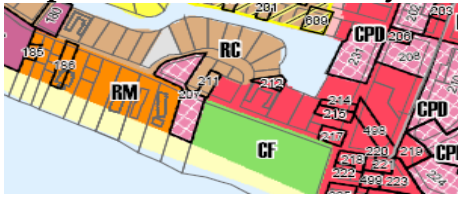


**Town of Fort Myers Beach
Department of Community Development**



MEMORANDUM

To: Local Planning Agency

CC: Anne Dalton, Attorney to the Local Planning Agency

From: Frank Shockey, Interim Community Development Director

Date: April 22, 2009

RE: "Pink Shell" (DCI2006-0001 and DCI2006-0002)

On April 6, 2009, I received a letter from Bill Waichulis on behalf of the Pink Shell organization (JABO LLC) requesting a continuance of the LPA's hearing of the Pink Shell zoning amendments, which had been continued by the LPA on its own initiative from the meeting of March 24 to the meeting of April 28. Mr. Waichulis's letter is attached.

Although the letter requests a continuance to May 5, the next scheduled LPA meeting after April 28 is May 12. Mr. Waichulis called me by telephone on April 7 to clarify that he had not meant to request that a meeting be specially scheduled for the hearing, and that May 12 would be acceptable.

LDC Section 34-235(2)b.3. provides that the applicant is entitled to one continuance before the LPA and one continuance before the Town Council as a matter of right.



275 Estero Boulevard
Fort Myers Beach
Florida 33931

TOWN OF
FORT MYERS BEACH

April 6, 2009

APR 6 2009

RECEIVED BY

Mr. Frank Shockey
Town of Fort Myers Beach
Community Development
2523 Estero Blvd
Fort Myers Beach, FL 33931

Mr. Shockey:

As you are aware, the Pink Shell amendments to CPDs Case numbers 2006-0001 and 2006-0002 were continued to LPA hearing on April 28th. Pursuant to LDC 34-235 b. and due to our productive meeting with you, we would like to provide additional information in support of Pink Shell's requested modifications and provide support for Pink Shell's requested language in response to the issues raised by staff proposed conditions affecting our prior approvals. Therefore, we are requesting a continuance to May 5th LPA hearing.

Sincerely,

A handwritten signature in black ink, appearing to read "Bill Waichulis", written over a horizontal line.

Bill Waichulis
General Manager

tel: 239-463-6181
fax: 239-463-1229

www.pinkshell.com

The Only Thing We Overlook is The Beach