

RESOLUTION OF THE TOWN COUNCIL OF  
THE TOWN OF FORT MYERS BEACH, FLORIDA  
RESOLUTION NUMBER 00- 13

WHEREAS, John C. & L. Diane Gurik, have requested that the Town approve a variance in the Residential single-Family District from seaward of the coastal construction control line to allow a deck addition to an existing single family residence that would extend 4.7 feet seaward of the 1988 CCCL; and,

WHEREAS, the subject property is located at 8200 Estero Blvd., Ft. Myers Beach, in S03-T47S-R24E, Lee County, FL.; and,

WHEREAS, the applicant has indicated the property's current STRAP number is: 03-47-24-W3-00300.0220; and,

WHEREAS a hearing was held and the council considered the following criteria, recommendations and testimony of the staff, testimony from the applicant and from the public.

IT IS THE FINDING of this council that the following exist:

- a. That there are/~~not~~ exceptional or extraordinary conditions or circumstances that are inherent to the property in question and that do not apply generally to the other nearby properties in the same zoning district;
- b. That the exceptional or extraordinary conditions or circumstances are not the result of actions of the applicant taken subsequent to the adoption of the ordinance (any action taken by an applicant pursuant to lawfully adopted regulations preceding the adoption of the ordinance from which this chapter is derived will not be considered self-created);
- c. That the variance is/~~not~~ the minimum variance that will relieve the applicant of an unreasonable burden caused by the application of the regulation in question to his property;
- d. That the granting of the variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare; and
- e. That the condition or situation of the specific piece of property, or the intended use of the property, for which the variance is sought is not of so general or recurrent nature as to make it more reasonable and practical to amend the ordinance.

NOW THEREFORE BE IT RESOLVED THAT THE VARIANCE IS ~~DISAPPROVED~~/APPROVED SUBJECT TO THE FOLLOWING conditions and requirements that are necessary for the protection of the health, safety, comfort,

convenience and welfare of the general public and that are reasonably related to the variance requested.

Conditions

- a. The variance is limited to one six foot wide deck addition to the elevated first floor of the existing single family residence. The area of the deck will not extend more than 4.7 feet seaward of the 1988 CCCL., as shown on the attached site plan labeled 'C'.
- b. The existing concrete and wood deck located on the ground floor will be replaced with pavers at grade as shown on the attached site plan.
- c. Prior to the issuance of a building permit to place the deck seaward of the 1988 Coastal Construction Control Line (CCCL), a detailed dune planting plan for the creation and planting of the vegetated dune area must be submitted to the Lee County Division of Planning, Environmental Sciences Program. The dune planting area must be a minimum of 1,200 square feet in size.
- d. The dune planting plan must include a graphic representation and a narrative description of the planting. The dune planting plan must include the quantity of sand to be placed, design of the contouring of the dune, the quantity of plants by species with a minimum of four different dune plant species and sea oats as the dominant species, the container size of plants, the density of planting (based on size of plant material), installation guidelines and maintenance guidelines.
- e. A designated dune diagonal access must be depicted on the dune planting plan.

The foregoing resolution was adopted by the Fort Myers Beach Town Council upon being put to a vote, the result was as follows:

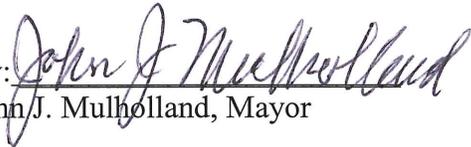
Anita T. Cereceda	aye
Daniel Hughes	aye
John Mulholland	nay
Garr Reynolds	aye
Ray Murphy	aye

APPLICATION DULY ~~DENIED~~/GRANTED this 13th day of March, 2000.

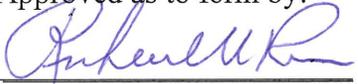
ATTEST:

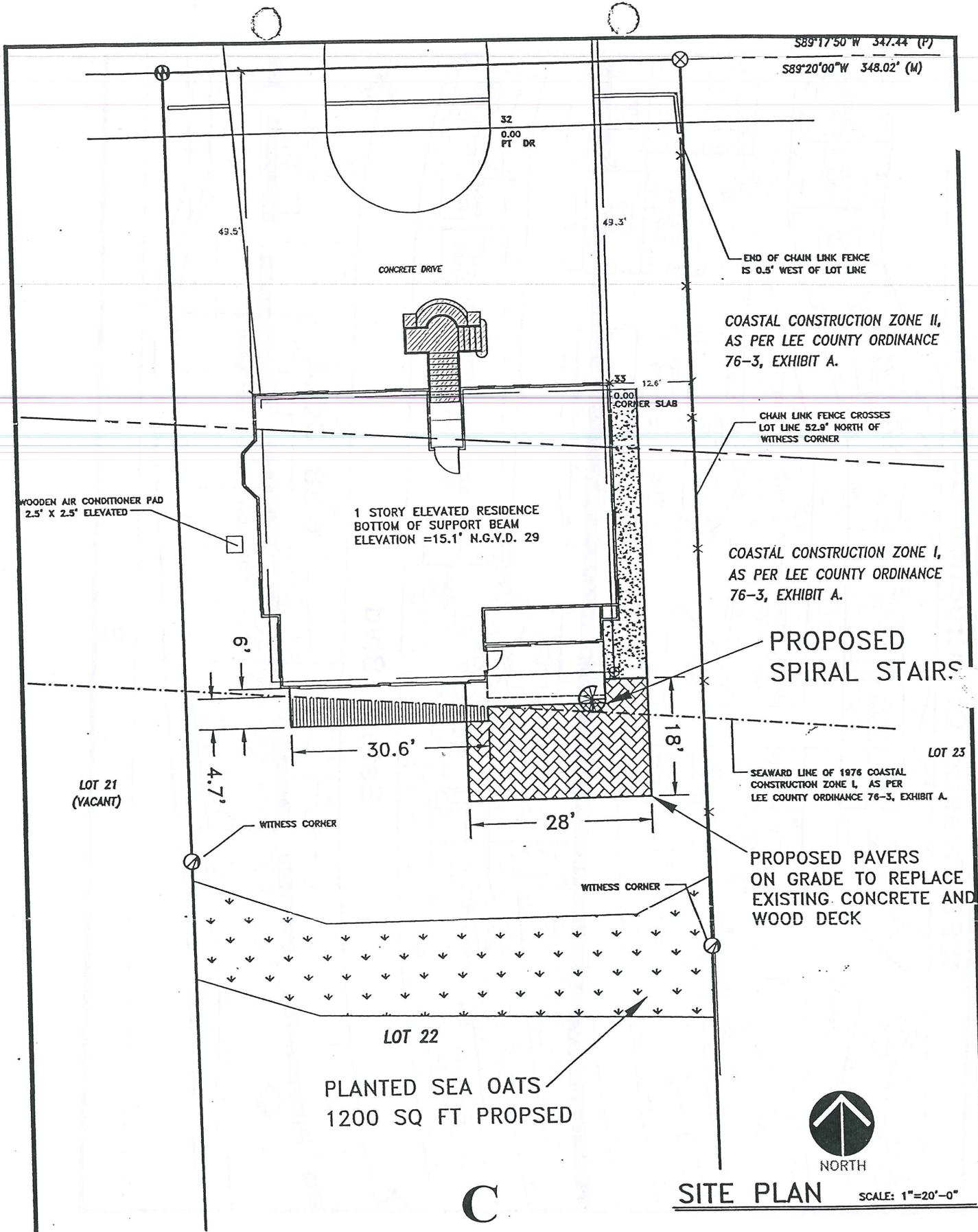
TOWN OF FORT MYERS BEACH

By:   
Marsha Segal-George, Town Clerk

By:   
John J. Mulholland, Mayor

Approved as to form by:

  
Richard V.S. Roosa, Town Attorney

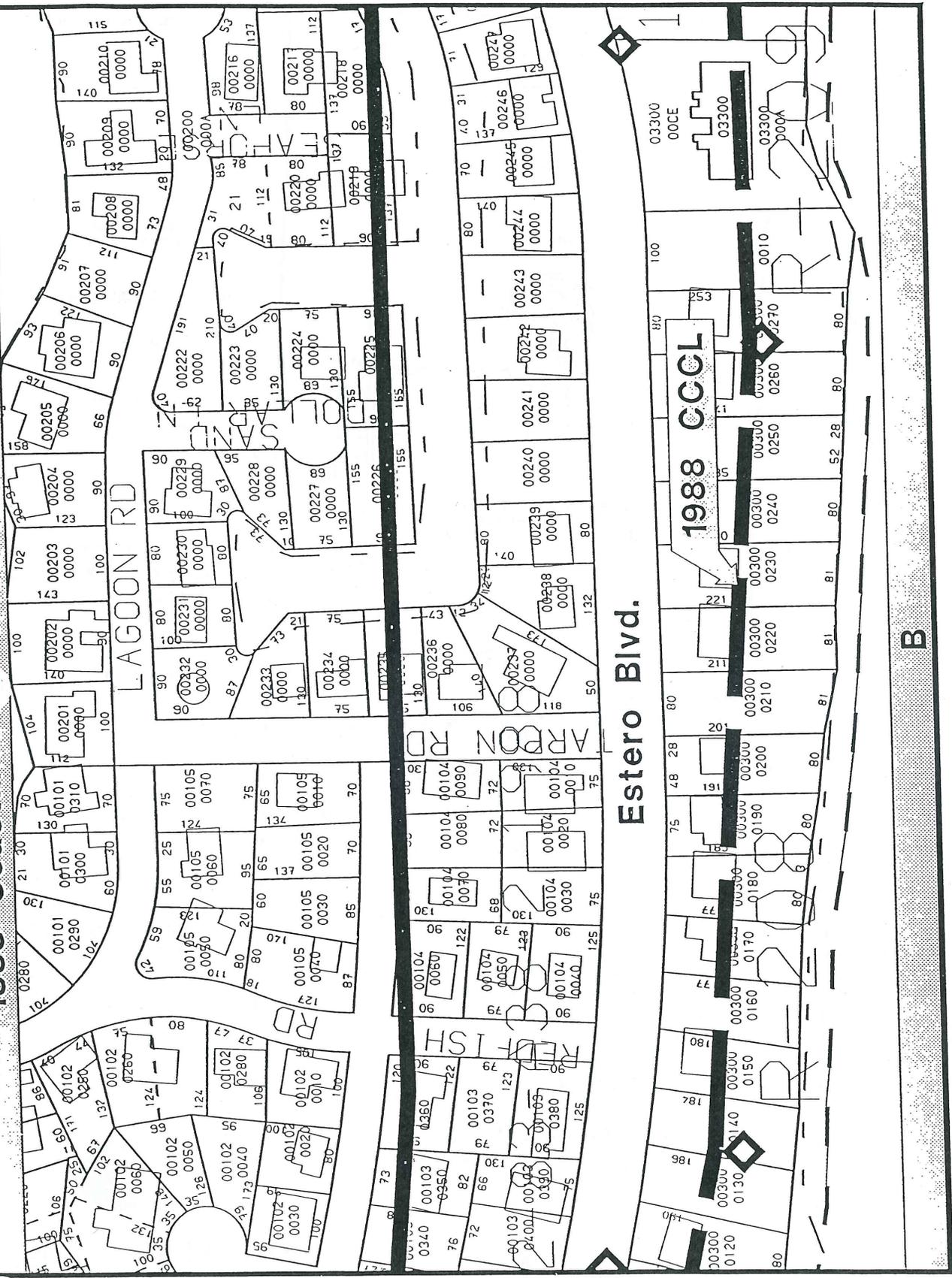


**HUMISTON & MOORE ENGINEERS**  
COASTAL ENGINEERING DESIGN AND PERMITTING

PROPOSED SITE PLAN DETAIL VIEW		
FOR: JOHN AND DIANE GURIK		
DATE: 12/9/99	FILE: 9018-PLN	SCALE: 1"=20'
JOB FILE: 9-018	DATUM: N/A	FIGURE: 2

10661 AIRPORT ROAD, N., SUITE 14  
NAPLES, FL 34109  
FAX: 941 594 2025  
PHONE: 941 594 2021

1888 Coastal Construction Control Line



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