Core area Vision for outdoor cafes and pedestrian streets that are consistent and compatible with the surrounding businesses in the core area and Downtown area.**

- i. Whether a requested use will be in compliance with applicable general zoning provisions and supplemental regulation pertaining to the use set forth in this chapter:

Our requested use is in complete compliance **BECAUSE, we have provided you with all of the documentation that proves we are within the general zoning provisions that pertain to the use in this chapter. There are several Adjacent properties within 100 ft of our site that are consistant with the special exception we are requesting. Surf Club is directly across the street from us and The Blue Whale diagonally from us both are with in the zoning and both have outdoor consumption on premise. In addition, we have provided a statement that shows how our property qualifies for the special exception requested, the current use of all existing structures, a site plan, and all other documentation requested for this application to be considered.**

Thank you for your time and consideration

Sherry Bertucelli
Dianne Boulay
Owners of Beach Bums Ft. Myers Beach



Town of Fort Myers Beach

Community Development
2523 Estero Blvd Fort Myers Beach, Florida 33931
Phone: 239-765-0202 Fax: 239-765-0591

August 8, 2013

Sherry Bertucelli
Beach Bums
1190 Estero Blvd.
Fort Myers Beach, FL 33931

Re: SEZ2013-0003
Outdoor COP for Beach Bums

Dear: Ms. Bertucelli,

The Community Development Department has reviewed the information provided for the above zoning application. The Town of Fort Myers Beach Land Development Code (LDC) required additional information for the application to be found sufficient. Please respond to each requirement not satisfied on the attached sufficiency checklists. For your assistance, we have enclosed any additional memoranda from the various other Town reviewing departments.

If you do not provide the requested supplements or corrections within 60 calendar days of this letter, the LDC requires that this application be considered withdrawn. Please feel free to contact me if you have any questions or require further clarification.

Sincerely,

Leslee Dulmer
Zoning Coordinator
Town of Fort Myers Beach
Community Development

Town of Fort Myers Beach

Community Development

2523 Estero Blvd Fort Myers Beach, Florida 33931

Phone: 239-765-0202 Fax: 239-765-0591

ZONING REVIEW – Shane Marit

The application and drawings submitted for the referenced project have been reviewed in accordance with the LDC, Florida Statutes as well as other applicable codes and ordinances as adopted by the Town of Fort Myers Beach. Your application requires the following additional information:

Please specifically address the following statements from the LDC Section 34-88 (2):

Note: These narratives should include a specific reason why you believe your property and site conditions relate to each statement. Be sure to be as detailed as possible. Please be encouraged to provide as much information as possible. This information is required to conduct an analysis of the special exception request.

- a. Whether there exist changed or changing conditions which make approval of the request appropriate.
- e. Whether the request is consistent with the goals, objective, policies and intent of the Fort Myers Beach Comprehensive Plan.
- f. Whether the request meets or exceeds all performance and locational standards set forth for the proposed use.
- g. Whether the request will protect, conserve, or preserve environmentally critical areas and natural resources.
- h. Whether the request will be compatible with existing or planned uses and not cause damage, hazard, nuisance, or other detriment to persons or property.
- i. Whether a requested use will be in compliance with applicable general zoning provisions and supplemental regulations pertaining to the use set forth in this chapter.

Please make the corrections and resubmit with the necessary information so we can process your application. Please note that these comments represent only those of the reviewer signing below. Other comments may be forthcoming, and a re-submittal shall not occur until all reviewer comments are addressed.

Shane Marit

Community Development Department Intern

DCDintern@fortmyersbeachfl.gov

239-765-0202

TOWN OF
FORT MYERS BEACH

AUG - 8 2013

RECEIVED BY

8/7/13

Hi Leslee & Shane,

This should Be
Everything you needed

Let Me know if There is
Anything Else!!

Town of Fort Myers Beach

Community Development
2523 Estero Blvd Fort Myers Beach, Florida 33931
Phone: 239-765-0202 Fax: 239-765-0591

ZONING REVIEW - Shane Marit

The application and drawings submitted for the referenced project have been reviewed in accordance with the LDC, Florida Statutes as well as other applicable codes and ordinances as adopted by the Town of Fort Myers Beach. Your application requires the following additional information:

Part I - General Information

A. Indicate Applicant Name

Part IV - Property Ownership

Please check either Single Owner or Multiple Owners (if you select multiple owners, please also check one of the four choices)

Supplement PH-A Part 2

Site Plan - Specify where the outdoor consumption will be limited to.

For Consumption of Alcoholic Beverages (COP) license approval:

B. Please indicate the planned hours of alcohol service

Please specifically address the following statements from the LDC Section 34-88 (2):

- a. Whether there exist changed or changing conditions which make approval of the request appropriate.
- e. Whether the request is consistent with the goals, objective, policies and intent of the Fort Myers Beach Comprehensive Plan.
- f. Whether the request meets or exceeds all performance and locational standards set forth for the proposed use.
- g. Whether the request will protect, conserve, or preserve environmentally critical areas and natural resources.
- h. Whether the request will be compatible with existing or planned uses and not cause damage, hazard, nuisance, or other detriment to persons or property.
- Whether a requested use will be in compliance with applicable general zoning provisions and supplemental regulations pertaining to the use set forth in this chapter.

Please make the corrections and resubmit with the necessary information so we can process your application. Please note that these comments represent only those of the reviewer signing below. Other comments may be forthcoming, and a re-submittal shall not occur until all reviewer comments are addressed.

Shane Marit
Community Development Department Intern
DCDintern@fortmyersbeachfl.gov
239-765-0202



**ADDEDUM TO NARRATIVE FOR SPECIAL EXCEPTION REQUEST:
OUTDOOR CONSUPTION ON PREMISE 2COP**

To whom it may concern,

Our Business qualifies for a special exception because we are consistent with other businesses having the same usage of outdoor consumption on premise.

Our planned hours of alcohol service of beer and wine will be 11 am to 1:45 am Monday-Saturday and 11 am to 11pm on Sundays

- a. Whether there exist change or changing conditions which make approval of the request appropriate: **We have crowd control roping designating the appropriate areas to consume on premise. We also will be adding shrubs on the corner of the outdoor area for dining to further designate appropriate consumption area with signs saying "No alcohol beyond this point"**
- e. Whether the request is consistent with the goals, objective, policies and intent of the Fort Myers Beach Comprehensive Plan: **Yes, Our request DOES meet with the goals, objective, policies and intent of the Fort Myers Beach Comprehensive Plan.**
- f. Whether the request meets or exceeds all performance and locational standards set forth for the proposed use: **Yes, our request is consistant with the locational standards with usage**
- g. Whether the request will protect, conserve, or preserve environmentally critical areas and natural resources: **Our Business will have NO impact based on Location**
- h. Whether the request will be compatible with existing or planned uses and not cause damage, hazard, nuisance, or other detriment to persons or property: **Yes, our request is compatible with the existing use and will not cause damage, hazard, nuisance, or other detriment to persons or property.**
- i. Whether a requested use will be in compliance with applicable general zoning provisions and supplemental regulation pertaining to the use set for the in this chapter: **Yes, our request/use is in complete compliance with all provisions and regulations**

Thank you for your time and consideration

Sherry Bertucelli
Dianne Boulay
Owners of Beach Bums Ft. Myers Beach



Town of Fort Myers Beach

Community Development
2523 Estero Blvd Fort Myers Beach, Florida 33931
Phone: 239-765-0202 Fax: 239-765-0591

August 5, 2013

Sherry Bertucelli
Beach Bums
1190 Estero Blvd.
Fort Myers Beach, FL 33931

Re: SEZ2013-0003
Outdoor COP for Beach Bums

Dear: Ms. Bertucelli,

The Community Development Department has reviewed the information provided for the above zoning application. The Town of Fort Myers Beach Land Development Code (LDC) required additional information for the application to be found sufficient. Please respond to each requirement not satisfied on the attached sufficiency checklists. For your assistance, we have enclosed any additional memoranda from the various other Town reviewing departments.

If you do not provide the requested supplements or corrections within 60 calendar days of this letter, the LDC requires that this application be considered withdrawn. Please feel free to contact me if you have any questions or require further clarification.

Sincerely,

Leslee Dulmer
Zoning Coordinator
Town of Fort Myers Beach
Community Development

PART I - General Information

A. Applicant*: BEACH BUMS FT. MYERS BEACH, INC Phone: (239) 314-5384

SHERRY BERTUCELLI, DIANE BOULAY
*Applicant must submit a statement under oath that he/she is the authorized representative of the property owner.
Please see PART III to complete the appropriate Affidavit form for the type of applicant.

Applicant Mailing Address: 1190 ESTERO BLVD, FT. MYERS BEACH, FL 33931

Email: BEACHBUMSFTMYERSBEACH@YAHOO.COM Fax: N/A

Contact Name: SHERRY BERTUCELLI Phone: cell (407) 760-7585

B. Relationship of Applicant to subject property:

- | | | |
|---|--|--|
| <input type="checkbox"/> Owner* | <input type="checkbox"/> Land Trust* | <input type="checkbox"/> Partnership* |
| <input checked="" type="checkbox"/> Corporation* | <input type="checkbox"/> Association* | <input type="checkbox"/> Condominium* |
| <input type="checkbox"/> Subdivision* | <input type="checkbox"/> Timeshare Condo* | <input type="checkbox"/> Contract Purchaser* |
| <input type="checkbox"/> Authorized Representative* | <input checked="" type="checkbox"/> Other* (please indicate) <u>TENANT</u> | |

*Applicant must submit a statement under oath that he/she is the authorized representative of the property owner.
Please see PART III to complete the appropriate Affidavit form for the type of applicant.

C. Authorized Agent(s). Please list the name of Agent authorized to receive correspondence Agents

Name: SHERRY BERTUCELLI Phone: (407) 760-7585

Address: 1190 ESTERO BLVD FMB FL 33931

Email: BEACHBUMSFTMYERSBEACH@YAHOO.COM Fax: N/A

D. Other Agent(s). Please list the names of all Authorized Agents (attach extra sheets if necessary)

Name: DIANNE BOULAY Phone: (727) 434-0768

Address: 1190 ESTERO BLVD FMB FL 33931

Email: BEACHBUMSFTMYERSBEACH@YAHOO.COM Fax: N/A

Name: CINDY BANSIGNORI Phone: (727) 434-2110

Address: 1190 ESTERO BLVD FMB FL 33931

Email: BEACHBUMSFTMYERSBEACH, FLA@YAHOO.COM Fax: N/A

Name: _____ Phone: _____

Address: _____

Email: _____ Fax: _____

PART II - Nature of Request

Requested Action (each request requires a separate application)

- Special Exception
- Variance from LDC Section _____ - _____
- Conventional Rezoning from _____ to _____
- Planned Development
 - Rezoning from _____ to Commercial PD Residential PD
 - Amendment. List the project number: _____
 - Extension/reinstatement of Master Concept Plan. List project number: _____
- Appeal of Administrative Action
- Vacation Right-of-Way Easement
- Other. Please Explain: _____

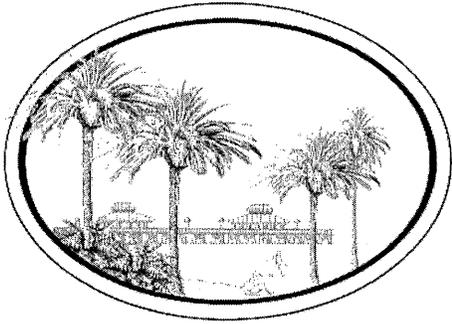
PART III - Waivers

Please indicate any specific submittal items that have been waived by the Director for the request. Attach a copy of the signed approval as Exhibit 3-1. (Use additional sheets if necessary)

- ~~Code Section: _____ Description: _____~~
- ~~Code Section: _____ Description: _____~~
- ~~Code Section: _____ Description: _____~~

PART IV - Property Ownership

- Single Owner (individual or husband and wife)
 - Name: LANCE KING Phone: 705-768-2000
 - Mailing Address: 50 DAKOTA AVE Ft Myers Beach FL 33931
 - Email: LANCEKING@BELLNET.CA Fax: _____



RECEIPT

Town of Fort Myers Beach

2523 Estero Blvd
Fort Myers Beach, FL 33931
Phone: (239) 765-0202

1188/1190 ESTERO BLVD
FORT MYERS BEACH, FL 33931
SPECIAL EXCEPTION/CONSUME ON PREMISES

Project No: SEZ2013-0003

Receipt No: P654

Fee Description

Fee Amount

PUBLIC HEARING

Special Exception	01.000.329.3203	\$ 4,000.00
-------------------	-----------------	-------------

Total Fees Paid:

\$ 4,000.00

Date Paid: 06/28/2013

Paid By: Beach Bums Fort Myers Beach In

Pay Method: CHECK 1039

Received By: LESLEE CHAPMAN

CUSTOMER

ORIGINAL



Town of Fort Myers Beach

COMMUNITY DEVELOPMENT DEPARTMENT

APPLICATION for PUBLIC HEARING

This is a two part application. Please be sure to fill out this form, which requires general information, as well as the Supplemental Form application specific to action requested for the subject property. Please submit *one ORIGINAL paper copy, eleven (11) copies and one digital/electronic copy* of all required applications, supplemental information, exhibits and documents. Please do not print and copy the instructions at the end of the application.

PROJECT NUMBER: SE22013-0003 DATE: 6/27/13

Site Address: 1190 ESTERO BLVD. FMB, FL 33931

STRAP Number: 19-46-24-W4-0140 B0010

Applicant: BEACH BUMS FT. MYERS BEACH, INC Phone: (239) 314-5384

Contact Name: SHERY BERTUCCI Phone: (407) 760-7585

Email: BEACHBUMSFTMYERSBEACH@YAHOO.COM Fax: N/A

Current Zoning District: DOWNTOWN

Future Land Use Map (FLUM) Category: PEDESTRIAN COMMERCIAL

FLUM Density Range: N/A Platted Overlay: YES NO

ACTION REQUESTED

SUPPLEMENTAL FORM REQUIRED

- Special Exception
- Variance
- Conventional Rezoning
- Planned Development Commercial Residential
- Master Concept Plan Extension
- Appeal of Administrative Action
- Vacation of Platted Right-of-way and Easement
- Other - cite LDC Section: _____

- PH-A
- PH-B
- PH-C
- PH-D
- PH-E
- PH-F
- PH-G
- attach on separate sheet

PART I - General Information

A. Applicant*: _____ Phone: (239) 314-5384

**Applicant must submit a statement under oath that he/she is the authorized representative of the property owner.
Please see PART III to complete the appropriate Affidavit form for the type of applicant.*

Applicant Mailing Address: 1190 ESTERO BLVD, Ft. Myers Beach, FL 33931

Email: BEACHBUMSFTMYERSBEACH@YAHOO.COM Fax: N/A

Contact Name: Sherry Bertucci Phone: cell (407) 760-7585

B. Relationship of Applicant to subject property:

- | | | |
|---|--|--|
| <input type="checkbox"/> Owner* | <input type="checkbox"/> Land Trust* | <input type="checkbox"/> Partnership* |
| <input checked="" type="checkbox"/> Corporation* | <input type="checkbox"/> Association* | <input type="checkbox"/> Condominium* |
| <input type="checkbox"/> Subdivision* | <input type="checkbox"/> Timeshare Condo* | <input type="checkbox"/> Contract Purchaser* |
| <input type="checkbox"/> Authorized Representative* | <input checked="" type="checkbox"/> Other* (please indicate) <u>TENANT</u> | |

**Applicant must submit a statement under oath that he/she is the authorized representative of the property owner.
Please see PART III to complete the appropriate Affidavit form for the type of applicant.*

C. Authorized Agent(s). Please list the name of Agent authorized to receive correspondence Agents

Name: SHERRY Bertucci Phone: (407) 760-7585

Address: 1190 ESTERO BLVD FMB FL 33931

Email: BEACHBUMSFTMYERSBEACH@YAHOO.COM Fax: N/A

D. Other Agent(s). Please list the names of all Authorized Agents (attach extra sheets if necessary)

Name: DIANNE BOULAY Phone: (727) 434-0768

Address: 1190 ESTERO BLVD FMB FL 33931

Email: BEACHBUMSFTMYERSBEACH@YAHOO.COM Fax: N/A

Name: CINDY BANSIGNORI Phone: (727) 434-2110

Address: 1190 ESTERO BLVD FMB FL 33931

Email: BEACHBUMSFTMYERSBEACH,FLA@YAHOO.COM Fax: N/A

Name: _____ Phone: _____

Address: _____

Email: _____ Fax: _____

PART II – Nature of Request

Requested Action (each request requires a separate application)

- Special Exception
 - Variance from LDC Section _____ - _____
 - Conventional Rezoning from _____ to _____
 - Planned Development
 - Rezoning from _____ to Commercial PD Residential PD
 - Amendment. List the project number: _____
 - Extension/reinstatement of Master Concept Plan. List project number: _____
 - Appeal of Administrative Action
 - Vacation Right-of-Way Easement
 - Other. Please Explain: _____
-
-

PART III – Waivers

Please indicate any specific submittal items that have been waived by the Director for the request. Attach a copy of the signed approval as Exhibit 3-1. (Use additional sheets if necessary)

- Code Section: _____ Description: _____
-
- Code Section: _____ Description: _____
-
- Code Section: _____ Description: _____
-

PART IV – Property Ownership

- Single Owner (individual or husband and wife)
 - Name: _____ Phone: _____
 - Mailing Address: _____
 - Email: _____ Fax: _____

Multiple Owners (including corporation, partnership, trust, association, condominium, timeshare, or subdivision)

- Complete Disclosure of Interest Form (see below)
- Attach list of property owners as Exhibit 4-1
- Attach map showing property owners interests as Exhibit 4-2 (for multiple parcels)
- For condominiums and timeshares see Explanatory Notes Part IV (Page 11)

DISCLOSURE OF OWNERSHIP INTEREST

STRAP: 19-46-24-W4-014080010

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 Ownership

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

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

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

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

LANE KING	85%
Sue Lownelly KING	15%
_____	_____
_____	_____
_____	_____
_____	_____

If there is a CONTRACT FOR PURCHASE, whether contingent on this 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 and Office

Percentage of Stock

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Date of Contract: _____

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

Name	Address
<u>Lance King</u>	<u>50 Dakota Ave Ft. Myers Beach Fl 33931</u>
<u>Sue Connelly-King</u>	<u>50 Dakota Ave Ft. Myers Beach Fl 33931</u>
_____	_____
_____	_____
_____	_____
_____	_____

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 certificate of compliance, a supplemental disclosure of interest must be filed.

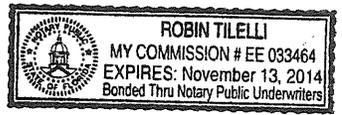
The above is a full disclosure of all parties of interest in this application, to the best of my knowledge and belief.

Robin Tilelli
 Signature

Robin Tilelli
 Printed Name
 LANCE KING

STATE OF FLORIDA)
COUNTY OF LEE)

The foregoing instrument was sworn to (or affirmed) and subscribed before me on June 12, 13 (date) by Lance King (name of person providing oath or affirmation), who is personally known to me or who has produced _____ (type of identification) as identification.



(SEAL)

Robin Tilelli
 Signature

Robin Tilelli
 Printed Name

PART V - Property Information

A. Legal Description:

STRAP: 19-46-24-W4-0140B0010

Property Address: 1190 ESTERO BLVD FMB FL 33931

Is the subject property within a platted subdivision recorded in the official Plat Books of Lee County? No. Attach a legible copy of the legal description as Exhibit 5-1.

Yes. Property identified in subdivision: _____

Book: _____ Page: _____ Unit: _____ Block: _____ Lot(s): _____

B. Boundary Survey:

Attach a Boundary Survey of the property meeting the minimum standards of Chapter 61G17-6 of the Florida Administrative Code. A Boundary Survey must bear the raised seal and original signature of a Professional Surveyor and Mapper licensed to practice Surveying and Mapping by the State of Florida. Attach and label as Exhibit 5-2.

C. Property Dimensions: - SEE ATTACHED

Width (please provide an average width if irregular in shape) _____ feet

Depth (please provide an average width if irregular in shape) _____ feet

Frontage on street: _____ feet. Frontage on waterbody: _____ feet

Total land area: _____ acres square feet

D. General Location of Subject Property (from Sky Bridge or Big Carlos Pass Bridge):

FROM THE BRIDGE AND TIMES SQUARE, THE PROPERTY IS
APPROX. 1/4 MILE AFTER THE LEFT TURN HEADING SOUTH
DIRECTLY NEXT TO NORTH OF MERMAIDS, ACROSS THE STREET
FROM SURF CLUB. DIRECTLY ON N. SIDE OF BEACH
ACCESS 36

Attach Area Location Map as Exhibit 5-3

E. Property Restrictions (check applicable):

There are no deed restrictions and/or covenants on the subject property.

A list of deed restrictions and/or covenants affecting the subject property is attached as Exhibit 5-4.

A narrative statement detailing how the restrictions/covenants may or may not affect the request is attached as Exhibit 5-5.

F. Surrounding Property Owners (these items can be obtained from the Lee County Property Appraiser):

- Attach a list of surrounding property owners within 500 feet as Exhibit 5-6.
- Attach a map showing the surrounding property owners as Exhibit 5-7.
- Provide Staff with two (2) sets of surrounding property owner mailing labels.

G. Future Land Use Category (see Future Land Use Map):

- | | |
|---|--|
| <input type="checkbox"/> Low Density | <input type="checkbox"/> Marina |
| <input type="checkbox"/> Mixed Residential | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Boulevard | <input type="checkbox"/> Wetlands |
| <input checked="" type="checkbox"/> Pedestrian Commercial | <input type="checkbox"/> Platted Overlay |

H. Zoning (see official Zoning Map):

- | | |
|--|--|
| <input type="checkbox"/> RS (Residential Single-family) | <input type="checkbox"/> CF (Community Facilities) |
| <input type="checkbox"/> RC (Residential Conservation) | <input type="checkbox"/> IN (Institutional) |
| <input type="checkbox"/> RM (Residential Multifamily) | <input type="checkbox"/> BB (Bay Beach) |
| <input type="checkbox"/> RPD (Residential Planned Development) | <input type="checkbox"/> EC (Environmentally Critical) |
| <input type="checkbox"/> CM (Commercial Marine) | <input checked="" type="checkbox"/> DOWNTOWN |
| <input type="checkbox"/> CO (Commercial Office) | <input type="checkbox"/> SANTOS |
| <input type="checkbox"/> CB (Commercial Boulevard) | <input type="checkbox"/> VILLAGE |
| <input type="checkbox"/> CR (Commercial Resort) | <input type="checkbox"/> SANTINI |
| <input type="checkbox"/> CPD (Commercial Planned Development) | |

PART VI

AFFIDAVIT

APPLICATION IS SIGNED BY AN INDIVIDUAL OWNER OR APPLICANT

I, DIANNE BOULAY swear or affirm under oath, that I am the owner or the authorized representative of the owner(s) of the property and that:

I have full authority to secure the approval(s) requested and to impose covenants and restrictions on the referenced property as a result of any action approved by the Town of Fort Myers Beach in accordance with this application and the Land Development Code;

All answers to the questions in this application and any sketches, data or other supplementary matter attached hereto and made a part of this application are honest and true;

I have authorized the staff of the Town of Fort Myers Beach Community Development to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made thru this application; and that

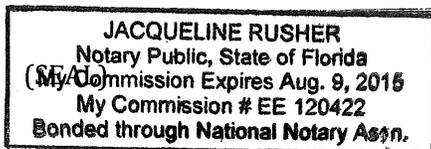
The property will not be transferred, conveyed, sold or subdivided unencumbered by the conditions and restrictions imposed by the approved action.

Dianne Boulay
Signature of owner or authorized agent

6-25-13
Date

STATE OF FLORIDA)
COUNTY OF LEE)

The foregoing instrument was sworn to (or affirmed) and subscribed before me on JUNE 25/2013 (date) by DIANNE BOULAY (name of person providing oath or affirmation), who is personally known to me or who has produced FLORIDA DRIVERS LICENSE (type of identification) as identification.



J. Rusher
Signature
JACQUELINE RUSHER
Printed Name

PART VII

AFFIDAVIT

APPLICATION IS SIGNED BY A CORPORATION, LIMITED LIABILITY COMPANY (L.L.C.), LIMITED COMPANY (L.C.), PARTNERSHIP, LIMITED PARTNERSHIP, OR TRUSTEE

I, DIANNE BOULAY (name), as Director (title) of BEACH BUMS FT MYERS BEACH, INC (company), swear or affirm under oath, that I am the owner or the authorized representative of the owner(s) of the property and that:

1. I have full authority to secure the approval(s) requested and to impose covenants and restrictions on the referenced property as a result of any action approved by the County in accordance with this application and the Land Development Code;
2. All answers to the questions in this application and any sketches, data or other supplementary matter attached hereto and made a part of this application are honest and true;
3. I have authorized 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; and that
4. The property will not be transferred, conveyed, sold or subdivided unencumbered by the conditions and restrictions imposed by the approved action.

BEACH BUMS FT. MYERS BEACH, INC.
Name of Entity (corporation, partnership, LLP, LLC, etc)

Dianne Boulay
Signature

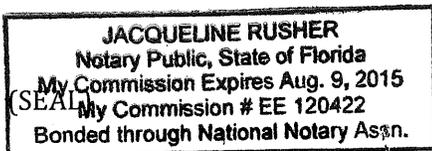
DIRECTOR
Title

DIANNE BOULAY
Typed or Printed Name

6-18-13
Date

STATE OF FLORIDA)
COUNTY OF LEE)

The foregoing instrument was sworn to (or affirmed) and subscribed before me on JUNE 24, 2013 (date) by DIANNE BOULAY (name of person providing oath or affirmation), who is personally known to me or who has produced FLORIDA DRIVERS LICENSE (type of identification) as identification.



J. Rusher
Signature
JACQUELINE RUSHER
Printed Name

EXPLANATORY NOTES

Please do not print, copy and submit these instructions

Please submit *one ORIGINAL paper copy, eleven (11) copies and one (1) digital/electronic copy* of all required applications, supplemental information, exhibits and documents.

Application fees are set by resolution of the Town Council of the Town of Fort Myers Beach and must be paid before any materials submitted will be considered an application.

The applicant is responsible for the accuracy and completeness of this application. Time delays or additional expenses necessitated by submitting inaccurate or incomplete information will be the responsibility of the applicant. Decisions regarding requests to waive submittal requirements are at the discretion of the Community Development Director and may not be appealed.

All information submitted with the application becomes a part of the public record and will be a permanent part of the file.

All attachments and exhibits must be legible, suitable for recording, and of a size that will fit or conveniently fold into a letter size (8 ½ by 11) folder.

Any oversized site plans, drawings, pictures, and similar materials should be submitted in a legible reduced format (no more than 11"x17", broken up onto multiple sheets if necessary).

Explanatory Notes – Part I

- A. Applicant's name: The applicant may be the landowner or an authorized agent.
- B. Relationship of applicant to property: Indicate if the applicant is the property owner, and if so, the type of ownership. If the applicant is not the owner of the property, indicate the relationship of the applicant to the owner and submit a notarized authorization from the owner(s) to the applicant.
- C. Agent's name: If the applicant will have others representing him/her in processing the application, indicate name, address, and phone number.
- D. Other agents: Provide contact information for any other agents that may be involved in the request.

Explanatory Notes – Part II

Indicate the requested action.

Explanatory Notes – Part III

If waiver of any application requirement has been approved by the Community Development Director, attach a copy of the approval. Please request waivers prior to applying.

Explanatory Notes – Part IV

- If the property owner is an individual or husband and wife, check the box and provide the information.
- If there are multiple property owners, complete the disclosure form and include the names and mailing addresses of all persons or entities having an ownership interest in the property, including the names of all stockholders and trust beneficiaries. Disclosure is not

- required of any entity whose interests are solely equity interests that are regularly traded on an established securities market in the United States or another country.
- If more than one parcel is involved, submit a list of all property owners and their mailing addresses. Provide a map keyed to the list of property owners showing their interests. The applicant is responsible for the accuracy of the list and map.
 - Where the property is a condominium or timeshare condominium, the application must be initiated by both the condominium association and no less than 75% of the total number of unit owners. To verify ownership, the list of property owners must be identified by unit number and/or timeshare period as applicable, along with proof that the owners who did not join in the application were given actual written notice of the application by the applicants, who must verify the list and the notice by sworn affidavit. Attach this affidavit as Exhibit 4-3. In addition, a letter of opinion from an attorney licensed to practice law in the State of Florida addressing the considerations in LDC Section 34-201(a)(1)b.3. must be attached as Exhibit 4-4.

Explanatory Notes – Part V

- A. Include the street address of the subject property. List STRAP number. If more than one parcel is involved, list all STRAP numbers. If you don't know the STRAP number, you can look up the property in the records of the Lee County Property Appraiser at <http://www.leepa.org>. If the application includes only one or more undivided platted lots within a subdivision officially recorded in the Plat Books of Lee County, Florida, identify the property by lot number(s), block if applicable, subdivision unit if applicable, subdivision name, and plat book number and page number. If the property is not one or more undivided platted lots or is in an "unrecorded" subdivision, attach a metes and bounds legal description giving accurate bearings and distances for each course. If multiple parcels are involved, the metes and bounds legal description must describe the perimeter of the entire property subject to the request. The initial point in the description must be related to at least one established identifiable real property corner, such as a government corner or a recorded corner. The bearings used in the description must be clearly referenced to a well-established and monumented line.
- B. Submit a Boundary Survey meeting the minimum technical standards for surveying set out in Chapter 61G17-6 of the Florida Administrative Code. Make sure that the surveyor is aware of any specific needs of the survey (location of Coastal Construction Lines, locations of existing structures, locations of easements, etc) that are relevant to your request. The perimeter boundary of the entire subject property should be indicated clearly with a heavy line.
- C. Provide the property dimensions or the approximate dimensions if the property is not a regular quadrilateral.
- D. Describe how to get to the property starting from either the Sky Bridge or the Big Carlos Pass Bridge (specify which).
- E. If there are any deed restrictions or covenants that might affect the requested action, provide the information.
- F. Attach a list of the surrounding property owners within 500 feet of the perimeter of the area of the request. Also include two sets of mailing labels providing the names and

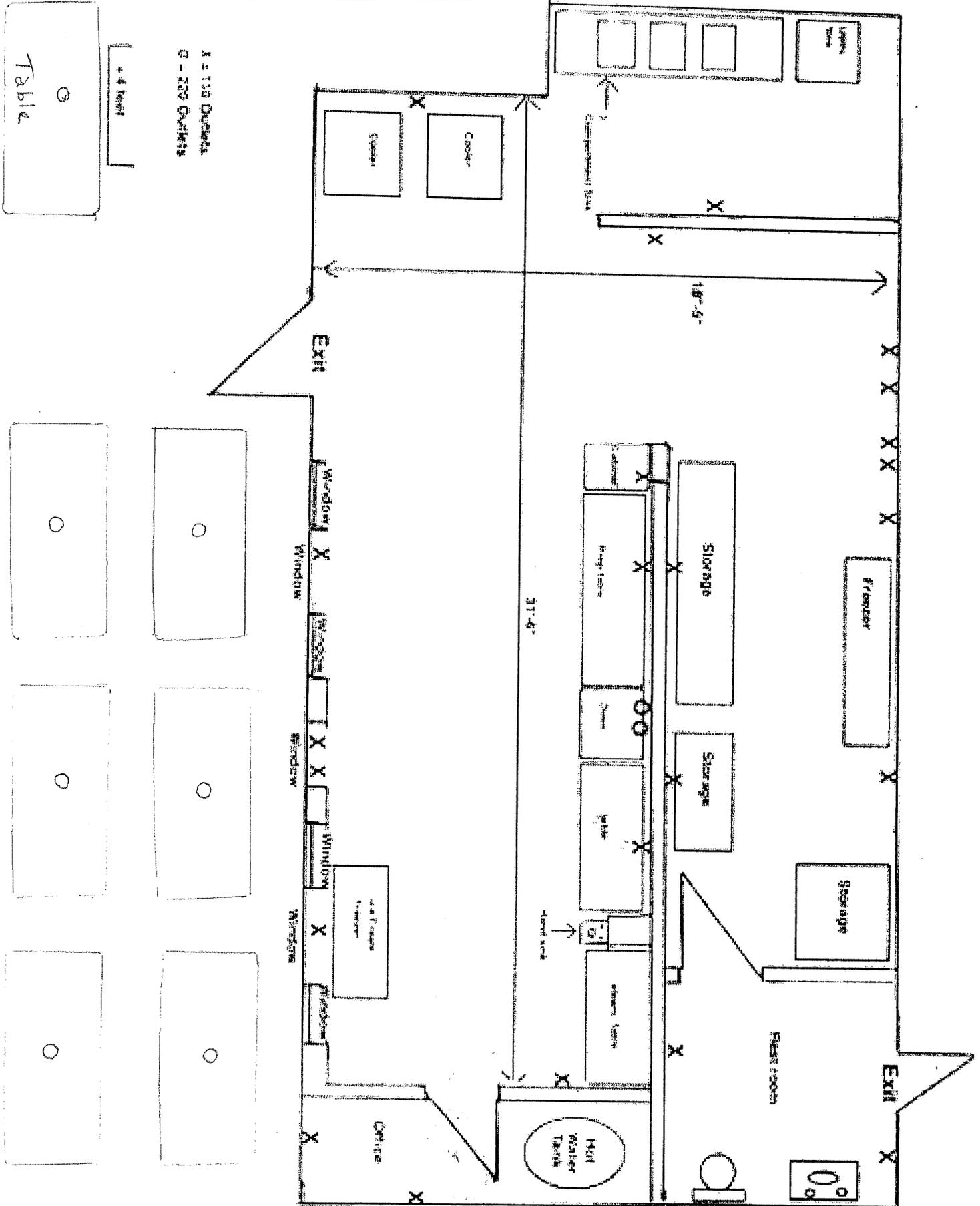
addresses of the owners on this list, and a map showing the parcel boundaries within the 500-foot radius. This information can be acquired for a small fee by requesting a “variance report” from the Map Sales Office at the Lee County Property Appraiser’s Office. Contact information for the Property Appraiser can be found at <http://www.leepa.org>.

- G. Indicate the Future Land Use Map category or categories of the property as shown on the Fort Myers Beach Comprehensive Plan’s Future Land Use Map, and whether the property is located in the “platted overlay” on the map.
- H. Indicate the current zoning of the property. In most cases the current zoning is shown on the official zoning map of the Town of Fort Myers Beach, as adopted by ordinance. If zoning actions affecting the subject property have been taken since March 2004, call Town Hall to verify the current zoning.

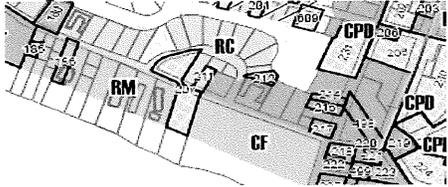
Explanatory Notes – Part VI & VII

The applicant must sign and submit either of the affidavits in Part IV & VII, as applicable.

Beach Bums Ft. Myers Beach
 1190 Estero Blvd
 Ft. Myers Beach 33931



Town of Fort Myers Beach
 Department of Community Development



Zoning Division

Supplement PH-A

**Additional Required Information for a
 Special Exception Application**

This is the second part of a two-part application. This part requests specific information for a special exception. Include this form with the Request for Public Hearing form.

Project Name:	BEACH BUMS 2 COT
Authorized Applicant:	SHERRY BERTUCELLI / DIANNE BOULAY
LeePA STRAP Number(s):	19-46-24-W4-0140B0010

Current Property Status:
Current Zoning: DOWNTOWN
Future Land Use Map (FLUM) Category: PEDESTRIAN COMMERCIAL
Platted Overlay? ___yes___no FLUM Density Range: N/A

Requested Action:

<input type="checkbox"/> Use of premises in the EC (Environmentally Critical) zoning district for:
<input type="checkbox"/> Use of premises in the <u>DOWNTOWN</u> zoning district for:
<u>OUTDOOR CONSUMPTION ON PREMISE</u>

Granting the requested Special Exception could impact surrounding properties as follows:
OUR REQUEST FOR A 2 COP OUTDOOR
CONSUMPTION ON PROPERTY HAS NO IMPACT
ON SURROUNDING PROPERTIES BASED ON OUR
LOCATION.
IN FACT IT WILL ENHANCE THE REVENUE
FOR THE TOWN OF FT. MYERS BEACH.

PART 2
Submittal Requirements

All applications for a special exception must submit fourteen (14) copies of this application form and all applicable exhibits.

Required Items

- Public Hearing Request Form
- Supplemental form PH-A
- Site Plan (to scale) including the current use of all existing structures on the site, and those on adjacent properties within 100 feet of the perimeter; all proposed structures and uses for the site; and any proposed fencing and screening.

For New Communication Towers:

- a. Lee County Application for Communication Tower
- b. Shared-Use Plan Agreement

For Consumption of Alcoholic Beverages (COP) license approval:

- ✓ a. Notarized authorization from the Property Owner to apply for permit
- b. A statement indicating the type of establishment, the type of state license to be acquired, and the planned hours of operation. Also indicate if the request includes outdoor seating areas and indicate the seating areas and capacity on the site plan.
- c. A map showing the locations of other properties within 500 feet of the request where consumption-on-premises uses are already in operation.
- d. The site plan must include the public entrances and exits to the building, the floor area and proposed seating capacity, and floor area and seating capacity of any areas within the building subdivided between restaurant and bar/lounge areas. The site plan should also indicate the parking area, including the spacing and the locations of entrances and exits.

For transit terminals:

The site plan must indicate the location of the bus stalls; commuter parking areas, if provided; taxi waiting stalls; circulation pattern for buses including the entrances and exits; and the location of any building(s) housing the terminal and waiting areas.

For use of the EC zoning district:

- a. If the location of the request is in the portion of the EC zoning district between Estero Boulevard and the Gulf of Mexico, provide a survey meeting the requirements of Chapter 62B-33.0081 of the Florida Administrative Code, also including the precise location of the (1978) Coastal Construction Setback Line for Estero Island recorded in Plat Book 33, Page 3, of the Official Records of Lee County, Florida.
- b. The site plan must indicate the precise location of the request on the subject property and any related details of the existing conditions or planned improvements to the subject property. For areas in the EC zoning district between Estero Boulevard and the Gulf of Mexico, the precise location of the request in relation to the (1978) Coastal Construction Setback Line must be shown on the site plan.

Guide to Filing Supplement PH-A for Special Exceptions

Case Number will be inserted by Community Development staff.

Project Name must be the same as the name used on the Request for Public Hearing form.

Authorized Applicant must be the same as on the Request for Public Hearing form.

STRAP numbers must be the same as on the Request for Public Hearing form.

Current status of property must be the same as on the Request for Public Hearing form.

Requested Action: Indicate the nature of the request and include the current zoning of the property.

Part 1 Narrative Statements:

“Request for...”

Indicate the nature of the request that requires a special exception, and explain why it requires a special exception. Describe the relationship of the requested use to any existing use(s) of the property, if applicable.

“The property qualifies for a special exception because...”

Explain why the request and the subject property qualify for a special exception. Address the standards for decision-making for special exceptions that are provided in the Land Development Code, as follows:

- Whether there exist changed or changing conditions which make approval of the request appropriate.
- Whether the request is consistent with the goals, objectives, policies, and intent of the Fort Myers Beach Comprehensive Plan.
- Whether the request meets or exceeds all performance and locational standards for the proposed use.
- Whether the request will protect, conserve, or preserve environmentally critical areas and natural resources.

- Whether the request will be compatible with existing or planned uses and not cause damage, hazard, nuisance, or other detriment to persons or property.
- Whether a requested use will be in compliance with the applicable general zoning provisions and supplemental regulations set forth in Chapter 34 of the Land Development Code.

“Granting the requested special exception could impact surrounding properties as follows...”

Explain how this request, if granted for the subject property, could affect the surrounding properties and the existing or planned uses on those properties.

Part 2 Submittal Requirements

Public Hearing Application Form. Applications for special exception consist of the Public Hearing form and the supplemental form PH-A. Both parts of the application form must be completed and submitted.

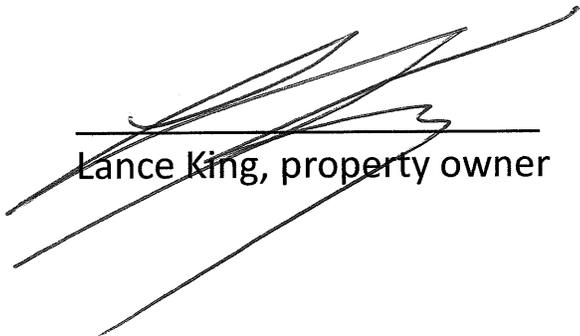
Site Plan. The site plan should be to scale and should indicate the location of the request on the property. Existing buildings and other improvements (such as swimming pools, fences, decks, or parking lots) should also be shown on the site plan. The site plan should also indicate the existing uses on adjacent properties. Also include any additional relevant detail related to the specific request.

To whom it may concern,

I, Lance King, own the property located at 1190 Estero Blvd. Ft. Myers Beach, Fl 33931. This property is rented to an establishment known as Beach Bums Ft. Myers Beach. Business Owners Sherry Bertucelli and Dianne Boulay are applying for a Beer and Wine license/permit for this location.

As owner of this property, I give Sherry Bertucelli, Dianne Boulay, and the business of Beach Bums Ft. Myers Beach, my authorization to apply for this license/permit.

If you have any further questions, please contact me 705-768-2000

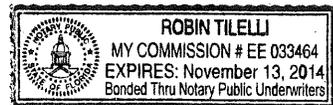


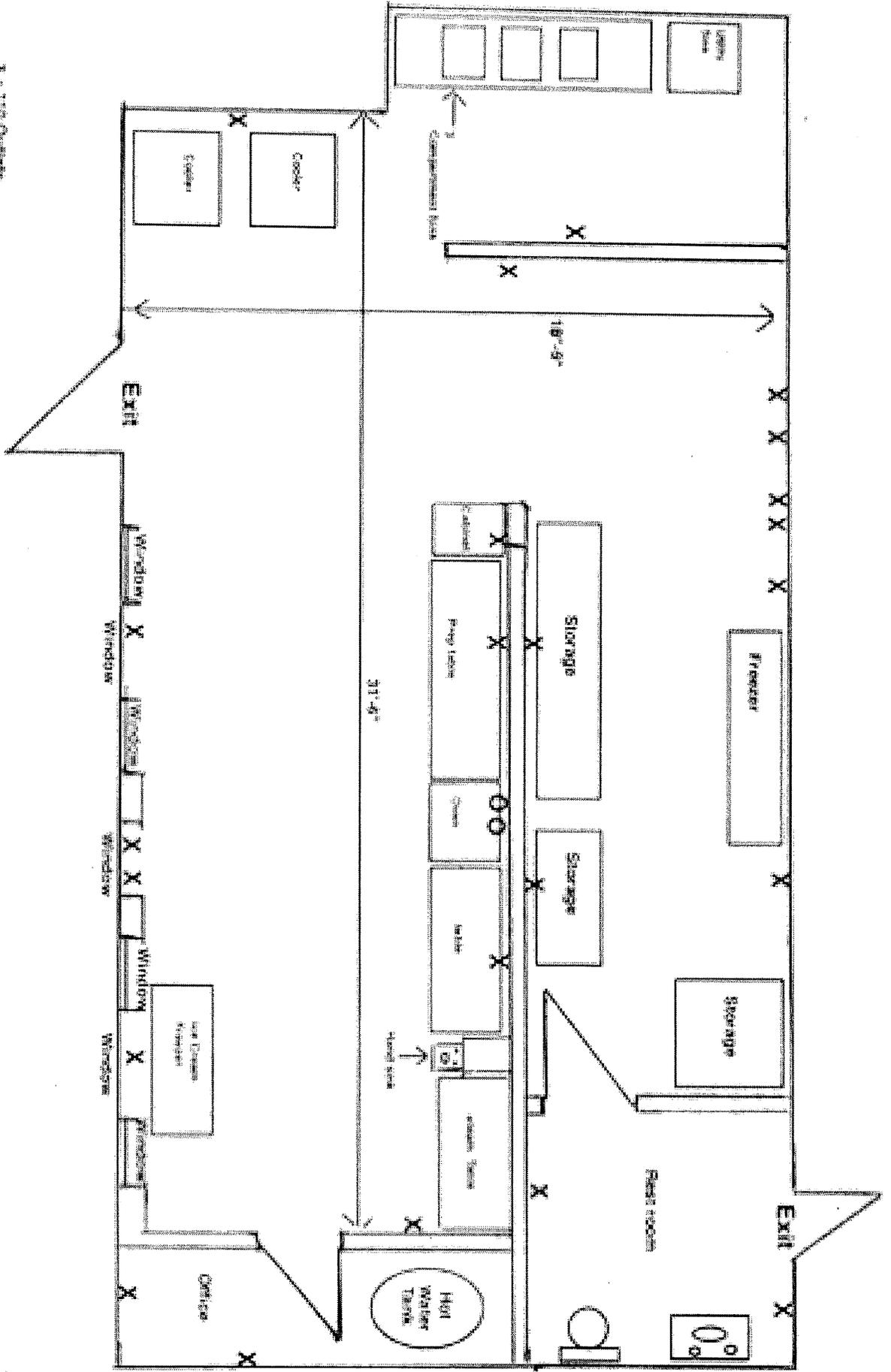
Lance King, property owner

Date June 12/13

Notary

State of FL
County of Lee
The foregoing instrument was acknowledged before me
this 12 day of June 2013
By Lance King
Personally known OR produced identification _____
Type identification produced _____
Robin Tilelli
Notary Public





3 - 110' Outside
 6 - 229' Outside



FLOOR PLAN

Beach Bums Ft. Myers Beach
1190 Estero Blvd
Fl. Myers Beach 33931

Beach Bums Ft. Myers Beach
1190 Estero Blvd
Ft. Myers Beach, Fl 33931
June 26th 2013

We the owners of Beach Bums Ft. Myers Beach, are respectfully requesting a SPECIAL EXCEPTION to be granted for the use of our property as 2 COP , outdoor consumption on premises.

Beach Bums is an outdoor café with walk up to order windows with only outdoor seating. We have 6 tables with umbrella's. We serve Pizza, subs, (for you northeasterners, grinders) salads, desserts, and we run daily specials. Beer and wine are a perfect fit for our establishment

Our hours of operation are 11 am to 2:30 am Monday thru Saturday.
11 am to 11 pm Sunday.

We understand the importance of alcohol control. Therefore we have properly marked off a dedicated established area with crowd control posts and chains that indicate the area that alcohol may be consumed. We will also be posting laminated signs at all possible exits saying "No alcohol beyond this point". And to further emphasis the designated area we are putting planted shrubs at each corner of the property area the alcohol will be consumed.

We are in the downtown area where we are consistent with the outdoor consumption on premise use with surrounding properties and the downtown Times Square Area.

Please grant our request.

Respectfully,



Sherry Bertucelli



Dianne Boulay

2013 FLORIDA PROFIT CORPORATION ANNUAL REPORT

DOCUMENT# P12000095488

Entity Name: BEACH BUMS FT MYERS BEACH INC

Current Principal Place of Business:

1190 ESTERO BLVD
FT. MYERS BEACH, FL 33931

Current Mailing Address:

1190 ESTERO BLVD
FT. MYERS BEACH, FL 33931 US

FEI Number: 46-1404662

Certificate of Status Desired: No

Name and Address of Current Registered Agent:

BERTUCELLI, SHERRY
1190 ESTERO BLVD.
FT. MYERS BEACH, FL 33931 US

The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida.

SIGNATURE: SHERRY BERTUCELLI

03/26/2013

Electronic Signature of Registered Agent

Date

Officer/Director Detail Detail :

Title P, DIRECTOR
Name BERTUCELLI SHERRY
Address 1190 ESTERO BLVD
City-State-Zip: FT. MYERS BEACH FL 33931

Title VP, DIRECTOR
Name BOULAY, DIANNE
Address 1190 ESTERO BLVD
City-State-Zip: FT. MYERS BEACH FL 33931

I hereby certify that the information indicated on this report or supplemental report is true and accurate and that my electronic signature shall have the same legal effect as if made under oath that I am an officer or director of the corporation or the receiver or trustee empowered to execute this report as required by Chapter 897, Florida Statutes; and that my name appears above, or on an attachment with all other like empowered.

SIGNATURE: SHERRY BERTUCELLI

PD

03/26/2013

Electronic Signature of Signing Officer/Director Detail

Date



Lee County Property Appraiser

Kenneth M. Wilkinson, C.F.A.

GIS Department / Map Room

Phone: (239) 533-6159 • Fax: (239) 533-6139 • eMail: MapRoom@LeePA.org

VARIANCE REPORT

Date of Report: 6/25/2013 3:05:13 PM
Buffer Distance: 500 ft
Parcels Affected: 54
Subject Parcels: 19-46-24-W4-0140B.0010

OWNER NAME AND ADDRESS	STRAP AND LOCATION	LEGAL DESCRIPTION
HUNTINGBURG PARTNERS LTD TODD MCGEE STE 1203 5294 SUMMERLIN COMMONS WAY FORT MYERS, FL 33907	24-46-23-W3-00006.0000 1133-1155 ESTERO BLVD/FIFTH ST FORT MYERS BEACH FL 33931	BUSINESS CTR PHILLIPS PB 9 PG 9 LOTS 10 THRU 15 + OR 587/198 LESS R/W 2353/3036
SHREE SOMNATH LLC 4400 FORD ST FORT MYERS, FL 33916	24-46-23-W3-00009.0000 1160 ESTERO BLVD FORT MYERS BEACH FL 33931	PARL IN SE 1/4 OF SE 1/4 SEC 24 TWP 46 RGE 23 DESC IN OR 1305 PG 0806
ESTERO BEACH HOLDINGS LLC 1429 COLONIAL BLVD STE 201 FORT MYERS, FL 33907	24-46-23-W3-00011.0000 1154 ESTERO BLVD FORT MYERS BEACH FL 33931	BEG SW COR BLK E CRESCENT PARK ADD ON E LI SEC 24 S ALG E LI SEC 53.24 FT TO S
LEE COUNTY PO BOX 398 FORT MYERS, FL 33902	24-46-23-W3-00013.0000 1100 ESTERO BLVD FORT MYERS BEACH FL 33931	PARL IN SE 1/4 SEC 24 TWN 46 R 23 S OF ESTERO BLVD AS DESC IN INST #'S 201000023675 + 201000023676
LEE COUNTY PO BOX 398 FORT MYERS, FL 33902	24-46-23-W3-00206.0010 1113 ESTERO BLVD FORT MYERS BEACH FL 33931	BUSINESS CENTER BLK 6 PB9 PG9 LTS 1-4 LESS R/W + DESC OR 1904/4451
HUNTINGBURG PARTNERS LTD D TODD MCGEE STE 1203 5294 SUMMERLIN COMMONS WAY FORT MYERS, FL 33907	24-46-23-W3-00206.0060 1150-1180 FIFTH ST FORT MYERS BEACH FL 33931	BUSINESS CENTER BLK 6 PB 9 PG 9 LOTS 6 THRU 9
VAN BURGESS ROBERT PO BOX 2717 FORT MYERS BEACH, FL 33932	19-46-24-W4-00600.Y000 125/127 PALERMO CIR FORT MYERS BEACH FL 33931	VENETIAN GARDENS BLK Y PB 6 PG 70 ALL BLK Y EXC NLY 11 FT
ABRAMOFF LAWRENCE + GLORIA 34 CHILTERN HILL DR WORCESTER, MA 01602	19-46-24-W4-0060A.0360 126 PALERMO CIR FORT MYERS BEACH FL 33931	VENETIAN GARDENS BLK A PB 6 PG 70 LOT 36 + S 1/2 OF BLK X LESS THE N 20 FT
WATTS SHEILA A TR + PO BOX 698 FORT MYERS, FL 33902	19-46-24-W4-0060A.0370 1321 SANTOS RD FORT MYERS BEACH FL 33931	VENETIAN GARDENS BLK.A PB 6 PG 70 LOT 37
LANI KAI LP ROBERT G CONIDARIS 1400 ESTERO BLVD FORT MYERS BEACH, FL 33931	19-46-24-W4-0060B.0150 1325 ESTERO BLVD FORT MYERS BEACH FL 33931	VENETIAN GARDENS BLK B PB 6 PG 70 LOTS 15
7-ELEVEN INC TAX DEPT 10319 2711 N HASKELL AVE DALLAS, TX 75204	19-46-24-W4-0060B.0160 1301 ESTERO BLVD FORT MYERS BEACH FL 33931	VENETAIN GARDENS BLK B PB 6 PG 70 LOTS 16 + 17
S + K SLOMSKI LLC 24265 TURNBERRY CT NAPERVILLE, IL 60564	19-46-24-W4-0060G.0190 139 PALERMO CIR FORT MYERS BEACH FL 33931	VENETIAN GARDENS BLK G PB 6 PG 70 LOT 19 NLY 11 FT BLK Y
TOWNLEY MARK A PO BOX 2442 FORT MYERS BEACH, FL 33932	19-46-24-W4-0060H.0220 150 PRIMO DR FORT MYERS BEACH FL 33931	VENETIAN GARDENS BLK H PB 6 PG 70 LOTS 21 + 22
140 PRIMO LLC 5450 PARK RD # 3 FORT MYERS, FL 33908	19-46-24-W4-0060H.0230 140 PRIMO DR FORT MYERS BEACH FL 33931	VENETIAN GARDENS BLK H PB 6 PG 70 LOT 23

All data is current at time of printing and subject to change without notice.
THE INFORMATION CONTAINED IN THIS REPORT IS GOVERNED BY FLORIDA STATUTE 119.071
(GENERAL EXEMPTIONS FROM INSPECTION OR COPYING OF PUBLIC RECORDS).

OWNER NAME AND ADDRESS	STRAP AND LOCATION	LEGAL DESCRIPTION
GRIFFIN MICHAEL J + SANDRA 1065 WEEPING WILLOW WAY HOLLYWOOD, FL 33019	19-46-24-W4-0060H.0240 136 PRIMO DR FORT MYERS BEACH FL 33931	VENETIAN GARDENS BLK H PB 6 PG 70 LOT 24
HIGHLEY JAY E + MARY B 124 PRIMO DR FORT MYERS BEACH, FL 33931	19-46-24-W4-0060H.0250 124 PRIMO DR FORT MYERS BEACH FL 33931	VENETIAN GARDENS BLK H PB 6 PG 70 LOT 25
MILLER JOHN T + MARTA R 122 PRIMO DR FORT MYERS BEACH, FL 33931	19-46-24-W4-0060H.0260 122 PRIMO DR FORT MYERS BEACH FL 33931	VENETIAN GARDENS BLK H PB 6 PG 70 PT LOT 26
KWSH RE LLC 2601 MULBERRY AVE MUSCATINE, IA 52761	19-46-24-W4-0060H.026A 120 PRIMO DR FORT MYERS BEACH FL 33931	VENETIAN GARDENS BLK H PB 6 PG 70 PT LOTS 26 31 32
ALEXANDER JAMES M TR 18 RIVERVIEW RD MONMOUTH BEACH, NJ 07750	19-46-24-W4-0060H.0270 121 PALERMO CIR FORT MYERS BEACH FL 33931	VENETIAN GARDENS BLK.H PB 6 PG 70 LOT 27
DOLID PETER M + JILL B 1429 JAMAICA DR SANIBEL, FL 33957	19-46-24-W4-0060H.0280 117 PALERMO CIR FORT MYERS BEACH FL 33931	VENETIAN GARDENS BLK H PB 6 PG 70 LOT 28 + PT LOTS 26 + 29
ESTERO BLVD 1263 ISABEL DR SANIBEL, FL 33957	19-46-24-W4-0060H.0300 1249 ESTERO BLVD FORT MYERS BEACH FL 33931	VENETIAN GARDENS BLK H PB 6 PG 70 LOTS 30 31+32 + PT LT 29 OR2414/2433
LANI KAI LP ROBERT G CONIDARIS 1400 ESTERO BLVD FORT MYERS BEACH, FL 33931	19-46-24-W4-0070D.0020 1400 ESTERO BLVD FORT MYERS BEACH FL 33931	CRESCENT BEACH PB 4 PG 45 BLKS D + E + VAC R/W DESC OR 1293 PG 1208
COLORADO EAST LLC DANA GOSFORD 4233 WARREN RD FRANKLIN, TN 37067	19-46-24-W4-0070F.0010 1250 ESTERO BLVD FORT MYERS BEACH FL 33931	CRESCENT PARK LTS 1 + 2 + ESTRY 2.5 FT LT 3 + CRESCENT BEACH LTS 1-5 BLK F LESS ESTRLY 45FT OF NRTHLY 2.7 LT 3
GIL JUAN C 936 STANFORD SUGAR GROVE, IL 60554	19-46-24-W4-0070F.001A 1270 ESTERO BLVD FORT MYERS BEACH FL 33931	CRESCENT BEACH BLK F PB 4 PG 45 PT LOTS 1 2 & 3 DESC IN OR 1319 PG 1459
GANIM PROPERTIES LLC 4666 MAIN ST BRIDGEPORT, CT 06606	19-46-24-W4-0140A.0010 1240 ESTERO BLVD FORT MYERS BEACH FL 33931	CRESCENT PARK PB 4 PG 39 BLK A LOTS 1 + 2 + 8 + 9
GANIM PROPERTIES LLC 4666 MAIN ST BRIDGEPORT, CT 06606	19-46-24-W4-0140A.001A 200 CANAL ST FORT MYERS BEACH FL	CRESCENT PARK PB 4 PG 39 BLK C LOT 3 LESS E 2.5 FT
VANSELOW SCOTT + 1204 ESTERO BLVD UNIT 6 FORT MYERS BEACH, FL 33931	19-46-24-W4-0140A.0030 1204/1206 ESTERO BLVD FORT MYERS BEACH FL 33931	CRESCENT PARK BLK A PB 4 PG 39 LOTS 3 THRU 7
SUMMER DAZE LP 510 BETHUNE ST PETERBOROUGH, ON K9H 3Z3 CANADA	19-46-24-W4-0140B.0020 1172/1174 ESTERO BLVD FORT MYERS BEACH FL 33931	CRESCENT PARK BLK B PB 4 PG 39 LOTS 2 + 3 + 6
SUMMER DAZE LP 510 BETHUNE ST PETERBOROUGH, ON K9H 3Z3 CANADA	19-46-24-W4-0140B.0040 231 CANAL ST FORT MYERS BEACH FL 33931	CRESCENT PARK BLK B PB 4 PG 39 LOT 4
SUMMER DAZE LP 510 BETHUNE ST PETERBOROUGH, ON K9H 3Z3 CANADA	19-46-24-W4-0140B.0050 221 CANAL ST FORT MYERS BEACH FL 33931	CRESCENT PARK BLK B PB 4 PG 39 LOT 5
SUMMER DAZE LP 510 BETHUNE ST PETERBOROUGH ONTARIO, K9H3Z3 CANADA	19-46-24-W4-0140B.0070 211 CANAL ST FORT MYERS BEACH FL 33931	CRESCENT PARK BLK B PG 4 PG 39 LTS 7 THRU 9 + LAND DESC IN OR 1305 PG 0796
ESTERO SILVER SANDS LLC 1207 ESTERO BLVD FORT MYERS BEACH, FL 33931	19-46-24-W4-0150D.0050 1207 ESTERO BLVD FORT MYERS BEACH FL 33931	CRESCENT PARK ADD BLK D PB 4 PG 46 LOTS 1 THRU 5
BISCHOFF JAMES A + JEAN B TR 21570 MADERA RD FORT MYERS BEACH, FL 33931	19-46-24-W4-0150D.0060 141 PRIMO DR FORT MYERS BEACH FL 33931	CRESCENT PARK ADD BLK D PB 4 PG 46 LT 6 + VAC R/W + LAND ADJ CANAL

OWNER NAME AND ADDRESS	STRAP AND LOCATION	LEGAL DESCRIPTION
GREENE JEFFREY W + 6040 BAYVIEW RD SAINT LEONARD, MD 20685	19-46-24-W4-0150D.0070 143 PRIMO DR FORT MYERS BEACH FL 33931	CRESCENT PARK ADD BLK D PB 4 PG 46 LT 7 + VAC R/W + LAND ADJ CANAL
PATTON THOMAS D + CHRISTINE M 153 PRIMO DR FORT MYERS BEACH, FL 33931	19-46-24-W4-0150D.0080 153 PRIMO DR FORT MYERS BEACH FL 33931	CRESCENT PARK ADD BLK D PB 4 PG 46 LT 8 + VAC R/W + LAND ADJ CANAL
BOGGS RICHARD A + MARGARET A 163 PRIMO DR FORT MYERS BEACH, FL 33931	19-46-24-W4-0150D.0090 163 PRIMO DR FORT MYERS BEACH FL 33931	CRESCENT PARK ADD BLK D PB 4 PG 46 LT 9 + VAC R/W + LAND ADJ CANAL
MALLOUS JAMES + 309 DOOLITTLE ST ORLANDO, FL 32839	19-46-24-W4-0150E.0010 1161/1165 ESTERO BLVD FORT MYERS BEACH FL 33931	CRESCENT PARK ADD BLK E PB 4 PG 46 PT LTS 1 + 2 OR0545/43LESR/W 2353/3036
CERMAKS SURF CLUB LLC 1167 ESTERO BLVD FORT MYERS BEACH, FL 33931	19-46-24-W4-0150E.001A 1167 ESTERO BLVD FORT MYERS BEACH FL 33931	CRESCENT PARK ADD BLK E PB 4 PG 46 BEG ON NLY SI CO RD 80 FT
BRIDGE GEORGE E + KIM ANN 15831 BRIARCLIFF LN FORT MYERS, FL 33912	19-46-24-W4-0150E.0030 108/116 CRESCENT ST FORT MYERS BEACH FL 33931	CRESCENT PARK ADD BLK E PB 4 PG 46 LT 3
REICH JOHN R + 120 CRESCENT ST FORT MYERS BEACH, FL 33931	19-46-24-W4-0150E.0040 118/122 CRESCENT ST FORT MYERS BEACH FL 33931	CRESCENT PARK ADD BLK E PB 4 PG 46 LT 4 + S10 FT LOT 5 LES R/W2353/3036
URSOLEO JAY F + KARIN M 1/2 + 9017 LIGON CT FORT MYERS, FL 33908	19-46-24-W4-0150E.0060 150 CRESCENT ST FORT MYERS BEACH FL 33931	CRESCENT PARK ADD BLK E PB 4 PG 46 LTS 6 + 7 + 32.67 FT ADJ + N 40 FT OF LOT 5 + VAC + ADJ CANAL LESS R/W OR2353/3036
RICHARD JOHN W TR 237 OLD SAN CARLOS BLVD FORT MYERS BEACH, FL 33931	19-46-24-W4-0150E.0080 170 CRESCENT ST FORT MYERS BEACH FL 33931	CRESCENT PARK ADD BLK E PB 4 PG 46 LT 8 + VAC R/W+ LAND ADJ LESR/WOR2353/3036
RICHARD JOHN W L/E 237 OLD SAN CARLOS BLVD FORT MYERS BEACH, FL 33931	19-46-24-W4-0150E.0090 202 CRESCENT ST FORT MYERS BEACH FL 33931	CRESCENT PARK ADD BLK E PB 4 PG 46 LOTS 9 10 + VAC + LAND ADJ LESR/W2353/3036
CRESCENT SHORE CONDO ASSOC PO BOX 2990 FORT MYERS BEACH, FL 33932	19-46-24-W4-02600.00CE CRESCENT SHORE C/E FORT MYERS BEACH FL	A CONDO LOCATED IN SEC 19 TWP 46 RGE 24 AS DESC IN OR 1464 PG 445 COMMON ELEMENTS
SHELLS COM LLC MICHAEL LEE 12771 AVIANO DR NAPLES, FL 34105	19-46-24-W4-02600.1010 1300 ESTERO BLVD 101 FORT MYERS BEACH FL 33931	CRESCENT SHORE CONDO OR 1464 PG 445 UNITS 101 102 + 103
CZAPLA MIKE J 1300 ESTERO BLVD UNIT 104 FORT MYERS BEACH, FL 33931	19-46-24-W4-02600.1040 1300 ESTERO BLVD 104 FORT MYERS BEACH FL 33931	CRESCENT SHORE CONDO OR 1464 PG 445 UNIT 104
ANDRESEN PATRICIA + EDWIN 7960 PRESERVATION DR INDIANAPOLIS, IN 46278	19-46-24-W4-02600.1050 1300 ESTERO BLVD 105 FORT MYERS BEACH FL 33931	CRESCENT SHORE CONDO OR 1464 PG 445 UNIT 105
PFÄFFINGER ELMER T TR + 230 WESTVIEW ST HOFFMAN ESTATES, IL 60169	19-46-24-W4-02600.1060 1300 ESTERO BLVD 106 FORT MYERS BEACH FL 33931	CRESCENT SHORE CONDO OR 1464 PG 445 UNIT 106
JOHNSON STEVEN D + NANCY 637 WEST 8TH ST MANKATO, MN 56001	19-46-24-W4-02600.2010 1300 ESTERO BLVD 201 FORT MYERS BEACH FL 33931	CRESCENT SHORE CONDO OR 1464 PG 445 UNIT 201
HECK LLC 17483 OLD HARMONY DR APT 202 FORT MYERS, FL 33908	19-46-24-W4-02600.2020 1300 ESTERO BLVD 202 FORT MYERS BEACH FL 33931	CRESCENT SHORE CONDO OR 1464 PG 445 UNIT 202
CONANT GORDON A + DONNA K 8122 S FOREST HILL CIR FRANKLIN, WI 53132	19-46-24-W4-02600.2030 1300 ESTERO BLVD 203 FORT MYERS BEACH FL 33931	CRESCENT SHORE CONDO OR 1464 PG 445 UNIT 203
DENNIS R + CYNTHIA L LOKEN TRU 106 ICHABOD LN MANKATO, MN 56001	19-46-24-W4-02600.2040 1300 ESTERO BLVD 204 FORT MYERS BEACH FL 33931	CRESCENT SHORE CONDO OR 1464 PG 445 UNIT 204
LANDOLFI STEVEN J 22 VETO ST PROVIDENCE, RI 02908	19-46-24-W4-02600.2050 1300 ESTERO BLVD 205 FORT MYERS BEACH FL 33931	CRESCENT SHORE CONDO OR 1464 PG 445 UNIT 205

OWNER NAME AND ADDRESS

DENNIS R + CYNTHIA L LOKEN TRU
106 ICHABOD LN
MANKATO, MN 56001

STRAP AND LOCATION

19-46-24-W4-02600.2060
1300 ESTERO BLVD 206
FORT MYERS BEACH FL 33931

LEGAL DESCRIPTION

CRESCENT SHORE CONDO
OR 1464 PG 445
UNIT 206
