

**FORT MYERS BEACH, FLORIDA  
DEPARTMENT OF COMMUNITY DEVELOPMENT  
ZONING STAFF REPORT**

**TYPE OF CASE:** Commercial Planned Development

**CASE NUMBER:** DCI2009-00001 (Newton Park)

**LPA HEARING DATE:** July 14, 2009

**TIME:** 10:30 AM

**I. APPLICATION SUMMARY:**

Applicant: Town of Fort Myers Beach

Request: Rezone 0.79± acres from RC (Residential Conservation) to CPD to approve a schedule of uses for the adaptive reuse of an existing historic site, and to approve deviations from the Land Development Code as shown on a master concept plan.

Subject property location: 4600, 4610, and 4650 Estero Boulevard (South on Estero Boulevard about 2.8 miles from the base of the Sky Bridge to Strandview Avenue. Newton Park is on the right (Gulf of Mexico) side of the road, between Strandview Avenue and an unnamed access.

STRAP Numbers: 29-46-24-W3-0080H.0030  
29-46-24-W3-0080H.0050  
29-46-24-W3-0080H.0010

Future Land Use Map (FLUM) designation: Recreation

Current Zoning: RC (Residential Conservation)

Current use(s): Park, neighborhood ("Newton Park") with two vacant dwelling units

Adjacent land uses and zoning:

Southeast: Single-family residences (Mixed Residential FLUM, zoned RC)

Northwest: Strandview Tower Condo (Mixed Residential FLUM, zoned RM)

Northeast: Whitecap Condo (Mixed Residential FLUM, zoned RPD), then  
Ocean Harbor Condo (Mixed Residential FLUM, zoned RM)

Southwest: Undeveloped beach (Recreation FLUM, zoned EC)

## **II. Recommendation:**

Staff recommends **APPROVAL** of the request to rezone to CPD, with the following conditions, in accordance with recommended findings as further detailed below. Staff recommends **APPROVAL** of the three deviations as detailed below.

### Conditions

1. Development must be consistent with the one-page Master Concept Plan stamped "Received April 7, 2009" for case FMBDCI2009-0001, attached as **Exhibit "B"**. The Master Concept Plan must be updated to reflect the final decision of Town Council prior to execution of the resolution approving this rezoning. If changes to the Master Concept Plan are subsequently pursued, appropriate approvals will be necessary.

2. The following limits apply to the project and uses:

a. Schedule of Uses

Principal:

- Beach Access
- Park, neighborhood
- Recreation facility, public
- Cultural facility
- Membership organization
- Recreation facility, commercial

Accessory:

- Essential services
- Essential services equipment
- Hidden path
- Day care center, adult (see condition #5 below)
- Day care center, child (see condition #5 below)
- Dwelling unit, caretaker
- Place of worship (see condition #6 below)
- School (see condition #6 below)
- Theatre (see condition #6 below)
- Temporary uses
- On-premises consumption of alcoholic beverages (see condition #7) below)

Retail store, small  
Administrative office

b. Site Development Regulations

Minimum Lot Width:	<b>195± feet</b>
Minimum Lot Depth:	<b>180± feet</b>
Minimum Lot Area:	<b>34,667± square feet</b>
Maximum Building Height:	<b>2 stories</b> , including space below base flood elevation as a story <b>25 feet</b>
Maximum Floor Area Ratio:	<b>0.8</b>
Setbacks:	
Estero Boulevard:	<b>15 feet</b>
Strandview Avenue:	<b>10 feet</b>
Northeasterly lot line:	<b>9.4 feet</b> (existing building only) <b>10 feet</b> (all other structures)
Gulf of Mexico:	<b>50 feet</b> from Mean High Water Line

3. Approval of this rezoning does not authorize any activity that would violate any deed restriction or any contractual obligation regarding the subject property.

4. Land lying seaward of the Coastal Construction Setback Line recorded in Plat Book 31, Pages 1 through 21, Public Records of Lee County, Florida, is not rezoned by this resolution and remains zoned EC (Environmentally Critical).

5. The uses *day care center, adult* and *day care center, child* are included as accessory uses to clarify that groups of adults and/or groups of children may spend periods of time during day and evening hours, not extending to overnight stays, on the park grounds or in the buildings, whether gratis or for a fee.

6. The uses *place of worship, school, and theater* are included as accessory uses to clarify that the park grounds and buildings may occasionally host religious, educational, and/or cultural activities, regardless of whether the property is made available to an outside organization or entity gratis or for a fee, or the activities are organized by the Town gratis or for a fee.

7. On-premises consumption of alcoholic beverages is limited to temporary permits issued in accordance with LDC Section 34-1264(d), or to a membership organization/club in accordance with LDC Section 34-1264(a)(1)c. Any on-premises consumption of alcoholic beverages must comply with all applicable provisions of state law and agency rules.

## Deviations

1. Deviation from LDC Section 34-953 to allow the requested CPD zoning district to utilize the site development regulations provided in condition #2 above rather than the regulations of either the CR or CB zoning district.
2. Deviation from LDC Section 10-285 requiring connection separation between connections to a local street of 125 feet, to allow minimum separations of 76 feet for a connection to Strandview Avenue and 70 feet for a connection to an unnamed accessway, as indicated on the Master Concept Plan.
3. Deviation from LDC Sections 10-291 and 10-296 to allow the development to use the existing 20-foot shell accessway adjoining the northeasterly lot line.

## **III. INTRODUCTION, BACKGROUND, AND ANALYSIS**

The Town of Fort Myers Beach, owner of the subject property at 4600, 4610, and 4650 Estero Boulevard, has requested rezoning from RC (Residential Conservation) to CPD (Commercial Planned Development) to approve a schedule of uses related to the operation of a historic site and neighborhood park, and to approve deviations from development standards affecting proposed site improvements as shown on a master concept plan (MCP).

The subject property is within the Recreation Future Land Use Map (FLUM) category. Comprehensive Plan Amendment SSA-04-03, adopted by Town Ordinance 04-10 in July 2004, amended the Fort Myers Beach Comprehensive Plan to redesignate the subject property from the Mixed Residential FLUM category to the Recreation FLUM category. The property was rezoned from RS-1 to RC with the adoption of Ordinance 03-03 in March 2003, which repealed the transitional zoning regulations, established new zoning districts, and rezoned all land in the Town.

The Town acquired the subject property in September 2003 using grant funding partly provided by the State of Florida. Deed restrictions affecting the use of the subject property cannot and will not be changed through the current request, and will continue to apply to all activities on the subject property. These restrictions generally require that the property be used for conservation, protection, and enhancement of natural and historic resources and for passive, natural resource-based public outdoor recreation compatible with the site. The restrictions also allow for "other related uses necessary for the accomplishment of this purpose."

## Master Concept Plan

The Master Concept Plan, stamped received April 7, 2009, indicates the locations of proposed and existing site improvements. A structure known as the "Seven Seas" building, located near the southwesterly corner of the property,

was designated an historic resource by the Town's Historic Preservation Board, which adopted resolution HPB2009-07 on March 10, 2009. A certificate of appropriateness for renovation and restoration of this historic structure was approved by the Board on March 24, 2009. It is proposed to contain a multi-purpose community space, restroom facilities, and administrative offices.

The applicant's plans for use of the subject property include some uses that are not permitted in the RC zoning district, and the entire group of which is not permitted by right in any one of the Town's conventional zoning districts. Relief from development and zoning regulations can be provided administratively to historic resources in accordance with LDC Sections 22-173 and 22-174, but such relief cannot involve an actual change in use of the property. Thus the applicant has chosen planned development rezoning as the most efficient means of requesting the desired schedule of uses. The Master Concept Plan depicts an existing chickee, an existing shell parking area, proposed paths, a proposed bocce court, and a proposed gazebo, in addition to the location of the existing "Seven Seas" building.

Several deviations identified in the application and on the Master Concept Plan result from LDC Section 34-953, which suggests that the property development regulations for a CPD zoning district that does not primarily include lodging uses should be the same as the regulations of the CB zoning district. The CB district's property development regulations contain form-based zoning requirements that were put in place to achieve the desired development patterns in the Town's commercial areas that are outside of the commercial cores in the DOWNTOWN and SANTINI zoning districts. These patterns include locating mixed-use buildings near streets, with parking areas in the rear yards. In this situation applicant proposes neither a commercial nor lodging project, but a civic project for improvement of an existing historic site, so development standards applicable to commercial or lodging developments are not appropriate. The CPD zoning district is probably the most efficient way under current Town regulations to achieve the necessary degree of flexibility to allow the desired public uses on the property, however. Staff formulated deviation #1 above to replace the requested deviations numbered 1, 2, and 3 in the application and proposed MCP. Staff's recommended deviation #1 will achieve the appropriate degree of flexibility and will not subject the reuse of this public park and historic site to regulations that were intended for development of new commercial and mixed-use buildings.

### Comprehensive Plan Considerations

All of the subject property is located within the Recreation FLUM category. **Policy 4-B-8** of the Comprehensive Plan describes the Recreation FLUM category as follows:

**[A]ppplied to public parks, schools, undevelopable portions of Bay Beach, and those parts of Gulf beaches that lie seaward of**

**the 1978 coastal construction [setback] line. Additional accretions of beach, whether by natural causes or through beach renourishment, will automatically be assigned to this category. No new residential development is permitted (although several existing buildings were legally constructed partially seaward of the 1978 control line). The maximum density of residential development here is 1 dwelling unit per 20 acres, with all dwelling units to be constructed outside this category. Allowable uses are parks, schools, libraries, bathing beaches, beach access points, and related public facilities. Non-recreational uses (such as the elementary school) now comprise 2.7% of the land in this category; additional school sites and public buildings shall not increase this percentage beyond 6%.**

**Policy 4-B-13** of the Comprehensive Plan anticipates that public facilities “will continue to be located” in the Recreation FLUM category.

**Policy 10-D-3** and **Policy 10-F-3** refer specifically to the acquisition of the Newton property and its planned use as a public park and interpretive center for the history, culture, and environment of Estero Island.

### Development Regulations

A limited amount of additional development of the subject property is proposed, including some public recreation facilities such as bocce courts and a gazebo, and site landscaping that will accommodate walking paths. Deviations from connection separation requirements and accessway construction standards clarify that the connections need not be relocated and the adjacent roadways need not be upgraded in order to continue using the subject property. Appropriate vegetative buffers will be provided between the parking area and the adjoining streets. The development regulations provided in condition #2 address the existing building and the proposed location of future accessory structures such as the gazebo, and allow for the possibility of a future permanent public restroom facility.

### Requested Uses

Essentially, the principal use requested is a neighborhood park, which is already permitted by right in the RC zoning district. Some other accessory uses and adaptive reuses of the existing historic building and the park grounds could extend further into the civic, retail, and office use groups than allowed by the current RC zoning and so the applicant has included a list of the foreseeable uses of the property. The historic structure will be a small cultural facility once it

is opened to the public as a museum, and use of the historic structure for meetings of civic and fraternal groups would resemble the “membership organization” use. Some meetings and events might involve the sales and consumption of alcoholic beverages, and on occasion shows and educational programs might lead to uses of the park and/or building that resemble theatre or school uses, though neither use is proposed as a principal use. The applicant has included these and other similar uses to allow for a range of activities to take place on this public property without undue restriction.

#### Analysis:

The Town acquired the Newton property for the stated purpose of developing a public recreation area. The intention of acquiring the Newton property was already partly formed as the Comprehensive Plan was being developed, and several adopted policies of the Comprehensive Plan address the planned future of the Newton property. Regardless of any controversy over the historic significance of any of the buildings that were located on the Newton property when the Town acquired it, the plan to develop the property into a park for public use remains essentially the same. Certain amenities are desired for that park, and in any case the property should be attractively maintained.

Approval of this rezoning, as conditioned, will give the Town the flexibility to adapt the use of the property to meet foreseeable desired uses of the park area and the renovated historic building. The attached conditions ensure that these uses will not expand commercially in a fashion that would intrude upon nearby residential neighborhoods or exceed the limited scope of activity allowable within the Recreation FLUM category.

### **IV. RECOMMENDED FINDINGS AND CONCLUSIONS**

#### Substantive Considerations

Staff has addressed the following considerations required for rezoning according to LDC Section 34-85(2), and submits the substantive discussion of each consideration in support of the staff recommendation regarding the required findings of fact.

*Whether there exists an error or ambiguity which must be corrected.*

No error or ambiguity is evident. The Town acquired the subject property, which formerly constituted a private residence, and now proposes to use the former residential property as a recreational area that is also the site of an historic building.

*Whether there exist changed or changing conditions which make approval of the request appropriate.*

The Town has acquired the subject property and formulated its plans to renovate the historic building and improve the site to complete the conversion from a residential property to a small park. This changed condition makes approval of the request appropriate.

*The impact of the proposed change on the intent of LDC Chapter 34.*

Stated intents of LDC Chapter 34 are “to provide for preservation, protection, development, and conservation of the historical and natural resources of land, water, and air” and “to provide for promotion of the amenities of beauty and natural interest.” These and other statements of intent in LDC Section 34-1 will be furthered by approval of the request, which will allow for the continuing use of the subject property as a public park area and historic site.

*Whether the request is consistent with the goals, objectives, policies, and intent, and with the densities, intensities, and general uses as set forth in the Fort Myers Beach Comprehensive Plan.*

Several Comprehensive Plan policies specifically refer to the Newton Property. **Policy 10-D-3** expresses the intent to “purchase the Newton estate to serve as an oasis park with interpretive and rest facilities”. **Policy 10-F-3** expresses the intent to “operate [the Newton Property] as a small community park”. These policies support the overall goals, expressed in Goals **10-D** and **10-F**, of increasing the level of access to recreation facilities and heightening appreciation of the Town’s recent history and cultural life. As a part of the small public park, the proposed uses are consistent with the general uses set forth for the Recreation FLUM category in **Policy 4-B-8** and for public facilities in **Policy 4-B-13**.

*Whether the request meets or exceeds all performance and locational standards set forth for the proposed use or mix of uses.*

Specific performance and locational standards do not apply to most of the proposed uses. The location of the parking area is addressed by deviation #1. Required landscaped buffer areas will be provided between the parking area and rights-of-way. The on-premises consumption of alcoholic beverages will be limited in such a way as to comply with locational standards and will be required to comply with state law.

*Whether urban services are, or will be, available and adequate to serve a proposed land use change.*

The existing building was constructed many years ago and is already connected to electric, water, and sewer services. Any new connections or necessary upgrades to existing connections will be made at the applicant's expense. Urban services are or will be available and adequate to serve the proposed land use change.

*Whether the request will protect, conserve, or preserve environmentally critical areas and natural resources.*

Development of environmentally critical areas is not proposed and property zoned EC (Environmentally Critical) is not being rezoned. The park grounds will be landscaped with an appropriate proportion of native vegetation, and invasive exotic vegetation will not be allowed. The outdoor recreation use of the park will protect, conserve, and preserve environmentally critical areas and natural resources.

*Whether the request will be compatible with existing or planned uses and not cause damage, hazard, nuisance, or other detriment to persons or property.*

The request is for a specifically planned use in the Comprehensive Plan. Existing uses nearby include multifamily and single-family residential uses. The use of the park and historic building is limited, as conditioned, so that it will not cause damage, hazard, nuisance, or other detriment to persons or property.

*Whether the location of the request places an undue burden upon existing transportation or other services and facilities and will be served by streets with the capacity to carry traffic generated by the development.*

The location of the request is in an already developed neighborhood of detached homes and multifamily buildings, not far from the commercial center of Publix and Snook Bight Marina. The site is already served by Estero Boulevard, Strandview Avenue, and an unnamed 20-foot accessway. The accessway is proposed to be used as a one-way access for entry only, with traffic from the parking area exiting to Strandview Avenue. The location is in an already developed area and is already served by all the streets identified in the Town's Future Transportation Map, adopted by Comprehensive Plan **Policy 7-I-3**. The location does not place an undue burden on existing transportation or other services and facilities and is served by streets that have the capacity to carry traffic generated by the development.

## Required Findings (Rezoning)

In addition to the substantive considerations discussed above, certain findings and conclusions must be made prior to rezoning under LDC Section 34-85; additional findings and conclusions are necessary for rezoning to a planned development zoning district and for approval (or denial) of deviations, under LDC Section 34-216. Staff recommends the following findings and conclusions:

1. Whether the requested zoning district complies with the Fort Myers Beach Comprehensive Plan, LDC Chapter 34, and any other applicable Town ordinances or codes.

Approval of the rezoning to CPD, as requested and as conditioned, will limit the use of the subject property to a group of uses consistent with the Recreation FLUM category and public facilities as detailed in Comprehensive Plan **Policy 4-B-8** and **Policy 4-B-13**. The use of the subject property for a public park and historic site was specifically planned in **Policy 10-D-3** and **Policy 10-F-3**. Accessory uses will be required to comply with general provisions of LDC Chapter 34, and site development will comply with LDC Chapters 10 and 34 except where granted deviations. Staff recommends the finding that the requested zoning district **complies with** the Fort Myers Beach Comprehensive Plan, LDC Chapter 34, and any other applicable Town ordinances or codes.

2. Whether the proposed use or mix of uses is appropriate at the subject location.

The public park and historic site were specifically planned in Comprehensive Plan **Policy 10-D-3** and **Policy 10-F-3**. Accessory educational, religious, and cultural uses are appropriately allowed in a public park, if conditioned to ensure that they do not expand commercially to intrude upon neighboring residential uses. The recommended conditions would prevent such expansion. Staff recommends the finding that the proposed use or mix of uses **is appropriate** at the subject location.

3. Whether sufficient safeguards to the public interest are provided by recommended special conditions to the concept plan or by other applicable regulations.

Recommended conditions protect the public from the expansion of accessory uses of the park and historic site. Other applicable state regulations apply to the subject property through deed restrictions and protect the wider public interest for which the subject property was acquired. Staff recommends the finding that sufficient safeguards to the public interest **are provided** by the recommended special conditions or by other applicable regulations.

4. Whether all recommended special conditions are reasonably related to the impacts on the public's interest created by or expected from the proposed development.

The recommended conditions specify the applicable master concept plan, provide property development regulations, clarify that environmentally critical areas are not being rezoned for development, and prevent the expansion of accessory uses in ways that could be detrimental to neighbors and the public in general. Staff recommends the finding that the conditions **are reasonably related** to the impacts on the public's interest created by or expected from the proposed development.

5. Whether the proposed use meets all specific requirements of the comprehensive plan that are relevant to the requested planned development.

Comprehensive Plan **Policy 10-D-3** and **Policy 10-F-3** address the subject property specifically. These policies provide for the property to be operated as a small park with interpretive and rest facilities. **Policy 4-B-8** and **Policy 4-B-13** clearly provide that public facilities are appropriately located in the Recreation FLUM category. Staff recommends the finding that the proposed use **does meet** all specific requirements of the comprehensive plan that are relevant to the requested planned development.

#### Required Findings (Deviations)

With regard to the three deviations, staff recommends the following findings in accordance with LDC Section 34-216:

1. Whether each item enhances the achievement of the objectives of the planned development.

Deviation #1 allows property development regulations appropriate to a park and existing historic site rather than form-based regulations designed for new development of commercial or mixed-use buildings. Strandview Avenue and the unnamed 20-foot accessway are existing facilities. Deviation #2 to allow connections to Strandview Avenue and the accessway that do not meet the minimum separation requirements will allow access to the property without creating new connections to Estero Boulevard. Further intensification of development adjoining Strandview Avenue and the accessway is not allowed. Deviation #3 from the accessway construction standards will allow continuing use of the park and historic site and maintain the existing shell accessway.

Staff recommends the finding that deviations #1, #2, and #3 **do enhance** the achievement of the objectives of the planned development.

2. Whether the general intent of LDC Chapter 34 to protect the public health, safety, and welfare will be preserved and promoted.

Deviation #1 allows property development regulations appropriate to a park and historic site. Deviation #2 allows the property to have connections to existing local streets and reduces the number of connections to Estero Boulevard. Deviation #3 will allow the existing accessway to continue as a permeable shell surface rather than pavement, and will allow existing utility equipment to remain in place, rather than being relocated.

Staff recommends the finding that the general intent of LDC Chapter 34 to protect the public health, safety, and welfare **will be** preserved and promoted by approval of deviations #1, #2, and #3.

3. Whether each deviation operates to the benefit, or at least not to the detriment, of the public interest.

Deviation #1 allows appropriate property development regulations instead of requiring the historic building to be relocated to meet a build-to line. Deviation #2 reduces the number of connections to Estero Boulevard by using the existing Strandview Avenue and accessway connections. Deviation #3 prevents unnecessary relocation of utility equipment and allows the accessway to continue as a permeable surface rather than a source of stormwater runoff.

Staff recommends the finding that deviation #1, #2, and #3 each **do operate** to the benefit, and **do not operate** to the detriment, of the public interest.

4. Whether each deviation is consistent with the Fort Myers Beach Comprehensive Plan.

Comprehensive Plan **Policy 10-D-3** and **Policy 10-F-3** specifically plan the use of the subject property for a park and interpretive site. Redeveloping the property in accordance with form-based property development regulations would not be consistent with these policies, whereas the recommended property development regulations provided in condition #2 and allowed by deviation #1 would be consistent with these policies. **Policy 7-H-10** states the intent to reduce and consolidate connections to Estero Boulevard, which is achieved by deviation #2. The comprehensive plan does not specifically address accessway construction standards.

Staff recommends the finding that deviation #1, #2, and #3 each **are consistent** with the Fort Myers Beach Comprehensive Plan.

## **V. CONCLUSION**

The requested rezoning from RC to CPD will allow the applicant's desired schedule of uses for a park and historic site to be operated on the Newton Property in accord with deed restrictions, including a management plan. As conditioned, the adaptive uses of the historic building and park grounds will be permissible in the Newton CPD zoning district while neighbors and the wider public will have reasonable assurances that these adaptive uses will not expand in ways that could intrude upon residential areas. Associated site improvements for the park grounds will be clearly allowed under the CPD zoning, and appropriate property development regulations are specified, as conditioned.

Staff recommends **APPROVAL** of the requested rezoning to CPD and **APPROVAL** of deviations #1, #2, and #3 provided above, as conditioned.

## **EXHIBITS**

Exhibit "A" – Legal Description

Exhibit "B" – Master Concept Plan (stamped received April 7, 2009)

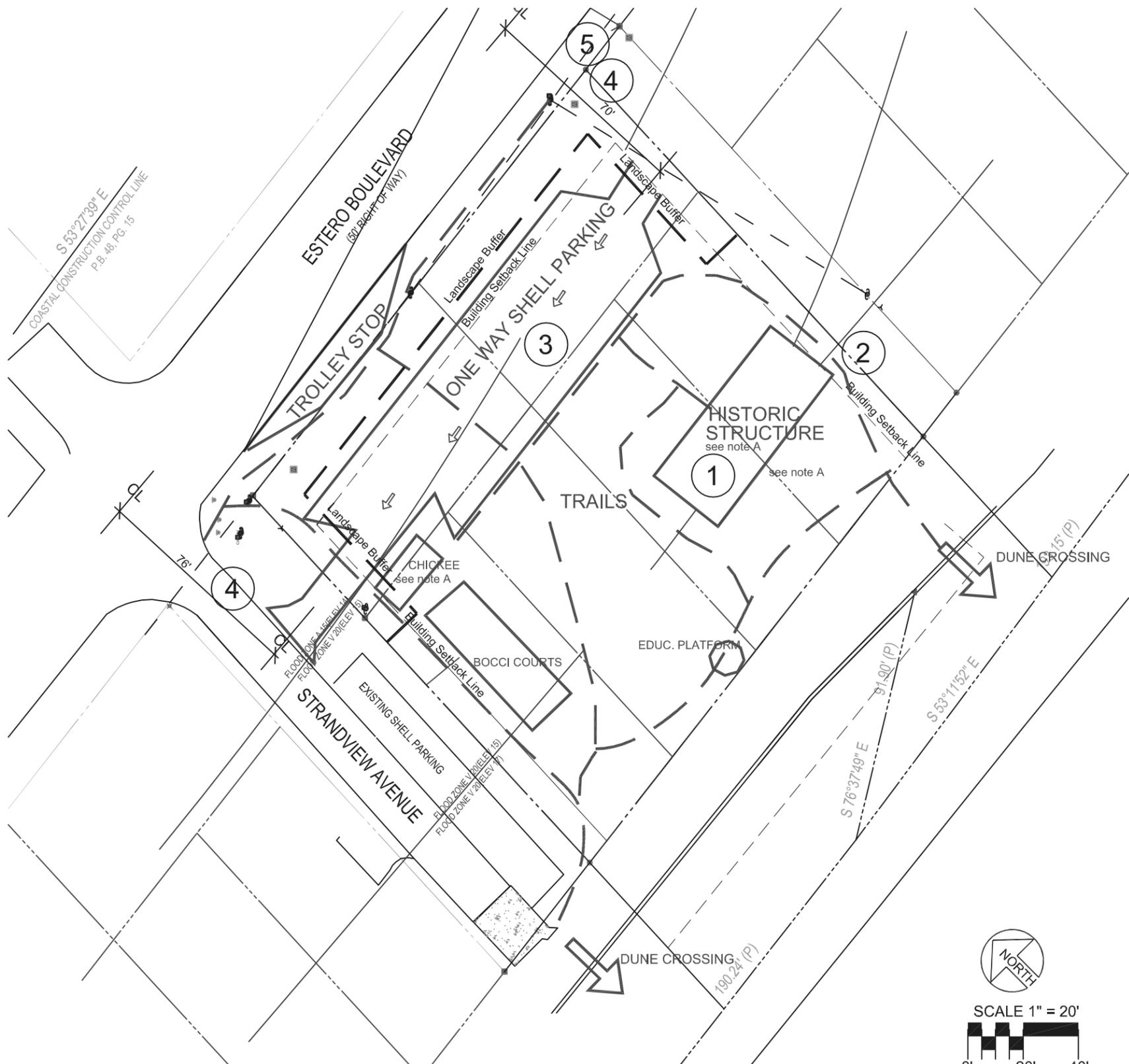
## **ATTACHMENTS**

Attachment "A" – Application (including copy of deed restrictions)

**FMBDCI2009-0001**

**Exhibit A**

Lots 1, 2, 3, 4, 5, and 6, Block H, HYDE PARK SUBDIVISION, as recorded in Plat Book 7, Page 20, Public Records of Lee County, Florida



- SCHEDULE OF DEVIATIONS**
- DEVIATION 1:** Deviation from Section 34-635, Commercial Design Standards. Deviation from the requirements for commercial design standards (34-991-1010) to apply to the existing building scheduled to remain on the site.  
**JUSTIFICATION:** The existing Newton House (Seven Seas) building has been designated as a historical structure, thereby exempting the structure from the requirement to conform to the commercial standards.
  - DEVIATION 2:** Deviation from Section 34-704(b)(1) : Setback Lines Established. Deviation from the building setback for community facilities from the side setback of 10' to permit 9.5' setback.  
**JUSTIFICATION:** The existing Newton House (Seven Seas) is currently 9.5' from the side property line.
  - DEVIATION 3:** Deviation from Section 34-706(a) : Parking Lot Locations. Deviation from the requirement of off-street parking to be in the side or rear yard to permit the shell parking lot in the front yard.  
**JUSTIFICATION:** The location of the existing Newton House (Seven Seas) on the subject property and the historical designations associated with the site prohibit compliance with this section.
  - DEVIATION 4:** Deviation from Section 10-285: Connection separation. Deviation from Section 10-285 Table 10-1 requiring accessway separations of 125' when connecting to a local street and 60' when connecting to an accessway, to permit the following connections:  
76' and 74' separation connecting the accessway and to Strandview Drive.  
**JUSTIFICATION:** The parking circulation has been designed as a one-way system. The access is from a shared accessway along the eastern property. This accessway is shared with a single family residence. The parking one-way east connects with Strandview Drive along the western side of the property. This is an exit only so left hand turning from Strandview into the site is not permitted. Strandview is a dead end street with on-street parking for the beach access.
  - DEVIATION 5:** Deviation from Sections 10-291 and 10-296 requiring Accessway design and construction Standards to permit the continued use of the existing shell accessway within the existing 20' accessway.  
**JUSTIFICATION:** The existing width of the accessway is only 20' wide. There are existing utility structures that are constraining the opportunities to provide wider access. The accessway serves the proposed parking and a single family residence. The parking access is to the west. Only the single family residential traffic is per

**SITE DATA :**  
 SITE: 3,478 s.f., 3 acres  
 EXISTING ZONING: R-7 Residential Conservation  
 PROPOSED ZONING: C14 CE

**BUILDING SETBACKS :**  
 Front: 10' (Ref: Deviation 2)  
 Side: 10' (Ref: Deviation 2)  
 Side: Strandview Ave.: 10'  
 Rear: Gulf: 5' from Mean High Water line

**LANDSCAPE BUFFERS :**  
 North: 15' Type I  
 East: 15' Type I at parking area only  
 West: 15' Type D at parking area only  
 South: No Buffer Required

**PARKING :**  
 Parking Area: 1,839 s.f.  
 Parking at one space per 130 s.f. building area = 13 spaces required  
 20 spaces provided  
 2 handicap spaces provided  
 22 total parking spaces provided

**PARKING DIMENSIONS :**

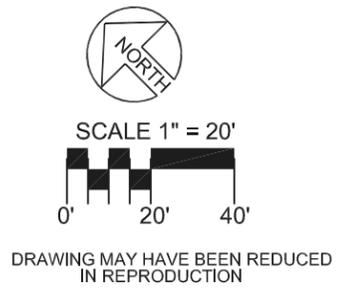
	Min. Required	Provided
Stall Width	8.5'	8.5'
Stall Width (parallel to side)	9.5'	9.5'
Aisle Width (one way)	14'	14.36'
Stall Depth (no wall used)	19.1'	19.1'

**SCHEDULE OF USES:**

USE	PRINCIPAL USE	ACCESSORY USE
<b>Civic</b>		
Beach access	X	
Park, neighbourhood	X	
Recreation facility, public	X	
Cultural facility	X	
Essential services		X
Hidden path		X
Day care center, adult or child		X
Dwelling unit, caretaker		X
Place of worship		X
School		X
Theatre		X
<b>Retail</b>		
Membership organization	X	
Recreation facilities, commercial	X	
Temporary uses		X
On-premises consumption of alcoholic beverages		X
Retail store, small		X
<b>Office</b>		
Administrative office	X	

NOTE A: Possible outdoor retail use (accessory) locations.

# MASTER CONCEPT PLAN



DAVID M. JONES JR. AND ASSOCIATES, INC.  
 LANDSCAPE ARCHITECTS AND PLANNERS  
 FORT MYERS, FLORIDA 33901  
 2221 MCGREGOR BOULEVARD  
 (239) 337-5625 FAX (239) 337-4494  
 LC 000063

DESIGN PROFESSIONAL

PROJECT NO: 180028  
 FILE NO:  
 DESIGNED BY: NEG  
 CHECKED BY:



LANDSCAPE ARCHITECTURAL PLANS FOR:  
**NEWTON BEACH PARK**  
 FORT MYERS BEACH, FLORIDA  
 ZONING EXHIBIT



Received  
 April 7, 2009

PROJECT NO:  
 280065

DATE:  
 2/19/09

SHEET DESCRIPTION:  
 MASTER CONCEPT PLAN

SHEET NUMBER:  
 MCP

REVISION: