

GeoView Map

Lee Property Appraiser GeoView Map



Map printed: 8/3/2011 3:45 PM



Aerial Imagery

2010 HI-Res (1/2 foot)

Parcels and Streets

- Parcel Lines
- Street Centerlines
- Delinquent Tax Parcels

Planning and Zoning

1978

1991

Coastal Const. Control Line

Disclaimer: Maps and documents made available to public by the Lee County Property Appraiser's office are not legally recorded maps or surveys and therefore are not intended to be used as such. The maps and documents are created as part of a Geographic Information System (GIS) that acquires records, information and data from various departments, cities, county, state and federal sources. The source data may contain errors. Users are encouraged to examine the documentation or metadata associated with the data on which the map is based for information related to its accuracy, currentness, and limitations.

Hearing Examiner Decision

HEARING EXAMINER DECISION

SPECIAL PERMIT: CASE 91-8-8-SP-1

APPLICANT: LOUIS KOTSOPPOULOS, in reference to BREAKERS ECONO LUX INN
BEACH BAR

HEARING DATE: August 8, 1991

I. APPLICATION:

Filed by LOUIS KOTSOPPOULOS, TRUSTEE, 1130 Estero Blvd., Ft. Myers Beach, FL 33931 (Applicant); CARLETON RYFFEL, 6296 Corporate Ct., B-202, Ft. Myers, FL 33919 (Agent); CONSOLIDATED REALTY HOLDINGS, INC., 1130 Estero Blvd., Ft. Myers Beach, FL 33931 (Owner).

Request is for a Special Permit in the C-1 (Commercial) district for consumption on premises for a bar/cocktail lounge (Section 202.03.). The applicant intends to operate a bar at this location.

The subject property is located at 1130 Estero Boulevard (south on SR 867 to SR 865 south to Estero Boulevard, east to Sky Bridge intersection, approximately 500 feet on the beach side), Fort Myers Beach, in Section 24, Township 46 South, Range 23 East, Lee County, Florida. (District #3)

The Strap # as furnished by the Applicant is: 24-46-23-00-00013.0000.

II. STAFF RECOMMENDATION: APPROVE WITH CONDITIONS

The Department of Community Development Staff Report was presented at the hearing by Pam Houck. The staff report is incorporated herein by this reference.

III. HEARING EXAMINER DECISION: APPROVE WITH CONDITIONS

HEARING EXAMINER DISCUSSION: The Applicant in this case is in the process of a major renovation of the subject property, known as The Breakers Motel, on Fort Myers Beach. As a part of that renovation effort, which includes the redesign of the older motel structure itself and the addition of sufficient parking spaces to bring the property into compliance with current requirements, the Applicant desires to construct a lounge addition, about 20 feet by 42 feet, attached to the motel and facing the beach. This request is for a Special Permit for a consumption on premises (COP) use within the new lounge addition.

An opponent to this application has written that some 27 business establishments within one mile of the subject property, including the writer's business, sell alcoholic beverages of one sort or another, and that prospective competitor apparently feels that the area does not need another lounge. In contrast, the Applicant has provided letters of strong support from more than 20 adjoining and near vicinity business owners and residents.

Staff has recommended approval of this application for the reasons and under the rationale expressed in the incorporated Staff Report; also recommending conditions designed to minimize adverse aesthetic impacts and insure that the proposed use, ancillary to the motel operation, does not evolve into a separate, bar/lounge business. The undersigned Hearing Examiner agrees with the Staff's recommendation and the basic thrust of the conditioning recommended.

The undersigned Lee County Hearing Examiner APPROVES the Applicant's request and GRANTS A SPECIAL PERMIT in the C-1 (Commercial) district for consumption on premises for a bar/cocktail lounge (Section 202.03.) for the real estate described in Section VII. Legal Description on the following conditions:

- 1) The exterior of the lounge/bar shall not give the appearance of being such, as viewed from Estero Boulevard.
- 2) There shall be no signage associated with the lounge/bar that will be visible from Estero Boulevard.
- 3) The COP shall be limited to the interior, enclosed portion of the area identified as proposed lounge on the applicants site plan (Staff Report Attachment D).
- 4) Use of the bar shall be and remain incidental and subordinate to the principal use.

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

ADDITIONAL APPLICANT'S REPRESENTATIVES: NONE

FOR:

1. Jerry URSOLEO, Jewell Real Estate, Inc., 1154 Estero Blvd., P.O. Box 2790, Ft. Myers Beach, FL 33932
Letter 7/31/91: As the owner of the property immediately next door to the subject property, and therefore the most affected by the request, I wish to register my support for approval of the application. The applicant has continuously upgraded his property over the years and this new addition will be an improvement to the area. We also are the owners of Bigelow Shopping Center located directly across the street, also known as Huntingburg Corporation.
2. Scott VAN SELOW, Surf Club, 1204 Estero Blvd., Ft. Myers Beach, FL 33931
Letter 7/31/91: As a property or business owner within 500' of the property in question, I hereby lend my support to the approval of this request.
3. Jan NOWLIN, Beach Variety, 1155 Estero Blvd., Ft. Myers Beach, FL 33931
Letter 7/31/91: Identical to #2 above.
4. Daniel R. NOWLIN, Silver Sands Resort, 1207 Estero Blvd., Ft. Myers Beach, FL 33931
Letter 7/31/91: Identical to #2 above.
5. C. Jeff NIEDRACH, The Basket Hut, 1133 Estero Blvd., #104, Ft. Myers Beach, FL 33931
Letter 7/31/91: Identical to #2 above.
6. Nang P. HENNEBRYER, Owner, The Green Turtle, 1145 Estero Blvd., Unit 102, Ft. Myers Beach, FL 33931
Letter 7/31/91: Identical to #2 above.
7. Hosein A. SYRE, Beach Bakery & Deli, Inc., 118 Crescent St., Ft. Myers Beach, FL 33931
Letter 7/31/91: Identical to #2 above.
8. M. & Marianthi KAZAKOS, 202 Crescent St., Ft. Myers Beach, FL 33931
Letter 7/31/91: Identical to #2 above.
9. Marie BAIRSTOW, Wood "N" Stuff, 120 Crescent St., Ft. Myers Beach, FL 33931
Letter 7/31/91: Identical to #2 above.
10. Ann LAJOY, Kokonuts, 1161 Estero Blvd., Ft. Myers Beach, FL 33931
Letter 7/31/91: Identical to #2 above.
11. Sharon SCHWEREL, The Gold Correction, 108 Crescent St., Ft. Myers Beach, FL
Letter 7/31/91: Identical to #2 above.

12. Norman Lee PRIMEAU, West Coast Surf Shop, 1035 Estero Blvd., Ft. Myers Beach, FL 33931
Letter 7/31/91: Identical to #2 above.
13. Thomas F. MYERS, Seafarers Village, 1113 Estero Blvd., Ft. Myers Beach, FL 33931
Letter 7/31/91: Identical to #2 above.
14. Thomas KOLAR, Light House Motel, 1051-5th Street, Ft. Myers Beach, FL 33931
Letter 7/31/91: Identical to #2 above.
15. Timothy R. BOGOTT, President & CEO, Mariner Capital Management Inc., 13391 McGregor Blvd., Ft. Myers, FL 33919
Letter 8/6/91: As the owner of the Pink Shell Resort on Ft. Myers Beach, I wish to go on record as supporting this application. We feel the use is appropriate as a logical extension of the current use of the property.
16. William KREUSER, Owner, Matanzas Inn, 414 Crescent St., Ft. Myers Beach, FL 33931
Letter 7/31/91: As the owner of the Matanzas Inn and also Matanzas Seafare Co., a full service restaurant and bar, I wish to go on record as strongly supporting the application for a COP and lounge. The proposed use is a logical augmentation of the owners motel business, and the applicant has demonstrated a willingness in the past of upgrading his holdings to the benefit of all beach residents.
17. Jeffery A. SPOTT, Oyster Bay Trading Company, 1661 Estero Blvd., Ft. Myers Beach, FL 33931
Letter 8/1/91: As property or business owner located on Ft. Myers Beach, I hereby lend my support to the approval of this request.
18. Raud FOND, Fontaine Deli, 1661 Estero Blvd., Ft. Myers Beach, FL 33931
Letter 8/1/91: Identical to #17 above.
19. Frances R. JOHNSON, Munch Box Plus, 6101 Estero Blvd., Ft. Myers Beach, FL 33931
Letter 8/1/91: Identical to #17 above.
20. Alta WHIPPLE, President, Too Much Fun Inc., 1661 Estero Blvd., #2, Ft. Myers Beach, FL 33931
Letter 8/1/91: Identical to #17 above.
21. Cindi KEELER, Sand Dollar, 959 Estero Blvd., Ft. Myers Beach, FL 33931
Letter 8/1/91: Identical to #17 above.
22. Steve MCINTIRE, Holiday Inn, 6890 Estero Blvd., Ft. Myers Beach, FL 33931
Letter 8/1/91: Identical to #17 above.

AGAINST:

1. Steven STRAUSS, Owner, Top O'Mast Restaurant & Lounge, P.O. Box 4026, Ft. Myers Beach, FL 33932
Letter 7/24/91: This hearing number 91-8-8-SP-1 for a bar proposed by the Breaker's Motel, and as indicated in my letter regarding same dated September 3, 1987 (copy enclosed), I find I must again OBJECT to same. Since this September, 1987 Hearing Number 87-9-SP-5 finds no change in the area, just six or seven more drinking establishments.

In a one mile radius there are the following establishments which serve some form of alcohol:

Pink Shell Beach Bar	Shug Harbor Restaurant & Bar
Dockside Restaurant	Matanzas Restaurant
Pizza Hut	Tommy's Cheese Steak
Snoofy's Restaurant	Plaka Restaurant

Pete's Time Out	Island Cozy Cafe
Pier One	Top O' Mast Restaurant & Lounge
Dusseldorf's Deli	Surf Club Bar
Gulf Shore Restaurant (2)	Lani Kai Motel (4)
Magoos' (Closed presently)	Nick & Stella's
Barry's Hot Dog Stand	

Selling packaged alcohol to go in the area:

7-11 Stores (2)	Hess Drive-in
Surf Club Package Store	

In this one mile radius there are at least 27 establishments which sell alcohol. Our of these 27 businesses, approximately 1/2 of them do not have adequate parking.

To my best judgment as a business man in the area for 17 years and with 27 establishments in a one mile radius to which one may get an drink, I feel this is more than sufficient. Another one makes no sense even to a business point, never mind that there is insufficient parking, etc., in the area.

The area proposed for another bar by Mr. Kotsopoulos does not have adequate parking and never will. The parking area he has is just barely sufficient for his motels as required by Lee County Zoning and during peak season, his patrons have to park on the streets.

Due to my personal nine year long predicament with Pier One more than reinforces my objections to another drinking establishment in the area. Pier One was allowed to open without parking which was proven totally illegal. To this day, my parking facility is constant controversial situation which makes my job less than attractive daily. The verbal and physical abuse is beyond my control at this point.

This area of Ft. Myers Beach needs your help and expertise, another bar would in no way improve this situation. We need your help on Ft. Myers Beach, not another problem for an already troublesome area. If you feel there is no problem I invite you to spend any Friday or Saturday evening in this one mile. We welcome you.

GENERAL: NONE

V.

STAFF PRESENTATION:

Pam Houck presented the staff report and stated that this was a request for a special permit in a C-1 district to allow a bar/cocktail lounge with consumption on premises (COP). The subject property is known as the Breakers Motel on Ft. Myers Beach and is located at 1130 Estero Boulevard in the Times Square area.

The applicant presently owns the building to be converted as a bar. It was permitted prior to the new Coastal Construction Control Line as a recreation building. The applicants are aware if the request is not approved they would have to use it as it was previously permitted, or what is permitted in the C-1 district.

The subject property is approximately .91 acres. Existing on site is a 33 unit motel built in the early 50's. The addition is proposed to be a 20'x42' building attached to the Gulf side of the motel. A new parking lot has been constructed with an additional 17 spaces, which has brought the motel parking and ancillary use into compliance with current regulations.

Mrs. Houck stated that staff was recommending approval of the request with several conditions and described the conditions: 1) the exterior of the bar shall not give the appearance, as viewed from Estero Boulevard, of commercial activity occurring at the bar; 2) there will be no signage for the bar; 3) the location is limited to the location on the site plan; and 4) the use shall be incidental and subordinate to

the motel. Staff believes these conditions will make the request consistent with all requirements set forth in the Zoning Ordinance for approval of this type of request.

Staff received a letter and a phone call in opposition from Mr. Steven Strauss, owner and operator of the Top O'Mast Restaurant and Lounge. He was furnished with a copy of the staff report. His restaurant is located 500 feet to the northwest.

Carleton Ryffel, the representative for the owner of the subject property, responded to a question by the Hearing Examiner regarding the location of the Top O'Mast Restaurant & Lounge. He stated that Mr. Strauss' property was located approximately 400'-500' from the subject property and was just short of the pier.

The Hearing Examiner questioned staff regarding their condition stating that no signage would be allowed. Mrs. Houck said the request was limited to an ancillary use of the motel. In staff's interpretation of the regulations, they believe that signage shouldn't be allowed. That way the use wouldn't draw traffic in. They are maxed out on parking and they don't want to increase the traffic situation. It is the applicant's intent to use it just for his motel. He also owns the motels on both sides of the property. Mrs. Houck noted that all the adjacent uses were commercial.

VI. APPLICANT PRESENTATION:

Carleton Ryffel, the planner for the project, represented the applicant. He introduced Jim Kotsopoulos, owner of 100% of the stock of Consolidated Realty Holdings, Inc. Mr. Louis Kotsopoulos was his father.

Mr. Ryffel made reference to the site plan and explained the area in relation to the existing motel. He pointed out the lounge site shown as the cross-hatched area. The area below that was a wood promenade, and was actually part of the staircase. There was no seating in that area.

The applicant also owns the property to the immediate left, known as the Edgewater Motel. To the right is a real estate office. It is the only structure separating Mr. Kotsopoulos from his other property known as the Eyen Tide Motel located to the right. There are 99 rooms between the 3 properties. The Hearing Examiner questioned whether or not there was an access easement between the two properties across the real estate building. Mr. Ryffel said you could just walk down the beach. The owner real estate office and the applicant were good friends so it shouldn't be any problem. Even if the real estate office were to be sold, the beach was available for access.

Mr. Ryffel pointed out a four page letter he had submitted along with the application in support of the request and noted that it contained material in support of their application and how it complied with the Zoning Ordinance, Comprehensive Plan and County standards.

They have a tentative DSO Exemption approval for the property, which would be rendered upon successful conclusion of the special permit application. He has been in touch with Paul Bangs, who will be issuing the exemption. The Hearing Examiner questioned what the exemption was for and Mr. Ryffel stated that it was for the amount of square footage. There was a difference of 2,500 square feet total.

They also had tentative Concurrency Compliance. Mr. Ryffel indicated he had spoken with Bob Gurnham at Concurrency Management regarding this and he had no problem with it and it should be issued upon the approval of the special permit. Concurrency found no traffic impacts resulted from the project. They also have a state exemption from the new Coastal Construction Line.

In terms of the revitalization efforts of the applicant, Mr. Ryffel stated that this was in the vicinity of a Community Redevelopment Agency area. Mr. Kotsopoulos owned the property for seven years and

had conducted extensive renovations ever since. Improvements were made to both the interior and exterior. Most recently they added 17 conforming parking spaces bring the total to 40.

They had also created a drainage system which did not exist before and a retention system to resolve the drainage problem. They also added buffers and open space.

Mr. Ryffel submitted a photograph of the existing hotel and stated it was built in the 50's. It had a flat roof. Mr. Ryffel referred to a photo which exhibited renovation plans for the hotel. The entire motel is proposed to be done in Old Florida architecture. The permit for renovations was recently issued. The architecture also blended into the style of architecture proposed for the new lounge. He explained the three styles proposed for the lounge. The improvements made were so extensive to not only this motel, but the others that Mr. Kotsopoulos owned, that the Days Inn was giving him a franchise.

Mr. Ryffel submitted 23 letters in support of the request. They were from immediate neighbors and from people beyond 500 feet. Mr. Ryffel said they spoke with as many people as they knew and discussed their plans. He highlighted the contents of the letters submitted. Of the 23 letter writers in support, 7 of them had liquor licenses. The most affected property owner would be the adjacent real estate office. The owner, Jerry Ursoleo, also owns the Bigelow Plaza across the street. Mr. Ryffel tread Mr. Ursoleo's letter of support, dated July 31, 1991, into the record.

He noted that the remaining letters were form letters that he had prepared and were signed by different property owners within 500 feet. Mr. Ryffel read the form letter and names of persons who signed them into the record. He also referenced other letters of support received by the Hearing Examiner.

Mr. Ryffel reviewed the conditions recommended by staff and stated that they were in agreement with them. The first condition generally discussed the appearance of the commercial activities from Estero Boulevard. The lounge was over 100 feet off Estero Boulevard and primarily serviced the motel. When riding in a car you wouldn't see it. It is consistent with what they have planned and they had no problems with it. They will have no signs facing Estero Boulevard. The Hearing Examiner asked if they would have signs facing the beach. Mr. Ryffel said they would like to if they could, but didn't really intend to. The Hearing Examiner noted that the condition did not allow any signage at all. Mr. Ryffel asked staff what they thought about signage facing the beach side and Mrs. Houck stated staff still recommended no signage at all. Mr. Ryffel noted there was one sign there already and Mrs. Houck noted that they probably wouldn't object to a small sign indicating the entrance to the property.

Jim Kotsopoulos stated that he was concerned because the lounge exhibited promotional items furnished by their suppliers. Some items might not be visible from the road but might be from the beach side. From the street side the building was blocked in. The beach side of the building had sliding glass doors in which promotional items could be viewed. Mr. Ryffel noted that the building was over 100 feet. The narrowness of that portion of the property inhibits viewing it from the road. They would go along with whatever was decided regarding the signs.

The third condition limits the area to the property on the site plan. They have no problems with that condition as it was for the proposed lounge and deck that goes with it. It consisted of 840 square feet of enclosed space. The deck was more than that. The Hearing Examiner asked if they proposed to have seating outside and Mr. Ryffel stated that they weren't. Mrs. Houck noted that if this was ever an issue, they would have to have another hearing. Mr. Ryffel said it was too narrow to do it anyway and wasn't built for that purpose. It was basically a promenade.

Mr. Ryffel stated that they had no problem with the use of the bar being incidental and subordinate to the principal use. The sign regarding parking clearly exhibited the purpose as being intended to be incidental to the motel.

In summary, they feel that they have meet or exceeded all county requirements applicable to the request. They have strong neighbor support and have constantly made improvements to the quality of the property and therefore are requesting it be approved.

Mr. Ryffel referenced the Pink Shell Resort and stated that they also had a bar. They were their neighbors. They have also conducted major renovations to their property to improve the appearance. They do not object to the bar. Two properties on the beach currently doing major renovation work were Mr. Kotsopoulos and Mariner Properties.

Jim Kotsopoulos noted the section of revitalization of the Times Square area and stated that the three hotels he currently owned were the first three hotels people see when they get off the bridge as they turn south on the island. It was his intention to remodel them even more extensively. The subject request regards an old hotel built in the 1950's. The Old Florida look would result in a tremendous change. The hotel itself sat approximately 5 feet from Estero Boulevard. The general impression it made was very important to the visitors of the island. They are not doing this because the county wants to do a revitalization program in that area but because they want to take care of their customers. They are a destination type resort and want to better their facilities.

VII. LEGAL DESCRIPTION:

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

Legal description as recorded in Official Records Book 1726, Page 1882 from the Southwest corner of Block E, of Crescent Park addition, according to the map or plat thereof on file and recorded in Plat Book 4, Page 46, Public Records of Lee County, Florida, on the East line of Section 24, Township 46 South, Range 23 East, run South along said line for 53.24 feet to the South line of the existing county road right-of-way 50 feet wide;
THENCE deflect 110.06 feet right and run Northwestery along said right-of-way line for 157.63 feet to the POINT OF BEGINNING of the land herein described from the POINT OF BEGINNING continue Northwestery along said right-of-way line for 200 feet;
THENCE run Southwestery on a perpendicular to the first mentioned course for 178 feet, more or less, to the Gulf of Mexico;
THENCE run Southeastery along said Gulf to a Point on a line perpendicular to said road through the POINT OF BEGINNING;
THENCE run Northeastery along said perpendicular for 213 feet, more or less, to the POINT OF BEGINNING.
SUBJECT TO: easements, restrictions and reservations

VIII. FINDINGS AND CONCLUSIONS:

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

- A. There is no negative impact on the intent of the Zoning Ordinance as a result of the granting of the Special Permit, conditioned as set out above.
- B. That the granting of the Special Permit, conditioned as set out above, is consistent with the goals, objectives, policies and intent of the Lee Plan, as last amended.
- C. That the Special Permit, conditioned as set out above, meets or exceeds all performance and locational standards set forth for the proposed use.

D. That the Special Permit, conditioned as set out above, is consistent with the densities, intensities and general uses set forth in the Lee Plan.

E. That granting the Special Permit, conditioned as set out above, will have no adverse impacts on any environmentally critical areas or natural resources.

F. That the Special Permit, conditioned as set out above, will be compatible with existing or planned uses and will not cause damage, nuisance, hazard or other detriment to persons or property.

G. That the location of the requested Special Permit does not place undue burden upon existing transportation or other services and facilities and will be served by streets with the capacity to carry traffic generated by the use(s) which will be developed in conjunction with the Special Permit.

H. That the requested use is in compliance with all applicable general zoning provisions and supplemental regulations pertaining to the use, as set forth in the Lee County Zoning Ordinance, as last amended.

I. That granting the requested Special Permit, conditioned as set out above, is not contrary to the public interest, public health, public safety, public convenience or public welfare of the citizens of Lee County.

IX.

APPEALS:

This decision will become final on August 30, 1991, unless the Lee County Board of County Commissioners assumes jurisdiction of this matter pursuant to Chapter IX of the Lee County Zoning Ordinance, as last amended. After the decision becomes final, all appeals must be taken to Circuit Court.

X.

COPIES OF TESTIMONY AND TRANSCRIPTS:

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

B. THE ORIGINAL FILE AND THE ORIGINAL DOCUMENTS USED AT THE HEARING WILL REMAIN IN THE CARE AND CUSTODY OF THE DEPARTMENT OF COMMUNITY DEVELOPMENT. THE DOCUMENTS ARE AVAILABLE FOR EXAMINATION AND COPYING BY ALL INTERESTED PARTIES DURING NORMAL BUSINESS HOURS.

This decision is rendered this 15th day of August, 1991. Copies of this decision will be delivered immediately to the offices of:

Commissioner John E. Manning
Commissioner Douglas St. Cerny
Commissioner Ray Judah
Commissioner Vicki Lopez-Wolfe
Commissioner Donald Slisher



ROBERT F. SPLITT
LEE COUNTY HEARING EXAMINER

2115 Main Street

Post Office, Box 398

Fort Myers, Fl 33902-0398

Telephone: 813/335-2241

I M P O R T A N T
A P P E A L R I G H T S

ANY interested person has the right to request that the Lee County Board of County Commissioners take the file and the record made by the Lee County Hearing Examiner in this case and make a decision in this matter which would REPLACE the decision of the Hearing Examiner set out above in this document.

This RIGHT LASTS ONLY UNTIL THE DECISION BECOMES FINAL. This date is set out above in this decision. If you are interested in taking advantage of this procedure TWO Commissioners MUST request that the Lee County Board of County Commissioners take jurisdiction of this case. You must accomplish this before the date the decision becomes final. Each County Commissioner is given a form attached to each decision to use for this purpose.

If you need additional information concerning your rights and the requirements in connection with this procedure you may contact the Lee County Hearing Examiner's Office (813/335-2241).

NOTICE OF INTENT TO REVIEW A DECISION OF THE HEARING EXAMINER

FROM: LEE COUNTY BOARD OF COUNTY COMMISSIONERS
TO: COUNTY HEARING EXAMINER

SUBJECT: Case: 91-8-8-SP-1 SPECIAL PERMIT
Applicant: LOUIS KOTSOPoulos in reference to BREAKERS ECONO LUX
INN BEACH BAR

REQUEST THAT THE LEE COUNTY BOARD OF COUNTY Commissioners take jurisdiction of the above referenced case. The statute provides that upon the request of any TWO commissioners, any Hearing Examiner decision can be made instead by the Lee County Board of County Commissioners. If you believe that it is in the public interest for this matter to be decided by the Lee County Board of County Commissioners rather than the Hearing Examiner, please sign below and return this page to the Hearing Examiner within 15 days from the date this decision was rendered.

The Hearing Examiner will notify the Lee County Board of County Commissioners within five working days of receiving two or more requests to take jurisdiction.

On this ____ day of _____, 19____, the undersigned Lee County Commissioner hereby requests that the Lee County Board of County Commissioners take jurisdiction of this matter.

REASON FOR INTENT TO REVIEW DECISION: _____

John E. Manning, Commissioner, District #1

Douglas St. Cerny, Commissioner, District #2

Ray Judah, Commissioner, District #3

Vicki Lopez-Wolfe, Commissioner, District #4

Donald D. Slisher, Commissioner, District #5

* IN ORDER TO BE EFFECTIVE, THIS FORM MUST BE PHYSICALLY DELIVERED TO AND *
* IN THE POSSESSION OF THE HEARING EXAMINER BY 5:00 P.M. ON THE 30th DAY *
* OF AUGUST, 1991. *
