

FORT MYERS BEACH COMPREHENSIVE PLAN

TOWN COUNCIL:

Mayor Anita Cereceda
Vice-Mayor Ray Murphy
Councilman Daniel L. Hughes
Councilman John Mulholland
Councilman Garr Reynolds
Former Vice-Mayor Ted FitzSimons
Former Councilman Rusty Isler

LOCAL PLANNING AGENCY:

Co-Chair Betty Davis Simpson
Co-Chair Roxie Smith
Former Chair John Mulholland
Linda Beasley
Johanna Campbell
Lena Heyman
Daniel L. Hughes
Ron Kidder
David Smith
Bill Van Duzer

PREPARED BY:

Spikowski Planning Associates, Fort Myers, Florida

WITH:

Carol Cunningham & Associates
Dover, Kohl & Partners
Mohsen Salehi Consulting Services
Smith•Osborne Associates
Camp Dresser & McKee Inc.

EFFECTIVE DATE: JANUARY 1, 1999

AMENDMENTS TO THIS PLAN

<i>Application Number:</i>	<i>Adopting Ordinance:</i>	<i>Pages Changed:</i>	<i>Effective Date:</i>
2000-1-TEXT	00-15	11-22	11-21-2000
2000-2-TEXT	00-15	15-4	11-21-2000
2000-3-MAP	<i>[rejected]</i>	—	—

Table 11-7 — Revised Five-Year Schedule of Capital Improvements, FY 99/00 to 03/04¹

	<i>FY 99/00 (Budgeted)</i>	<i>FY 00/01 (Projected)</i>	<i>FY 01/02 (Projected)</i>	<i>FY 02/03 (Projected)</i>	<i>FY 03/04 (Projected)</i>
TRANSPORTATION CAPITAL IMPROVEMENTS:					
Transportation/drainage maintenance, etc.²	\$300,000	\$200,000	\$250,000	\$2,100,000	\$100,000
Traffic calming (Connecticut Street)	\$0	\$0	\$0	\$100,000	\$100,000
Estero Boulevard streetscaping	\$400,000	\$400,000	\$250,000	\$250,000	\$250,000
“Hidden Paths” walking and biking system	\$0	\$0	\$50,000	\$50,000	\$50,000
Total of proposed annual expenditures:	\$700,000	\$600,000	\$550,000	\$2,500,000	\$500,000
<i>Anticipated annual transportation revenue:</i>	<i>\$630,000</i>	<i>\$600,000</i>	<i>\$600,000</i>	<i>\$600,000</i>	<i>\$600,000</i>
<i>Anticipated year-end transportation reserves:³</i>	<i>\$2,136,032</i>	<i>\$2,136,032</i>	<i>\$2,186,032</i>	<i>\$286,032</i>	<i>\$386,032</i>
NON-TRANSPORTATION CAPITAL IMPROVEMENTS:					
Office equipment	\$50,000	\$0	\$0	\$0	\$0
Mound House, initial acquisition⁴	\$1,100,000	\$0	\$0	\$0	\$0
Mound House capital improvements	\$200,000	\$100,000	\$0	\$0	\$0
Times Square improvements⁵	\$150,000	\$0	\$0	\$0	\$0
Public docks	\$30,000	\$30,000	\$30,000	\$0	\$0
Matanzas Harbor plan	\$20,000	\$0	\$0	\$0	\$0
Beach renourishment	\$325,000	\$500,000	\$500,000	\$200,000	\$200,000
Land acquisition, second preserve entrance	\$100,000	\$0	\$0	\$0	\$0
Community swimming pool improvements	\$25,000	\$0	\$50,000	\$0	\$0
Neighborhood landscaping, matching funds	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000
Total of proposed annual expenditures:	\$2,010,000	\$640,000	\$590,000	\$210,000	\$210,000
<i>Anticipated annual non-transportation revenue:</i>	<i>\$1,378,000</i>	<i>\$125,000</i>	<i>\$125,000</i>	<i>\$75,000</i>	<i>\$75,000</i>
<i>Anticipated year-end non-transportation reserves:⁶</i>	<i>(\$189,700)⁷</i>	<i>(\$325,300)</i>	<i>(\$790,300)</i>	<i>(\$925,300)</i>	<i>(\$1,060,300)</i>
DOWNTOWN REDEVELOPMENT AGENCY (DRA) BUDGET:					
Phase II Times Square streetscaping	\$95,000	<i>unknown</i>	<i>unknown</i>	<i>unknown</i>	<i>unknown</i>
Old San Carlos/Crescent improvements	\$70,000	<i>unknown</i>	<i>unknown</i>	<i>unknown</i>	<i>unknown</i>
Transit improvements (tram service)	\$0	<i>unknown</i>	<i>unknown</i>	<i>unknown</i>	<i>unknown</i>
Outside legal/planning services	\$25,000	<i>unknown</i>	<i>unknown</i>	<i>unknown</i>	<i>unknown</i>
Total of proposed annual expenditures:	\$190,000	<i>unknown</i>	<i>unknown</i>	<i>unknown</i>	<i>unknown</i>

¹ This schedule is a summary from the adopted budget for Fiscal Year 1999/2000; further details on revenues and expenditures are available in that document.

² These items are routine recurring maintenance, including periodic road resurfacing (tentatively scheduled for FY 02/03).

³ Initial transportation reserves were \$2,206,032.

⁴ This item is funded with a \$1,031,000 grant from the Florida Communities Trust, included here as one-time revenue in FY 99/00.

⁵ This item is funded with the remainder of a \$200,000 state tourism grant.

⁶ Initial non-transportation reserves were \$442,300.

⁷ Shortfalls are shown in parentheses; potential funding sources to offset shortfalls include transfers from surplus general revenues, assessments on private property, or a 5% utility tax (\$375,000 annually).

3. Where appropriate and necessary, administrative interpretations shall be incorporated into this plan during the next amendment cycle.

E. Single-Family Residence Provision. Notwithstanding any other provision of this plan, any entity owning property or entering or participating in a contract for purchase agreement of property, which property is not in compliance with the density requirements of this plan, shall be allowed to construct one single-family residence on said property, provided that:

1. *Date Created:*

- a. the lot shall have been created and recorded in the official Plat Books of Lee County prior to the effective date of the Lee County Comprehensive Plan (December 21, 1984), and the configuration of said lot has not been altered; OR
- b. a legal description of the lot was lawfully recorded in the Official Record books of the Clerk of Circuit Court prior to December 21, 1984; OR
- c. the lot was lawfully created after December 21, 1984, and the lot area was created in compliance with the Lee County or Fort Myers Beach Comprehensive Plan, whichever controlled at the time, as either plan existed at the time the lot was created.

2. *Minimum Lot Requirements:* In addition to meeting the requirements set forth above, the lot shall have:

- a. a minimum of 4,000 square feet in area if it was created prior to June 27, 1962; OR
- b. a width of not less than 50 feet and an area of not less than 5,000 square feet if part of a subdivision recorded in the official Plat Books of Lee County after June 27, 1962, and prior to December 21, 1984; OR
- c. a minimum of 7,500 square feet in area if it was created on or after June 27, 1962, and prior to December 21, 1984, if not part of a subdivision

recorded in the official Plat Books of Lee County; OR

d. been in conformance with the zoning regulations in effect at the time the lot or parcel was recorded if it was created after December 21, 1984; OR

e. been approved as part of a Planned Unit Development or Planned Development.

3. *Ownership.* In addition to meeting the requirements set forth above, prior to *[effective date of this amendment]* the lot shall have been vacant or shall have been improved with one structure located wholly on this lot. If a structure had been placed on two or more adjoining lots at any time prior to *[effective date of this amendment]*, the individual lots shall not qualify for this single-family residence provision.

4. *Construction Regulations.* Once a property owner establishes the right to build a single-family residence through these procedures, the following policies shall prevail:

- a. The residence shall comply with all applicable health, safety, and welfare regulations, as those regulations exist at the time a building permit is requested.
- b. Lots containing wetlands shall be subject to special provisions of the Land Development Code.
- c. If two or more contiguous lots qualify, property owners are encouraged to reappportion lots if the result would be lots that come closer to meeting the standards for the lots' zoning district, as long as no property becomes non-conforming or increases in its non-conformity and as long as the density will not increase.
- d. Nothing herein shall be interpreted as prohibiting the combining of qualifying lots with other contiguous property providing the density will not increase.
- e. Two or more contiguous qualifying lots that are located in a zoning district which permits duplexes may be combined to support a single duplex in lieu of two single-family residences.

5. *Transferability.* These rights shall run with the land and be available to any subsequent owner if the property which qualifies for the single-family provision is transferred in its entirety.