



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: _____ DATE: _____

Site Address: 450 Harbor Ct, Fort Myers Beach, FL 33931

STRAP Number: 24-46-23-W3-00027.0000

Applicant: Moss Marine Inc Phone: 239-765-6677

Contact Name: Sam Ireland Phone: 239-271-8603

Email: sam@carteroutdoor.com Fax: 239-543-6631

Current Zoning District: CM (Commerical Marina)

Future Land Use Map (FLUM) Category: Marina

FLUM Density Range: _____ Platted Overlay: YES NO

ACTION REQUESTED

SUPPLEMENTAL FORM REQUIRED

- | | |
|---|--------------------------|
| <input type="checkbox"/> Special Exception | PH-A |
| <input checked="" type="checkbox"/> Variance | PH-B |
| <input type="checkbox"/> Conventional Rezoning | PH-C |
| <input type="checkbox"/> Planned Development <input type="checkbox"/> Commercial <input type="checkbox"/> Residential | PH-D |
| <input type="checkbox"/> Master Concept Plan Extension | PH-E |
| <input type="checkbox"/> Appeal of Administrative Action | PH-F |
| <input type="checkbox"/> Vacation of Platted Right-of-way and Easement | PH-G |
| <input type="checkbox"/> Other – cite LDC Section: _____ | attach on separate sheet |

PART I - General Information

A. Applicant*: Moss Marine Inc Phone: 239-765-6677

**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: 450 Harbor Ct, Ft. Myers Beach, FL 33931

Email: emily_mossmarine@yahoo.com Fax: 239-765-6112

Contact Name: Sam Ireland Phone: 239-271-8603

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 type="checkbox"/> Other* (please indicate) _____ | |

**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: Sam Ireland Phone: 239-271-8603

Address: 6350 Slater Mill Way, North Ft. Myers, FL 33917

Email: sam@carteroutdoor.com Fax: 239-543-6631

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

Name: _____ Phone: _____

Address: _____

Email: _____ Fax: _____

Name: _____ Phone: _____

Address: _____

Email: _____ Fax: _____

Name: _____ Phone: _____

Address: _____

Email: _____ Fax: _____

PART II - Nature of Request

Requested Action (each request requires a separate application)

- Special Exception
 - Variance from LDC Section 30 - 153(b)(1)
 - 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: 23-46-23-W3-00027.0000

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
<u>George Freeland (President)</u>	<u>100%</u>
<u>450 Harbor Ct, Ft. Myers Beach, FL 33931</u>	_____
_____	_____
<u>Emily McDaniel (VP)</u>	<u>0%</u>
<u>450 Harbor Ct, Ft. Myers Beach, FL 33931</u>	_____
_____	_____

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

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
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

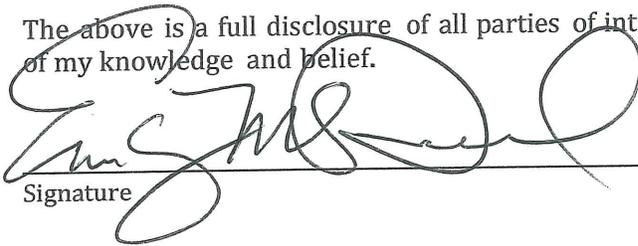
Date of Contract: _____

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

Name	Address
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

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.



 Signature

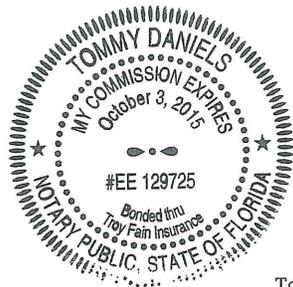
Emily McDaniel

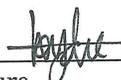
 Printed Name

STATE OF FLORIDA)
COUNTY OF LEE)

The foregoing instrument was sworn to (or affirmed) and subscribed before me on 8.12.2013 (date) by Emily McDaniel (name of person providing oath or affirmation), who is personally known to me or who has produced _____ (type of identification) as identification.

(SEAL)





 Signature

TOMMY DANIELS

 Printed Name

PART V – Property Information

A. Legal Description:

STRAP: 24-46-23-W3-00027.0000

Property Address: 450 Harbor Ct, Ft. Myers Beach, FL33931

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:

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):

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 checked="" type="checkbox"/> Marina |
| <input type="checkbox"/> Mixed Residential | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Boulevard | <input type="checkbox"/> Wetlands |
| <input 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 checked="" type="checkbox"/> CM (Commercial Marine) | <input 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 VII

AFFIDAVIT

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

I, Emily McDaniel (name), as Vice President (title) of Moss Marine 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.

Moss Marine Inc
Name of Entity (corporation, partnership, LLP, LLC, etc)
Signature
Title
Emily McDaniel
Typed or Printed Name
Date

STATE OF FLORIDA)
COUNTY OF LEE)

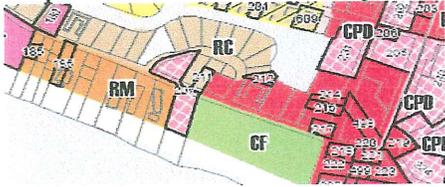
The foregoing instrument was sworn to (or affirmed) and subscribed before me on 8.12.2013 (date) by Emily McDaniel (name of person providing oath or affirmation), who is personally known to me or who has produced (type of identification) as identification.

(SEAL)



Signature
Tommy Daniels
Printed Name

Town of Fort Myers Beach
 Department of Community Development



Zoning Division

Supplement PH-B

**Additional Required Information for a
 Variance Application**

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

Case Number:
Project Name: Moss Marine Inc
Authorized Applicant: Sam Ireland
LeePA STRAP Number: 24-46-23-W3-00027.0000

Current Property Status: Marina
Current Zoning: CM (Commercial Marina)
Future Land Use Map (FLUM) Category: Marina
Comp Plan Density: _____ Platted Overlay? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Variance is requested from:

LDC Section Number	Title of Section or Subsection
30-153(b)(1)	(Var From) Maxium Sq FT (32 Square FT)

Complete the narrative statements below for EACH variance requested.

PART I
Narrative Statements

Request for variance from 30-153(b)(1) (LDC Section number)

Explain the specific regulation contained in this section from which relief is sought:
Max Square feet of 32 Square feet per business establishment. As
in section 30-153(b)(1). The applicant is making a request for a
variance from the maximum square footage from 32 sqft to 254 sqft.
Note this sign faces the water way and would not be an obstruction to
the public or traffic on Fort Myers Beach.

Reasons for request

Explain why the variance is needed:
To keep existing 254 sqft sign on the wall of Moss Marine Warehouse.
For vessels to be able to establish the location of Moss Marine from the
Waterways.

Explain how the property qualifies for a variance. Direct this explanation to the guidelines for decision-making in LDC Section 34-87.

1. Above docked vessels.

To be visible from Matanzas Pass channel.

To be recognized as Moss Marine incoming vessels.

2. Sign existence 30 years

Not obtrusive to adjoining property

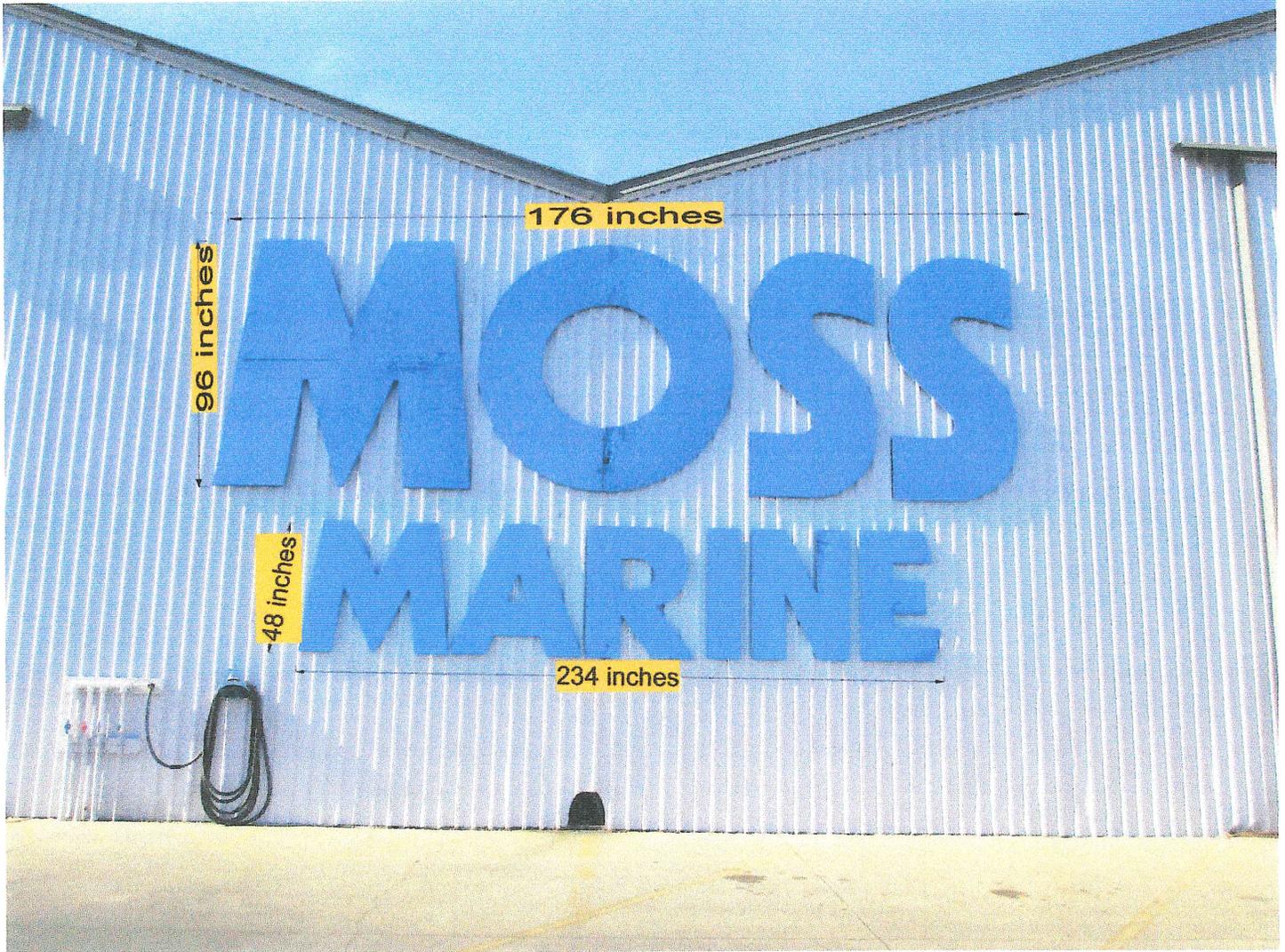
Not interfering with traffic.

3. This is has no modification to existing sign.

4. No

5. The maximum 32 sqft is reasonable for for business on Ft. Myers Beach

A large Marina requires more square footage for a sign to be visible from the Matanzas Pass channel so that the vessels can distinguished where to navigate. The square footage we're requesting faces the water way so its not an eye sore to the public or Ft. Myers Beach.



176 inches

96 inches

48 inches

234 inches

MOSS
MARINE

Moss Marine Sign is 254 sqft total.
Moss is 8ft vertical and 22ft horizontal.
Marine is 4ft vertical and 19.5ft horizontal.
This Photo is taken from the chanel marker.



Description of property. Parcel: 3

A TRACT OR PARCEL OF LAND LOCATED IN GOVERNMENT LOT 1, SECTION 24, TOWNSHIP 46 SOUTH, RANGE 23 EAST, ON ESTERO ISLAND IN LEE COUNTY, FLORIDA, WHICH TRACT OR PARCEL OF LAND IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM THE NORTHWESTERLY CORNER OF BLOCK 3 OF BUSINESS CENTER, A SUBDIVISION ACCORDING TO A MAP OR PLAT RECORDED IN THE PLAT BOOK 9 AT PAGES 9 AND 10 OF THE PUBLIC RECORDS OF LEE COUNTY, RUN NORTHEASTERLY ALONG A PROLONGATION OF THE NORTHEASTERLY LINE OF SAID BLOCK 3 FOR 66 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF THE COUNTY ROAD, THENCE CONTINUE ON THE SAME COURSE FOR 550 FEET; THENCE DEFLECT 90 DEGREES RIGHT AND RUN NORTHEASTERLY, PARALLEL TO THE AFORESAID COUNTY ROAD FOR 320 FEET TO THE POINT OF BEGINNING OF THE LANDS HEREBY DESCRIBED. FROM SAID POINT OF BEGINNING RUN SOUTHEASTERLY ALONG A LINE PERPENDICULAR TO THE AFORESAID COUNTY ROAD, FOR 153 FEET; THENCE RUN NORTHEASTERLY, PARALLEL TO AND 430 FEET FROM THE CENTER LINE OF SAID COUNTY, FOR 172 FEET, MORE OR LESS, TO THE WATERS OF MATANZAS PASS; THENCE RUN NORTHWESTERLY ALONG SAID WATERS TO AN INTERSECTION WITH A LINE THROUGH THE POINT OF BEGINNING PARALLEL TO SAID COUNTY ROAD, THENCE RUN SOUTHWESTERLY ALONG SAID LINE FOR 150 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

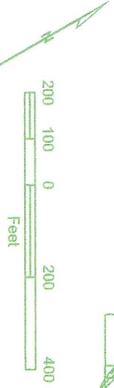
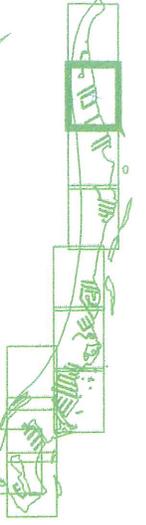
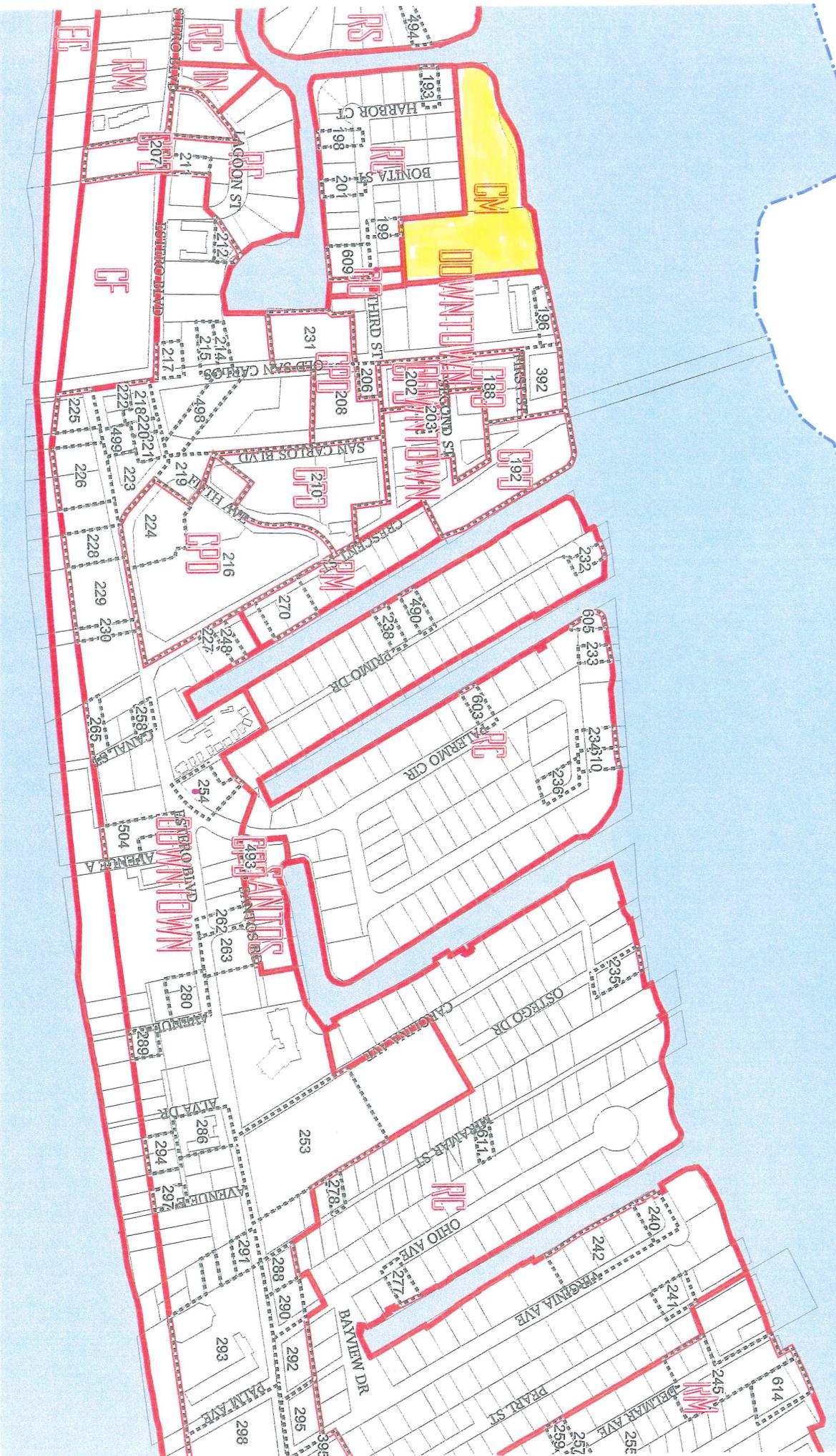
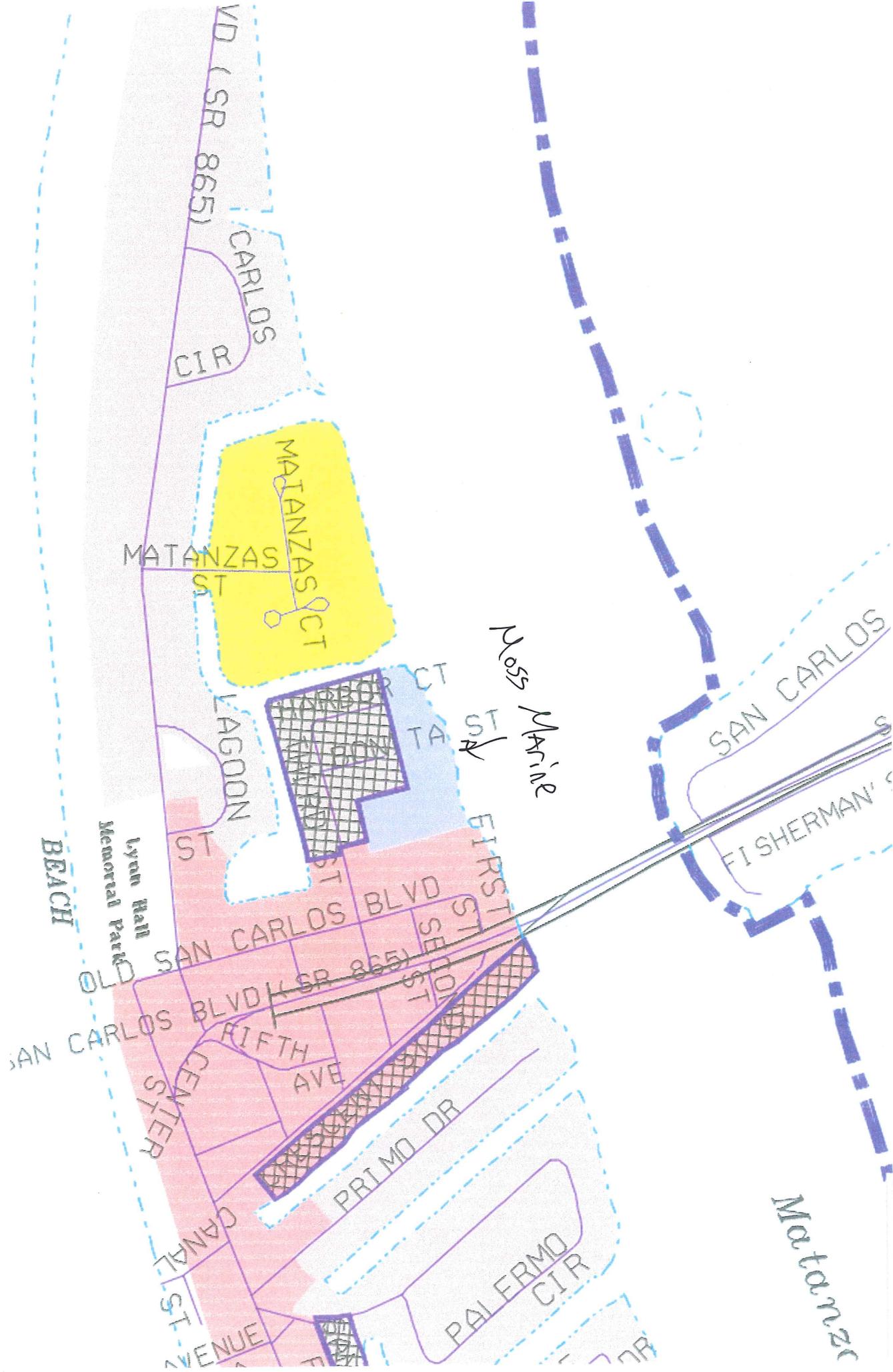


Exhibit A - Fort Myers Beach Official Zoning Map

(updated through April 1, 2004)

- Zoning districts are surrounded by solid line --
- For dotted outlines, see table for key --





VD (SR 865)

CARLOS
CIR

MATANZAS
ST
MATANZAS
CT

MATANZAS
ST

HARBOR CT
LAGOON
BOW TA ST

P.O. Marine

BEACH

Lynn Hall
Memorial Park

OLD SAN CARLOS BLVD
SAN CARLOS BLVD (SR 865)

SAN CARLOS BLVD
FIFTH AVE
CENTER ST

PRIMO DR

PALERMO
CIR

SAN CARLOS

FISHERMAN ST

Matanzas



Exhibit J-3

