

COP Timeline				
Date	Town or County Ordinance/ Resolution Chnages regarding COP	Site Specific COP Approvals	Nature of Ordinance, Resolution or Approval	Exhibit
Mar-75	County Ord. 75-5		County repeals alcohol provisions for consistency with change in State Laws.	
Jun-76	County Ord. 76-9		Special Permit required for COP within 500' of school or church.	
Jan-79	County Ord.79-1		Clarifies Ord 76-9 that measurement must be by straight line.	
Jan-80	County Ord. 80-4		Variance required for COP in Commercial Zoning Districts & finding requirements	
Sep-81	County Ord. 81-41		Special permit required for specific Zoning Districts	
Dec-95		Co. Case 95-10-232.04S	Special Permit for COP on the pool deck seaward of the 1978 CCCL (EC Zoning District). Estero Island Beach Club.	
Dec-95		Co. Case 95-07-161.02S	Special Permit for COP on the beach is approved at 1154 Eterero (AKA: Nemos)	
Dec-95		Co. Case 95-10-173.02S	Special Permit to allow COP directly on the sandy beach, seaward of the 1978 CCCL (EC Zoning District). Beach Pub.	
Dec-95			Town of Fort Myers Beach is incorporated	
Apr-96	County Ord. 96-08		County Laws and Town Jursidiction	
Jul-96	Town Ord. 96-05		Town Open Container Ordinance	
Jul-96	Town Ord. 96-6		Established Special Permit requirement	
Sep-96	Town Ord. 96-20		Town Ordinance creating Redevelopment Overlay District and establishing AA and SP for COP	
Dec-98	Town Ord. 98-13		Penalty provision added to Open Container Ordinance	
	Town Ord. 98-14		Adopted Comprehensive Plan for the Town & created Recreation Future Land Use Category	
Oct-99		Resolution 99-39	Town Resolution allowing deck area & trellis over 1978 CCCL (EC Zoning District). Pierside Grill.	
Mar-00		Resolution 00-12	Town Resolution allowing COP on pool deck forward of 1978 CCCL (EC Zoning District). Edison Beach House.	
Jun-01		Town Reso. 01-15	Town Council approves Special Permit for COP at 2000 Estero (AKA: Diamondhead), a portion of this approved site extends into the EC Zoning District.	
Mar-03	Town Ord.03-03		Town Ordinance creating Chapter 34 and COP provisions	
May-04	Town Reso. 04-17		Recognized Town Interim Zoning Map, without EC Zoning District	
May-04	Town Reso. 04-16		Created Official Town Zoning Map and created EC Zoning District that bifurcated zoning on properties that were previously one zoning district to Mean High Water Line	
Feb-07		Town Reso. 07-13	Town recognized previously approved Special Permit for Nemos (Case 95-07-161.02S) from December 1995	
Nov-09	LPA Reso. 2009-24		LPA Resolution recommending to Town Council that the Comprehensive Plan "does restrict further expansion of on-preises consumption of alcholic beverages on the Gulf Beaches within the Town of Fort Myers Beach."	
Dec-09		LPA Reso. 2009-29	LPA Resolution recommending approval of Special Exception for 61 Avenue C (AKA: Wicked Wings) to allow COP in the Downtown and EC Zoning Districts.	
Jan-10		Town Reso. 10-01	Town Council approves Special Exception for 61 Ave C (AKA: Wicked Wings)to allow COP in Downtown and EC Zoning Districts.	
Jun-10		LPA Reso. 2010-06	LPA Resolution recommending approval of Special Exception for 1154 Estero (AKA: Nemos) to allow COP in the Downtown and EC Zoning District.	
Jul-10		Town Reso. 10-15	Town Council approves Special Exception for 1154 Estero (AKA: Nemos) to allow COP in Downtown and EC Zoning Districts.	
Legend				
	COP's approved by County, prior to incorporation, seaward of the 1978 CCCL (EC Zoning District)			
	COP's approved by Town Council, subsequent to incorporation, in the EC Zoning District			
	Recreation Future Land Use Category created, based upon 1978 CCCL and becomes the basis for the subsequent creation of the EC Zoning District.			

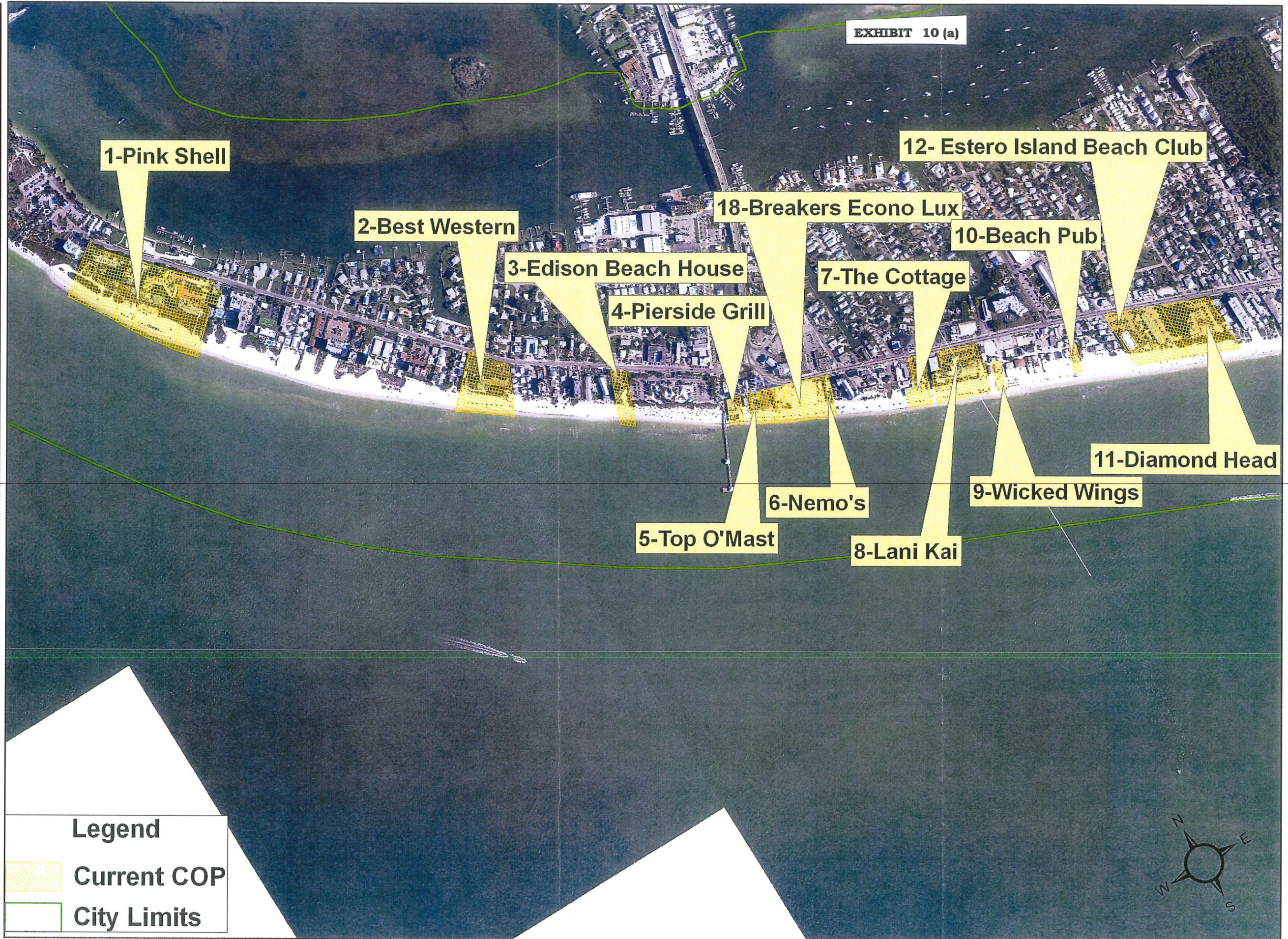
COP in EC Zoning District Inventory

EXHIBIT 2

Property ID Number	Business Name	Principal Use	Zoning Approval #'s	Downtown Zoning District	Method of Approval	Approved for COP in EC Zoning District	Approved on Beach	Method of Dominion and Control (i.e. rope & post, deck, signage, security, etc.)	Hours of Service Limitations	Outdoor Entertainment Restrictions
1	Pink Shell	Resort	Z-82-170, Z-87-076, PUD 91-10, PUD 98-029, Res 01-26 and ADD2003-0086		PUD and CPD Zoning	Yes	Yes	None required	11:00AM and 10:00 PM	Live outdoor music is prohibited outdoors. Recorded is allowed between the hours of 11:00 AM and 10:00 PM.
2	Best Western	Resort	Co. Case 95-08-061.02S		Special Permit	No		Limited to roof deck area	10:00 AM till 10:00 PM	No live music and restrictions on recorded music.
3	Edison Beach House	Resort	Resolution 00-12		Special Permit	Yes	Yes	No specific requirements established for consumption area.	Noon till 8:00 PM	No conditions.
4	Pierside Grill	Restaurant and bar	Resolution 99-39	X	N/A	Yes		No conditions.	No conditions.	No conditions.
5	Top O' Mast	Bar	None	X	N/A	No		Deck and railing.	None.	None.
6	Nemo's	Restaurant and bar	Co. Case 95-07-161.02S, Town Reso 07-13 and 10-15	X	Special Exception	Yes	Yes	No conditions.	7:00 AM till 2:00 AM	Outdoor music is limited to between the hours of 10:00 AM and 10:00 PM.
7	The Cottage (AKA: Gulf Shore Grill)	Restaurant and bar	COP2002-00013	X	Administrative Approval	Yes		Deck and railing.	Varies	Outdoor music is prohibited.
8	Lani Kai	Resort	None	X	N/A	Yes	Yes	None	None	None
9	Wicked Wings	Restaurant	Town Reso. 10-01	X	Special Exception	Yes		Deck and railing.	10:00 AM till 11:00 PM	10:00 AM till 11:00 PM
10	Beach Pub	Bar	Co. Case 95-10-173.02S	X	Special Permit	Yes	Yes	Rope and post.	10:00 am till 10:00 PM	10:00 AM till 8:00 PM
11	DiamondHead	Resort	Town Reso. 01-15	X	Special Exception	No		Deck and railing.	9:00 AM till 10:00 PM	9:00 AM till 10:00 PM w/ conditions.
12	Estero Island Beach Club	Resort	Co. Case 95-10-232.04S	X	Special Permit	Yes		Deck and railing.	8:00 AM till 10:00 PM	Live entertainment is prohibited.
13	Junkanoo	Restaurant and bar	Co. Case 90-1-18-SP-1		Special permit	Yes	Yes	None	None	None
14	Outrigger	Resort	Co. Z-95-085		CPD Rezoning	Yes	Yes	None	None	None
15	Gullwing Resort	Resort	Town Reso 97-10		Special Permit	No		N/A	N/A	N/A
16	Holiday Inn	Resort	Co. Z-88-291		Special Permit	Yes		Outdoor seating area	None	None
17	Sand Bar Resort Motel	Hotel/Motel	Co. Case 93-12-09-SP-02		Special Permit	No		Deck	Varies	Not allowed
18	Breakers Econo Lux Inn	Former Motel	Co. Case 91-8-8-SP-1	X	Special Permit	No		N/A	N/A	N/A
	COP's approved by County, prior to incorporation, seaward of the 1978 CCCL (EC Zoning District)									
	COP's approved by Town Council, subsequent to incorporation, in the EC Zoning District									

COP in EC Zoning District Inventory

Map 1



COP in EC Zoning District Inventory Map 2

