

RESOLUTION OF THE LOCAL PLANNING AGENCY OF  
THE TOWN OF FORT MYERS BEACH, FLORIDA  
RESOLUTION NUMBER 2007-24

A RESOLUTION OF THE LOCAL PLANNING AGENCY OF FORT MYERS BEACH, FLORIDA:

WHEREAS, McHarris Planning and Design ("Applicant") has requested to rezone 2.15+/- acres from Commercial Boulevard (CB) to Commercial Planned Development (CPD) to allow phased redevelopment of the subject property with a mixed-use complex to include a variety of commercial and residential uses (total floor area 85,000 square feet); and

WHEREAS, the subject property is located at 2545 and 2555 Estero Boulevard, Fort Myers Beach; and

WHEREAS, the Applicant has indicated the property's current STRAP number is: 19-46-24-W3-00458.000 and 19-46-24-W3-00458.0010, with the legal description attached hereto and incorporated herein by reference as Exhibit "A"; and

WHEREAS, a public hearing was legally advertised and held before the Local Planning Agency (LPA) on November 13, 2007; and,

WHEREAS, the LPA gave full and complete consideration to the recommendations of staff, the documents in the file, and the testimony of all interested persons.

NOW, THEREFORE BE IT RESOLVED BY THE LPA OF THE TOWN OF FORT MYERS BEACH, FLORIDA as follows:

That the LPA recommends that the Town Council **APPROVE** the Applicant's request to rezone from CB to CPD, subject to the twelve (12) conditions and four (4) deviations as set forth with specificity below.

**A. CONDITIONS**

1. Development must be consistent with the one-page master concept plan (MCP) entitled "The Topps Remodel" for case FMBDCI2007-00003, stamped received July 24, 2007, attached hereto and incorporated herein by reference as Exhibit "B", except as specifically modified by conditions or deviations herein. If changes to the MCP are subsequently pursued, appropriate approvals will be required.

2. The following limits apply to the project and uses:

Schedule of Uses

**Residential**

Principal:

Dwelling unit, multifamily  
Dwelling unit, live/work  
Timeshare units

Accessory:  
Residential accessory uses

**No more than 12 units of residential density in any combination of uses.**

**Lodging**

Principal  
Rental of any permitted dwelling unit to a single family for periods of one week or longer (subject to rules in LDC Sections 34-2391 through 34-2410)  
Hotel/Motel (guest units must comply with LDC Chapter 34, Article IV, Division 19).

Accessory:  
Subordinate commercial uses

**Office**

Principal  
Health care facility  
Offices, general or medical  
Personal services  
Wholesale establishment (by separate Special Exception only)

Accessory  
Home occupation (no outside help)  
Administrative office

**Retail**

Principal  
Parking lot, shared permanent (by separate Special Exception only)  
Laundromat  
Restaurant  
Retail store, small  
Bar or cocktail lounge (existing only)

Accessory  
Commercial accessory uses  
ATM  
Drive-through  
On-premises consumption of alcoholic beverages (by separate Administrative Approval or separate Special Exception only)

**Marine**

Principal  
NONE

Accessory  
Dock (for sole use by occupants of principal use)  
Dock (for use by water taxi or water shuttle)

**Civic**

Principal  
Recreation facility, private off-site (by separate Special Exception only)

Recreation facility, public  
Day care center, adult  
Day care center, child  
Transit terminal (by separate Special Exception only)  
Cultural facility (by separate Special Exception only)  
Theater (by separate Special Exception only)

Accessory:

Dwelling unit, caretaker (only within limit of 12 units of residential density)  
Essential Services  
Essential Service Equipment

Site Development Regulations

Minimum Lot width: **201± feet**

Minimum Lot depth: **495± feet**

Minimum Lot area: **93,000± square feet**

Maximum Floor Area Ratio: **1.0**

Maximum Building Height (feet): **40 feet** above base flood elevation for Building C in its current configuration if absolutely necessary for the project to proceed as phased. However, if Building C is substantially damaged prior to redevelopment, this requirement would revert to **30 feet** above base flood elevation; all other buildings on the subject property would be **30 feet** above base flood elevation

Maximum Building Height (stories): **3** (including enclosed or unenclosed space below base flood elevation as one story)

Minimum setbacks:

Street (Estero Boulevard): **5 feet; however, the dedication of the five-foot wide easement along Estero Boulevard to the Town for public purposes, would reduce this to 0 feet**

Street (Gulf Beach Road): **5 feet**

Street (Tropical Shores Way): **10 feet**

Rear (adjoining RC zoning): **20 feet**

Water body: **5 feet** (only for accessory structures not to be enclosed except by open-mesh screening above a height of 48 inches measured from grade level)

**20 feet** (for principal structures and for accessory structures not meeting the above limitation)

3. Office and retail uses listed in the schedule of uses above shall be located within buildings and limited in square footage as follows:

Building A: 3,992 square feet **retail** or **office**

Building B: 5,812 square feet **retail** or **office**

Building C: 18,000 square feet **retail** or **office** (first floor)

22,500 square feet **office** (second floor)

The dedication to the Town of the 5 feet wide easement along Estero Boulevard for public purposes will not reduce the cumulative allowable square footage.

4. The existing bar/cocktail lounge has a non-conforming 2COP license for on-premises consumption of only beer and wine (2COP license #BEV4600659) pursuant to Lee County BOCC resolution Z-78-12. If this use or the license allowing it is abandoned for a period of nine (9) months (279 calendar days) or more, it may not be re-established except in accordance with the LDC. Any new, expanded, or re-established on-premises consumption of alcoholic beverages may be allowed only in accordance with the LDC.

5. Development and operation of hotel/motel units must be in compliance with LDC Chapter 34, Article IV, Division 19. The subject property must not exceed the maximum residential density allowed under the Fort Myers Beach Comprehensive Plan (Comp Plan) through any combination, division, reconfiguration, or conversion of dwelling units, guest units, lock-off accommodations, or other living units.

6. Approval of this rezoning does not authorize any activity in violation of the easement for canal recorded in Miscellaneous Book 54, Pages 39-40 of the Public Records of Lee County, Florida, or any other public or private easement.

7. Approval of this rezoning does not give the developer an undeniable right to local development order approval. Development or redevelopment of the subject property must comply with all applicable requirements of the Fort Myers Beach Comprehensive Plan and Land Development Code in effect at the time of development order approval and permitting, except as specifically modified herein.

8. The Town Council has the discretion to approve or not approve the requested parking spaces in the right-of-way (ROW) of Tropical Shores Way. Such approval, if any, will be via separate agreement with the Town. If approved, the ROW parking spaces must be (a) constructed by the owner of the subject property not later than Phase III of the development (or its equivalent, if the Phases are subsequently modified with Town approval); (b) fully maintained in perpetuity at all times by the property owner; (c) subject to the Town's right of rescission, in full or in part, and/or the Town's ability to charge a fee for this usage at any time for any reason; and (d) available to the Town without fee or restriction for usage by the general public.

9. The development must comply with LDC Section 14-76 requirements for sea turtle conservation applicable to new development.

10. Prior to local development order approval, the project developer will partner with the Town to coordinate survey, site preparation, and infrastructure improvements, including trolley stops, for the project with the Town's plan for work in the Estero Boulevard, Gulf Beach Road and Tropical Shores Way rights-of-way.

11. Developer must develop the project in accordance with the numerical phasing (i.e., Phase I first, Phase II second, etc.); however, in the event that the developer wishes to alter the order of this construction phasing, developer must apply to the Town for review and approval through the appropriate procedures.

12. Developer has agreed to donate to the Town a five (5) foot wide easement along Estero Boulevard for public purposes.

## **B. DEVIATIONS**

1. Deviation #1 requests a reduction in the parking required by LDC Section 34-2020 from 90 spaces to 68 spaces for Phase I, from 90 spaces to 79 spaces for Phase II, from 120 spaces to 96 spaces for Phase V, from 150 spaces to 120 spaces for Phase VII, and from 150 spaces to 120 spaces for Phase VIII. The LPA recommends **APPROVAL** of Deviation #1.

2. Deviation #2 requests a reduction in the connection separation required by LDC Section 10-286 from 250 feet to 99 feet and 103 feet for a single connection to Estero Boulevard; and from 125 feet to 0 feet for multiple garage access points on Gulf Beach Road. The LPA recommends **APPROVAL** of Deviation #2.

3. Deviation #3 requests an alteration from LDC Section 34-2015(1) to allow the inclusion of the 17 proposed spaces in the right-of-way of Tropical Shores Way in the calculation of the parking requirement for the project. The LPA recommends **DENIAL** of Deviation #3.

4. Deviation #4, from LDC Sections 34-953 and 34-705(b), requests an increase in maximum building height from 30 feet above base flood elevation to 40 feet above base flood elevation and would allow three (3) stories including dry-floodproofed commercial space below base flood elevation, rather than two (2) stories including enclosed space, if any, below the base flood elevation. The LPA recommends **APPROVAL** of Deviation #4, limited to Building "C" as set forth above.

5. Deviation #5 from LDC Sections 34-953 and 34-705(a), would allow a reduction in the required 50% building frontage to allow building placement as shown on the master concept plan. The LPA recommends **APPROVAL** of Deviation #5.

6. Deviation #6 from LDC Section 34-632(1), which requires computed density to be rounded down to the next whole number, would allow a computed density of 12.918 to be rounded up to 13 dwelling units. The LPA recommends **DENIAL** of Deviation #6.

## **FINDINGS AND CONCLUSIONS**

Based upon the presentations by the Applicant, staff, and other interested parties at the hearing, and review of the application and the standards for planned development zoning approval, the LPA recommends that Town Council make the following findings and reach the following conclusions:

1. The requested rezoning, as conditioned **DOES** comply with:
  - a. The Fort Myers Beach Comprehensive Plan;
  - b. LDC Chapter 34;
  - c. all other applicable Town ordinances and codes; and
  - d. the following additional requirements for planned development zoning requests: Comprehensive Plan Policies 1-A-3, 4-B-5 regarding the Boulevard Future Land Use Map category and Policy 4-C-3 regarding new and expanded commercial uses.

2. The proposed use or mix of uses **IS** appropriate at the subject location.
3. Sufficient safeguards to the public interest **ARE** provided by the recommended conditions to the concept plan or by other applicable regulations.
4. All recommended conditions **ARE** reasonably related to the impacts on the public's interest created by or expected from the proposed development.
5. As to deviations #1, 2, 4, 5, as conditioned:
  - a. Each item **DOES** enhance the achievement of the objectives of the planned development; and
  - b. The general intent of LDC Chapter 34 to protect the public health, safety, and welfare **WILL** be preserved and promoted; and
  - c. Each deviation **DOES** operate to the benefit, or at least not to the detriment, of the public interest; and
  - d. Each deviation **IS** consistent with the Fort Myers Beach Comprehensive Plan.
6. As to deviations #3 and 6, as conditioned:
  - a. Each item **DOES NOT** enhance the achievement of the objectives of the planned development; and
  - b. The general intent of LDC Chapter 34 to protect the public health, safety, and welfare **WILL NOT** be preserved and promoted; and
  - c. Each deviation **DOES NOT** operate to the benefit, or at least not to the detriment, of the public interest; and
  - d. Each deviation **IS NOT** consistent with the Fort Myers Beach Comprehensive Plan.

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

Tom Babcock aye  
 Evie Barnes aye  
 Rochelle Kay aye  
 Dennis Weimer aye

Alan Mandel aye  
 Bob Raymond aye  
 Bob Simon aye

DULY PASSED AND ADOPTED THIS 13<sup>th</sup> day of November, 2007.

LPA of the Town of Fort Myers Beach

By:   
Tom Babcock, LPA Chair

Approved as to form and  
legal sufficiency:

By:   
Anne Dalton, Esquire, LPA Attorney

ATTEST:

By:   
Michelle D. Mayher, Town Clerk

**SYMBOLS OF USE CHART**

<b>RESIDENTIAL</b>	
R. RESIDENTIAL ACCESSORY USES	F
L. N/A	F
O. MULTIPLE-FAMILY LIVE/WORK (SEE SEC. 34-177B) TIMESHARE UNITS	F
<b>LOADING</b>	
L. RENTAL OF ANY PERMITTED DWELLING UNIT TO A SINGLE FAMILY FOR PERIODS OF ONE WEEK OR LONGER (SEE SECS. 34-2241-2412 FOR RULES)	F
O. HOTEL/MOTEL (SEE SEC. 34-1801) RESORTS	F
RESORT ACCESSORY USES	F
PERSONAL SERVICES	F
SUBORDINATE COMMERCIAL USES (SEE SEC. 34-3021)	F
<b>OFFICE</b>	
R. HOME OCCUPATION (NO OUTSIDE HELP)	F
L. ADMINISTRATIVE OFFICE	F
O. HEALTH CARE FACILITY	F
OFFICES, GENERAL OR MEDICAL	F
PERSONAL SERVICES	F
WHOLESALE ESTABLISHMENT	F
COMMERCIAL ACCESSORY USES	F
DRIVE-THROUGH TYPE 1 (2)	F
SUBORDINATE COMMERCIAL USES (SEE SEC. 34-3021)	F
<b>RETAIL</b>	
R. ATM	F
L. ON-PREMISES CONSUMPTION OF ALCOHOLIC BEVERAGES (SEE SECS. 34-1261-1240)	AA/SE
O. BAR OR COCKTAIL LOUNGE	F
LAUNDRY/PARKING LOT, SHARED PERMANENT (34-201822)	SE
PERSONAL SERVICES	F
RESTAURANT (2)	F
RETAIL STORE, SMALL	F
RETAIL STORE, LARGE	F
COMMERCIAL ACCESSORY USES	F
DRIVE-THROUGH (2)	F
TYPE 1	F
TYPE 2	F
<b>MARINA</b>	
R. DOCK (FOR SOLE USE BY OCCUPANTS OF PRINCIPLE USE)	F
L. DOCK (FOR USE BY WATER TAXI OR WATER SHUTTLE)	F
PERSONAL WATERCRAFT OPERATIONS OFFICE	SE
DOCK MAY BE LEASED TO NON-OCCUPANTS OF PRINCIPLE USE	F
O. MARINA	F
MARINA ACCESSORY USES	F
<b>SYMBOLS OF USE CHART CONT.</b>	
<b>CIVIC</b>	
R. ESSENTIAL SERVICES (SEE SEC. 34-1612(a))	F
L. DAY CARE CENTER, ADULT OR CHILD	SE
ESSENTIAL SERVICE BUILDINGS (SEE SEC. 34-1612(b))	F
ESSENTIAL SERVICE EQUIPMENT	F
RECREATION FACILITY:	F
PRIVATE OFF-SITE	SE
PUBLIC	SE
TRANSIT TERMINAL	SE
DWELLING UNIT, CARETAKER	SE
RESTAURANT, ACCESSORY TO PRIVATE REG. FACILITIES ONLY	SE
O. CULTURAL FACILITY	SE
THEATER	SE

**SITE DATA**

COMMERCIAL BLVD	
TOTAL SITE SQ FT	49,719 SQ FT
<b>DEVELOPMENT REGULATIONS</b>	
FRONT SETBACK (ESTERO BLVD)	5'-0"
SETBACK (TROPICAL SHORES)	10'-0"
SIDE SETBACK (GULF BEACH RD)	5'-0"
REAR SETBACK (ESTERO BLVD)	20'-0"
LOT COVERAGE (F.A.R.)	1.0
BUILDING HEIGHT MAX	40'-0" ABOVE FLOOR 3
MAX STORIES	3

**F.A.R. (FLOOR AREA RATIO) CALC**

TOTAL LAND AREA	49,719 SQFT
1st FLOOR TOTAL	32,704 SQFT
RETAIL/OFFICE	27,804 SQFT
CABANA	400 SQFT
GARAGE	4,500 SQFT
2nd FLOOR TOTAL	32,504 SQFT
COND' OFFICE	19,804 SQFT
22,500 SQFT	
3rd FLOOR TOTAL	19,492 SQFT
COND' OFFICE	19,492 SQFT
TOTAL FLOOR AREA	85,000 SQFT
FLOOR AREA RATIO ACTUAL	1.06
FAR REQUESTED	1.0

**OPEN SPACE CALCULATIONS**

OFFICE (2 PER 1000)	46
RETAIL (3 PER 1000)	88
MULTIFAMILY (2 PER UNIT)	26
SPACES REQUIRED	155
SPACES PROVIDED	150 (SEE PARKING CHART)

**PARKING CALCULATIONS**

OFFICE (2 PER 1000)	46
RETAIL (3 PER 1000)	88
MULTIFAMILY (2 PER UNIT)	26
SPACES REQUIRED	155
SPACES PROVIDED	150 (SEE PARKING CHART)

**GENERAL LANDSCAPE REQUIREMENTS**

1 TREE PER 3,000 SF DEVELOPMENT AREA (49,719 / 3,000) = 16.24	31 TREES REQUIRED
---	-------------------

**TREE CREDIT**

NONE
------

**PARKING LANDSCAPE REQUIREMENTS**

10% INTERNAL LANDSCAPING REQUIRED (6,421 x 10%)	642.1 SQ FT
1 TREE PER 250 SQ FT OF INTERNAL AREA	3 TREE REQUIRED

**DWELLING UNITS**

49,719 SQ. FT. / 49,560 SQ. FT. PER ACRE = 2.193 ACRES	
2.193 ACRES X 6 UNITS PER ACRE = 12.918 = 13 UNITS	
DWELLING UNITS ALLOWED	13
DWELLING UNITS PROPOSED	13

**PROPERTY BUFFERS**

NORTH PROPERTY LINE PARKING TO RESIDENTIAL (WESTERN) PARKING TO RESIDENTIAL (EASTERN)	TYPE C BUFFER NO BUFFER REQUIRED (SEAWALL)
SOUTH PROPERTY LINE COMMERCIAL TO R.O.M. PARKING TO R.O.M.	NO BUFFER REQUIRED TYPE D BUFFER
EAST PROPERTY LINE COMMERCIAL TO R.O.M. PARKING TO R.O.M.	NO BUFFER REQUIRED TYPE D BUFFER
WEST PROPERTY LINE COMMERCIAL TO R.O.M. PARKING TO R.O.M.	NO BUFFER REQUIRED TYPE D BUFFER

**GENERAL BUFFER NOTES**

BUFFERS SHALL BE INSERTED AS NOTED IN TABLE 10-4 OF THE LAND DEVELOPMENT CODE.

NO BUFFER IS REQUIRED FOR DEVELOPMENTS ADJACENT TO BODIES OF WATER WHERE THE SHORELINE HAS A SEAWALL OR RETAINING WALL.

THE QUALITY OF ALL PLANT MATERIAL WILL MEET THE STANDARDS FOR FLORIDA GRADE #1 OR BETTER.

NO BUFFER PLANT MATERIAL SHALL BE INSTALLED IN EASEMENT.

THE TREES SHALL BE A MINIMUM OF 10 FEET IN HEIGHT WITH TWO INCH TRUNK DIAMETER MEASURED AT ONE FOOT ABOVE GROUND AND A MINIMUM CANOPY OF 4 FEET AT TIME OF INSTALLATION.

A MINIMUM OF 75% OF TREES REQUIRED TO MEET CODE SHALL BE INDIGENOUS NATIVE VARIETIES.

A MINIMUM OF 50% OF SHRUBS REQUIRED TO MEET CODE SHALL BE INDIGENOUS NATIVE VARIETIES.

ANY AND ALL EXOTIC VEGETATION (PER LEE COUNTY & THE TOWN OF FORT MYERS BEACH) ON THE PARCEL SHALL BE COMPLETELY REMOVED AND DISPOSED OF OFF SITE BY CONTRACTOR. THE SITE SHALL BE MAINTAINED FREE OF INDIGENOUS EXOTIC VEGETATION IN PERPETUITY.

**BUILDING EDGE PLANTINGS**

REQUIRED TO BE INSTALLED ALONG @ LEAST 5% OF THE LENGTH OF ALL WALK THAT FACE ON SITE PARKING WITH MORE THAN 25 PARKING SPACES.

MINIMUM WIDTH OF 5'-0"

MINIMUM OF 50% COVERAGE AT TIME OF PLANTING

NONE REQUIRED

**SCHEDULE OF DEVIATIONS**

DEVIATION 1 REQUEST: PARKING CALCULATIONS BE REDUCED FOR RETAIL FROM 3 PER 1000 DOWN TO 2 PER 1000 TO ALLOW PARKING TO WORK DURING A PHASED CONSTRUCTION PLAN.

JUSTIFICATION: THE ADDITIONAL PARKING IS NOT NEEDED BECAUSE OF THE MIXED USE NATURE OF THE DESIGN ALONG WITH PROVISION FOR A TRANSIT STOP, BIKE RACKS, AND AN EXTENSIVE SIDEWALK SYSTEM. THE REDUCTION IN PARKING IS DESIGNED TO ALLOW FOR THE UP AND DOWN CALCULATIONS DURING PHASED CONSTRUCTION OF THIS PROJECT. THE PROPOSED PHASED CONSTRUCTION, WORST CASE SCENARIO, IS THE EXISTING CONDITION WITH A DEFICIT OF PARKING AT 1/4 - 25%. THE WORST CASE SCENARIO DURING OUR PHASED CONSTRUCTION IS LESS THAN A 10% DEFICIT OF PARKING WITHOUT THE DEVIATION. THE PROPOSED DEVIATION WOULD ALLOW FOR A SMOOTH PHASED CONSTRUCTION WITH NO DEFICITS IN PARKING PER THE MASTER CONCEPT PLAN.

**DEVIATION 2**

REQUEST: TO PROVIDE SEPARATIONS TO OFFER ACCESS TO THE SITE AS FOLLOWS.

- INGRESS/EGRESS #1: 44'0"
- INGRESS/EGRESS #2: 204'0"
- INGRESS/EGRESS #3: 281'0"
- INGRESS/EGRESS #4: 240'0"
- INGRESS/EGRESS #5: ALLOWS FOR MULTIPLE (6) ACCESS POINTS AT THE END OF GULF BEACH RD. TO PROVIDE ACCESS TO RESIDENTIAL GARAGES

**JUSTIFICATION:**

-INGRESS/EGRESS #1: THE PROPERTY AS IT EXISTS TODAY PROVIDES 2 MEANS OF EGRESS AT ESTERO. WE ARE PROPOSING TO REDUCE THIS TO ONE ACCESS.

-INGRESS/EGRESS #2 & 3: ARE AS FAR BACK FROM ESTERO BLVD AS IS POSSIBLE WITH THE EXISTING BUILDING CONFIGURATION

-INGRESS/EGRESS #4: EXISTS TODAY AND WILL REMAIN A MEANS OF EGRESS TO THE REAR PARKING AREA.

-INGRESS/EGRESS #5: THIS EGRESS IS FOR THE RESIDENTIAL UNIT GARAGES. THE STREET IS A DEAD END WITH NO OTHER BUSINESS ON THE OPPOSITE SIDE OF THE STREET.

**DEVIATION 3**

REQUEST: ALLOW THIS PROJECT TO PROVIDE PARKING IN THE RIGHT OF WAY AS NOTED ON PHASE III AND INCORPORATE THESE INTO OUR OVERALL PARKING CALCULATIONS.

**JUSTIFICATION:**

THE RIGHT OF WAY, AS EXISTS TODAY, PROVIDES LITTLE BENEFIT TO THE COMMUNITY. THE ADDITIONAL PARKING WOULD BENEFIT THE CENTER, AS WELL AS THE LOCAL AREA.

**PARKING CALCULATIONS (CHART FOR PHASED CONSTRUCTION)**

BLDG	EXISTING	PHASE I	PHASE II	PHASE III	PHASE IV	PHASE V	PHASE VI	PHASE VII	PHASE VIII	PHASE IX
1st FL (A)	N/A	N/A	N/A	N/A	3,992	3,992	3,992	3,992	3,992	3,992
2nd FL (A)	N/A	N/A	N/A	N/A	2 UNITS	2 UNITS	2 UNITS	2 UNITS	2 UNITS	2 UNITS
3rd FL (A)	N/A	N/A	N/A	N/A	2 UNITS	2 UNITS	2 UNITS	2 UNITS	2 UNITS	2 UNITS
1st FL (B)	4,552	4,552	4,552	4,552	4,552	5,812	5,812	5,812	5,812	5,812
2nd FL (B)	N/A	N/A	N/A	N/A	N/A	3 UNITS	3 UNITS	3 UNITS	3 UNITS	3 UNITS
1st FL (C)	25,500	25,500	25,500	25,500	25,500	25,500	18,000	18,000	18,000	7,800
2nd FL (C)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	22,500	22,500	22,500
3rd FL (C)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	6 UNITS	6 UNITS	6 UNITS
Parking With Deviation	60	60	60	60	76	86	86	121	121	102
Parking Required	90	90	90	90	110	120	120	150	150	119
Parking Provided	68	79	96	113	113	113	125	137	137	165

**DESCRIPTION OF PHASES**

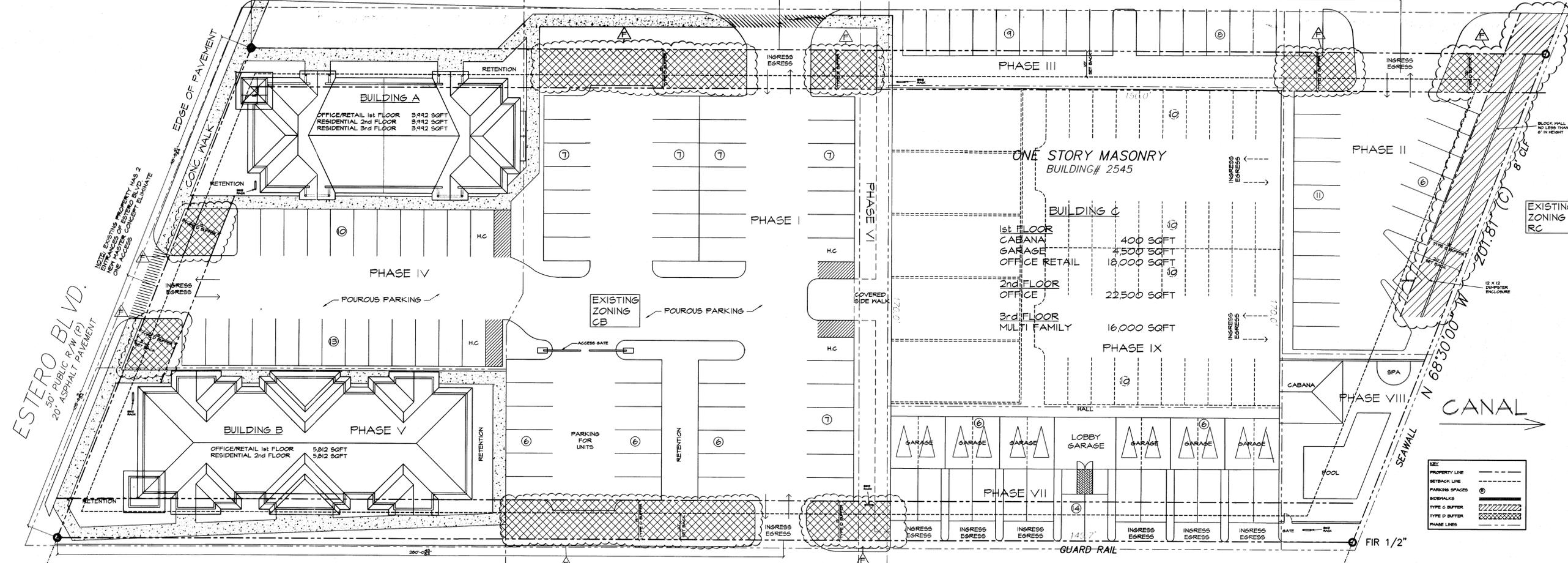
PHASE I	MAIN PARKING AREA WORK/IMPROVEMENT
PHASE II	REAR PARKING AREA IMPROVEMENT
PHASE III	RIGHT OF WAY PARKING IMPROVEMENT
PHASE IV	NEW TWO STORY MIXED USE AND PARKING IMPROVEMENT
PHASE V	TWO STORY MIXED USE BUILDING
PHASE VI	NEW FACADE RENOVATION FOR BUILDING 'C'
PHASE VII	RENOVATION AND ADDITION TO BUILDING 'C'
PHASE VIII	CABANA AND POOL CONSTRUCTION/DOCKS
PHASE IX	DEMOLITION PARKING IMPROVEMENT AND RETAIL REDUCTION UNDER BUILDING

Town of Fort Myers Beach  
FMB DCI 200700003

RECEIVED  
JUL 24 2007

**TROPICAL SHORES WAY**

50' PUBLIC R/W (P)  
20' ASPHALT PAVEMENT



**KEY**

PROPERTY LINE	---
SETBACK LINE	---
PARKING SPACES	①
SEAWALL	
TYPE C BUFFER	
TYPE D BUFFER	
PHASE LINES	---

**SITE PLAN**  
SCALE: 1:20



Joseph M. McHarris, Inc. hereby certifies that the information contained herein is true and correct to the best of his knowledge and belief, and that he is a duly licensed professional engineer in the State of Florida. He further certifies that he is not providing any engineering services to the client under this seal of approval. The engineer's seal is not to be used for any other project without the written consent of the engineer. The engineer is responsible for all dimensions and conditions of the job and for the accuracy of the information provided. The engineer is not responsible for any errors or omissions in the drawings or specifications. The engineer is not responsible for any damage to property or persons resulting from the use of the drawings or specifications. The engineer is not responsible for any delay or interruption of work. The engineer is not responsible for any cost overruns. The engineer is not responsible for any other matters. The engineer is not responsible for any other matters.

No.	Issue	Date	By
1	ISSUE	02-07-07	
2			
3			
4			
5			

**THE TOPPS REMODEL**  
2545 ESTERO BLVD  
FORT MYERS BEACH, FL 33931

Project Name and Address:  
Check by: JM  
Drawn by: JM  
Scale: AS NOTED  
Project No.  
Sheet Name:  
SITE PLAN  
Sheet No.  
A-1