



Environmental Planning & Consulting

Wetland Management
Marine Construction & Permitting

February 8, 2013



Town of Fort Myers Beach
Estero Blvd.
Fort Myers Beach, FL 33931

APPLICATION FOR A SMALL SCALE COMPREHENSIVE PLAN AMMENDMENT
Seagrape Subdivision
266 Mango Street Strap # 19-46-24-W3-0120B.0120
200 Chapel Street Strap # 19-46-24-W3-0120C.0060

Please find enclosed:

- 2 Copies each of: Application for a small scale comprehensive plan Amendment
- Exhibit 1 - Proposed Text Changes
- Exhibit 2 - Current Future Land Use Map
- Exhibit 3 - Proposed Future Land Use Map
- Exhibit 4 - Description of existing land uses of the subject property and surrounding properties
- Exhibit 5 - Map and description of existing zoning of the subject property and surrounding properties
- Exhibit 6 - Certified legal description(s) and certified sketch of the description for the property subject to the requested change
- Exhibit 7 - A copy of the deed(s) for the property subject to the requested change
- Exhibit 8 - Aerial map showing the subject property and surrounding properties
- Exhibit 9 - Map of the Plant Communities as defined by (FLUCCS)
- Exhibit 10 - Map and description of the soils found on the properties
- Exhibit 11 - A map depicting the property boundaries and 100 year flood prone areas as identified by FEMA
- Exhibit 12 - Map on the Flood Insurance Rate Map
- Exhibit 13 - Map delineating wetlands
- Exhibit 14 - Table of plant communities by FLUCCS with the potential to contain species (plant and animal) listed by federal, state or local agencies as endangered, threatened or species of special concern.

Exhibit 15 – Environmental Field Study

Exhibit 16 – Public Facilities Impact

Exhibit 17 – Impacts to population projections and adjoining local governments

Exhibit 18 – Consistency with State, Regional, and Local Plans

Exhibit 19 – Planning Rationale for Amendment

If you have any questions please give me a call at (239) 463-9326 or e-mail me at jj37a@yahoo.com.

Thank You,


Joanne Semmer



Town of Fort Myers Beach

APPLICATION FOR A SMALL SCALE COMPREHENSIVE PLAN AMENDMENT

(To be completed at time of intake)

DATE REC'D: _____ REC'D BY: _____

APPLICATION FEE: _____ CASE NO: _____

THE FOLLOWING VERIFIED:

Zoning Designation on FLUM

(To be completed by Planning Staff)

Plan Amendment Cycle: Small Scale DRI Emergency

Request No: _____

APPLICANT PLEASE NOTE:

Answer all questions completely and accurately. Please print or type responses. If additional space is needed, number and attach additional sheets. The total number of sheets in your application is: _____

Submit 2 copies of the complete application and amendment support documentation, including maps, to the Town of Fort Myers Beach Community Development. Up to 90 additional copies will be required for Local Planning Agency, Board of County Commissioners hearings and the Department of Community Affairs' packages. Staff will notify the applicant prior to each hearing or mail out.

I, the undersigned owner or authorized representative, hereby submit this application and the attached amendment support documentation. The information and documents provided are complete and accurate to the best of my knowledge.

FEB 08/2013

DATE

[Handwritten Signature]
SIGNATURE OF OWNER OR AUTHORIZED REPRESENTATIVE

I. APPLICANT/AGENT/OWNER INFORMATION

James J. Jamieson
APPLICANT
131 Gulf Island Drive
ADDRESS
Fort Myers Beach, Florida 33931
CITY, STATE, ZIP
(239) 463-2717 (239) 463-2717
TELEPHONE NUMBER FAX NUMBER

Joanne E. Semmer Ostego Bay Environmental, Inc.
AGENT*
1130 Main Street
ADDRESS
Fort Myers Beach, Florida 33931
CITY, STATE, ZIP
(239) 463-9326 cell (239) 470-4993 (239) 463-0865
TELEPHONE NUMBER FAX NUMBER

James J. Jamieson
OWNER(s) OF RECORD
131 Gulf Island Drive
ADDRESS
Fort Myers Beach, Florida 33931
CITY, STATE, ZIP
(239) 463-2717 (239) 463-2717
TELEPHONE NUMBER FAX NUMBER

Name, address and qualification of additional planners, architects, engineers, environmental consultants, and other professionals providing information contained in this application.

* This will be the person contacted for all business relative to the application.

*Additional Agent
Matthew D. Uhle
1617 Hendry St.
Fort Myers, Florida 33901
(239) 226-4500

II. REQUESTED CHANGE (Please see Item 1 for Fee Schedule)

A. TYPE: (Check appropriate type)

Text Amendment

Future Land Use Map Amendment

1. Future Land Use Map amendments require the submittal of a complete list, map, and two sets of mailing labels of all property owners and their mailing addresses, for all property within 500 feet of the perimeter of the subject parcel. The list and mailing labels may be obtained from the Property Appraisers office. The map must reference by number or other symbol the names of the surrounding property owners list. The applicant is responsible for the accuracy of the list and map.

At least 15 days before the Local Planning Agency (LPA) hearing, the applicant will be responsible for posting signs on the subject property, supplied by the Division of Planning, indicating the action requested, the date of the LPA hearing, and the case number. An affidavit of compliance with the posting requirements must be submitted to the Division of Planning prior to the LPA hearing. The signs must be maintained until after the final Board adoption hearing when a final decision is rendered.

B. SUMMARY OF REQUEST (Brief explanation):

The Amendment creates and applies to the applicants property a new
TDR SENDING AREA OVERLAY, which will authorize a transfer of
residential and hotel units to other qualifying areas within the
town.

C. NARRATIVE JUSTIFICATION STATEMENT (Provide rationale for proposed amendment)

As noted in the support documentation the amendment will encourage
the preservation of wetlands on the site and promote development
in more urban areas in the town.

III. PROPERTY SIZE AND LOCATION OF AFFECTED PROPERTY

A. Property Location:

- 1. Site Address: 266 Mango Street & 200 Chapel Street Fort Myers Beach, FL
- 2. STRAP(s): 19-46-24-W3-0120B.0120 & 19-46-24-W3-0120C.0060

B. Property Information

Total Acreage of Property: 6.52 Acres

Total Acreage included in Request: 6.52 Acres

Total Uplands: 2.57 Acres Includes .8 Acres of "Other Surface Water"

Total Wetlands: 3.95 Acres

Current Zoning: EC

Current Future Land Use Designation: Wetlands

Area of each Existing Future Land Use Category: All designated "Wetlands"

Existing Land Use: Vacant

C. State if the subject property is located in one of the following areas and if so how does the proposed change affect the area:

Lehigh Acres Commercial Overlay: N/A

Airport Noise Zone 2 or 3: N/A

Acquisition Area: N/A

Joint Planning Agreement Area (adjoining other jurisdictional lands): N/A

Community Redevelopment Area: N/A

D. Proposed change for the subject property:

Creation and application of TDR Overlay

E. Potential development of the subject property:

1. Calculation of maximum allowable development under existing FLUM:

Residential Units/Density 40 through MUD process

Commercial intensity N/A

2. Calculation of maximum allowable development under proposed FLUM:

Residential Units/Density 40 units available for transfer

Commercial intensity N/A

Industrial intensity N/A

IV. AMENDMENT SUPPORT DOCUMENTATION

At a minimum, the application shall include the following support data and analysis. These items are based on comprehensive plan amendment submittal requirements of the State of Florida, Department of Community Affairs, and policies contained in the Town of Fort Myers Beach Comprehensive Plan. Support documentation provided by the applicant will be used by staff as a basis for evaluating this request. To assist in the preparation of amendment packets, the applicant is encouraged to provide all data and analysis electronically. (Please contact the Division of Planning for currently accepted formats.)

A. General Information and Maps

NOTE: For each map submitted, the applicant will be required to provide a reduced map (8.5" x 11") for inclusion in public hearing packets.

The following pertains to all proposed amendments that will affect the development potential of properties (unless otherwise specified).

1. Provide any proposed text changes.
2. Provide a current Future Land Use Map at an appropriate scale showing the boundaries of the subject property, surrounding street network, surrounding designated future land uses, and natural resources.
3. Provide a proposed Future Land Use Map at an appropriate scale showing the boundaries of the subject property, surrounding street network, surrounding designated future land uses, and natural resources.
4. Describe existing land *uses* (not designations) of the subject property and surrounding properties. Description should discuss consistency of current uses with the proposed changes.
5. Map and describe existing zoning of the subject property and surrounding properties.
6. The certified legal description(s) and certified sketch of the description for the property subject to the requested change. A metes and bounds legal description must be submitted specifically describing the entire perimeter boundary of the property with accurate bearings and distances for every line. The sketch must be tied to the state plane coordinate system for the Florida West Zone (North America Datum of 1983/1990 Adjustment) with two coordinates, one coordinate being the point of beginning and the other an opposing corner. If the subject property contains wetlands or the proposed amendment includes more than one land use category a metes and bounds legal description, as described

above, must be submitted in addition to the perimeter boundary of the property for each wetland or future land use category.

7. A copy of the deed(s) for the property subject to the requested change.
8. An aerial map showing the subject property and surrounding properties.
9. If applicant is not the owner, a letter from the owner of the property authorizing the applicant to represent the owner.

B. Public Facilities Impacts

NOTE: The applicant must calculate public facilities impacts based on a maximum development scenario (see Part II.H.).

1. Traffic Circulation Analysis

The analysis is intended to determine the effect of the land use change on the Capital Improvements Element (5-year horizon). Toward that end, an applicant must submit the following information:

Long Range – 20-year Horizon:

- a. Working with Planning Division staff, identify the traffic analysis zone (TAZ) or zones that the subject property is in and the socio-economic data forecasts for that zone or zones;
- b. Determine whether the requested change requires a modification to the socio-economic data forecasts for the host zone or zones. The land uses for the proposed change should be expressed in the same format as the socio-economic forecasts (number of units by type/number of employees by type/etc.);
- c. If no modification of the forecasts is required, then no further analysis for the long range horizon is necessary. If modification is required, make the change and provide to Planning Division staff, for forwarding to DOT staff. DOT staff will rerun the FSUTMS model on the current adopted Financially Feasible Plan network and determine whether network modifications are necessary, based on a review of projected roadway conditions within a 3-mile radius of the site;
- d. If no modifications to the network are required, then no further analysis for the long range horizon is necessary. If modifications are necessary, DOT staff will determine the scope and cost of those modifications and the effect on the financial feasibility of the plan;
- e. An inability to accommodate the necessary modifications within the financially feasible limits of the plan will be a basis for denial of the requested land use change;
- f. If the proposal is based on a specific development plan, then the site plan should indicate how facilities from the current adopted Financially Feasible Plan and/or the Official Trafficways Map will be accommodated.

Short Range – 5-year CIP horizon:

- a. Besides the 20-year analysis, for those plan amendment proposals that include a specific and immediated development plan, identify the existing roadways serving the site and within a 3-mile radius (indicate laneage, functional classification, current LOS, and LOS standard);
 - b. Identify the major road improvements within the 3-mile study area funded through the construction phase in adopted CIP's (County or Cities) and the State's adopted Five-Year Work Program;
Projected 2030 LOS under proposed designation (calculate anticipated number of trips and distribution on roadway network, and identify resulting changes to the projected LOS);
 - c. For the five-year horizon, identify the projected roadway conditions (volumes and levels of service) on the roads within the 3-mile study area with the programmed improvements in place, with and without the proposed development project. A methodology meeting with DOT staff prior to submittal is required to reach agreement on the projection methodology;
 - d. Identify the additional improvements needed on the network beyond those programmed in the five-year horizon due to the development proposal.
2. Provide an existing and future conditions analysis for (see Policy 95.1.3):
- a. Sanitary Sewer
 - b. Potable Water
 - c. Surface Water/Drainage Basins
 - d. Parks, Recreation, and Open Space
 - e. Public Schools.

Analysis should include (but is not limited to) the following:

- Franchise Area, Basin, or District in which the property is located;
- Current LOS, and LOS standard of facilities serving the site;
- Projected 2030 LOS under existing designation;
- Projected 2030 LOS under proposed designation;
- Existing infrastructure, if any, in the immediate area with the potential to serve the subject property.
- Improvements/expansions currently programmed in 5 year CIP, 6-10 year CIP, and long range improvements; and
- Anticipated revisions to the Community Facilities and Services Element and/or Capital Improvements Element (state if these revisions are included in this amendment).
- Provide a letter of service availability from the appropriate utility for sanitary sewer and potable water.

In addition to the above analysis for Potable Water:

- Determine the availability of water supply within the franchise area using the current water use allocation (Consumptive Use Permit) based on the annual average daily withdrawal rate.

- Include the current demand and the projected demand under the existing designation, and the projected demand under the proposed designation.
 - Include the availability of treatment facilities and transmission lines for reclaimed water for irrigation.
 - Include any other water conservation measures that will be applied to the site (see Goal 54).
3. Provide a letter from the appropriate agency determining the adequacy/provision of existing/proposed support facilities, including:
 - a. Fire protection with adequate response times;
 - b. Emergency medical service (EMS) provisions;
 - c. Law enforcement;
 - d. Solid Waste;
 - e. Mass Transit; and
 - f. Schools.

In reference to above, the applicant should supply the responding agency with the information from Section's II and III for their evaluation. This application should include the applicant's correspondence to the responding agency.

C. Environmental Impacts

Provide an overall analysis of the character of the subject property and surrounding properties, and assess the site's suitability for the proposed use upon the following:

1. A map of the Plant Communities as defined by the Florida Land Use Cover and Classification system (FLUCCS).
2. A map and description of the soils found on the property (identify the source of the information).
3. A topographic map depicting the property boundaries and 100-year flood prone areas indicated (as identified by FEMA).
- ✓4. A map delineating the property boundaries on the Flood Insurance Rate Map effective August 2008.
5. A map delineating wetlands, aquifer recharge areas, and rare & unique uplands.
6. A table of plant communities by FLUCCS with the potential to contain species (plant and animal) listed by federal, state or local agencies as endangered, threatened or species of special concern. The table must include the listed species by FLUCCS and the species status (same as FLUCCS map).

D. Impacts on Historic Resources

List all historic resources (including structure, districts, and/or archeologically sensitive areas) and provide an analysis of the proposed change's impact on these resources. The following should be included with the analysis:

1. A map of any historic districts and/or sites, listed on the Florida Master Site File, which are located on the subject property or adjacent properties.
2. A map showing the subject property location on the archeological sensitivity map for Lee County.

E. Internal Consistency with the Lee Plan

1. Discuss how the proposal affects established Town of Fort Myers Beach population projections, and the total population capacity of the Town of Fort Myers Beach Future Land Use Map.
2. List all goals and objectives of the Town of Fort Myers Beach Comprehensive Plan that are affected by the proposed amendment. This analysis should include an evaluation of all relevant policies under each goal and objective.
3. Describe how the proposal affects adjacent local governments and their comprehensive plans.
4. List State Policy Plan and Regional Policy Plan goals and policies which are relevant to this plan amendment.

G. Justify the proposed amendment based upon sound planning principles. Be sure to support all conclusions made in this justification with adequate data and analysis.

Item 1: Fee Schedule

Map Amendment Flat Fee	\$5,000.00 + 1,200 per additional acre
Text Amendment Flat Fee	\$5,000.00 + 1,900 per additional acre
Adjacent Property Notification	\$1.50 per notice (greater than 50)
Administrative Advertising Fee	\$1,900
Outside Consultant Fees	Passed through to the applicant at 103% of the rate billed to the Town of Fort Myers Beach by the Consultant

AFFIDAVIT

I, JAMES JOHN JAMIESON, certify that I am the owner or authorized representative of the property described herein, and that all answers to the questions in this application and any sketches, data, or other supplementary matter attached to and made a part of this application, are honest and true to the best of my knowledge and belief. I also authorize the staff of the Town of Fort Myers Beach Community Development to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made through this application.

[Signature]
Signature of owner or owner-authorized agent

02/08/2013

Date

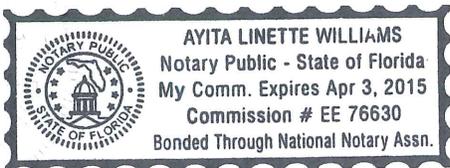
JAMES JOHN JAMIESON
Typed or printed name

STATE OF FLORIDA)
COUNTY OF LEE)

The foregoing instrument was certified and subscribed before me this 8th day of Feb, 2013
(date), by James John Jamieson, who is personally known to me or who has
produced Ontario Driver's Licence as identification.

(SEAL)

Ayita Linette Williams
Signature of notary public



Ayita Linette Williams
Printed name of notary public

ACKNOWLEDGEMENT OF LIABILITY FOR CONSULTANT COSTS

The Town of Fort Myers Beach may refer any application submitted to it to an engineering, planning, environmental, traffic, or any other technical consultant deemed necessary to enable it to review such application as required by law. The fees charged by such consultants shall not exceed the charges and fees customarily charged for such services in the Lee County Metropolitan Area or pursuant to an existing contractual agreement between a consultant and the Town of Fort Myers Beach. The applicant will be required to pay an amount equal to 103% of all amounts actually billed to the Town by the consultant. The applicant shall pay the Town upon receipt of the bill and prior to the final action on the application.

Final approvals and/or permits shall not be issued until the bill for the consultant services is paid in full by the applicant.

I have read, understand and agree to the above statements.


Signature of owner

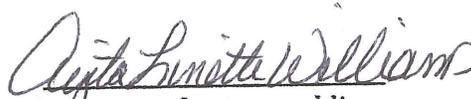
02/08/2013
Date

JAMES JOHN JAMIESON
Typed or printed name

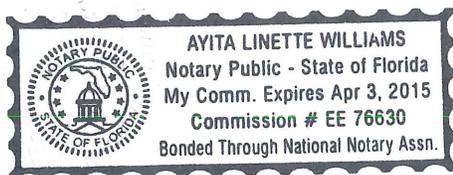
STATE OF FLORIDA)
COUNTY OF LEE)

The foregoing instrument was sworn to and subscribed before me this 8th day of Feb, 2013
(date), by James John Jamieson, who is personally known to me or who has
produced Ontario Driver's Licence as identification.

(SEAL)


Signature of notary public

Ayita Linette Williams
Printed name of notary public





Environmental Planning & Consulting

Wetland Management
Marine Construction & Permitting

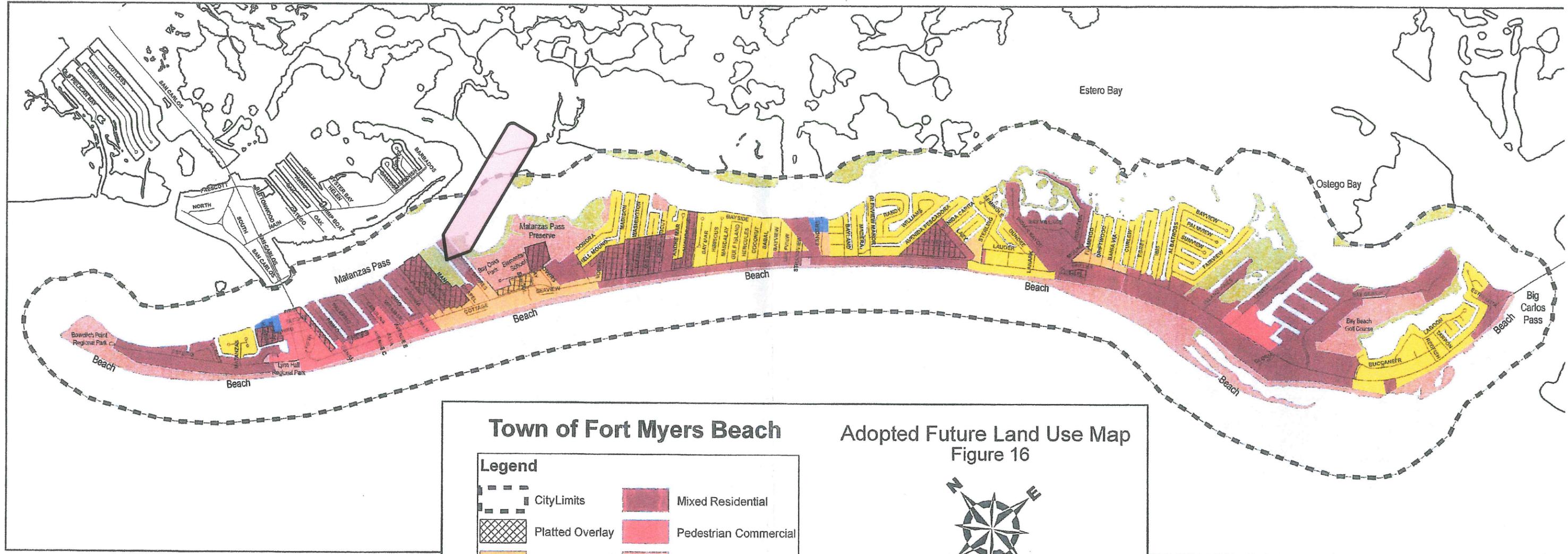
TEXT AMENDMENT LANGUAGE

TDR Sending Area Overlay. The TDR sending area overlay is an area consisting of 40 plated lots within the Seagrape Subdivision. Dwelling units may be transferred by right from lots within the Overlay area to any parcel within the Town of Fort Myers Beach with zoning and Future Land Use Map designations which collectively permit the construction of multi-family or hotel units regardless of the maximum density otherwise permitted by the Future Land Use Map category for the receiving parcel upon the donation of the corresponding number of lots to the Town of Fort Myers Beach.

Seagrape Subdivision
Strap # 19-46-24-W3-0120B.0120
Strap # 19-46-24-W3-0120C.0060

1130 Main Street, Fort Myers Beach, FL 33931
(239) 463-9326 Office (239) 982-6547 Pager (239) 463-0865 Fax
Joanne Semmer (239) 470-4993 Cell Chad Ward (239) 207-7970 Cell
email: jj37A@yahoo.com

EXHIBIT 1

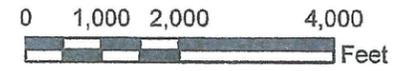


Town of Fort Myers Beach

**Adopted Future Land Use Map
Figure 16**

Legend			
	City Limits		Mixed Residential
	Platted Overlay		Pedestrian Commercial
	Boulevard		Recreation
	Low Density		Tidal Water
	Marina		Wetlands

Originally Prepared by Spikowski Planning Associates
and Lee County Property Appraiser's Office
Updated and Maintained by Fort Myers Beach
Community Development Department



January 1, 1999

As Amended Through May 20, 2010

Current Future Land Use Map
Seagrape Subdivision
Section 19 - Township 46S - Range 24E
Strap # 19-46-24-W3-0120C.0060
Strap # 19-46-24-W3-0120B.0120