



July 24, 2023

RTJP INVESTMENTS INC
17 DORAL CT
MATTOON, IL 61938

Re: ZVL23-0127, 6553 Estero Blvd, Ft. Myers Beach

Dear Steve Boge,

The Community Development Department has reviewed the zoning verification letter request for 6553 Estero Blvd and can provide the following responsive information:

- 6553 Estero Blvd is in the *CR-Commercial Resort* Zoning District. Permitted uses include:
 - Community residential home
 - Dwelling unit
 - Single-Family
 - Two-Family
 - Multiple-Family
 - Live/work (see § 34-1773)
 - Caretaker
 - Home care facility
 - Residential accessory uses
 - Accessory apartment
 - Assisted living facility (see § 34-1411)
 - Rooming house
 - Timeshare units (provided these units qualify as dwelling units and meet residential density levels in § 34-632)
 - Recreation facility
 - Private on-site
 - Subordinate commercial uses (see § 34-3021)
 - Rental of any permitted dwelling unit to a single family during any one-month period, with a minimum stay of one week (see § 34-2391—2410 for rules and exceptions)
 - Rental of any permitted dwelling unit to a single family for periods of one week or longer (see § 34-2391-2410 for rules)
 - Bed-and-breakfast inn (see § 34-1801)
 - Hotel/motel (see § 34-1801)
 - Rental of any permitted dwelling unit for periods of one day or longer
 - Timeshare units



- Resort accessory uses
- Personal services
- Subordinate commercial uses (see § 34-3021)
- Home occupation (no outside help)
- Administrative office
- Health care facility
- Offices
 - General
 - Medical
- Commercial accessory uses
- Drive-thru (Type 1)
- ATM
- Dock (for sole use by occupants of principle uses)
- Dock (for use by water taxi or water shuttle)
- Dock (may be leased to non-occupants of principal use)
- Beach or bay access
- Essential services (see § 34-1612(a))
- Hidden path
- Park, neighborhood
- Family day care home
- Essential service equipment
- Recreation facility
 - public
- The primary structure setbacks for properties, in accordance with § 34-3273 of the land development code, in the *CR* zoning district, are as follows:
 - Right-of-Way property line 10 feet,
 - Side property line 20 feet
 - The rear property line is 25 feet.
- The property is in the Mixed Residential Future Land Use district, allows 6 dwelling units per acre.
- The property is currently located within the VE 12, AE 11 and Coastal A flood zones.
- The minimum parcel size in the *CR* zoning district is 20,000 square feet, with a minimum width of 100 feet and a minimum depth of 100 feet.
- Max building height in the *CR* zoning district is 30 feet from base flood elevation.
- There are no active Code Enforcement cases on this property.



- Open Permit(s):
 - 20200070-RESEAL/RESTRIPE
- There are no active Variances, Deviations or Special Exceptions.

Questions by the Applicant:

If you could provide information relating to any variances, special exceptions, code violations, flood zone, density now and what is expected after LDC changes are made, Height restrictions now and also after LDC changes are made. Our intent is to re-develop Dolphin Inn as a hotel or condo building so would like to get an idea of what our options are for both.

Under Sec. 34-3238. - Post-disaster buildback, A rebuilt hotel/motel may exceed the intensity limits for new hotel/motel buildings on vacant land, but cannot exceed the documented number of lawful guest units in the building immediately before the natural disaster.

1. All guest units lawfully existing prior to the natural disaster may be rebuilt, provided the total interior square footage of the rebuilt guest units does not exceed the interior square footage of the previous guest units. However, interior square footage in the new building may be increased by 30 square feet for each bathroom to reflect current code requirements for larger bathrooms, and any lawfully existing guest units that are smaller than the minimum sizes required by this code may be enlarged to meet the minimum size requirements. For purposes of this subsection, interior square footage excludes hallways, stair towers, elevators, open balconies, underbuilding parking, and similar common or non-air conditioned space.

2. At the owner's option, this same square footage can be used for fewer but larger guest units.

3. Also at the owner's option, the number of guest units and the square footage of the new building may be determined by this code's current regulations for new hotel/motel buildings on the same site instead of using either the pre-disaster or post-disaster buildback regulations.

The hotel/motel can rebuild the same number of units with the same amount of square footage it legally had prior to the arrival of Hurricane Ian. The property owner must provide documentation that establishes the total number of units and square footage that were legally permitted at the time the structure was constructed. Additionally, the proposed building would have to meet existing zoning, flood, and building regulations.

If the property owner would like to request additional units or increase the square footage of the units other than what is outlined in the Post Disaster Buildback Ordinance. The site would need to be rezoned to Commercial Planned Development (CPD).

Community Development (Zoning) cannot comment on future changes to the LDC that would affect this property.



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This letter is responsive to the zoning verification application submitted 7/20/2023. Information provided in this letter may expire upon changes to zoning, maps, or policies.

Sincerely,

Eli Lee

Eli Lee
Planner
Town of Fort Myers Beach
Community Development

FORT MYERS BEACH ESTERO ISLAND

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