AGENDA FOR THE HEARING EXAMINER

Tuesday, July 24, 2018
9:00 AM
Council Chambers

1. HEARINGS CALLED TO ORDER

2. HEARINGS

A. Case # VA18-0002*; Address: Multiple on Ottersrest Ln and Coral Point Dr; Applicant: City of Cape Coral

B. Case # VA18-0011*; Address: 1301/1303 NE 8th Place; Applicant: D & D 35 CORP

C. Case # PDP18-0004*; Address: 627 & 629 Cape Coral Parkway W, 620 SW 47th Terrace; Applicant: Thomas J. Morrison, Cape Coral Parkway LLC

3. DATE AND TIME OF NEXT HEARINGS

A. Tuesday, August 7, 2018, at 9:00 a.m., in Council Chambers

4. ADJOURNMENT

In accordance with the Americans with Disabilities Act and Florida Statutes 286.26, persons needing a special accommodation to participate in this proceeding should contact the City Clerk's Department whose office is located at Cape Coral City Hall, 1015 Cultural Park Boulevard, Cape Coral, Florida; telephone 1-239-574-0411 for assistance, if hearing impaired, telephone the Florida Relay Service Numbers, 1-800-955-8771 (TDD) or 1-800-955-8700 (v) for assistance.

If a person decides to appeal any decision made by the Board/Commission/Committee with respect to any matter considered at such meeting or hearing, he will need a record of the proceedings, and for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

PLEDGE OF CIVILITY

We will be respectful of each other even when we disagree.
We will direct all comments to the issues. We will avoid personal attacks.

The hearing shall, to the extent possible, be conducted as follows:

1. The Clerk shall read into the record the Ordinance or Resolution Title and Number, or the Applicant's name, file number, and the subject matter to be decided if there is no ordinance or resolution.
2. The Applicant, staff, and all Participants requesting to speak or present evidence or both the hearing shall be collectively sworn by an oath or affirmation by the Clerk.
3. Staff will testify regarding proper notice of the Hearing in accordance with City requirements.
4. The Applicant may waive the Applicant's right to an evidentiary hearing if Applicant agrees with the staff recommendation and no one from the audience wishes to speak for or against the application. The Hearing Examiner shall rule on the matter or make a recommendation, based upon the staff report and any other materials contained within the official file. Regardless of a waiver by the Applicant, a Public Hearing shall be held for all decisions requiring an ordinance or resolution.
5. If there is an evidentiary hearing, the order of the presentation shall be as follows, unless the Hearing Examiner, determines to proceed in a different order, taking proper consideration of fairness and due process:
    - The Applicant shall make the Applicant's presentation, including offering any documentary evidence, and introduce any witnesses as Applicant desires. The Applicant shall present the Applicant's entire case in thirty (30) minutes.
    - Staff shall present a brief synopsis of the application; introduce any appropriate additional exhibits from the official file that have not already been transmitted to the Hearing Examiner with the agenda materials, as staff desires; summarize issues; and make a recommendation on the application. Staff shall also introduce any witnesses that it wishes to provide testimony at the hearing. Staff shall present its entire case in thirty (30) minutes.
    - Participants in opposition to or support of the application shall make their presentation in any order as determined by the Hearing Examiner. Each Participant shall present their argument in 5 minutes.
    - The Applicant may cross-examine any witness and respond to any testimony presented.
    - Staff may cross-examine any witness and respond to any testimony presented.
    - The Hearing Examiner may choose to allow Participants to respond to any testimony if the Hearing Examiner deems the response to be necessary to ensure fairness and due process.
    - The Hearing Examiner, may ask questions of the staff, Applicant, and Participants.
    - Final argument may be made by the Applicant, related solely to the evidence in the record.
    - Final argument may be made by the staff, related solely to the evidence in the record.
    - For good cause shown, the Hearing Examiner may grant additional time to any of the hereinabove time limitations.
    - The Hearing Examiner's, decisions must be based upon Competent Substantial Evidence in the record.

Item Number:	**2.A.**
Meeting Date:	**7/24/2018**
Item Type:	**HEARINGS**

AGENDA REQUEST FORM
CITY OF CAPE CORAL

TITLE:
Case # VA18-0002*; Address: Multiple on Ottersrest Ln and Coral Point Dr; Applicant: City of Cape Coral

REQUESTED ACTION:
Approve or Deny

STRATEGIC PLAN INFO:

1. Will this action result in a Budget Amendment?	No
2. Is this a Strategic Decision?	No
If Yes, Priority Goals Supported are listed below.	
If No, will it harm the intent or success of the Strategic Plan?	No

Planning & Zoning Recommendations:

SUMMARY EXPLANATION AND BACKGROUND:
A Variance to the 10,000 sq. ft. minimum area requirement in the Land Use and Development Regulations (LUDR), Section 2.7.1, for constructing a single-family dwelling on a site with Single Family Residential (R-1B) Zoning.

LEGAL REVIEW:

EXHIBITS:
See attached "Backup Materials"

PREPARED BY:

Kristin Kantarze	Division- Planning	Department-	Community Development

SOURCE OF ADDITIONAL INFORMATION:
Justin Heller, Planner, 239-574-0587, jheller@capecoral.net

ATTACHMENTS:

Description	Type
Backup Materials	Backup Material

DEPARTMENT OF COMMUNITY DEVELOPMENT

APPLICATION FOR VARIANCE

Questions: 239-574-0776

CASE # VA18-0002

REQUEST TO HEARING EXAMINER FOR A VARIANCE

FEE: SINGLE-FAMILY RESIDENTIAL USE $150.00 ($150.00 PER EACH ADDITIONAL REQUEST) ALL OTHER USES $673.00. In addition to the application fee, all required advertising costs are to be paid by the applicant (ORD 39-03, Sec. 5.4). Advertising costs will be billed and must be paid prior to hearing.

Following the approval of your request, the applicant shall be responsible for paying the City to electronically record the final signed Resolution or Ordinance with the Lee County Clerk of Court. Until this fee is paid, restrictions on the issuance of any City permits will remain on the affected property that will prevent the city from issuing any applicable building permits, site plans, certificates of use, or certificates of occupancy for any property covered by the Resolution or Ordinance.

OWNER OF PROPERTY
MULTIPLE PROPERTIES

Address: SEE ATTACHED
City: _____ State: ____ Zip _____
Phone: _____

APPLICANT
CITY OF CAPE CORAL
COMMUNITY DEVELOPMENT

Address: 1015 CULTURAL PARK BLVD
City: CAPE CORAL State: FL Zip 33990
Phone: _____

AUTHORIZED REPRESENTATIVE

Address: PO BOX 150027
City: CAPE CORAL State: FL Zip 33915-0027
Phone: 239-574-0605

Unit SEE ATTACHED Block _____ Lot(s) _____ Subdivision _____
Address of Property See attached
Current Zoning _____ Plat Book _____, Page _____
Strap Number _____

THIS APPLICATION SHALL ALSO HAVE ANY ADDITIONAL REQUIRED SUPPORTING DOCUMENTS

The owner of this property, or the applicant, agrees to conform to all applicable laws of the City of Cape Coral and to all applicable Federal, State, and County laws and certifies that all information supplied is correct to the best of their knowledge.

If the owner does not own the property in his/her personal name, the owner must sign all applicable forms in his/her corporate capacity.

City of Cape Coral
Department of Community Development

May 4, 2018

Dear Property Owner,

The area along Ottersrest Lane and Coral Point Drive is one of the older portions of Cape Coral. These properties were created during the 1960's and construction of homes has been occurring since this time. Many of these properties were platted at a size that is less than 10,000 sq. ft. required for single-family homes.

Over the years, many property owners have been required to obtain a variance in order to a build their home. The City of Cape Coral is planning to alleviate the issue of the lot size by applying for a variance (as required by code) that will cover all lots that are smaller than 10,000 sq. ft. This variance will be beneficial to existing home owners and property owners that wish to build a home in the future. Existing home owners will no longer have title issues and prospective home owners will not have to apply for a variance.

The Community Development Department plans to bring forward a variance application to the Hearing Examiner and the department will pay for all costs such as advertising.

The Department is also holding a meeting on for all property owners that may want more information or have questions regarding the variance. The meeting will be held on May 22, 2018 at 6:00 p.m. in the City Hall Lobby on the 1st floor. The address for City Hall is 1015 Cultural Park Boulevard. Community Development staff will be available at this meeting to answer any questions you have. Justin Heller is also available for any additional information or questions and he can be reached at 239-574-0587 or at jheller@capecoral.net.

Sincerely,

Robert H. Pederson, AICP
Planning Manager

RP:ay (ottersrest)

DEPARTMENT OF COMMUNITY DEVELOPMENT **CASE #** _____

APPLICATION FOR VARIANCE

Questions: 239-574-0776

CITY OF CAPE CORAL
JOHN SZERLAG

APPLICANT NAME (PLEASE TYPE OR PRINT) APPLICANT'S SIGNATURE

(SIGNATURE MUST BE NOTARIZED)

STATE OF Fl, COUNTY OF Lee

Sworn to (or affirmed) and subscribed before me this 17 day of January, 2018, by John Szerlag who is personally known or produced _____ as identification.

RACHEL MURPHY
MY COMMISSION # GG009419
EXPIRES July 06, 2020

Exp. Date: July 6 2020 Commission Number: GG009419

Signature of Notary Public: Rachel Murphy

Printed name of Notary Public: Rachel Murphy

DEPARTMENT OF COMMUNITY DEVELOPMENT **CASE #** _____

APPLICATION FOR VARIANCE

Questions: 239-574-0776

ACKNOWLEDGEMENT FORM

I have read and understand the above instructions. Hearing date(s) will be confirmed when I receive a copy of the Notice of Public Hearing stipulating the day and time of any applicable hearings.

I acknowledge that I or my representative must attend any applicable meetings scheduled for the Hearing Examiner, and City Council.

I will have the opportunity, at the hearing, to present verbal information pertaining to my request that may not be included in my application.

I understand any decision rendered by the CITY shall be subject to a thirty (30) day appeal period. Any work performed within the thirty (30) day time frame or during the APPEAL process will be completed at the applicant's risk.

I understand I am responsible for all fees, including advertising costs. All fees are to be submitted to the City of Cape Coral with the application or the item may be pulled from the agenda and continued to future date after fees are paid.

Please obtain all necessary permits prior to commencing any phase of construction.

Please indicate on a separate sheet those persons to whom you wish a copy of the Public Hearing Notice sent.

By submitting this application, I acknowledge and agree that I am authorizing the City of Cape Coral to inspect the subject property and to gain access to the subject property for inspection purposes reasonably related to this application and/or the permit for which I am applying.

(SIGNATURE MUST BE NOTARIZED)

CORPORATION/COMPANY NAME

CITY OF CAPE CORAL

PROPERTY OWNER (PLEASE TYPE OR PRINT) PROPERTY OWNER'S SIGNATURE

STATE OF Fl, COUNTY OF Lee

Sworn to (or affirmed) and subscribed before me this 17 day of Jan, 2018 by John Szerlag who is personally known or produced _____ as identification.

Exp. Date: July 6 2020 Commission Number: GG009419

RACHEL MURPHY
MY COMMISSION # GG009419
EXPIRES July 06, 2020

Signature of Notary Public:

Printed name of Notary Public: Rachel Murphy

DEPARTMENT OF COMMUNITY DEVELOPMENT **CASE #** _____

APPLICATION FOR VARIANCE

Questions: 239-574-0776

AUTHORIZATION TO REPRESENT PROPERTY OWNER(s)

PLEASE BE ADVISED THAT ROBERT PEDERSON, PLANNING MANAGER
(Name of person giving presentation)

IS AUTHORIZED TO REPRESENT ME IN THE REQUEST TO THE HEARING EXAMINER, OR CITY COUNCIL FOR
A VARIANCE FOR MULTIPLE PROPERTIES, SEE ATTACHED
(Type of Public Hearing – i.e., PDP, Zoning, Special Exception, Variance, etc.)

UNIT BLOCK LOT(S) SUBDIVISION

OR LEGAL DESCRIPTION _____

LOCATED IN THE CITY OF CAPE CORAL, COUNTY OF LEE, FLORIDA.

CITY OF CAPE CORAL
PROPERTY OWNER (Please Print)

PROPERTY OWNER (Please Print)

PROPERTY OWNER (Signature & Title)

PROPERTY OWNER (Signature & Title)

STATE OF Fl, COUNTY OF Lee

Subscribed and sworn to (or affirmed) before me this 17 day of January, 2018 by John Szerlag who is personally known or produced _____ as identification.

RACHEL MURPHY
MY COMMISSION # GG009419
EXPIRES July 06, 2020

Exp. Date: July 6 2020 Commission Number: GG 009419

Signature of Notary Public: Rachel Murphy

Printed name of Notary Public: Rachel Murphy

Note: Please list all owners. If a corporation, please supply the Planning Division with a copy of corporation paper.

DEPARTMENT OF COMMUNITY DEVELOPMENT **CASE #** _____

APPLICATION FOR VARIANCE

Questions: 239-574-0776

DOCUMENTARY EVIDENCE (LUDR, Section 8.3.1.C.6.f)

A copy of all documentary evidence shall be made available to the decision-making body or the Hearing Examiner and to staff no later than two business days prior to the hearing of the application. This requirement includes information that the applicant intends to present at public hearing.

I have read the above requirement and agree to comply with this provision.

CITY OF CAPE CORAL

OWNER/APPLICANT (PLEASE TYPE OR PRINT)

OWNER/APPLICANT SIGNATURE

(SIGNATURE MUST BE NOTARIZED)

STATE OF Florida **COUNTY OF** Lee

Sworn to (or affirmed) and subscribed before me on this 17th day of January, 2018 by Robert H. Pederson, who is personally known or who has produced drivers license as Identification.

Exp. Date 2/14/21

Commission # GG073042

Signature of Notary Public

IRASEMA COLLAZO

Print Name of Notary Public

IRASEMA COLLAZO
MY COMMISSION # GG073042
EXPIRES February 14, 2021

MEMORANDUM

CITY OF CAPE CORAL
DEPARTMENT OF COMMUNITY DEVELOPMENT

TO: John Szerlag, City Manager

FROM: Vince Cautero, Community Development Director
Robert Pederson, Planning Manager

DATE: June 8, 2017

SUBJECT: City-Initiated Variance for Properties along Coral Point Drive and Ottersrest Lane

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The Department of Community Development requests permission to initiate a variance involving 140 Single-Family Residential (R-1B) lots along Coral Point Drive and Ottersrest Lane. All properties were subdivided during the 1960s to create lots with ±9,600 square feet. The R-1B District requires a minimum of 10,000 square feet for constructing a single-family home. Because these lots have an area deficiency of ±400 square feet, each property requires the approval of a variance before a single-family home can be constructed on these sites. Sites less than 10,000 sq. ft. and having an existing house would benefit from a variance that would allow such sites to be considered conforming lots.

This City-initiated variance will allow a single case to be scheduled for public hearing before the City Hearing Examiner. This variance will assist individual property owners from having to file separate variance applications. Approval of this variance will eliminate questions from title companies, lenders, and realtors about the legality of these sites for supporting single-family homes.

We are requesting that you sign the attached variance application, where indicated, on behalf of the City. Staff will process this application once all the applicable forms have been signed.

RP/MS:ms (Szerlag_Large_Scale_Variance_Memo)

Attachment (vacation application)

Letter of Intent

Variance Application - Shorehaven Estates and Coral Point

The City of Cape Coral Department of Community Development requests variances from minimum lot size for 140 sites within Shorehaven Estates and Coral Point. The sites were platted at less than 10,000-square feet and do not meet the minimum lot size required in the Single-Family Residential (R-1B) zone.

The Land Use and Development Regulations (LUDRs) Section 8.10, Variances, establishes the procedures and standards required by the Hearing Examiner in granting such variances related to minimum lots size, including:

a. If the deficiency in lot area is 200 square feet or less, the City Manager or City Manager's designee may grant a variance to allow the owner the reasonable use of his or her premises, in lieu of the general conditions found in Section 8.10.3a-e.

b. If the deficiency in lot area is more than 200 square feet, the Hearing Examiner may grant a variance to allow the owner the reasonable use of his or her property, in lieu of the general conditions found in Section 8.10.3a-e.

c. In both cases, review of such variances in this subsection shall find that the undeveloped lawfully platted and recorded lot existed prior to January 1, 1992, and that said undeveloped lot is not adjacent to another lot owned by the same property owner. If either of these findings is not met, then the variance shall not be granted.

The lot deficiency for each of the 140 sites exceeds 200 square feet requiring a Hearing Examiner public hearing.

Criteria

The criteria for granting a variance requires a lot lawfully platted and recorded prior to January 1, 1992, and that the undeveloped lot is not adjacent to another lot owned by the same property owner.

Each of the 140 sites meet the two standards, therefore the variances should be granted.

Response to Standards

Section 8.103

a. Special conditions. The special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district; that the special conditions and circumstances do not result from the actions of the applicant.

   The area was platted with many sites that do not meet the minimum lot size of 10,000 square feet, many of which sites have been developed with single-family residences. Any future development of redevelopment would require a variance for issuance of any permits on the site. These issues are not a result of actions by the applicants.

b. No special privilege. The granting of the variance requested will not confer on the applicant any special privilege that is denied by this ordinance to other lands, buildings or structures in the same zoning district.

   The City of Cape Coral seeks to correct this minimum lot size issue that affects 140 property owners. There have been several individual variances that have been granted for sites in the area therefore the City seeks to correct the remaining deficiencies on an area-wide basis.

c. Hardship. That literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this ordinance and would work unnecessary and undue hardships on the applicant.

   The literal interpretation of the zoning would prohibit construction of a single-family home on these sites which would result in an unnecessary and undue hardship to the owners.

d. Minimum variance. That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.

   The City is requesting the minimum variance required to meet the minimum lot size for each of the sites.

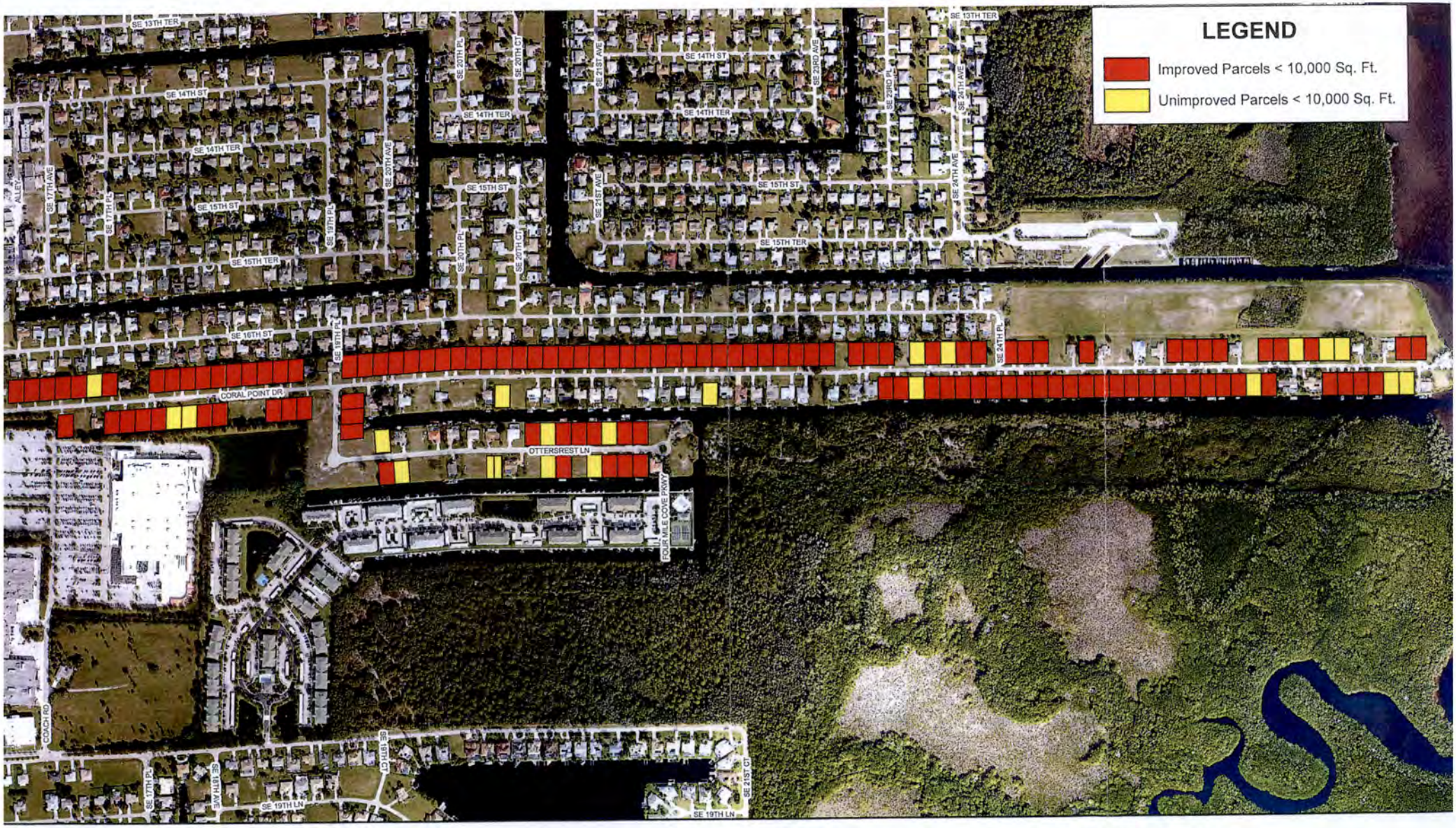
e. Purpose and intent; public interest. That the grant of the variance will be in harmony with the general intent and purpose of this ordinance, and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

   The granting of the variance is consistent with the intent and purpose of the zoning and land use, and will not be injurious or detrimental to the general public.

LOT SIZE SQ_FT	Strap	Block	Lot	Site_Addre	SiteZip	Owner_Name	Mailing_Ad	Mailing_Ci	Ma	Mailing_Zi	Improved	Future_La	Zoning	Legal
9597.77	284424C1001020350	SH002	35	2230 CORAL POINT DR	33990	HUNZIKER ROGER F	9C PLATEAU DE FRONTENEX	1223 COLOGNY GENEVA			Y	SF	R-1B	SHOREHAVEN EST UT 1 BLK 2 PB 19 PG 117 LOTS 35 + 36
9600.08	294424C2001010010	SH001	1	2111 CORAL POINT DR	33990	PIWOWARSKI DORIS R	2111 CORAL POINT DR	CAPE CORAL	FL	33990	Y	SF	R-1B	SHOREHAVEN ESTATES UNIT 1 BLK.1 PB 19 PG 117 LOTS 1 + 2
9600.01	294424C2001010030	SH001	3	2113 CORAL POINT DR	33990	BURGESS DANIEL LEE JR &	2113 CORAL POINT DR	CAPE CORAL	FL	33990	Y	SF	R-1B	SHOREHAVEN EST UNIT 1 BLK 1 PB 19 PG 117 LOTS 3 + 4
9600.00	294424C2001010050	SH001	5	2117 CORAL POINT DR	33990	KIPE ROBERT M + DONNA L	2117 CORAL POINT DR	CAPE CORAL	FL	33990	Y	SF	R-1B	SHOREHAVEN EST UNIT 1 BLK 1 PB 19 PG 117 LOTS 5 + 6
9621.43	294424C2001010110	SH001	11	2129 CORAL POINT DR	33990	DELANO FAMILY TRUST	2015 OTTERS REST LANE	CAPE CORAL	FL	33990	Y	SF	R-1B	SHOREHAVEN ESTATES UNIT 1 BLK 1 PB 19 PG 117 LOTS 11 + 12
9543.79	294424C2001010150	SH001	15	2137 CORAL POINT DR	33990	PLACIDE BERNADETTE	542 W 156TH ST APT 2W	NEW YORK	NY	10032	Y	SF	R-1B	SHOREHAVEN ESTATES UNIT 1 BLK 1 PB 19 PG 117 LOTS 15 + 16
9668.64	284424C1001010210	SH001	21	2203 CORAL POINT DR	33990	BARTKOWICZ ROBERT J + JOAN M	2203 CORAL POINT DR	CAPE CORAL	FL	33990	Y	SF	R-1B	SHOREHAVEN EST UT 1 BLK 1 PB 19 PG 117 LOTS 21 + 22
9636.09	284424C1001010230	SH001	23	2207 CORAL POINT DR	33990	KOPKO SCOTT C + SALLY A	2207 CORAL POINT DR	CAPE CORAL	FL	33990	Y	SF	R-1B	SHOREHAVEN ESTATES UNIT 1 BLK 1 PB 19 PG 117 LOTS 23 + 24
9630.23	284424C1001010310	SH001	31	2223 CORAL POINT DR	33990	SCHOENDORF LYNN CARNEY	2223 CORAL POINT DR	CAPE CORAL	FL	33990	Y	SF	R-1B	SHOREHAVEN ESTS UNIT 1 BLK 1 PB 19 PG 117 LOTS 31 + 32
9601.44	294424C2001020050	SH002	4	2114 CORAL POINT DR	33990	GOLDEN RANDY R + MELANIE A	7259 S STATE RD 39	FRANKFORT	IN	46041	Y	SF	R-1B	SHOREHAVEN ESTS UNIT 1 BLK 2 PB 19 PG 117 LOTS 5 + 6
9601.16	294424C2001020070	SH002	6	2118 CORAL POINT DR	33990	BOESCH ERIC W	2118 CORAL POINT DR	CAPE CORAL	FL	33990	Y	SF	R-1B	SHOREHAVEN ESTS UNIT 1 BLK 2 PB 19 PG 117 LOTS 7 + 8
9600.95	294424C2001020090	SH002	10	2122 CORAL POINT DR	33990	PADULA RALPH DEAN	1648 CORAL POINT DR	CAPE CORAL	FL	33990	N	SF	R-1B	SHOREHAVEN ESTS UNIT 1 BLK 2 PB 19 PG 117 LOTS 9 + 10
9600.70	294424C2001020110	SH002	10	2126 CORAL POINT DR	33990	CAREY CRAIG	2126 CORAL POINT DR	CAPE CORAL	FL	33990	Y	SF	R-1B	SHOREHAVEN ESTS UNIT 1 BLK 2 PB 19 PG 117 LOTS 11 + 12
9600.43	294424C2001020130	SH002	12	2130 CORAL POINT DR	33990	DZIERZANOWSKI PAUL C + KELLY A	2130 CORAL POINT DR	CAPE CORAL	FL	33990	Y	SF	R-1B	SHOREHAVEN ESTS UNIT 1 BLK 2 PB 19 PG 117 LOTS 13 + 14
9600.22	294424C2001020150	SH002	14	2134 CORAL POINT DR	33990	MORAN MARTHA L TR +	2432 N CLYBOURN AVE	CHICAGO	IL	60614	Y	SF	R-1B	SHOREHAVEN EST UNIT 1 BLK 2 PB 19 PG 117 LOTS 15 + 16
9599.94	294424C2001020170	SH002	16	2138 CORAL POINT DR	33990	WASHINGTON LEONARD JR TR +	2138 CORAL POINT DR	CAPE CORAL	FL	33990	Y	SF	R-1B	SHOREHAVEN ESTS UNIT 1 BLK 2 PB 19 PG 117 LOTS 17 + 18
9599.73	294424C2001020190	SH002	19	2142 CORAL POINT DR	33990	SPEARS MADELINE L	2142 CORAL POINT DR	CAPE CORAL	FL	33990	Y	SF	R-1B	SHOREHAVEN ESTS UNIT 1 BLK 2 PB 19 PG 117 LOTS 19 + 20
9599.47	284424C1001020210	SH002	21	2202 CORAL POINT DR	33990	CUMBERLAND KARYN A + KEVIN A	461 OCEAN BLVD UNIT B16	HAMPTON	NH	03842	Y	SF	R-1B	SHOREHAVEN ESTS UNIT 1 BLK 2 PB 19 PG 117 LOTS 21 + 22
9599.23	284424C1001020230	SH002	23	2206 CORAL POINT DR	33990	RACKOW RICHARD J + EGIDIA M	13421 MILLBANK DR	PLAINFIELD	IL	60585	Y	SF	R-1B	SHOREHAVEN ESTS UNIT 1 BLK 2 PB 19 PG 117 LOTS 23 + 24
9598.76	284424C1001020270	SH002	27	2214 CORAL POINT DR	33990	OLINGER DENNIS E + BARBARA A	2214 CORAL POINT DR	CAPE CORAL	FL	33990	Y	SF	R-1B	SHOREHAVEN ESTS UNIT 1 BLK 2 PB 19 PG 117 LOTS 27 + 28
9598.47	284424C1001020290	SH002	29	2218 CORAL POINT DR	33990	WOLF MARY ANN	2218 CORAL POINT DR	CAPE CORAL	FL	33990	Y	SF	R-1B	SHOREHAVEN ESTATES UNIT 1 BLK 2 PB 19 PG 117 LOTS 29 + 30
9598.28	284424C1001020310	SH002	31	2222 CORAL POINT DR	33990	TUTTLE DAVID B	PO BOX 151501	CAPE CORAL	FL	33915	Y	SF	R-1B	SHOREHAVEN ESTATES UNIT 1 BLK 2 PB 19 PG 117 LOTS 31 + 32
9598.01	284424C1001020330	SH002	33	2226 CORAL POINT DR	33990	LUDVIGSEN ALBERT G TR	2226 CORAL POINT DR	CAPE CORAL	FL	33990	Y	SF	R-1B	SHOREHAVEN ESTATES UNIT 1 BLK 2 PB 19 PG 117 LOTS 33 + 34
9597.77	284424C1001020350	SH002	35	2230 CORAL POINT DR	33990	HUNZIKER ROGER F	9C PLATEAU DE FRONTENEX	1223 COLOGNY GENEVA			Y	SF	R-1B	SHOREHAVEN EST UT 1 BLK 2 PB 19 PG 117 LOTS 35 + 36
9597.52	284424C1001020370	SH002	37	2234 CORAL POINT DR	33990	TALMAGE MICHAEL C + CATHLEEN R	11223 SE 189TH CT	RENTON	WA	98055	Y	SF	R-1B	SHOREHAVEN ESTATES UNIT 1 BLK 2 PB 19 PG 117 LOTS 37 + 38
9597.26	284424C1001020390	SH002	39	2300 CORAL POINT DR	33990	WHITE CAROLYN A TR	4585 ACKERLY FARM RD	NEW ALBANY	OH	43054	Y	SF	R-1B	SHOREHAVEN ESTATES UNIT 1 BLK 2 PB 19 PG 117 LOTS 39 THRU 40
9597.05	284424C1001020410	SH002	41	2304 CORAL POINT DR	33990	ROBBEN CHRISTOPHER N	2304 CORAL POINT DR	CAPE CORAL	FL	33990	Y	SF	R-1B	SHOREHAVEN EST UNIT 1 BLK 2 PB 19 PG 117 LOTS 41 + 42
9596.80	284424C1001020430	SH002	43	2308 CORAL POINT DR	33990	JOEYS JOYS LLC	2308 CORAL POINT DR	CAPE CORAL	FL	33990	Y	SF	R-1B	SHOREHAVEN ESTATES UNIT 1 BLK 2 PB 19 PG 117 LOTS 43+44 + OR 2109/4661
9596.54	284424C1001020450	SH002	45	2312 CORAL POINT DR	33990	GALLANT RICHARD	25300 SW 202ND AVE	HOMESTEAD	FL	33031	Y	SF	R-1B	SHOREHAVEN ESTATES UNIT 1 BLK 2 PB 19 PG 117 LOTS 45 + 46
9596.31	284424C1001020470	SH002	47	2316 CORAL POINT DR	33990	KEATING EILEEN	2316 CORAL POINT DR	CAPE CORAL	FL	33990	Y	SF	R-1B	SHOREHAVEN ESTATES UNIT 1 BLK 2 PB 19 PG 117 LOTS 47 + 48
9596.06	284424C1001020490	SH002	49	2320 CORAL POINT DR	33990	SHUEY DOUG	2338 CORAL POINT DR	CAPE CORAL	FL	33990	Y	SF	R-1B	SHOREHAVEN ESTATES UNIT 1 BLK 2 PB 19 PG 117 LOTS 49 + 50
9595.81	284424C1001020510	SH002	51	2324 CORAL POINT DR	33990	ADAMS KEVIN M + JACKIE J	2324 CORAL POINT DR	CAPE CORAL	FL	33990	Y	SF	R-1B	SHOREHAVEN ESTS UNIT 1 BLK 2 PB 19 PG 117 LOTS 51 + 52
9645.23	284424C1001020530	SH002	53	2328 CORAL POINT DR	33990	JORDAN CRAIG + ELAINE K	693 PONCE DE LEON DR	TIERRA VERDE	FL	33715	N	SF	R-1B	SHOREHAVEN ESTS UNIT 1 BLK 2 PB 19 PG 117 LOTS 53 + 54
9545.67	284424C1001020550	SH002	55	2332 CORAL POINT DR	33990	SHRINER LORI A	2332 CORAL POINT DR	CAPE CORAL	FL	33990	Y	SF	R-1B	SHOREHAVEN ESTS UNIT 1 BLK 2 PB 19 PG 117 LOTS 55 + 56
9594.36	284424C1001020630	SH002	63	2348 CORAL POINT DR	33990	ABRAHAM HILDE M	2348 CORAL POINT DR	CAPE CORAL	FL	33990	Y	SF	R-1B	SHOREHAVEN ESTATES UNIT 1 BLK 2 PB 19 PG 117 LOTS 63 + 64
9647.11	284424C1001020730	SH002	73	2368 CORAL POINT DR	33990	MILAD NAGUIB	206 ARNOLD AVE	THORNHILL	ON	L4J 1B9	N	SF	R-1B	SHOREHAVEN ESTATES UNIT 1 BLK 2 PB 19 PG 117 LOTS 73 + 74
9714.83	294424C1001040030	SH004	3	1915 OTTERSREST LN	33990	PADULA RALPH DEAN	1648 CORAL POINT DR	CAPE CORAL	FL	33990	N	SF	R-1B	SHOREHAVEN ESTATESUNIT 1 BLK 4 PB 19 PG 120 E 20 FT OF LOT 3 THRU W 20 FT LT 5
9596.41	294424C2001040230	SH004	23	2035 OTTERSREST LN	33990	STUDLEY ROGER J + MARGARET A	3122 GRANGE HALL ROAD	HOLLY	MI	48442	Y	SF	R-1B	SHOREHAVEN ESTATES UNIT 1 BLK.4 PB 19 PG 117 LOTS 23 + 24
9596.35	294424C2001040250	SH004	25	2039 OTTERSREST LN	33990	GACCETTA JAMI +	5135 MANOR CT	CAPE CORAL	FL	33904	N	SF	R-1B	SHOREHAVEN ESTATES UNIT 1 BLK 4 PB 19 PG 117 LOTS 25 + 26
9596.27	294424C2001040270	SH004	27	2043 OTTERSREST LN	33990	GROTEWOLD JULIE	2043 OTTERSREST LN	CAPE CORAL	FL	33990	Y	SF	R-1B	SHOREHAVEN ESTATES UNIT 1 BLK.4 PB 19 PG 117 LOTS 27 + 28
9596.41	294424C2001040290	SH004	29	2047 OTTERSREST LN	33990	KRUG MICHAEL DANIEL TR	26390 S ANNA LN	MONEE	IL	60449	Y	SF	R-1B	SHOREHAVEN ESTATES UNIT 1 BLK 4 PB 19 PG 117 LOTS 29 + 30
9596.37	294424C2001040310	SH004	31	2051 OTTERSREST LN	33990	CASAL AUGUSTINE	2051 OTTERSREST LN	CAPE CORAL	FL	33990	Y	SF	R-1B	SHOREHAVEN ESTATES UNIT 1 BLK 4 PB 19 PG 117 LOTS 31 + 32
9596.42	294424C2001040330	SH004	33	2055 OTTERSREST LN	33990	ALARCON HUMBERTO	12030 53RD AV N	PLYMOUTH	MN	55442	N	SF	R-1B	SHOREHAVEN ESTATES UNIT 1 BLK.4 PB 19 PG 117 LOTS 33 + 34
9596.46	294424C2001040350	SH004	35	2059 OTTERSREST LN	33990	SICA VINCENT R + MARY E	2059 OTTERSREST LN	CAPE CORAL	FL	33990	Y	SF	R-1B	SHORE HAVEN ESTATES UNIT 1 BLK 4 PB 19 PG 117 LOTS 35 + 36
9596.37	294424C2001040370	SH004	37	2063 OTTERSREST LN	33990	LATTIN ROBERT W TR	2090 W FIRST ST # 2206	FORT MYERS	FL	33901	Y	SF	R-1B	SHOREHAVEN ESTATES UNIT 1 BLK 4 PB 19 PG 117 LOTS 37 + 38
9600.01	294424C2001040440	SH004	44	2060 OTTERSREST LN	33990	KORTH FRED + SALLY	134 N 248TH CIR	WATERLOO	NE	68069	Y	SF	R-1B	SHOREHAVEN ESTATES UNIT 1 BLK.4 PB 19 PG 117 LOTS 44 + 45
9599.99	294424C2001040460	SH004	46	2056 OTTERSREST LN	33990	STOLCZENBERGER JOSEPH +	2056 OTTERSREST LN	CAPE CORAL	FL	33990	Y	SF	R-1B	SHOREHAVEN ESTS UNIT 1 BLK 4 PB 19 PG 117 LOTS 46 + 47
9599.99	294424C2001040480	SH004	48	2052 OTTERSREST LN	33990	WULF WARREN B +	39734 87TH ST W	LEONA VALLEY	CA	93551	Y	SF	R-1B	SHOREHAVEN ESTATES UNIT 1 BLK 4 PB 19 PG 117 LOTS 48 + 49
9599.99	294424C2001040500	SH004	50	2048 OTTERSREST LN	33990	CASTRO LIDICE	1147 NW 19TH AVE	CAPE CORAL	FL	33993	N	SF	R-1B	SHOREHAVEN ESTATES UNIT 1 BLK 4 PB 19 PG 117 LOTS 50 + 51
9599.86	294424C2001040540	SH004	54	2040 OTTERSREST LN	33990	GUGLIOTTA ADRIENNE +	2040 OTTERSREST LN	CAPE CORAL	FL	33990	Y	SF	R-1B	SHOREHAVEN ESTATES UNIT 1 BLK.4 PB 19 PG 117 LOTS 54 + 55
9599.97	294424C2001040560	SH004	56	2036 OTTERSREST LN	33990	PADULA R DEAN	1648 CORAL POINT DR	CAPE CORAL	FL	33990	N	SF	R-1B	SHOREHAVEN ESTATES UNIT 1 BLK.4 PB 19 PG 117 LOTS 56 + 57
4800.00	294424C2001040630	SH004	63	2024 OTTERSREST LN	33990	FOUR MILE COVE PROPERTIES LLC	PO BOX 880312	SAINT LUCIE WEST	FL	34988	N	SF	R-1B	SHOREHAVEN ESTS UNIT 1 BLK 4 PB 19 PG 117 LOT 63
9558.54	294424C1001040750	SH004	75	1918 OTTERSREST LN	33990	PERRELLA MICHAEL + DEBRA	298 5TH ST	WHEELING	IL	60090	N	SF	R-1B	SHOREHAVEN ESTATES UNIT 1 BLK.4 PB 19 PG 120 LOTS 75 + 76
9558.72	294424C1001040770	SH004	77	1914 OTTERSREST LN	33990	COLLINS LANE W + RHONDA L TR	83557 539 AVE	MEADOW GROVE	NE	68752	Y	SF	R-1B	SHOREHAVEN ESTATES UNIT 1 BLK 4 PB 19 PG 120 LOTS 77 + 78
9621.77	284424C1001110030	SH011	3	2305 CORAL POINT DR	33990	SHORT JAMES M	2305 CORAL POINT DR	CAPE CORAL	FL	33990	Y	SF	R-1B	SHOREHAVEN ESTATES UNIT 1 BLK 11 PB 19 PG 117 LOTS 3 + 4
9620.33	284424C1001110050	SH011	5	2311 CORAL POINT DR	33990	STAVOLA THOMAS J + KAREN S	713 JERSEY AVE	MAYWOOD	NJ	07607	Y	SF	R-1B	SHOREHAVEN ESTATES UNIT 1 BLK 11 PB 19 PG 117 LOTS 5 + 6
9617.39	284424C1001110090	SH011	10	2319 CORAL POINT DR	33990	ROGGENKAMP ANN	2323 CORAL POINT DR	CAPE CORAL	FL	33990	Y	SF	R-1B	SHOREHAVEN ESTATES UNIT 1 BLK 11 PB 19 PG 117 LOTS 9 + 10

9611.50	284424C1001110170	SH011	17	2335 CORAL POINT DR	33990	GREEN JOAN CAROLYN	1670 BRAXTON GATE DR	MORGANTON	NC	28655	Y	SF	R-1B	SHOREHAVEN ESTATES UNIT 1 BLK 11 PB 19 PG 117 LOTS 17 + 18
9610.07	284424C1001110190	SH011	19	2339 CORAL POINT DR	33990	GREEN JOAN CAROLYN	1670 BRAXTON GATE DR	MORGANTON	NC	28655	N	SF	R-1B	SHOREHAVEN ESTATES UNIT 1 BLK 11 PB 19 PG 117 LOTS 19 + 20
9608.60	284424C1001110210	SH011	21	2343 CORAL POINT DR	33990	FREY SCOTT	870 DRAKE SCHOOL AVE	POCAHONTAS	IL	62275	Y	SF	R-1B	SHOREHAVEN ESTATES UNIT 1 BLK 11 PB 19 PG 117 LOTS 21 + 22
9607.09	284424C1001110230	SH011	23	2347 CORAL POINT DR	33990	VASIL NADINE	9 BETTS PL	NORWALK	CT	06855	N	SF	R-1B	SHOREHAVEN ESTS UNIT 1 BLK 11 PB 19 PG 117 LOTS 23 + 24
9605.66	284424C1001110250	SH011	25	2351 CORAL POINT DR	33990	ENTRUST IRA SW FLORIDA LLC	171 SW 53RD ST	CAPE CORAL	FL	33914	N	SF	R-1B	SHOREHAVEN ESTS UNIT 1 BLK 11 PB 19 PG 117 LOTS 25 & 26
9599.76	284424C1001110330	SH011	33	2367 CORAL POINT DR	33990	MOORE LLOYD B + RHONDA A	6601 ZEBULON RD	MACON	GA	31220	Y	SF	R-1B	SHOREHAVEN EST U 1 BLK 11 PB 19 PG 117 LOTS 33 + 34
9598.31	284424C1001110350	SH011	35	2371 CORAL POINT DR	33990	WARD RICKY L +	2371 CORAL POINT DR	CAPE CORAL	FL	33990	Y	SF	R-1B	SHOREHAVEN ESTATES UNIT 1 BLK 11 PB 19 PG 117 LOTS 35 + 36
9534.80	294424C1000010020	CP000	TR4	1621 OTTERSREST LN	33990	DOMINO MICHAEL J + CINDY J	1621 OTTERS REST LN	CAPE CORAL	FL	33990	Y	SF	R-1B	FR NW COR SEC E 50.10 FT TH S 320 FT TH E 2142.56 FT TH S 40.17 FT TO POB
9629.20	294424C1002010030	CP001	3	1633 CORAL POINT DR	33990	FERNANDEZ ANDRES D +	1633 CORAL POINT DR	CAPE CORAL	FL	33990	Y	CP	R-1B	CORAL POINT UNREC. BLK.1 OR 150 PG 317 LOT 3 + 4
9631.35	294424C1002010050	CP001	5	1637 CORAL POINT DR	33990	BERNATH JACQUELINE D TR	PO BOX 100942	CAPE CORAL	FL	33910	Y	CP	R-1B	CORAL POINT UNREC. BLK.1 OR 150 PG 317 LOTS 5 + 6
9629.44	294424C1002010070	CP001	7	1641 CORAL POINT DR	33990	VIDAL MARTHA L	1641 CORAL POINT DR	CAPE CORAL	FL	33990	Y	CP	R-1B	CORAL POINT UNREC. BLK.1 OR 150 PG 317 LOTS 7 + 8
9629.39	294424C1002010090	CP001	10	1649 CORAL POINT DR	33990	PURDIE KATHLEEN A	104 SILVER DR	BRICK	NJ	08724	Y	CP	R-1B	CORAL POINT UNREC BLK 1 OR 150 PG 317 LOTS 9 + 10
9629.56	294424C1002010110	CP001	11	1657 CORAL POINT DR	33990	GOWER DONALD +	1657 CORAL POINT DR	CAPE CORAL	FL	33990	Y	CP	R-1B	CORAL POINT UNREC BLK 1 OR 150 PG 317 LOTS 11 + 12
9629.67	294424C1002010130	CP001	13	1661 CORAL POINT DR	33990	CARTAYA JUAN JESUS	13008 SW 51ST ST	MIAMI	FL	33175	N	CP	R-1B	CORAL POINT UNREC BLK 1 OR 150 PG 317 LOTS 13 + 14
9629.61	294424C1002010150	CP001	15	1663 CORAL POINT DR	33990	DICKERSON NIEVES A + MICHAEL W	1663 CORAL POINT DR	CAPE CORAL	FL	33990	Y	CP	R-1B	CORAL POINT UNREC. BLK.1 OR 150 PG 317 LOTS 15 + 16
9629.83	294424C1002010210	CP001	21	1731 CORAL POINT DR	33990	WIDENER ROBERT + CARLA	1001 WESTERN AVE	JOLIET	IL	60435	Y	SF	R-1B	CORAL POINT UNREC BLK 1 OR 150 PG 317 LOTS 21 + 22
9630.01	294424C1002010230	CP001	23	1735 CORAL POINT DR	33990	GILLEY CHRISTINA	10 GREENWAY DR	CHRISTIANSBURG	VA	24073	Y	SF	R-1B	CORAL POINT UNREC BLK 1 OR 150 PG 317 LOTS 23 + 24
9630.09	294424C1002010250	CP001	25	1741 CORAL POINT DR	33990	HOWARD AARON LEON JR	7034 OVERLOOK DR	FORT MYERS	FL	33919	Y	SF	R-1B	CORAL POINT UNREC. BLK.1 OR 150 PG 317 LOTS 25 + 26
9630.05	294424C1002010270	CP001	27	1763 CORAL POINT DR	33990	HARRIETHA GEORGE + DARLENE	422020 SOUTH SIDE RD RR #2	PUSHLINCH	ON	N0B 2J0	Y	SF	R-1B	CORAL POINT UNREC. BLK.1 OR 150 PG 317 LOTS 27 + 28
9630.22	294424C1002010290	CP001	29	1777 CORAL POINT DR	33990	SHELL BEL RENTALS LLC	151 PENLAND LN	HOWARD	PA	16841	Y	SF	R-1B	CORAL POINT UNREC BLK 1 OR 150 PG 317 LOTS 29 + 30
9630.33	294424C1002010310	CP001	31	1781 CORAL POINT DR	33990	HERRERA ORLANDO & ANA	1781 CORAL POINT DR	CAPE CORAL	FL	33990	Y	SF	R-1B	CORAL POINT UNREC BLK 1 OR 150 PG 317 LOTS 31 + 32
9630.27	294424C1002010330	CP001	33	1805 CORAL POINT DR	33990	DEKETT ROBERT L +	1805 CORAL POINT DR	CAPE CORAL	FL	33990	Y	SF	R-1B	CORAL POINT UNREC BLK 1 OR 150 PG 317 LOTS 33 + 34
9630.46	294424C1002010350	CP001	35	1809 CORAL POINT DR	33990	HERNANDEZ EMMA R	1809 CORAL POINT DR	CAPE CORAL	FL	33990	Y	SF	R-1B	CORAL POINT UNREC BLK 1 OR 150 PG 317 LOTS 35 + 36
9630.53	294424C1002010370	CP001	37	1813 CORAL POINT DR	33990	ANDREU JOSE A + IRAIDA F +	22607 EVALYN AVE	TORRANCE	CA	90505	Y	SF	R-1B	CORAL POINT UNREC BLK 1 OR 150 PG 317 LOTS 37 + 38
9630.49	294424C1002010390	CP001	39	1817 CORAL POINT DR	33990	CRUZ ADOLFO A	1817 CORAL POINT DR	CAPE CORAL	FL	33990	Y	SF	R-1B	CORAL POINT UNREC BLK 1 OR 150 PG 317 LOTS 39 + 40
9630.79	294424C1002020010	CP002	1	1831 CORAL POINT DR	33990	JACKSON RICHARD K JR + LORI A	1831 CORAL POINT DR	CAPE CORAL	FL	33990	Y	SF	R-1B	CORAL POINT UNREC. BLK 2 OR 150 PG 317 LOTS 1 + 2
9631.36	294424C1002020030	CP002	3	1835 CORAL POINT DR	33990	SCOTT R FREY REVOCABLE TRUST	870 DRAKE SCHOOL AVE	POCAHONTAS	IL	62275	Y	SF	R-1B	CORAL POINT UNREC BLK 2 OR 150 PG 317 LOTS 3 + 4
9630.95	294424C1002020050	CP002	5	1841 CORAL POINT DR	33990	GABELE LEO F TR +	1431 SE 14TH ST	CAPE CORAL	FL	33990	Y	SF	R-1B	CORAL POINT UNREC BLK 2 OR 150 PG 317 LOTS 5 + 6
9630.93	294424C1002020070	CP002	7	1843 CORAL POINT DR	33990	JACKSON DANIEL L + CANDICE A	1843 CORAL POINT DR	CAPE CORAL	FL	33990	Y	SF	R-1B	CORAL POINT UNREC BLK 2 OR 150 PG 317 LOTS 7 + 8
9631.15	294424C1002020090	CP002	10	1847 CORAL POINT DR	33990	PALM GULF PROPERTIES LLC	15 PETERSON WAY	SOUTH WINDSOR	CT	06074	Y	SF	R-1B	CORAL POINT UNREC BLK 2 OR 150 PG 317 LOTS 9 + 10
9631.24	294424C1002020110	CP002	11	1851 CORAL POINT DR	33990	MARTIN ANTHONY + MARY E	19 WILLIAM AVE	EAST ISLIP	NY	11730	Y	SF	R-1B	CORAL POINT UNREC. BLK 2 OR 150 PG 317 LOTS 11 + 12
9631.13	294424C2002020130	CP002	13	1855 CORAL POINT DR	33990	PENSCO TRUST COMPANY	PO BOX 173859	DENVER	CO	80217	Y	SF	R-1B	CORAL POINT UNREC BLK 2 OR 150 PG 317 LOTS 13 + 14
9606.14	294424C2002020150	CP002	15	1859 CORAL POINT DR	33990	WANG CHUN HUA	1859 CORAL POINT DR	CAPE CORAL	FL	33990	Y	SF	R-1B	CORAL POINT UNREC BLK 2 OR 150 PG 317 LOTS 15 + 16
9596.48	294424C2002020170	CP002	17	1863 CORAL POINT DR	33990	JOHNSON ARTHUR B +	1863 CORAL POINT DR	CAPE CORAL	FL	33990	Y	SF	R-1B	CORAL POINT UNREC BLK 2 OR 150 PG 317 LOTS 17 + 18
9596.42	294424C2002020190	CP002	19	1867 CORAL POINT DR	33990	CARDONA HELENE L/E +	1867 CORAL POINT DR	CAPE CORAL	FL	33990	Y	SF	R-1B	CORAL POINT UNREC. BLK.2 OR 150 PG 317 LOTS 19 + 20
9596.44	294424C2002020210	CP002	21	1945 CORAL POINT DR	33990	STULL BRIAN J + LAURENCJA	1928 55TH ST SW	NAPLES	FL	34116	Y	SF	R-1B	CORAL POINT UNREC. BLK 2 OR 150 PG 317 LOTS 21 + 22
9596.44	294424C2002020230	CP002	23	1949 CORAL POINT DR	33990	STRASBURGER EDWARD J + SILVANA	1949 CORAL POINT DR	CAPE CORAL	FL	33990	Y	SF	R-1B	CORAL POINT UNREC. BLK 2 OR 150 PG 317 LOTS 23 + 24
9596.44	294424C2002020250	CP002	25	1953 CORAL POINT DR	33990	MARCHECO MARLO	1953 CORAL POINT DR	CAPE CORAL	FL	33990	Y	SF	R-1B	CORAL POINT UNREC BLK 2 OR 150 PG 317 LOTS 25 + 26
9596.42	294424C2002020270	CP002	27	1957 CORAL POINT DR	33990	SCHALL GARY K	844 COVENTRY POINT	SPRINGFIELD	IL	62702	Y	SF	R-1B	CORAL POINT UNREC. BLK 2 OR 150 PG 317 LOTS 27 + 28
9596.49	294424C2002020290	CP002	29	1961 CORAL POINT DR	33990	VALENTINO JAMES R + DEBRA	1961 CORAL POINT DR	CAPE CORAL	FL	33990	Y	SF	R-1B	CORAL POINT UNREC. BLK 2 OR 150 PG 317 LOTS 29 + 30
9596.34	294424C2002020310	CP002	31	1963 CORAL POINT DR	33990	LEISTIKOW HANNELORE	6498 AMORY ST	ENGLEWOOD	FL	34224	Y	SF	R-1B	CORAL POINT UNREC BLK 2 OR 150 PG 317 LOTS 31 + 32
9596.45	294424C2002020330	CP002	33	1969 CORAL POINT DR	33990	PELFREY ANN J +	2101 SE 10TH AVE	CAPE CORAL	FL	33990	Y	SF	R-1B	CORAL POINT UNREC. BLK 2 OR 150 PG 317 LOTS 33 + 34
9596.42	294424C2002020350	CP002	35	1973 CORAL POINT DR	33990	SAITTA JUDITH S + CARL B	1973 CORAL POINT DR	CAPE CORAL	FL	33990	Y	SF	R-1B	CORAL POINT UNREC. BLK 2 OR 150 PG 317 LOTS 35 + 36
9596.42	294424C2002020370	CP002	37	1979 CORAL POINT DR	33990	VALENTINE JANET K	6472 ROYAL WOODS DR	FORT MYERS	FL	33908	Y	SF	R-1B	CORAL POINT UNREC. BLK 2 OR 150 PG 317 LOTS 37 + 38
9596.45	294424C2002020390	CP002	39	1981 CORAL POINT DR	33990	PUGH DAVID L +	1981 CORAL POINT DR	CAPE CORAL	FL	33990	Y	SF	R-1B	CORAL POINT UNREC. BLK 2 OR 150 PG 317 LOTS 39 + 40
9596.47	294424C2002020410	CP002	41	1985 CORAL POINT DR	33990	PRITCHARD DEBORAH	1985 CORAL POINT DR	CAPE CORAL	FL	33990	Y	SF	R-1B	CORAL POINT UNREC. BLK 2 OR 150 PG 317 LOTS 41 + 42
9596.49	294424C2002020430	CP002	43	1989 CORAL POINT DR	33990	GEORGE JEREMY M + AMBER M	1989 CORAL POINT DR	CAPE CORAL	FL	33990	Y	SF	R-1B	CORAL POINT UNREC BLK 2 OR 150 PG 317 LOTS 43 + 44
9596.47	294424C2002020450	CP002	45	2039 CORAL POINT DR	33990	MIRABELLA ORLANDO M + LINDA C	2039 CORAL POINT DR	CAPE CORAL	FL	33990	Y	SF	R-1B	CORAL POINT UNREC. BLK 2 OR 150 PG 317 LOTS 45 + 46
9596.42	294424C2002020470	CP002	47	2057 CORAL POINT DR	33990	GUILBERT LYDIE	270 85 SUNDERLAND RD	WORCESTER	MA	01604	Y	SF	R-1B	CORAL POINT UNREC. BLK 2 OR 150 PG 317 LOTS 47 + 48
9596.42	294424C2002020490	CP002	49	2059 CORAL POINT DR	33990	ROE ALISON LOUISE	3248 MILLRACE LN	MONTGOMERY	IL	60538	Y	SF	R-1B	CORAL POINT UNREC. BLK 2 OR 150 PG 317 LOTS 49 + 50
9596.45	294424C2002020510	CP002	51	2063 CORAL POINT DR	33990	SGROI KENNETH J +	2063 CORAL POINT DR	CAPE CORAL	FL	33990	Y	SF	R-1B	CORAL POINT UNREC BLK 2 OR 150 PG 317 LOTS 51 + 52
9596.44	294424C2002020530	CP002	53	2065 CORAL POINT DR	33990	LUDWIG ARTHUR R	29 W 150 LESTER ST	WEST CHICAGO	IL	60185	Y	SF	R-1B	CORAL POINT UNREC BLK 2 OR 150 PG 317 LOTS 53 + 54
9596.36	294424C2002020550	CP002	55	2073 CORAL POINT DR	33990	THIMMESCH CHARLES S	2073 CORAL POINT DR	CAPE CORAL	FL	33990	Y	SF	R-1B	CORAL POINT UNREC BLK 2 OR 150 PG 317 LOTS 55 + 56
9596.48	294424C2002020570	CP002	57	2075 CORAL POINT DR	33990	KRUEGER KEITH + JEANNE	2075 CORAL POINT DR	CAPE CORAL	FL	33990	Y	SF	R-1B	CORAL POINT UNREC. BLK 2 OR 150 PG 317 LOTS 57 + 58
9596.44	294424C2002020590	CP002	59	2081 CORAL POINT DR	33990	HARRIS MARK + JANE	2081 CORAL POINT DR	CAPE CORAL	FL	33990	Y	SF	R-1B	CORAL POINT UNREC BLK 2 OR 150 PG 317 LOTS 59 + 60
9596.42	294424C2002020610	CP002	61	2105 CORAL POINT DR	33990	VILLANO GIUSEPPA	2105 CORAL POINT DR	CAPE CORAL	FL	33990	Y	SF	R-1B	CORAL POINT UNREC BLK 2 OR 150 PG 317 LOTS 61 + 62
9596.46	294424C2002020630	CP002	63	2107 CORAL POINT DR	33990	BEATTY JODY ALLEN &	2107 CORAL POINT DR	CAPE CORAL	FL	33990	Y	SF	R-1B	CORAL POINT UNREC BLK 2 OR 150 PG 317 LOTS 63 + 64

9558.66	294424C1002030080	CP003	8	1642 CORAL POINT DR	33990	SMITH STEPHEN P + JOSEPHINE	1642 CORAL POINT DR	CAPE CORAL	FL	33990	Y	CP	R-1B	CORAL POINT UNREC. BLK.3 OR 150 PG 317 LOTS 8 + 9
9558.64	294424C1002030140	CP003	14	1658 CORAL POINT DR	33990	ROOPRAM SAKOENTELADEVI TR	4019 SE 20TH PL # 203	CAPE CORAL	FL	33904	Y	CP	R-1B	CORAL POINT UNREC BLK 3 OR 150 PG 317 LOTS 14 + 15
9558.70	294424C1002030160	CP003	16	1722 CORAL POINT DR	33990	DUNKELBERG ALLEN + JANET	2505 SE 23RD PL	CAPE CORAL	FL	33904	Y	CP	R-1B	CORAL POINT UNREC. BLK.3 OR 150 PG 317 LOTS 16 + 17
9558.71	294424C1002030180	CP003	18	1726 CORAL POINT DR	33990	JS HOMES CAPE CORAL A LLC	5732 SANDPIPER PL	FORT MYERS	FL	33919	Y	CP	R-1B	CORAL POINT UNREC BLK 3 OR 150 PG 317 LOTS 18 + 19
9558.69	294424C1002030200	CP003	20	1730 CORAL POINT DR	33990	MCLAUGHLIN LESLIE C +	1730 CORAL POINT DR	CAPE CORAL	FL	33990	Y	CP	R-1B	CORAL POINT UNREC BLK 3 OR 150 PG 317 LOTS 20 + 21
9558.56	294424C1002030220	CP003	22	1734 CORAL POINT DR	33990	PADULA R DEAN	1648 CORAL POINT DR	CAPE CORAL	FL	33990	N	CP	R-1B	CORAL POINT UNREC. BLK.3 OR 150 PG 317 LOTS 22 + 23
9558.63	294424C1002030240	CP003	24	1738 CORAL POINT DR	33990	HABITAT FOR HUMANITY OF LEE	1288 N TAMIAMI TRL	NORTH FORT MYERS	FL	33903	N	CP	R-1B	CORAL POINT UNREC. BLK.3 OR 150 PG 317 LOTS 24 + 25
9558.65	294424C1002030260	CP003	26	1768 CORAL POINT DR	33990	DOENITZ MADELYN K TR	1768 CORAL POINT DR	CAPE CORAL	FL	33990	Y	CP	R-1B	CORAL POINT UNREC BLK 3 PB 150 PG 317 LOTS 26 + 27
9558.69	294424C1002030280	CP003	28	1772 CORAL POINT DR	33990	WARTHEN JODI LEE + GREG C	1772 CORAL POINT DR	CAPE CORAL	FL	33990	Y	SF	R-1B	CORAL POINT UNREC. BLK.3 OR 150 PG 317 LOTS 28 + 29
9558.67	294424C1002030350	CP003	35	1808 CORAL POINT DR	33990	BENTACUR CARLOS M +	3645 SE 5TH CT	CAPE CORAL	FL	33904	Y	SF	R-1B	CORAL POINT UNREC BLK 3 OR 150 PG 317 LOTS 35 + 36
9558.59	294424C1002030370	CP003	37	1812 CORAL POINT DR	33990	ADVANTAIRA TRUST LLC	405 STELTON RD	XENIA	OH	45385	Y	SF	R-1B	CORAL POINT UNREC BLK 3 OR 150 PG 317 LOTS 37 + 38
9558.66	294424C1002030390	CP003	39	1816 CORAL POINT DR	33990	ARBOUR CHRISTIAN MELANIE L +	1816 CORAL POINT DR	CAPE CORAL	FL	33990	Y	SF	R-1B	CORAL POINT UNREC. BLK 3 OR 150 PG 318 LOTS 39 + 40
9450.41	294424C1002040010	CP004	1	1615 OTTERSREST LN	33990	PINGEL GARY A + JENNIFER	1615 OTTERSREST LN	CAPE CORAL	FL	33990	Y	SF	R-1B	CORAL POINT UNREC BLK 4 OR 150 PG 317 LOTS 1 + 2
9471.00	294424C1002040030	CP004	3	1617 OTTERSREST LN	33990	MARTIN JAMES E + DANIELE G	6287 BAHIA DEL MAR CIR # 1205	SAINT PETERSBURG	FL	33715	Y	SF	R-1B	CORAL POINT UNREC. BLK 4 OR 150 PG 317 LOT 3 + S 40 FT ADJ AKA LOT 1 BLK 11 CALOOSA POINT UNREC
9597.56	294424C2002040210	CP004	21	1936 CORAL POINT DR	33990	DUMONT NORMAN	141 SHAWMUT AVE	CENTRAL FALLS	RI	02863	N	SF	R-1B	CORAL POINT UNREC BLK 4 OR 150 PG 317 LOTS 21 + 22 LESS S 10 FT ADJ TO CANAL
9597.54	294424C2002040480	CP004	48	2044 CORAL POINT DR	33990	HARNEY POINT REALTY INC	1648 CORAL POINT DR	CAPE CORAL	FL	33990	N	SF	R-1B	CORAL POINT UNREC BLK 4 OR 150 PG 317 LOTS 48 + 49 LESS S 10 FT ADJ TO CANAL
9578.62	294424C2001010130	SH001	13	2133 CORAL POINT DR	33990	KIPE ROBERT M + DONNA	2117 CORAL POINT DR	CAPE CORAL	FL	33990	N	SF	R-1B	SHOREHAVEN ESTATES UNIT 1 BLK 1 PB 19 PG 117 LOTS 13 + 14
9594.11	284424C1001020650	SH002	65	2352 CORAL POINT DR	33990	FISCHER SUZANNE E TR	2352 CORAL POINT DR	CAPE CORAL	FL	33990	Y	SF	R-1B	SHOREHAVEN ESTATES UNIT 1 BLK 2 PB 19 PG 117 LOTS 65 + 66
9593.89	284424C1001020670	SH002	67	2356 CORAL POINT DR	33990	GOUDY RONALD W + TAMI M TR	2356 CORAL POINT DR	CAPE CORAL	FL	33990	Y	SF	R-1B	SHOREHAVEN ESTATES UNIT 1 BLK 2 PB 19 PG 117 LOTS 67 + 68
9612.98	284424C1001110150	SH011	15	2331 CORAL POINT DR	33990	BACHTEAL WILLIAM T +	2331 CORAL POINT DR	CAPE CORAL	FL	33990	Y	SF	R-1B	SHOREHAVEN ESTATES UNIT 1 BLK 11 PB 19 PG 117 LOTS 15 + 16
9593.60	284424C1001020690	SH002	69	2360 CORAL POINT DR	33990	MARTIN BRIAN G + ROSE ANN	128 SEQUAMS LN W	WEST ISLIP	NY	11795	Y	SF	R-1B	SHOREHAVEN ESTATES UNIT 1 BLK 2 PB 19 PG 117 LOTS 69 + 70
9593.39	284424C1001020710	SH002	71	2364 CORAL POINT DR	33990	FARGOYANNIS DIMITRIOS	10505 RIVERS BEND LN	POTOMAC	MD	20854	N	SF	R-1B	SHOREHAVEN ESTATES UNIT 1 BLK 2 PB 19 PG 117 LOTS 71 + 72
9634.67	284424C1001010250	SH001	25	2211 CORAL POINT DR	33990	RUDOLF LARRY +	2211 CORAL POINT DR	CAPE CORAL	FL	33990	Y	SF	R-1B	SHOREHAVEN ESTATES UNIT 1 BLK 1 PB 19 PG 117 LOTS 25 + 26
9602.11	294424C2001010090	SH001	10	2125 CORAL POINT DR	33990	PADULA RALPH D CO-PER REP	1648 CORAL POINT DR	CAPE CORAL	FL	33990	N	SF	R-1B	SHOREHAVEN ESTATES UNIT 1 BLK 1 PB 19 PG 117 LOTS 9 + 10
9656.24	294424C2001010170	SH001	17	2141 CORAL POINT DR	33990	MURRAY LAWRENCE + JEAN	2141 CORAL POINT DR	CAPE CORAL	FL	33990	Y	SF	R-1B	SHOREHAVEN ESTATES UNIT 1 BLK 1 PB 19 PG 117 LOTS 17 + 18
9618.84	284424C1001110070	SH011	7	2315 CORAL POINT DR	33990	WALTER GERALD F + KATHLEEN M +	2315 CORAL POINT DR	CAPE CORAL	FL	33990	Y	SF	R-1B	SHOREHAVEN ESTATES UNIT 1 BLK 11 PB 19 PG 117 LOTS 7 + 8
9598.96	284424C1001020260	SH02	25	2210 CORAL POINT DR	33990	INTERARTCENTER LLC	1264 KENDARI TER	NAPLES	FL	34113	Y	SF	R-1B	SHOREHAVEN ESTS UNIT 1 BLK 2 PB 19 PG 117 LOTS 25 + 26



Parcels Less Than 10,000 Sq. Ft.—Ottersrest Ln. & Coral Point Dr.

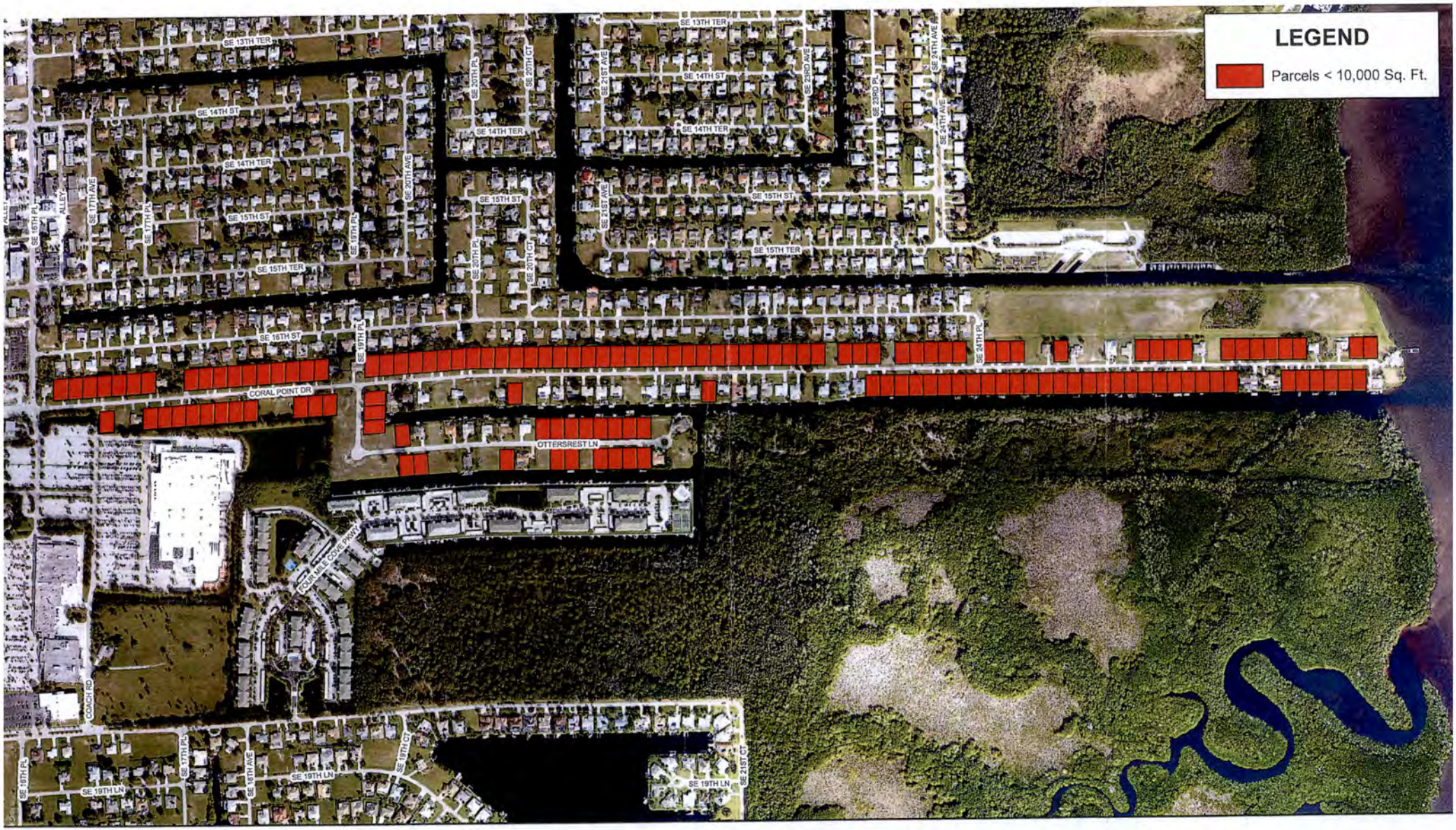
Cape Coral FLORIDA
You'll Like the Attitude in Paradise

Date: 5/3/2017

Miles
0 0.25 0.5

1 in = 455 ft

N



Parcels Less Than 10,000 Sq. Ft.—Ottersrest Ln. & Coral Point Dr.

Cape Coral
FLORIDA
You'll Like the Attitude in Paradise

Date: 5/25/2017

Miles
0 0.25 0.5

1 in = 488 ft

N

Planning Division Case Report
VA18-0002

Review Date:	June 25, 2018
Applicant:	City of Cape Coral
Request:	A Variance to the 10,000 sq. ft. minimum area requirement in the Land Use and Development Regulations (LUDR), Section 2.7.1, for constructing a single-family dwelling on a site with Single Family Residential (R-1B) Zoning.
Location:	Multiple properties along Ottersrest Lane and Coral Point Drive (Table 1)
Prepared By:	Justin Heller, Planner
Reviewed By:	Mike Struve, Planning Team Coordinator
Approved By:	Robert H. Pederson, Planning Division Manager
Recommendation:	**Approval**
Urban Service Area:	Infill

I. Background:

The area along Ottersrest Lane and Coral Point Drive is one of the older areas of Cape Coral. These properties were platted during the 1960's and construction of homes has been occurring since this time. Many of these properties were platted at a size that is less than the 10,000-sq. ft. currently required for single-family homes. These sites have typical dimensions of 80 ft. by 120 ft., yielding areas of approximately ±9,600 sq. ft.

These sites have Single Family Future Land Use Classification (FLU) and Single Family Residential (R-1B) Zoning. The owners these properties purchased them to construct a single-family home. The R-1B District requires a minimum area of 10,000 sq. ft. to construct a single-family home. Many of these sites already have single-family homes, most of which appear to have been permitted by the City without variances.

This variance will allow those properties under 10,000 sq. ft. to be developed and those that are already developed to be considered legal conforming.

II. Analysis:

A variance is defined as a modification of the requirements of the City ordinance when such modification will not be contrary to the public interest where, because of conditions peculiar to the property involved and not the result of the actions of the applicant which occurred after the effective date of the ordinance, a literal interpretation of the ordinance would result in unnecessary and undue hardship.

Staff usually reviews variances based on LUDR, Section 8.10.3a-e that provides five standards for evaluating these requests. Undeveloped lawfully platted and recorded lots can be reviewed under LUDR, Section 8.10.6 that states in part:

a. *If the deficiency in lot area is 200 square feet or less, the City Manager or City Manager's designee may grant a variance to allow the owner reasonable use of his or her premises, in lieu of the general conditions found in Section 8.10.3a-e.*

b. *If the deficiency in lot area is more than 200 square feet, the Hearing Examiner may grant a variance to allow the owner reasonable use of his or her premises, in lieu of the general conditions found in Section 8.10.3a-e.*

c. *In both cases, review of such variances in this subsection shall find that the undeveloped lawfully platted and recorded lot existed prior to January 1, 1992, and that said undeveloped lot is not adjacent to another lot owned by the same property owner. If either of these findings is not met, then the variance shall not be granted.*

These sites were platted in the 1960's, well before the January 1, 1992 date specified in the LUDRs. Since the properties were platted in a manner that resulted in an area less than that required for a single-family dwelling, a circumstance exists that was not the result of the property owners. Most of the property owners do not own either adjacent lot or do not have the ability to assemble additional land to meet the area requirement. Based on the restricted number of uses in the R-1B District and the area of the sites, there will be no reasonable use of the land unless the variance is approved.

Over the years, many property owners have been required to obtain a variance in order to a build their home. This variance will assist individual property owners from having to file separate variance applications. Approval of this variance will eliminate questions from title companies, lenders, and realtors about the legality of these sites for supporting single family homes.

Consistency with the Comprehensive Plan

This request is consistent with Policy 1.18 of the Future Land Use Element.

Policy 1.18:
Vested Rights. In circumstances in which constitutionally protected property rights or valid development expectations conflict with the City of Cape Coral Comprehensive Plan and judicially defined principles of equitable estoppel may override otherwise valid limitations imposed by the Plan, such property rights or expectations may be recognized by the Cape Coral City Council, acting by resolution after review and recommendation by the Cape Coral Planning & Zoning Commission/Local Planning Agency, on a case-by-case basis.

III. Recommendation:

Staff recommends **approval** of the variance.

Staff Contact Information
Justin Heller, Planner
Planning Division
PH: 239-574-0587
Email: jheller@capecoral.net

Table 1: Subject Properties

Site Address	Owner Name	Improved	Legal	Area
2308 CORAL POINT DR	PIERCE STEVEN E & LISA E	Y	SHOREHAVEN ESTATES UNIT 1 BLK 2 PB 19 PG 117 LOTS 43+44 + OR 2109/4661	9764.9
1915 OTTERSREST LN	PADULA RALPH DEAN	N	SHOREHAVEN ESTATESUNIT 1 BLK 4 PB 19 PG 120 E 20 FT OF LOT 3 THRU W 20 FT LT 5	9714.8
2203 CORAL POINT DR	BARTKOWICZ ROBERT J + JOAN M	Y	SHOREHAVEN EST UT 1 BLK 1 PB 19 PG 117 LOTS 21 + 22	9668.6
2141 CORAL POINT DR	MURRAY LAWRENCE + JEAN	Y	SHOREHAVEN ESTATES UNIT 1 BLK 1 PB 19 PG 117 LOTS 17 + 18	9656.2
2368 CORAL POINT DR	MILAD NAGUIB	Y	SHOREHAVEN ESTATES UNIT 1 BLK 2 PB 19 PG 117 LOTS 73 + 74	9647.1
2328 CORAL POINT DR	JORDAN CRAIG + ELAINE K	N	SHOREHAVEN ESTS UNIT 1 BLK 2 PB 19 PG 117 LOTS 53 + 54	9645.2
2207 CORAL POINT DR	KOPKO SCOTT C + SALLY A	Y	SHOREHAVEN ESTATES UNIT 1 BLK 1 PB 19 PG 117 LOTS 23 + 24	9636.1
2211 CORAL POINT DR	RUDOLF LARRY + RUDOLF MURRY J/T	Y	SHOREHAVEN ESTATES UNIT 1 BLK 1 PB 19 PG 117 LOTS 25 + 26	9634.7
1835 CORAL POINT DR	SCOTT R FREY REVOCABLE TRUST	Y	CORAL POINT UNREC BLK 2 OR 150 PG 317 LOTS 3 + 4	9631.4
1851 CORAL POINT DR	MARTIN ANTHONY + MARY E	Y	CORAL POINT UNREC. BLK 2 OR 150 PG 317 LOTS 11 + 12	9631.2
1847 CORAL POINT DR	PALM GULF PROPERTIES LLC	Y	CORAL POINT UNREC BLK 2 OR 150 PG 317 LOTS 9 + 10	9631.1
1855 CORAL POINT DR	PENSCO TRUST COMPANY FOR JAMES S WALLACE IRA WA1NC	Y	CORAL POINT UNREC BLK 2 OR 150 PG 317 LOTS 13 + 14	9631.1
1841 CORAL POINT DR	GABELE LEO F TR + GABELE SARAH F TR FOR LEO F GABELE TRUST	Y	CORAL POINT UNREC BLK 2 OR 150 PG 317 LOTS 5 + 6	9631.0
1843 CORAL POINT DR	JACKSON DANIEL L + CANDICE A	Y	CORAL POINT UNREC BLK 2 OR 150 PG 317 LOTS 7 + 8	9630.9

1831 CORAL POINT DR	**JACKSON RICHARD K JR + LORI A**	**Y**	**CORAL POINT UNREC. BLK 2 OR 150 PG 317 LOTS 1 + 2**	**9630.8**
1813 CORAL POINT DR	**ANDREU JOSE A + IRAIDA F + ANDREU JOSE M + MARIA J/T**	**Y**	**CORAL POINT UNREC BLK 1 OR 150 PG 317 LOTS 37 + 38**	**9630.5**
1817 CORAL POINT DR	**CRUZ ADOLFO A**	**Y**	**CORAL POINT UNREC BLK 1 OR 150 PG 317 LOTS 39 + 40**	**9630.5**
1809 CORAL POINT DR	**HERNANDEZ EMMA R**	**Y**	**CORAL POINT UNREC BLK 1 OR 150 PG 317 LOTS 35 + 36**	**9630.5**
1781 CORAL POINT DR	**HERRERA ORLANDO & ANA**	**Y**	**CORAL POINT UNREC BLK 1 OR 150 PG 317 LOTS 31 + 32**	**9630.3**
1805 CORAL POINT DR	**DEKETT ROBERT L + DEKETT JAMES A J/T**	**Y**	**CORAL POINT UNREC BLK 1 OR 150 PG 317 LOTS 33 + 34**	**9630.3**
2223 CORAL POINT DR	**SCHOENDORF LYNN CARNEY**	**Y**	**SHOREHAVEN ESTS UNIT 1 BLK 1 PB 19 PG 117 LOTS 31 + 32**	**9630.2**
1777 CORAL POINT DR	**SHELL BEL RENTALS LLC**	**Y**	**CORAL POINT UNREC BLK 1 OR 150 PG 317 LOTS 29 + 30**	**9630.2**
1741 CORAL POINT DR	**HOWARD AARON LEON JR**	**Y**	**CORAL POINT UNREC. BLK.1 OR 150 PG 317 LOTS 25 + 26**	**9630.1**
1763 CORAL POINT DR	**HARRIETHA GEORGE + DARLENE**	**Y**	**CORAL POINT UNREC. BLK.1 OR 150 PG 317 LOTS 27 + 28**	**9630.0**
1735 CORAL POINT DR	**GILLEY CHRISTINA**	**Y**	**CORAL POINT UNREC BLK 1 OR 150 PG 317 LOTS 23 + 24**	**9630.0**
1731 CORAL POINT DR	**WIDENER ROBERT + CARLA**	**Y**	**CORAL POINT UNREC BLK 1 OR 150 PG 317 LOTS 21 + 22**	**9629.8**
2305 CORAL POINT DR	**SHORT JAMES M**	**Y**	**SHOREHAVEN ESTATES UNIT 1 BLK 11 PB 19 PG 117 LOTS 3 + 4**	**9621.8**
2129 CORAL POINT DR	**DELANO FAMILY TRUST**	**Y**	**SHOREHAVEN ESTATES UNIT 1 BLK 1 PB 19 PG 117 LOTS 11 + 12**	**9621.4**

2311 CORAL POINT DR	**STAVOLA THOMAS J + KAREN S**	**Y**	**SHOREHAVEN ESTATES UNIT 1 BLK 11 PB 19 PG 117 LOTS 5 + 6**	**9620.3**
2315 CORAL POINT DR	**WALTER GERALD F & WALTER KATHLEEN M TR FOR GERALD F + KATHLEEN M WALTER TRUST**	**Y**	**SHOREHAVEN ESTATES UNIT 1 BLK 11 PB 19 PG 117 LOTS 7 + 8**	**9618.8**
2319 CORAL POINT DR	**ROGGENKAMP ANN**	**Y**	**SHOREHAVEN ESTATES UNIT 1 BLK 11 PB 19 PG 117 LOTS 9 + 10**	**9617.4**
2331 CORAL POINT DR	**BACHTEAL WILLIAM T + SMITH LISA A J/T**	**Y**	**SHOREHAVEN ESTATES UNIT 1 BLK 11 PB 19 PG 117 LOTS 15 + 16**	**9613.0**
2343 CORAL POINT DR	**FREY SCOTT**	**Y**	**SHOREHAVEN ESTATES UNIT 1 BLK 11 PB 19 PG 117 LOTS 21 + 22**	**9608.6**
2347 CORAL POINT DR	**VASIL NADINE**	**N**	**SHOREHAVEN ESTS UNIT 1 BLK 11 PB 19 PG 117 LOTS 23 + 24**	**9607.1**
1859 CORAL POINT DR	**MM FLORIDA SERVICE INC**	**Y**	**CORAL POINT UNREC BLK 2 OR 150 PG 317 LOTS 15 + 16**	**9606.1**
2351 CORAL POINT DR	**ENTRUST IRA SW FLORIDA LLC FBO IRA 50158**	**N**	**SHOREHAVEN ESTS UNIT 1 BLK 11 PB 19 PG 117 LOTS 25 & 26**	**9605.7**
2114 CORAL POINT DR	**GOLDEN RANDY R + MELANIE A**	**Y**	**SHOREHAVEN ESTS UNIT 1 BLK 2 PB 19 PG 117 LOTS 5 + 6**	**9601.4**
2118 CORAL POINT DR	**BOESCH ERIC W**	**Y**	**SHOREHAVEN ESTS UNIT 1 BLK 2 PB 19 PG 117 LOTS 7 + 8**	**9601.2**
2122 CORAL POINT DR	**PADULA RALPH DEAN**	**N**	**SHOREHAVEN ESTS UNIT 1 BLK 2 PB 19 PG 117 LOTS 9 + 10**	**9601.0**
2126 CORAL POINT DR	**CAREY CRAIG**	**Y**	**SHOREHAVEN ESTS UNIT 1 BLK 2 PB 19 PG 117 LOTS 11 + 12**	**9600.7**
2130 CORAL POINT DR	**DZIERZANOWSKI PAUL C + KELLY A**	**Y**	**SHOREHAVEN ESTS UNIT 1 BLK 2 PB 19 PG 117 LOTS 13 + 14**	**9600.4**
2134 CORAL POINT DR	**KULKINSKI MICHAEL + FRITZ JANA M**	**Y**	**SHOREHAVEN EST UNIT 1 BLK 2 PB 19 PG 117 LOTS 15 + 16**	**9600.2**

2111 CORAL POINT DR	**BARGARDO DORIS RITA**	**Y**	**SHOREHAVEN ESTATES UNIT 1 BLK.1 PB 19 PG 117 LOTS 1 + 2**	**9600.1**
2113 CORAL POINT DR	**BURGESS DANIEL LEE JR & BURGESS GENETTE GENE**	**Y**	**SHOREHAVEN EST UNIT 1 BLK 1 PB 19 PG 117 LOTS 3 + 4**	**9600.0**
2060 OTTERSREST LN	**KORTH FRED + SALLY**	**Y**	**SHOREHAVEN ESTATES UNIT 1 BLK.4 PB 19 PG 117 LOTS 44 + 45**	**9600.0**
2117 CORAL POINT DR	**KIPE ROBERT M + DONNA L**	**Y**	**SHOREHAVEN EST UNIT 1 BLK 1 PB 19 PG 117 LOTS 5 + 6**	**9600.0**
2056 OTTERSREST LN	**STOLCZENBERGER JOSEPH + STOLCZENBERGER ROSEMARIE H/W**	**Y**	**SHOREHAVEN ESTS UNIT 1 BLK 4 PB 19 PG 117 LOTS 46 + 47**	**9600.0**
2048 OTTERSREST LN	**CASTRO LIDICE**	**N**	**SHOREHAVEN ESTATES UNIT 1 BLK 4 PB 19 PG 117 LOTS 50 + 51**	**9600.0**
2052 OTTERSREST LN	**WULF WARREN B + WULF KENT W**	**Y**	**SHOREHAVEN ESTATES UNIT 1 BLK 4 PB 19 PG 117 LOTS 48 + 49**	**9600.0**
2022 OTTERSREST LN	**FOUR MILE COVE PROPERTIES LLC**	**N**	**SHOREHAVEN ESTS UNIT 1 BLK 4 PB 19 PG 117 LOTS 63 + 64**	**9600.0**
2036 OTTERSREST LN	**PADULA R DEAN**	**N**	**SHOREHAVEN ESTATES UNIT 1 BLK.4 PB 19 PG 117 LOTS 56 + 57**	**9600.0**
2138 CORAL POINT DR	**WASHINGTON LEONARD JR TR + WASHINGTON CELESTINE TR FOR WASHINGTON TRUST**	**Y**	**SHOREHAVEN ESTS UNIT 1 BLK 2 PB 19 PG 117 LOTS 17 + 18**	**9599.9**
2040 OTTERSREST LN	**GUGLIOTTA ADRIENNE + MCCONNELL SHANE T/C**	**Y**	**SHOREHAVEN ESTATES UNIT 1 BLK.4 PB 19 PG 117 LOTS 54 + 55**	**9599.9**
2367 CORAL POINT DR	**LEONHARDT ANNA M & LEONHARDT WILLIAM C**	**Y**	**SHOREHAVEN EST U 1 BLK 11 PB 19 PG 117 LOTS 33 + 34**	**9599.8**
2142 CORAL POINT DR	**DEGROOT MICHAEL**	**Y**	**SHOREHAVEN ESTS UNIT 1 BLK 2 PB 19 PG 117 LOTS 19 + 20**	**9599.7**

2202 CORAL POINT DR	**CUMBERLAND KARYN A + KEVIN A**	**Y**	**SHOREHAVEN ESTS UNIT 1 BLK 2 PB 19 PG 117 LOTS 21 + 22**	**9599.5**
2206 CORAL POINT DR	**RACKOW RICHARD J + EGIDIA M**	**Y**	**SHOREHAVEN ESTS UNIT 1 BLK 2 PB 19 PG 117 LOTS 23 + 24**	**9599.2**
2210 CORAL POINT DR	**INTERARTCENTER LLC**	**Y**	**SHOREHAVEN ESTS UNIT 1 BLK 2 PB 19 PG 117 LOTS 25 + 26**	**9599.0**
2214 CORAL POINT DR	**OLINGER DENNIS E + BARBARA A**	**Y**	**SHOREHAVEN ESTS UNIT 1 BLK 2 PB 19 PG 117 LOTS 27 + 28**	**9598.8**
2218 CORAL POINT DR	**WOLF MARY ANN**	**Y**	**SHOREHAVEN ESTATES UNIT 1 BLK 2 PB 19 PG 117 LOTS 29 + 30**	**9598.5**
2371 CORAL POINT DR	**WARD RICKY L + MACKECHNIE CAROLEA H/W**	**Y**	**SHOREHAVEN ESTATES UNIT 1 BLK 11 PB 19 PG 117 LOTS 35 + 36**	**9598.3**
2222 CORAL POINT DR	**TUTTLE DAVID B**	**Y**	**SHOREHAVEN ESTATES UNIT 1 BLK 2 PB 19 PG 117 LOTS 31 + 32**	**9598.3**
2226 CORAL POINT DR	**MORRELL DUNCAN B**	**Y**	**SHOREHAVEN ESTATES UNIT 1 BLK 2 PB 19 PG 117 LOTS 33 + 34**	**9598.0**
2230 CORAL POINT DR	**HUNZIKER ROGER F**	**Y**	**SHOREHAVEN EST UT 1 BLK 2 PB 19 PG 117 LOTS 35 + 36**	**9597.8**
1936 CORAL POINT DR	**DUMONT NORMAN**	**N**	**CORAL POINT UNREC BLK 4 OR 150 PG 317 LOTS 21 + 22 LESS S 10 FT ADJ TO CANAL**	**9597.6**
2044 CORAL POINT DR	**HARNEY POINT REALTY INC**	**N**	**CORAL POINT UNREC BLK 4 OR 150 PG 317 LOTS 48 + 49 LESS S 10 FT ADJ TO CANAL**	**9597.5**
2234 CORAL POINT DR	**TALMAGE MICHAEL C + CATHLEEN R**	**Y**	**SHOREHAVEN ESTATES UNIT 1 BLK 2 PB 19 PG 117 LOTS 37 + 38**	**9597.5**
2300 CORAL POINT DR	**WHITE CAROLYN A TR FOR CAROLYN A WHITE TRUST**	**Y**	**SHOREHAVEN ESTATES UNIT 1 BLK 2 PB 19 PG 117 LOTS 39 THRU 40**	**9597.3**
2304 CORAL POINT DR	**ROBBEN CHRISTOPHER N**	**Y**	**SHOREHAVEN EST UNIT 1 BLK 2 PB 19 PG 117 LOTS 41 + 42**	**9597.1**

2312 CORAL POINT DR	**GALLANT RICHARD**	**Y**	**SHOREHAVEN ESTATES UNIT 1 BLK 2 PB 19 PG 117 LOTS 45 + 46**	**9596.5**
1961 CORAL POINT DR	**VALENTINO JAMES R + DEBRA**	**Y**	**CORAL POINT UNREC. BLK 2 OR 150 PG 317 LOTS 29 + 30**	**9596.5**
1989 CORAL POINT DR	**GEORGE JEREMY M + AMBER M**	**Y**	**CORAL POINT UNREC BLK 2 OR 150 PG 317 LOTS 43 + 44**	**9596.5**
2075 CORAL POINT DR	**KRUEGER JEREMY + KRUEGER KEITH & JEANNE**	**Y**	**CORAL POINT UNREC. BLK 2 OR 150 PG 317 LOTS 57 + 58**	**9596.5**
1863 CORAL POINT DR	**JOHNSON ARTHUR B + JOHNSON CYNTHIA ANN**	**Y**	**CORAL POINT UNREC BLK 2 OR 150 PG 317 LOTS 17 + 18**	**9596.5**
2039 CORAL POINT DR	**MIRABELLA ORLANDO M + LINDA C**	**Y**	**CORAL POINT UNREC. BLK 2 OR 150 PG 317 LOTS 45 + 46**	**9596.5**
1985 CORAL POINT DR	**PETERSON TERRY RICHARD**	**Y**	**CORAL POINT UNREC. BLK 2 OR 150 PG 317 LOTS 41 + 42**	**9596.5**
2059 OTTERSREST LN	**SICA VINCENT R + MARY E**	**Y**	**SHORE HAVEN ESTATES UNIT 1 BLK 4 PB 19 PG 117 LOTS 35 + 36**	**9596.5**
2107 CORAL POINT DR	**BEATTY JODY ALLEN & DURHAM JEFFERY TODD**	**Y**	**CORAL POINT UNREC BLK 2 OR 150 PG 317 LOTS 63 + 64**	**9596.5**
2063 CORAL POINT DR	**SGROI KENNETH J + MORENO MARIA J/T**	**Y**	**CORAL POINT UNREC BLK 2 OR 150 PG 317 LOTS 51 + 52**	**9596.5**
1981 CORAL POINT DR	**PUGH DAVID L + PUGH TIMOTHY E J/T**	**Y**	**CORAL POINT UNREC. BLK 2 OR 150 PG 317 LOTS 39 + 40**	**9596.5**
1969 CORAL POINT DR	**PELFREY ANN J + PELFREY TERRY F**	**Y**	**CORAL POINT UNREC. BLK 2 OR 150 PG 317 LOTS 33 + 34**	**9596.4**
2065 CORAL POINT DR	**LUDWIG ARTHUR R**	**Y**	**CORAL POINT UNREC BLK 2 OR 150 PG 317 LOTS 53 + 54**	**9596.4**
1945 CORAL POINT DR	**STULL BRIAN J + LAURENCJA**	**Y**	**CORAL POINT UNREC. BLK 2 OR 150 PG 317 LOTS 21 + 22**	**9596.4**

2081 CORAL POINT DR	**HARRIS MARK + JANE**	**Y**	**CORAL POINT UNREC BLK 2 OR 150 PG 317 LOTS 59 + 60**	**9596.4**
1949 CORAL POINT DR	**STRASBURGER EDWARD J + SILVANA**	**Y**	**CORAL POINT UNREC. BLK 2 OR 150 PG 317 LOTS 23 + 24**	**9596.4**
1953 CORAL POINT DR	**MARCHECO MARLO**	**Y**	**CORAL POINT UNREC BLK 2 OR 150 PG 317 LOTS 25 + 26**	**9596.4**
2105 CORAL POINT DR	**VILLANO GIUSEPPA**	**Y**	**CORAL POINT UNREC BLK 2 OR 150 PG 317 LOTS 61 + 62**	**9596.4**
2057 CORAL POINT DR	**JACOBSEN KENNETH EDWARD**	**Y**	**CORAL POINT UNREC. BLK 2 OR 150 PG 317 LOTS 47 + 48**	**9596.4**
1979 CORAL POINT DR	**SHREEVES AARON LEE**	**Y**	**CORAL POINT UNREC. BLK 2 OR 150 PG 317 LOTS 37 + 38**	**9596.4**
2059 CORAL POINT DR	**SIMUNOVICH MARY J + THOMAS DENISE**	**Y**	**CORAL POINT UNREC. BLK 2 OR 150 PG 317 LOTS 49 + 50**	**9596.4**
1957 CORAL POINT DR	**SCHALL GARY K**	**Y**	**CORAL POINT UNREC. BLK 2 OR 150 PG 317 LOTS 27 + 28**	**9596.4**
2055 OTTERSREST LN	**ALARCON HUMBERTO**	**N**	**SHOREHAVEN ESTATES UNIT 1 BLK.4 PB 19 PG 117 LOTS 33 + 34**	**9596.4**
1867 CORAL POINT DR	**CARDONA HELENE L/E + PRESTIGIACOMO LUDWIG**	**Y**	**CORAL POINT UNREC. BLK.2 OR 150 PG 317 LOTS 19 + 20**	**9596.4**
1973 CORAL POINT DR	**SAITTA JUDITH S + CARL B**	**Y**	**CORAL POINT UNREC. BLK 2 OR 150 PG 317 LOTS 35 + 36**	**9596.4**
2035 OTTERSREST LN	**MAIER JOHN CHRISTIAN**	**Y**	**SHOREHAVEN ESTATES UNIT 1 BLK.4 PB 19 PG 117 LOTS 23 + 24**	**9596.4**
2047 OTTERSREST LN	**KRUG MICHAEL DANIEL TR FOR MICHAEL DANIEL KRUG TRUST**	**Y**	**SHOREHAVEN ESTATES UNIT 1 BLK 4 PB 19 PG 117 LOTS 29 + 30**	**9596.4**
2051 OTTERSREST LN	**CASAL AUGUSTINE**	**Y**	**SHOREHAVEN ESTATES UNIT 1 BLK 4 PB 19 PG 117 LOTS 31 + 32**	**9596.4**

2063 OTTERSREST LN	**LATTIN ROBERT W TR FOR ROBERT W LATTIN TRUST**	**Y**	**SHOREHAVEN ESTATES UNIT 1 BLK 4 PB 19 PG 117 LOTS 37 + 38**	**9596.4**
2073 CORAL POINT DR	**THIMMESCH CHARLES S**	**Y**	**CORAL POINT UNREC BLK 2 OR 150 PG 317 LOTS 55 + 56**	**9596.4**
2039 OTTERSREST LN	**GACCETTA JAMI + LAMANNA VINCENT III T/C**	**N**	**SHOREHAVEN ESTATES UNIT 1 BLK 4 PB 19 PG 117 LOTS 25 + 26**	**9596.4**
1963 CORAL POINT DR	**LEISTIKOW HANNELORE**	**Y**	**CORAL POINT UNREC BLK 2 OR 150 PG 317 LOTS 31 + 32**	**9596.3**
2316 CORAL POINT DR	**KEATING EILEEN**	**Y**	**SHOREHAVEN ESTATES UNIT 1 BLK 2 PB 19 PG 117 LOTS 47 + 48**	**9596.3**
2043 OTTERSREST LN	**GROTEWOLD JULIE**	**Y**	**SHOREHAVEN ESTATES UNIT 1 BLK.4 PB 19 PG 117 LOTS 27 + 28**	**9596.3**
2320 CORAL POINT DR	**HACKBARTH KLAUS & ANGELA**	**Y**	**SHOREHAVEN ESTATES UNIT 1 BLK 2 PB 19 PG 117 LOTS 49 + 50**	**9596.1**
2348 CORAL POINT DR	**ABRAHAM HILDE M**	**Y**	**SHOREHAVEN ESTATES UNIT 1 BLK 2 PB 19 PG 117 LOTS 63 + 64**	**9594.4**
2352 CORAL POINT DR	**FISCHER SUZANNE E TR FOR SUZANNE E FISCHER TRUST**	**Y**	**SHOREHAVEN ESTATES UNIT 1 BLK 2 PB 19 PG 117 LOTS 65 + 66**	**9594.1**
2356 CORAL POINT DR	**GOUDY RONALD W + TAMI M TR FOR RONARD W + TAMI M GOUDY TRUST**	**Y**	**SHOREHAVEN ESTATES UNIT 1 BLK 2 PB 19 PG 117 LOTS 67 + 68**	**9593.9**
2360 CORAL POINT DR	**MARTIN BRIAN G + ROSE ANN**	**Y**	**SHOREHAVEN ESTATES UNIT 1 BLK 2 PB 19 PG 117 LOTS 69 + 70**	**9593.6**
2364 CORAL POINT DR	**FARGOYANNIS DIMITRIOS**	**N**	**SHOREHAVEN ESTATES UNIT 1 BLK 2 PB 19 PG 117 LOTS 71 + 72**	**9593.4**
2133 CORAL POINT DR	**KIPE ROBERT M + DONNA**	**N**	**SHOREHAVEN ESTATES UNIT 1 BLK 1 PB 19 PG 117 LOTS 13 + 14**	**9578.6**
1914 OTTERSREST LN	**COLLINS LANE W + RHONDA L TR FOR LANE W COLLINS TRUST + FOR RHONDA L COLLINS TRUST**	**Y**	**SHOREHAVEN ESTATES UNIT 1 BLK 4 PB 19 PG 120 LOTS 77 + 78**	**9558.7**

1772 CORAL POINT DR	**WARTHEN JODI LEE + GREG C**	**Y**	**CORAL POINT UNREC. BLK.3 OR 150 PG 317 LOTS 28 + 29**	**9558.7**
1808 CORAL POINT DR	**BENTACUR CARLOS M + CARDONA CLAUDIA P H/W**	**Y**	**CORAL POINT UNREC BLK 3 OR 150 PG 317 LOTS 35 + 36**	**9558.7**
1816 CORAL POINT DR	**WHEELDON DARREN & HANNAH**	**Y**	**CORAL POINT UNREC. BLK 3 OR 150 PG 318 LOTS 39 + 40**	**9558.7**
1812 CORAL POINT DR	**ADVANTAIRA TRUST LLC FOR VIKKI INFANTO PERKINS IRA 7375201 68% + PERKINS VIKKI INFANTO 32% T/C**	**Y**	**CORAL POINT UNREC BLK 3 OR 150 PG 317 LOTS 37 + 38**	**9558.6**
1918 OTTERSREST LN	**PERRELLA MICHAEL + DEBRA**	**N**	**SHOREHAVEN ESTATES UNIT 1 BLK.4 PB 19 PG 120 LOTS 75 + 76**	**9558.5**
2332 CORAL POINT DR	**SHRINER LORI A**	**Y**	**SHOREHAVEN ESTS UNIT 1 BLK 2 PB 19 PG 117 LOTS 55 + 56**	**9545.7**
2137 CORAL POINT DR	**PLACIDE BERNADETTE**	**Y**	**SHOREHAVEN ESTATES UNIT 1 BLK 1 PB 19 PG 117 LOTS 15 + 16**	**9543.8**
1621 OTTERSREST LN	**DOMINO MICHAEL J + CINDY J**	**Y**	**FR NW COR SEC E 50.10 FT TH S 320 FT TH E 2142.56 FT TH S 40.17 FT TO POB**	**9534.8**
1617 OTTERSREST LN	**MARTIN JAMES E + DANIELE G**	**Y**	**CORAL POINT UNREC. BLK 4 OR 150 PG 317 LOT 3 + S 40 FT ADJ AKA LOT 1 BLK 11 CALOOSA POINT UNREC**	**9471.0**
1615 OTTERSREST LN	**PINGEL GARY A + JENNIFER**	**Y**	**CORAL POINT UNREC BLK 4 OR 150 PG 317 LOTS 1 + 2**	**9450.4**

NOTICE TO AFFECTED PROPERTY OWNERS

CASE NUMBER: VA18-0002

REQUEST: A Variance to the 10,000 sq. ft. minimum area requirement in the Land Use and Development Regulations (LUDR), Section 2.7.1, for constructing a single-family dwelling on a site with Single Family Residential (R-1B) Zoning.

LOCATION: Multiple properties along Ottersrest Lane and Coral Point Drive

CAPE CORAL STAFF CONTACT: Justin Heller, Planner, 239-574-0587, jheller@capecoral.net

UPCOMING PUBLIC HEARING: Notice is hereby given that the City of Cape Coral Hearing Examiner will hold a public hearing at 9:00 A.M. on Tuesday, July 24, 2018 on the above mentioned case. The public hearing will be held in the City of Cape Coral Council Chambers, 1015 Cultural Park Boulevard, Cape Coral, FL.

All interested parties are invited to appear and be heard. All materials presented before the Hearing Examiner will become a permanent part of the record. The public hearing may be continued to a time and date certain by announcement at this public hearing without any further published notice. Copies of the staff report will be available 5 days prior to the hearing. The file can be reviewed at the Cape Coral Community Development Department, Planning Division, 1015 Cultural Park Blvd., Cape Coral, FL.

DETAILED INFORMATION: The case report and colored maps for this application are available at the City of Cape Coral website, www.capecoral.net/publichearing (Click on 'Public Hearing Information', use the case number referenced above to access the information); or, at the Planning Division counter at City Hall, between the hours of 7:30 AM and 4:30 PM. The public hearing may be continued to a time and date certain by announcement at this public hearing without any further published notice.

HOW TO CONTACT: Any person may appear at the public hearing and be heard, subject to proper rules of conduct. You are allowed sufficient time to write or appear at the public hearing to voice your objections or approval. Written comments filed with the Director will be entered into the record. Please reference the case number above within your correspondence and mail to: Department of Community Development, Planning Division, P.O. Box 150027, Cape Coral, FL 33915-0027. The hearings may be continued from time to time as necessary.

ADA PROVISIONS: In accordance with the Americans With Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Human Resources Department whose office is located at Cape Coral City Hall, 1015 Cultural Park Boulevard, Cape Coral, Florida; telephone 1-239-574-0530 for assistance; if hearing impaired, telephone the Florida Relay Service Numbers, 1-800-955-8771 (TDD) or 1-800-955-8770 (v) for assistance.

APPEALS: If a person decides to appeal any decision made by the Hearing Examiner with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

NOTICE TO SURROUNDING PROPERTY OWNERS

CASE NUMBER: VA18-0002

REQUEST: A Variance to the 10,000 sq. ft. minimum area requirement in the Land Use and Development Regulations (LUDR), Section 2.7.1, for constructing a single-family dwelling on a site with Single Family Residential (R-1B) Zoning.

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Please contact us with changes or cancellations as soon as possible, otherwise no further action needed.

TOLL-FREE	Local #	Email
888-516-9220	239-335-0258	FNPLegals@gannett.com

Customer: CITY OF CAPE CORAL_DEPT OF COM

Address: 1015 CULTURAL PARK BLVD
CAPE CORAL FL 33990
USA

Ad No.: 0003030517

Net Amt: $385.76

Run Times: 1

No. of Affidavits: 1

Run Dates: 07/14/18

Text of Ad:

NOTICE OF PUBLIC HEARING

CASE NUMBER: VA18-0002

REQUEST: A Variance to the 10,000 sq. ft. minimum area requirement in the Land Use and Development Regulations (LUDR), Section 2.7.1, for constructing a single--family dwelling on a site with Single Family Residential (R-1B) Zoning.

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by order of
Rebecca van Deutekom, MMC
City Clerk
REF # VA18-0002
AD# 3030517 July 14, 2018

Department of Community Development
Planning Division

AFFIDAVIT

IN RE: APPLICATION OF: Lennar Homes LLC

APPLICATION NO: VA18-0002

STATE OF FLORIDA)
) §
COUNTY OF LEE)

I, Vincent A. Cautero, AICP having first been duly sworn according to law, state on my oath the following:

That I am the Director of the Department of Community Development and responsible in performing duties as required for the City of Cape Coral.

That pursuant to City of Cape Coral Code. Section 8.3.2A and Section 8.11.3.A all required written notice and publication has been provided. Also, posting of a sign has been done when applicable per Section 8.3.2A.

DATED this 16th day of July, 2018.

Vincent A. Cautero, AICP

STATE OF FLORIDA
COUNTY OF LEE

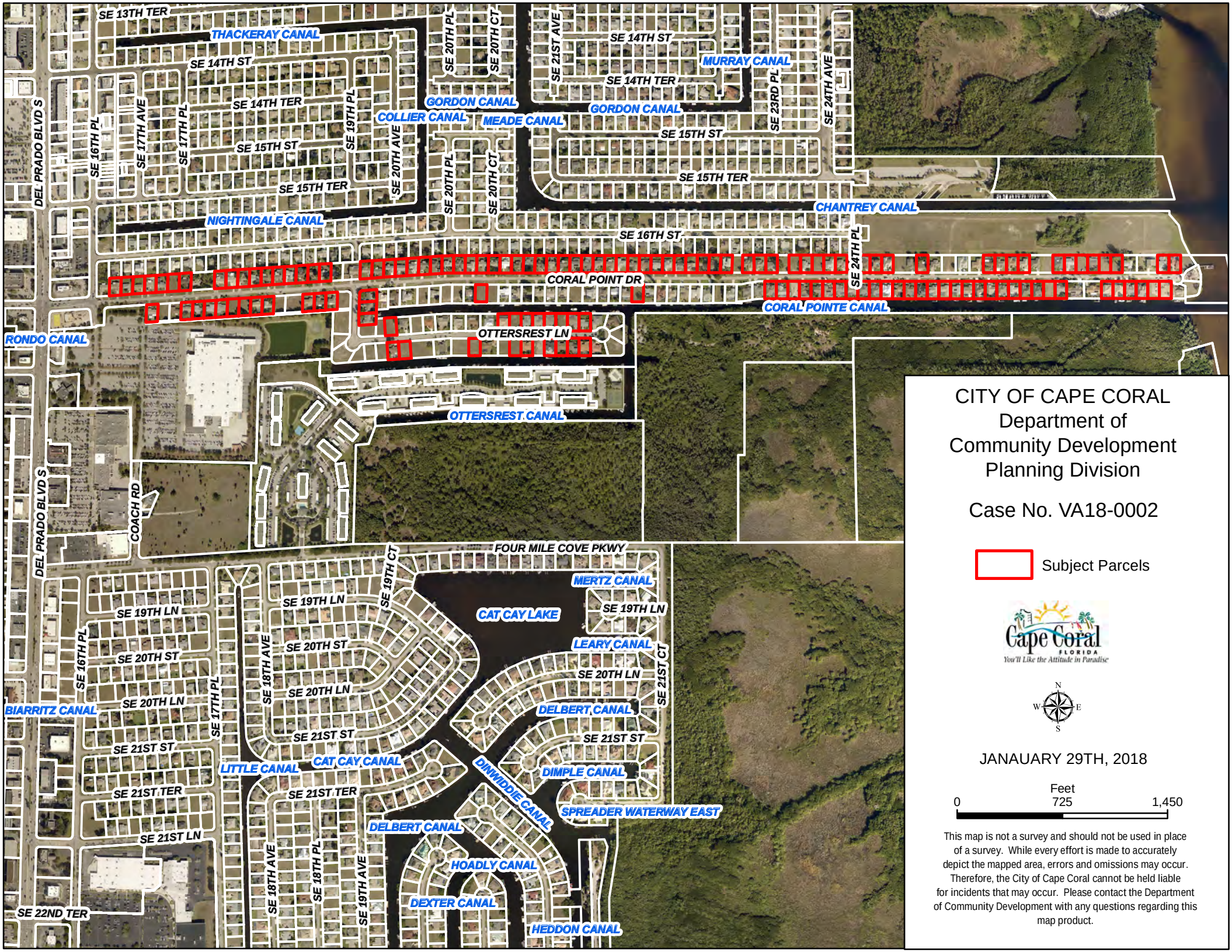
The foregoing instrument was acknowledged before me this 16th day of July, 2018, by Vincent A. Cautero, AICP, who is personally known to me and who did not take an oath.

Exp. Date 12/6/20 Commission #GG030474

ELISABETH A DELGADO
MY COMMISSION # GG030474
EXPIRES December 06, 2020

Signature of Notary Public

Elisabeth A. Delgado
Print Name of Notary Public



CITY OF CAPE CORAL
Department of
Community Development
Planning Division

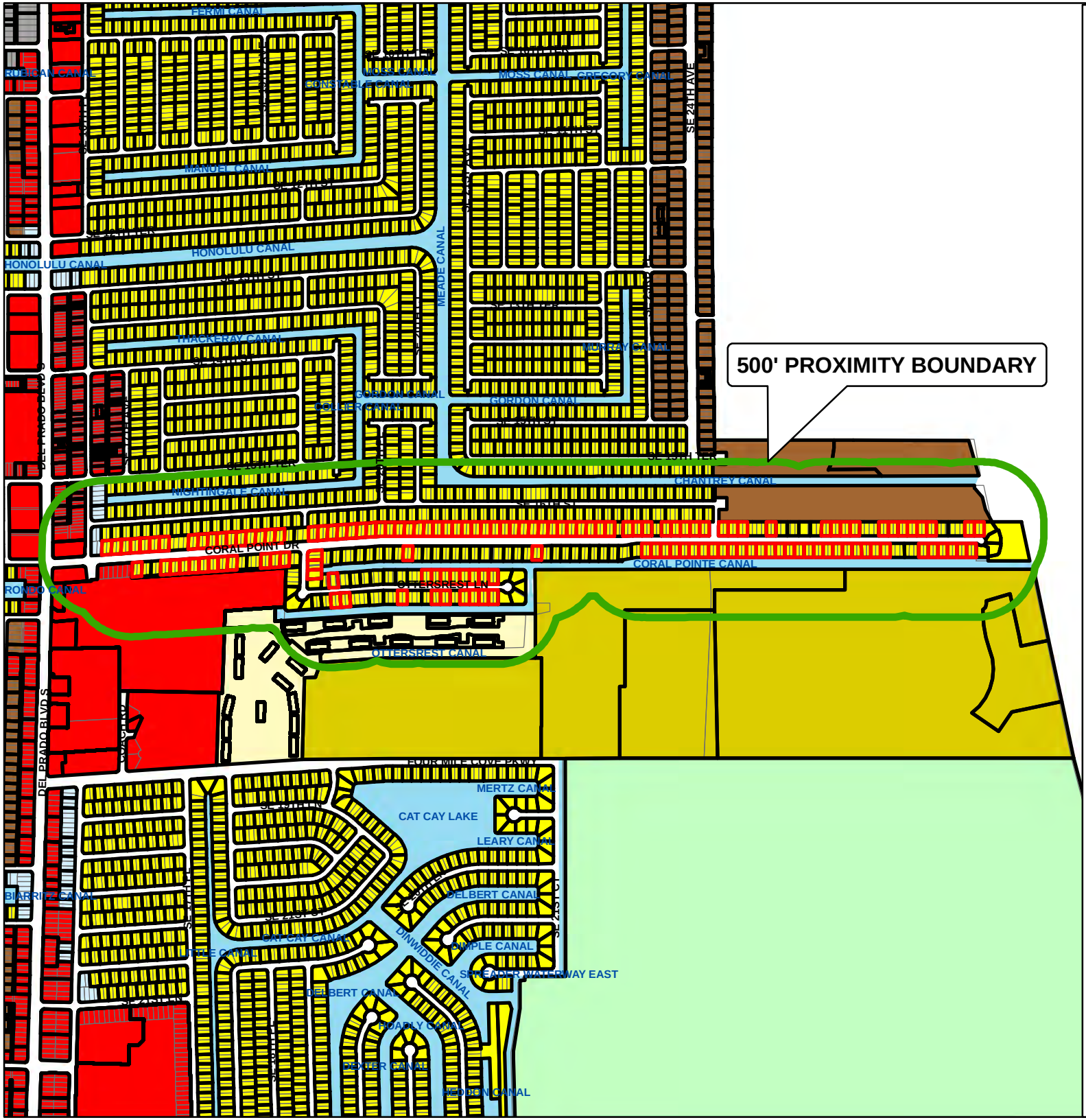
Case No. VA18-0002

Subject Parcels

JANAUARY 29TH, 2018

Feet
0 725 1,450

This map is not a survey and should not be used in place of a survey. While every effort is made to accurately depict the mapped area, errors and omissions may occur. Therefore, the City of Cape Coral cannot be held liable for incidents that may occur. Please contact the Department of Community Development with any questions regarding this map product.



CITY OF CAPE CORAL
Department of Community Development Planning Division

CURRENT ZONING MAP
500' Proximity Boundary

Case No. VA18-0002

LEGEND

- 500' Proximity Boundary
- Subject Parcels

Zoning

- C-1
- I-1
- P-1
- PRES-Regulated by FLU
- R-1A
- R-1B
- R-3
- RD

Cape Coral FLORIDA
You'll Like the Attitude in Paradise

N W E S

JANUARY 29TH, 2018

Feet
0 1,300 2,600

This map is not a survey and should not be used in place of a survey. While every effort is made to accurately depict the mapped area, errors and omissions may occur. Therefore, the City of Cape Coral cannot be held liable for incidents that may occur. Please contact the Department of Community Development with any questions regarding this map product.

Item Number:	**2.B.**
Meeting Date:	**7/24/2018**
Item Type:	**HEARINGS**

AGENDA REQUEST FORM
CITY OF CAPE CORAL

TITLE:
Case # VA18-0011*; Address: 1301/1303 NE 8th Place; Applicant: D & D 35 CORP

REQUESTED ACTION:
Approve or Deny

STRATEGIC PLAN INFO:

1. Will this action result in a Budget Amendment?	No
2. Is this a Strategic Decision?	No
If Yes, Priority Goals Supported are listed below.	
If No, will it harm the intent or success of the Strategic Plan?	No

Planning & Zoning Recommendations:

SUMMARY EXPLANATION AND BACKGROUND:
The applicant requests a 0.3-foot variance to Section 2.7.2D of the City Land Use and Development Regulations (LUDR) that requires a minimum rear setback of 20 feet for structures in the Multi-Family (R-3) District, to allow a duplex to remain 19.7 feet from the east property line.

LEGAL REVIEW:

EXHIBITS:
See attached "Backup Materials"

PREPARED BY:

Kristin Kantarze	Division- Planning	Department-	Community Development

SOURCE OF ADDITIONAL INFORMATION:
Justin Heller, Planner, 239-574-0587, jheller@capecoral.net

ATTACHMENTS:

Description	Type
Backup Materials	Backup Material

Cape Coral FLORIDA

DEPARTMENT OF COMMUNITY DEVELOPMENT
APPLICATION FOR VARIANCE
Questions: 239-574-0776

CASE # VA18-0001

MAY 11 '18 PM 3:13

REQUEST TO HEARING EXAMINER FOR A VARIANCE

FEE: SINGLE-FAMILY RESIDENTIAL USE $150.00 ($150.00 PER EACH ADDITIONAL REQUEST) ALL OTHER USES $673.00. In addition to the application fee, all required advertising costs are to be paid by the applicant (ORD 39-03, Sec. 5.4). Advertising costs will be billed and must be paid prior to hearing.

Following the approval of your request, the applicant shall be responsible for paying the City to electronically record the final signed Resolution or Ordinance with the Lee County Clerk of Court. Until this fee is paid, restrictions on the issuance of any City permits will remain on the affected property that will prevent the city from issuing any applicable building permits, site plans, certificates of use, or certificates of occupancy for any property covered by the Resolution or Ordinance.

OWNER OF PROPERTY
D&D 35 Corp.
Address: PO Box 52033
City: Sarasota State: FL Zip 34232
Phone:

APPLICANT
DAMIA3510@gmail.com
EMAIL
Address:
City: State: Zip
Phone:

Sergei Kornienko
AUTHORIZED REPRESENTATIVE
Sergei Kornienko
EMAIL
NatashaKornienko@yahoo.com
Address: 1905 SE 26th Ter
City: Cape Coral State: FL Zip 33904
Phone:

Unit 31 Block 2069 Lot(s) 44+45 Subdivision 125095
Address of Property 1301/1303 NE 8th PL Cape Coral FL 33909
Current Zoning R-3
Plat Book 14, Page 160
Strap Number 06-44-24-C1-02069.0440

THIS APPLICATION SHALL ALSO HAVE ANY ADDITIONAL REQUIRED SUPPORTING DOCUMENTS

The owner of this property, or the applicant, agrees to conform to all applicable laws of the City of Cape Coral and to all applicable Federal, State, and County laws and certifies that all information supplied is correct to the best of their knowledge.

If the owner does not own the property in his/her personal name, the owner must sign all applicable forms in his/her corporate capacity.

DEPARTMENT OF COMMUNITY DEVELOPMENT

APPLICATION FOR VARIANCE

Questions: 239-574-0776

CASE # _____

ACKNOWLEDGEMENT FORM

I have read and understand the above instructions. Hearing date(s) will be confirmed when I receive a copy of the Notice of Public Hearing stipulating the day and time of any applicable hearings.

I acknowledge that I or my representative must attend any applicable meetings scheduled for the Hearing Examiner, and City Council.

I will have the opportunity, at the hearing, to present verbal information pertaining to my request that may not be included in my application.

I understand any decision rendered by the CITY shall be subject to a thirty (30) day appeal period. Any work performed within the thirty (30) day time frame or during the APPEAL process will be completed at the applicant's risk.

I understand I am responsible for all fees, including advertising costs. All fees are to be submitted to the City of Cape Coral with the application or the item may be pulled from the agenda and continued to future date after fees are paid.

Please obtain all necessary permits prior to commencing any phase of construction.

Please indicate on a separate sheet those persons to whom you wish a copy of the Public Hearing Notice sent.

By submitting this application, I acknowledge and agree that I am authorizing the City of Cape Coral to inspect the subject property and to gain access to the subject property for inspection purposes reasonably related to this application and/or the permit for which I am applying.

(SIGNATURE MUST BE NOTARIZED)

D & D 35 Corp.
CORPORATION/COMPANY NAME

Igor Davidovich
PROPERTY OWNER (PLEASE TYPE OR PRINT)

PROPERTY OWNER'S SIGNATURE

STATE OF FL, COUNTY OF Sarasota

Sworn to (or affirmed) and subscribed before me this 10th day of May, 2018, by Igor Davidovich who is personally known or produced _____ as identification.

Exp. Date: 12.26.2019 Commission Number: FF943043

Notary Public State of Florida
Larisa Trexler
My Commission FF 943043
Expires 12/26/2019

Signature of Notary Public: _____

Printed name of Notary Public: Larisa Trexler

Variance application 11/10/16

Cape Coral FLORIDA

DEPARTMENT OF COMMUNITY DEVELOPMENT
APPLICATION FOR VARIANCE
Questions: 239-574-0776

CASE # _____

AUTHORIZATION TO REPRESENT PROPERTY OWNER(s)

PLEASE BE ADVISED THAT Sergei Kornienko
(Name of person giving presentation)

IS AUTHORIZED TO REPRESENT ME IN THE REQUEST TO THE HEARING EXAMINER, OR CITY COUNCIL FOR Variance
(Type of Public Hearing – i.e., PDP, Zoning, Special Exception, Variance, etc.)

UNIT 31 BLOCK 2069 LOT(S) 44+45 SUBDIVISION 125095

OR LEGAL DESCRIPTION _____

LOCATED IN THE CITY OF CAPE CORAL, COUNTY OF LEE, FLORIDA.

Igor Davidovich D&D 35 Corp.
PROPERTY OWNER (Please Print)

PROPERTY OWNER (Please Print)

(president)
PROPERTY OWNER (Signature & Title)

PROPERTY OWNER (Signature & Title)

STATE OF FL, COUNTY OF Sarasota

Subscribed and sworn to (or affirmed) ~~before me this~~ 10th day of May, 2018, by Igor Davidovich who is personally known or produced _____ as identification.

Exp. Date: 12.26.2019 Commission Number: FF 943043

Signature of Notary Public: _____

Printed name of Notary Public: Larisa Trexler

Note: Please list all owners. If a corporation, please supply the Planning Division with a copy of corporation paper.

Notary Public State of Florida
Larisa Trexler
My Commission FF 943043
Expires 12/26/2019

Variance application 11/10/16

DEPARTMENT OF COMMUNITY DEVELOPMENT

APPLICATION FOR VARIANCE

Questions: 239-574-0776

CASE # _____

DOCUMENTARY EVIDENCE (LUDR, Section 8.3.1.C.6.f)

A copy of all documentary evidence shall be made available to the decision-making body or the Hearing Examiner and to staff no later than two business days prior to the hearing of the application. This requirement includes information that the applicant intends to present at public hearing.

I have read the above requirement and agree to comply with this provision.

D&D 35 Corp Igor Davidovich

OWNER/APPLICANT (PLEASE TYPE OR PRINT)

OWNER/APPLICANT SIGNATURE

(SIGNATURE MUST BE NOTARIZED)

STATE OF FL COUNTY OF Sarasota

Sworn to (or affirmed) and subscribed before me on this 10 day of May, 2018 by Igor Davidovich (who is personally known) or who has produced _____ as Identification.

Exp. Date 12.26.2019

Commission # FF 943043

Signature of Notary Public

LARISA Trexler

Print Name of Notary Public

Notary Public State of Florida
Larisa Trexler
My Commission FF 943043
Expires 12/26/2019

Cape Coral FLORIDA

DEPARTMENT OF COMMUNITY DEVELOPMENT

APPLICATION FOR VARIANCE

Questions: 239-574-0776

CASE # _____

D & D35 Corp Igor Davidovich

APPLICANT NAME (PLEASE TYPE OR PRINT) APPLICANT'S SIGNATURE

(SIGNATURE MUST BE NOTARIZED)

STATE OF FL, COUNTY OF Sarasota

Sworn to (or affirmed) and subscribed before me this 10 day of May, 2018 by Igor Davidovich who is personally known or produced _____ as identification.

Exp. Date: 12.26.2019 Commission Number: FF943043

Notary Public State of Florida
Larisa Trexler
My Commission FF 943043
Expires 12/26/2019

Signature of Notary Public: _____

Printed name of Notary Public: LARISA TREXLER

Variance application 11/10/16

Letter of Intent

We are pulling for a variance on the location, 1301/1303 NE 8th Pl., because instead of a 20' setback we are currently at 19.7'. The miscalculation was found at the moment the city was reviewing the Final Survey due to the fact that instead of being a square lot, there was an angle formed creating almost a parallelogram. The house is already complete and it would be impossible to comply with the 20' setback without entirely having to move the duplex from its' current location structurally. The purpose of this variance would be to allow for the final attainment of the Certificate of Occupancy which is currently just temporary. Again, this mistake was found only after the final survey had been completed so there is no way the contractor could have avoided this situation from the beginning as this issue only presented itself when the final survey was submitted for approval to the City.

Thank you,

SN Construction LLC.

Reliable Land Surveying, Inc.

Mailing Address: P.O. Box 1589, Ft. Myers, FL 33902 Street Address: 13010 Palm Beach Blvd., Ft. Myers, FL 33905
Toll Free Fax: (888) 215-9098 Email: info@ReliableSurveying.com Certificate of
Phone: (239) 340-3318 www.ReliableSurveying.com Authorization No. LB 7373

Notes:
1) Parcel was surveyed from information supplied by the client or the clients agent.
2) Easements as shown hereon are from the recorded plat. Any other easement (s) pertaining to the hereon described parcel must be furnished to the surveyor by the client or the clients agent per Florida Administrative code 5J-17.052(2)(d)4.
3) This certification is only for the parcel described. It is not a certification of title, zoning, easement, freedom of encumbrance, ownership, or rights-of-ways.
4) Parcel subject to easements, restrictions, reservations, and rights-of-ways of record.
5) Abstract not reviewed.
6) Additions or deletions to survey maps or reports by other than the signing party or parties is prohibited without the written consent of the signing party or parties.
7) The survey depicted hereon is not valid without the signature and original raised seal of a Florida licensed surveyor and mapper.
8) Well locations, when shown, are approximate and based on field observed surface evidence, unless otherwise noted.
9) Septic and/or drain field locations, when shown, are approximate and based on surface evidence, subsurface probes, or a combination thereof.
10) Underground utilities, structures and/or improvements other than those shown, if any, were not located.
11) The survey depicted hereon may not be communicated or relied on by any party to which it has not been certified without the prior written consent of the signing party.

= WATER METER
= STORM DRAIN
= UTILITY BOX/RISER
= LIGHT POLE
= POWER POLE
= FIRE HYDRANT
= WATER VALVE
= FENCE LINE
= CONCRETE
= OVERHEAD LINE
(100.00) = ASSUMED ELEVATION

LEGEND:
BOB = BASIS OF BEARINGS
CSP = COVERED SCREENED PORCH
(D) = PER DEED
DE = DRAINAGE EASEMENT
EDFL = ESTIMATED DRAIN FIELD LOCATION
FCM = FOUND CONCRETE MONUMENT
FDH = FOUND DRILL HOLE
FF = FINISH FLOOR ELEVATION
FIP = FOUND IRON PIPE
FIR = FOUND IRON ROD
FN&D = FOUND NAIL & DISK
FN = FOUND NAIL
FN&T = FOUND NAIL & TAB
GF = GARAGE FLOOR ELEVATION
I = INSIDE PROPERTY
ICV = IRRIGATION CONTROL VALVE
LME = LAKE MAINTENANCE EASEMENT
(M) = AS MEASURED
O/S = OFFSET
(P) = PER PLAT
PC = POINT OF CURVE
PUE = PUBLIC UTILITY EASEMENT
SEP = APPROXIMATE LOCATION OF SEPTIC TANK
SIR = SET 1/2" IRON ROD & CAP STAMPED "LB 7373"
SN&D = SET NAIL & DISK STAMPED "LB 7373"
SWIR = SET 1/2" IRON ROD & CAP STAMPED "WIT.COR. LB 7373"
S/W = SEAWALL
TBM = TEMPORARY BENCH MARK
TOB = APPROXIMATE TOP BANK
TUE = TECHNOLOGY UTILITY EASEMENT
UE = UTILITY EASEMENT
VG = VALLEY GUTTER
X = OUTSIDE PROPERTY

Certified To:
AVS Cape Coral, Inc.

Revision:
Mean Annual Flood Line - 11/7/16
Final - 4/10/18

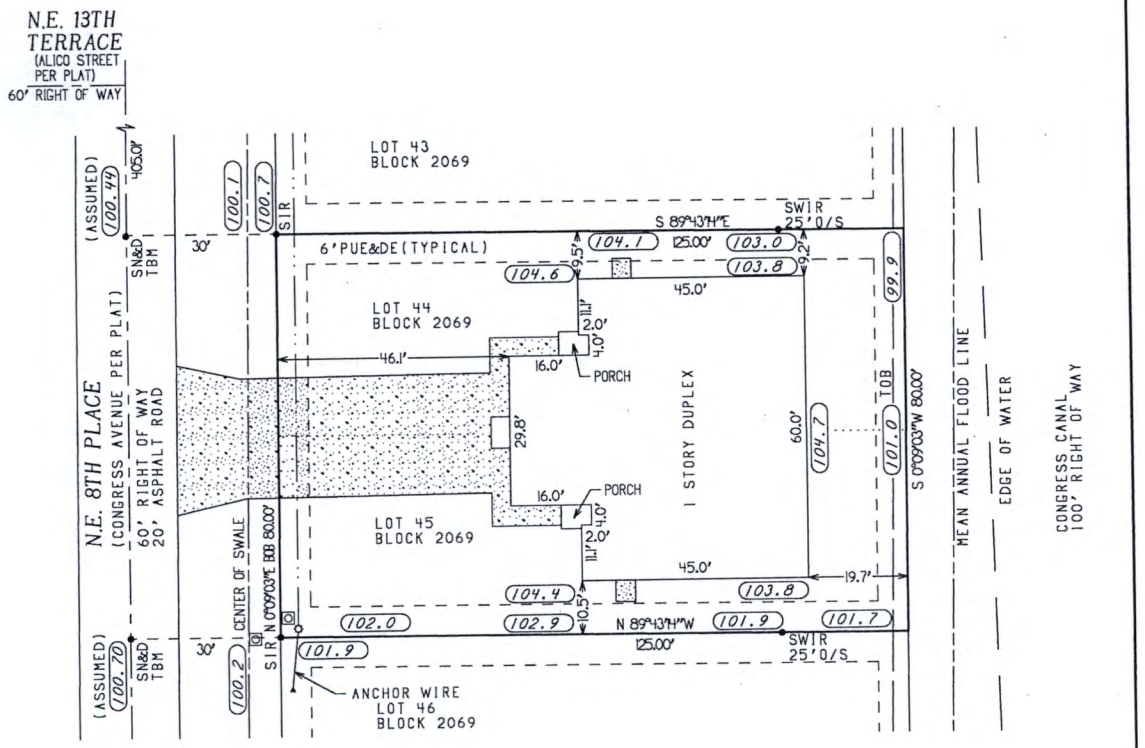
Boundary Survey
W.O.# 16-2599
Date: 24 AUG 2016
DRAWN BY: DMO

Parcel Description:
Lots 44 and 45, Block 2069, Unit 31, Cape Coral, a subdivision according to the map or plat thereof, on file and recorded in the Office of the Clerk of Circuit Courts, Lee County, Florida, at Plat Book 14, Pages 149 through 165, inclusive.

Flood Zone Information:
Parcel lies in Flood Zone X as per FIRM # 12071C 0265 F, Dated: 8/28/08.

Elevation Information:
The elevations as shown hereon are based on an assumed datum.

NOTE:
MEAN ANNUAL FLOOD LINE AS DETERMINED BY HYDRIC ADVANTAGEOUS ROOTS 8.7' FROM REAR PL WITH ELEVATION 95.40



Scale 1"=30'
0 30

Keith David Clay
Registered Surveyor & Mapper
Certificate No. 6267

©Copyright by Reliable Land Surveying, Inc. and Keith D. Clay, Fort Myers, Florida, 2018. Unauthorized use, publication, or reproduction of this survey map and/or data thereon is subject to criminal and civil prosecution.

VA18-0011

Review Date: June 27, 2018

Owner/Applicant: D & D 35 CORP

Representative: Sergei Kornienko

Request: The applicant requests a 0.3-foot variance to Section 2.7.2D of the City Land Use and Development Regulations (LUDR) that requires a minimum rear setback of 20 feet for structures in the Multi-Family (R-3) District, to allow a duplex to remain 19.7 feet from the east property line.

Location: 1301/1303 NE 8th Place
Unit 31, Block 2069, Lot 44-45
Strap number: 06-44-24-C1-0206.90440

Prepared By: Justin Heller, Planner

Reviewed By: Mike Struve, AICP, Planning Team Coordinator

Approved By: Robert Pederson, AICP, Planning Manager

Recommendation: **Approval**

Property Description/Background:

The 10,000-sq. ft. site is in northeast Cape Coral. This site has a Multi-Family (MF) Future Land Use Classification and Multi-Family (R-3) Zoning. All properties on the Block share the same zoning and future land use classifications. Properties to the east of the site and the Congress Canal, have a Single-Family Future Land Use Classification and Single-Family Residential (R-1B) Zoning.

A duplex was recently constructed on the site. A final survey was completed on April 10, 2018. This survey showed that the duplex was constructed 19.7 feet from the rear property line, in violation of the minimum rear setback requirement of 20 feet.

Analysis:

According to LUDR, Section 8.10.2, a variance is defined as "*a modification of the requirements of the City's ordinance when such modification will not be contrary to the public interest where, because of conditions peculiar to the property involved and not the result of the actions of the applicant which occurred after the effective date of the ordinance, a literal interpretation of the ordinance would result in unnecessary and undue hardship.*"

The Planning Division has reviewed this application based on the five standards outlined within LUDR, Section 8.10.3a-e and offers the following analysis for consideration.

1. *Special Conditions: The special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other land, structure or buildings in the same zoning district; that the special conditions and circumstances do not result from the actions of the applicant.*

   Staff determination and analysis: Standard MET by the applicant.

   The site is flat and rectangular. Special conditions related solely to the land itself are not present. Special circumstances, however, exist that were beyond the control of the applicant. An unforeseen error was made when identifying the boundaries of the foundation for the home. This error was discovered when a final survey was completed that showed the dwelling infringing 0.3 ft. into the rear setback. Since this error occurred beyond the control of the applicant, special conditions are present in this case.

2. *No Special Privilege: The granting of the variance requested will not confer on the applicant any special privilege that is denied by this ordinance to other lands, buildings or structures in the same zoning district.*

   Staff determination and analysis: Standard MET by the applicant.

   The applicant submitted building plans for a duplex that were reviewed for setback compliance by the City. A building permit for the duplex was approved and issued. The perimeter of the foundation was identified and staked by a professional surveyor prior to construction. The owner had a reasonable expectation that this task was performed accurately. It was only when the final survey was completed that the error was discovered. Staff finds that the awarding of this variance will not confer special privileges to the applicant as an unforeseen error resulted in the need for this minor variance.

3. *Hardship: That literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this ordinance and would work unnecessary and undue hardships on the applicant.*

   Staff determination and analysis: Standard MET by the applicant.

   Without the variance, the duplex will need to be moved or altered to achieve compliance with the setback requirements. This would be costly and could disrupt the integrity of the structure. This variance is not self-imposed as the applicant received a building permit from the City and constructed the foundation consistent with the perimeter of the structure that was identified by the surveyor. Staff finds a hardship exists since the variance was not created by the applicant, and compliance with the setback requirements will require alternations to this structure.

4. *Minimum Variance: That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.*

Staff determination and analysis: Standard MET by the applicant.

The variance requested by the applicant is the minimum variance necessary to allow the duplex to remain as constructed.

5. *Purpose and Intent; Public Interest: That the granting of the variance will be in harmony with the general intent and purpose of this ordinance, and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.*

Staff determination and analysis: Standard MET by the applicant.

The City setback regulations help ensure the use of a property does not infringe on the rights of neighboring property owners. Due to the minor variance requested by the applicant, staff finds the variance is unlikely to be detrimental to the public welfare. This setback encroachment will not be noticeable to viewers of this property. As a result, staff finds that the variance is consistent with the intent of the City setback regulations and the future development of the surrounding area will not be adversely affected by the granting of this variance.

Comprehensive Plan:

The project is consistent with Policy 1.15.b of the Future Land Use Element of the Comprehensive Plan that establishes maximum densities for the Multi Family Future Land Use Classification.

"Multi-Family Residential: Not more than 16 units per acre."

Recommendation:

Given that the variance meets all five standards outlined within LUDR, Section 8.10.3a-e discussed above, the Planning Division recommends approval with the following condition:

1. The variance grants rear setback relief for the duplex only. This variance does not grant setback relief for other future improvements in the rear yard of the site.

2. This variance shall be recorded with the Office of the Lee County Clerk of Court by the City of Cape Coral. This variance shall not become effective until the applicant reimburses the Department of Community Development for all recording fees.

NOTICE TO SURROUNDING PROPERTY OWNERS

CASE NUMBER: VA18-0011

REQUEST: The applicant requests a 0.3-foot variance to Section 2.7.2D of the City Land Use and Development Regulations (LUDR) that requires a minimum rear setback of 20 feet for structures in the Multi-Family (R-3) District, to allow a duplex to remain 19.7 feet from the east property line.

LOCATION: 1301/1303 NE 8th Place

CAPE CORAL STAFF CONTACT: Justin Heller, Planner, 239-574-0587, jheller@capecoral.net

PROPERTY OWNER(S): D & D 35 CORP

AUTHORIZED REPRESENTATIVE: Sergei Kornienko

UPCOMING PUBLIC HEARING: Notice is hereby given that the City of Cape Coral Hearing Examiner will hold a public hearing at 9:00 A.M. on Tuesday, July 24, 2018 on the above mentioned case. The public hearing will be held in the City of Cape Coral Council Chambers, 1015 Cultural Park Boulevard, Cape Coral, FL.

All interested parties are invited to appear and be heard. All materials presented before the Hearing Examiner will become a permanent part of the record. The public hearing may be continued to a time and date certain by announcement at this public hearing without any further published notice. Copies of the staff report will be available 5 days prior to the hearing. The file can be reviewed at the Cape Coral Community Development Department, Planning Division, 1015 Cultural Park Blvd., Cape Coral, FL.

DETAILED INFORMATION: The case report and colored maps for this application are available at the City of Cape Coral website, www.capecoral.net/publichearing (Click on 'Public Hearing Information', use the case number referenced above to access the information); or, at the Planning Division counter at City Hall, between the hours of 7:30 AM and 4:30 PM. The public hearing may be continued to a time and date certain by announcement at this public hearing without any further published notice.

HOW TO CONTACT: Any person may appear at the public hearing and be heard, subject to proper rules of conduct. You are allowed sufficient time to write or appear at the public hearing to voice your objections or approval. Written comments filed with the Director will be entered into the record. Please reference the case number above within your correspondence and mail to: Department of Community Development, Planning Division, P.O. Box 150027, Cape Coral, FL 33915-0027. The hearings may be continued from time to time as necessary.

ADA PROVISIONS: In accordance with the Americans With Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Human Resources Department whose office is located at Cape Coral City Hall, 1015 Cultural Park Boulevard, Cape Coral, Florida; telephone 1-239-574-0530 for assistance; if hearing impaired, telephone the Florida Relay Service Numbers, 1-800-955-8771 (TDD) or 1-800-955-8770 (v) for assistance.

APPEALS: If a person decides to appeal any decision made by the Hearing Examiner with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

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Please contact us with changes or cancellations as soon as possible, otherwise no further action needed.

TOLL-FREE	Local #	Email
888-516-9220	239-335-0258	FNPLegals@gannett.com

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Address: 1015 CULTURAL PARK BLVD
CAPE CORAL FL 33990
USA

Ad No.: 0003030537

Net Amt: $415.28

Run Times: 1

No. of Affidavits: 1

Run Dates: 07/14/18

Text of Ad:

NOTICE OF PUBLIC HEARING

CASE NUMBER: VA18-0011

REQUEST: The applicant requests a 0.3-foot variance to Section 2.7.2D of the City Land Use and Development Regulations (LUDR) that requires a minimum rear setback of 20 feet for structures in the Multi-Family (R-3) District, to allow a duplex to remain 19.7 feet from the east property line.

LOCATION: 1301/1303 NE 8th Place

CAPE CORAL STAFF CONTACT: Justin Heller, Planner, 239-574-0587, jheller@capecoral.net

PROPERTY OWNER(S): D & D 35 CORP

AUTHORIZED REPRESENTATIVE: Sergei Kornienko

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DETAILED INFORMATION: The case report and colored maps for this application are available at the City of Cape Coral website, www.capecoral.net/publichearing (Click on 'Public Hearing Information', use the case number referenced above to access the information); or, at the Planning Division counter at City Hall, between the hours of 7:30 AM and 4:30 PM

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by order of
Rebecca van Deutekom, MMC
City Clerk
REF # VA18-0011
AD# 3030537 July 14, 2018

Department of Community Development
Planning Division

AFFIDAVIT

IN RE: APPLICATION OF: D & D 35 Corp

APPLICATION NO: VA18-0011

STATE OF FLORIDA)
) §
COUNTY OF LEE)

I, Vincent A. Cautero, AICP having first been duly sworn according to law, state on my oath the following:

That I am the Director of the Department of Community Development and responsible in performing duties as required for the City of Cape Coral.

That pursuant to City of Cape Coral Code. Section 8.3.2A and Section 8.11.3.A all required written notice and publication has been provided. Also, posting of a sign has been done when applicable per Section 8.3.2A.

DATED this 16th day of July, 2018.

Vincent A. Cautero, AICP

STATE OF FLORIDA
COUNTY OF LEE

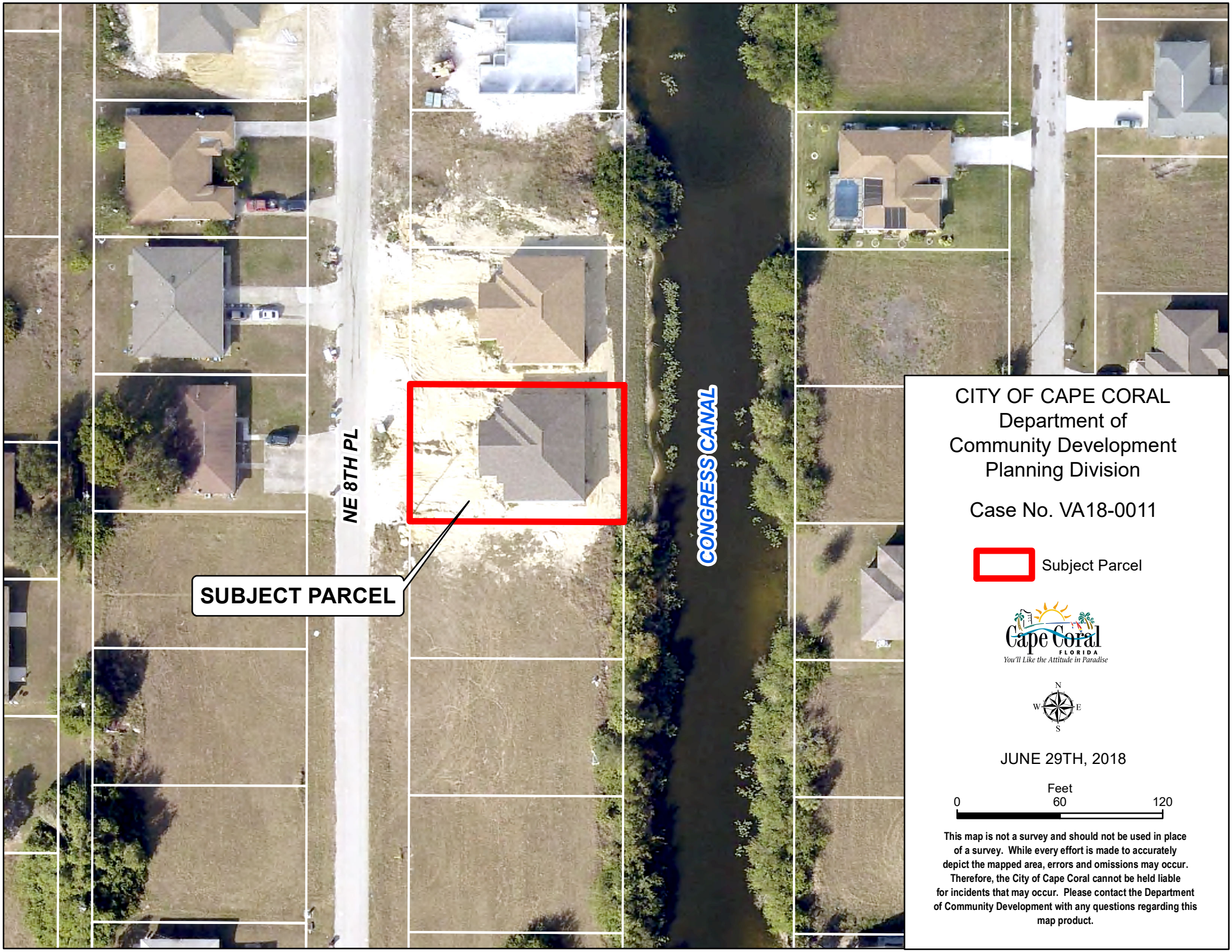
The foregoing instrument was acknowledged before me this 16th day of July, 2018, by Vincent A. Cautero, AICP, who is personally known to me and who did not take an oath.

Exp. Date 12/6/20 Commission # GG030474

Elisabeth A. Delgado
Signature of Notary Public

Elisabeth A. Delgado
Print Name of Notary Public

ELISABETH A DELGADO
MY COMMISSION # GG030474
EXPIRES December 06, 2020


NE 8TH PL
CONGRESS CANAL
SUBJECT PARCEL
CITY OF CAPE CORAL
Department of
Community Development
Planning Division
Case No. VA18-0011
Subject Parcel
Cape Coral
FLORIDA
You'll Like the Attitude in Paradise
N
W
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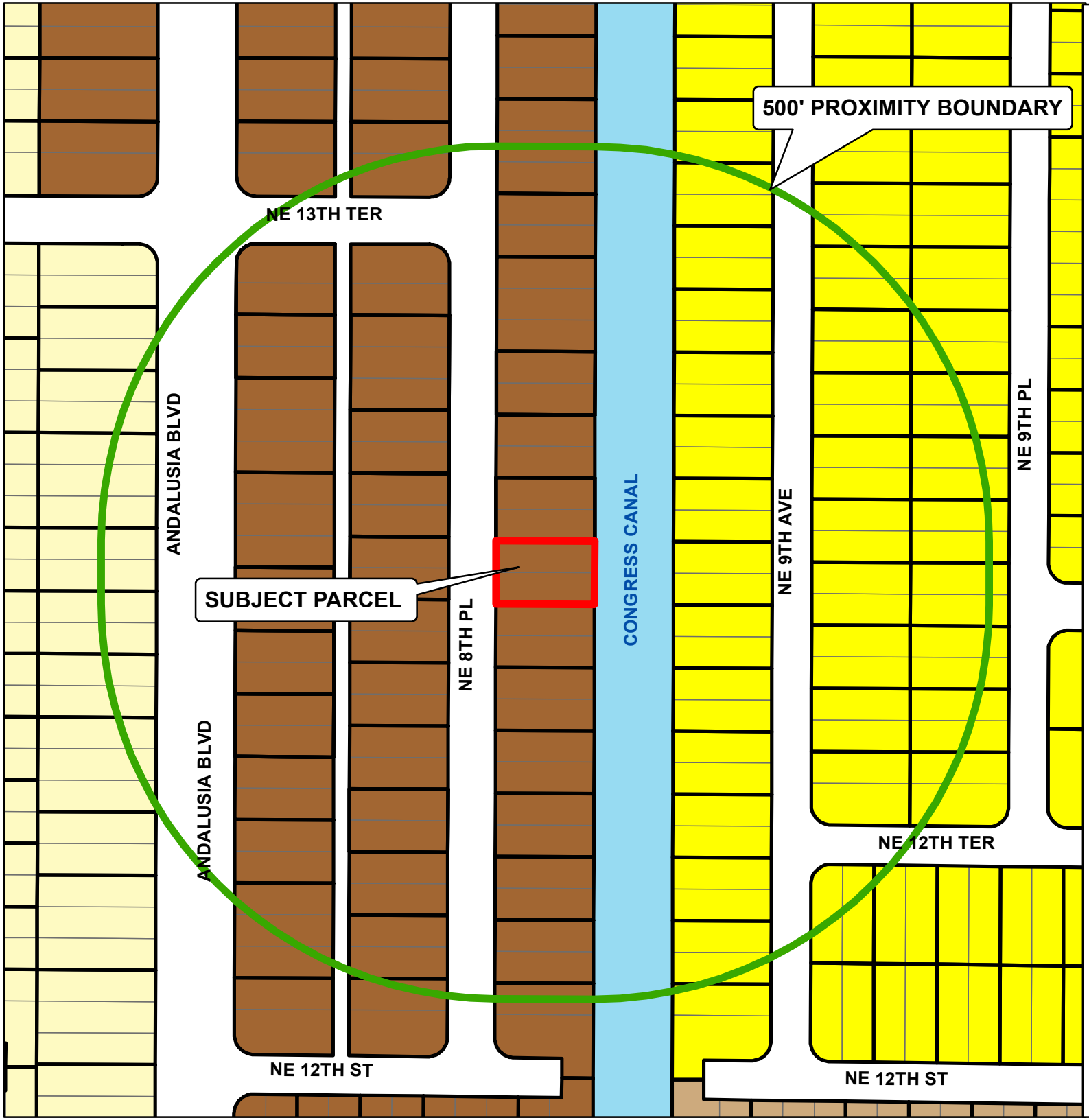
JUNE 29TH, 2018
Feet
0
60
120
This map is not a survey and should not be used in place of a survey. While every effort is made to accurately depict the mapped area, errors and omissions may occur. Therefore, the City of Cape Coral cannot be held liable for incidents that may occur. Please contact the Department of Community Development with any questions regarding this map product.



CITY OF CAPE CORAL
Department of
Community Development
Planning Division

CURRENT ZONING MAP
500' Proximity Boundary

Case No. VA18-0011

LEGEND

500' Proximity Boundary
Subject Parcel

Zoning

R-1B
R-3
RD
RX

Cape Coral FLORIDA
You'll Like the Attitude in Paradise

N W E S

JUNE 29TH, 2018

Feet
0 200 400

This map is not a survey and should not be used in place of a survey. While every effort is made to accurately depict the mapped area, errors and omissions may occur. Therefore, the City of Cape Coral cannot be held liable for incidents that may occur. Please contact the Department of Community Development with any questions regarding this map product.

Item Number:	**2.C.**
Meeting Date:	**7/24/2018**
Item Type:	**HEARINGS**

AGENDA REQUEST FORM
CITY OF CAPE CORAL

TITLE:
Case # PDP18-0004*; Address: 627 & 629 Cape Coral Parkway W, 620 SW 47th Terrace; Applicant: Thomas J. Morrison, Cape Coral Parkway LLC

REQUESTED ACTION:
Approve or Deny

STRATEGIC PLAN INFO:

1. Will this action result in a Budget Amendment?	No
2. Is this a Strategic Decision?	No
If Yes, Priority Goals Supported are listed below.	
If No, will it harm the intent or success of the Strategic Plan?	No

Planning & Zoning Recommendations:

SUMMARY EXPLANATION AND BACKGROUND:
The developer seeks to expand the project area by 20,000 square feet to include lots 19-20 and 52-53, unit 44, block 1699; Rezone lots 19-20 and 52-53, from Professional Office (P-1) to Pedestrian Commercial (C-1); and expand a previously approved deviation to the engineering and design standards, sheet e-1, allowing a parking lot design where vehicles can back onto a public right-of-way (alley).

LEGAL REVIEW:

EXHIBITS:
See attached "Backup Material"

PREPARED BY:

Kristin Kantarze	Division- Planning	Department-	Community Development

SOURCE OF ADDITIONAL INFORMATION:
Justin Heller, Planner, 239-574-0587, Jheller@capecoral.net

ATTACHMENTS:

Description	Type
Backup Materials	Backup Material

PLANNED DEVELOPMENT PROJECT (PDP) APPLICATION

Project Name: Duffys Parking Lot Expansion

Project Number: PDP18-0004

To help prepare this application, the applicant should obtain copies of the following:

- Land Use and Development Regulations (this document is linked)
  1. Land Development Regulations (Article 4)
  2. Parking Requirements (Article 5.1)
  3. Landscape Ordinance (Article 5.2)
  4. Sign Ordinance (Article 7)
- NFPA 1 Fire Prevention Code
- Engineering Design Standards

The advisory review is conceptual only and any staff comments are subject to change based on detailed information with an application to the City of Cape Coral. Formal review may result in additional changes not noted at this time. The final design or project must comply with the Land Use and Development Regulations, Engineering Design Standards, City Code of Ordinances, Comprehensive Plan and other applicable laws and regulations.

ACKNOWLEDGEMENT

I Thomas J Morrison, as the owner of this property or the duly authorized Representative, agree to conform to all applicable laws of the City of Cape Coral and to all applicable Federal, State and County laws, and certify that all information supplied is correct to the best of my knowledge.

In addition, I understand that prior to the issuance of the Certificate of Occupancy for this development, the engineer of record must supply the Department of Community Development with record drawings and a letter of substantial compliance for the project.

In addition, I authorize the staff of the City of Cape Coral to enter upon the property for purposes of investigating and evaluating the request made through this application.

Please note:

Advertising fees must be paid in full at least 10 days prior to public hearing or the item may be pulled from the agenda and continued to a future date once the fees have been paid.

Thomas J Morrison
NAME (PLEASE TYPE OR PRINT)

SIGNATURE

Thomas Morrison

(SIGNATURE MUST BE NOTARIZED)

STATE OF Florida, COUNTY OF Palm Beach

Sworn to (or affirmed) and subscribed before me this 14 day of February 2018 by Thomas Morrison who is personally known or produced _____ as identification.

Exp. Date: 8/1/19 Commission Number: FF229261.

NOTARY STAMP HERE
AMERICA A GOMEZ
MY COMMISSION # FF229261
EXPIRES August 01, 2019
FloridaNotaryService.com

Signature of Notary Public:

Printed name of Notary Public: America Gomez

SG authorized representative or property owner's initials

Authorization to Represent Property Owner(s) – Property Owner is a Corporation, Limited Liability Company (LLC), Limited Company (LC), Partnership, Limited Partnership, or Trustee

Please be advised that Quattrone & Associates, Inc - Al Quattrone, Sergio Guzman, Greg Stuart

(Name of Authorized Representative(s))

is authorized to represent me in the appeal to the Planning & Zoning Commission/Local Planning Agency, Board of Zoning Adjustments and Appeals and /or City Council for a Planned Development Project.

Unit 44 Block 1699 Lot 12-20, 52-62 Subdivision Cape Coral Unit 44

Or Legal Description: ☐ (described as an exhibit A in Microsoft Word format and attached hereto)

Cape Coral Parkway, LLC-Thomas J Morrison

* Name of Entity (Corporation, Partnership, LLC, etc)

Title of Signatory

Signature

Thomas Morrison

Name

(SIGNATURE MUST BE NOTARIZED)

STATE OF Florida, COUNTY OF Palm Beach

Sworn to (or affirmed) and subscribed before me this 14 day of February 2018 by Thomas Morrison who is personally known or produced _____ as identification.

Exp. Date: 3/1/19 Commission Number: FF229261

AMERICA A GOMEZ
MY COMMISSION # FF229261
EXPIRES August 01, 2019
FloridaNotaryService.com

NOTARY STAMP HERE

Signature of Notary Public:

Printed name of Notary Public: America Gomez

**Notes:*
If the applicant is a corporation, then it is usually executed by the corp. pres. or v. pres.
If the applicant is a Limited Liability Company (L.L.C.) or Limited Company (L.C.)., then the documents should typically be signed by the Company's "Managing Member."
If the applicant is a partnership, then typically a partner can sign on behalf of the partnership.
If the applicant is a limited partnership, then the general partner must sign and be identified as the "general partner" of the named partnership.
If the applicant is a trustee, then they must include their title of "trustee."
In each instance, first determine the applicant's status, e.g., individual, corporate, trust, partnership, estate, etc., and then use the appropriate format for that ownership.

SG authorized representative or property owner's initials

PDP Applicant Checklist

Project Name: Duffy's Restaurant Expansion

Applicant must submit the completed application and the associated documentation listed below, collated into 17 separate packets (one (1) original and 16 copies). These are minimum requirements for all PDP applications. Based on the nature of your project, additional items may be required by staff.

Incomplete submittals will not be accepted

X All application pages must be initialed by the property owner or their authorized representative

X 24" x 36" engineered PDP Development Plans, including landscape buffer areas and building elevations – See pages 7 – 10 for further information

X Certified Boundary Surveys, in NGVD 1929, completed within the last six (6) months showing elevations – See page 7 for further information

X PDP application fees paid in full at time of application – See page 11 for further information

X Letter of Intent (LOI) – See page 6 for further instructions

N/A Environmental Survey/Report – See page 7 for further instructions

X Warranty or Quit Claim Deed – Applicant shall provide a copy of Warranty or Quit Claim Deed for one hundred (100) percent of the property comprising the Planned Development Project.

N/A Vacation of Plat requests must include letter of "No Objection" from the electric company, the telephone company, and the cable company – See page 9 for further instructions

X Page 1 must be signed and notarized by either all property owner(s) or the authorized agent

X The *"Authorization to Represent Property Owners"*, page of the application, must be signed by all property owner(s) and notarized

X Properties owned by corporations, limited liability companies, limited partnerships, general partnerships, and trustees must provide legal documentation (For example, the Articles of Incorporation) listing persons authorized to sign for the entity and in these situations the property owner(s) must sign all applicable PDP forms in their corporate capacity.

As an alternative to submitting everything in paper format, the applicant may opt to submit the following:

X 11 sets of plans, in paper format, as described above

X 11 signed and sealed Boundary Surveys, in paper format, as described above

X One (1) copy of the application & all other documents you are submitting for review

X 1 CD/DVD with PDFs of documents you are submitting:

- Each document you are submitting needs to be a separate PDF, appropriately identified by name. For example, the application will be one PDF, titled "Application", the Letter of Intent will be another PDF, titled "Letter of Intent", plans, boundary surveys, etc.

SG authorized representative or property owner's initials

GENERAL INFORMATION

Project Name: Duffy's Restaurant Expansion

Applicant: Al Quattrone P.E. - Quattrone & Associates

Address: 4301 Veronica Shoemaker Blvd

Phone: (239) 936-5222 Fax: _____ E-Mail: al@qainc.net

***Property Owner:** Thomas J. Morrison - Cape Coral Parkway, LLC

Address 222 Lakeview Ave Ph-5, West Palm Beach, FL 33401

Phone (917) 902-9076 Fax _____ E-Mail tjm22@me.com

Authorized Representative Sergio Guzman, E.I.

Address 4301 Veronica Shoemaker Blvd

Phone (239) 936-5222 Fax _____ E-Mail sergio@qainc.net

Location

Unit 44 Block 1699 Lot(S) 12 thru 20 & 52 thru 62

Subdivision Cape Coral Part 1 Strap Number(s) 14-45-23-C1-01699.0190, .0520, & .0540

Legal Description ☒ (Described as Exhibit A in Microsoft Word Format and attached hereto)

Property Address: 620 SW 47th Terrace & 627, 629 Cape Coral Parkway W. Cape Coral FL 33914

Plat Book 21 Page 104-112 Current Zoning C-1 & P-1 Future Land Use CP

This application includes the following requests: (Please check all that apply)			
☐ Subdivision	☐ Special Exception	☒ Rezoning	☐ Variance
☐ Deviation to Landscaping	☐ Deviation to Non-residential Design Standards	☒ Deviation to Engineering Design Standards (EDS)	☐ All Other Deviation Requests
☐ Borrow Pit	☐ Vacation of Plat		

***Please include additional pages for multiple property owners.**

SG authorized representative or property owner's initials

PROPERTY and PROJECT DEVELOPMENT DATA

a.	Zoning District	C-1 & P-1			
b.	Future Land Use Class	CP			
c.	Area of Subject Property	2.30 acres			
d.	Type of Development	Comm.			
e.	Estimated Number of Employees	N/A			
	Number of Seats in Assembly	N/A			
f.	Parking Spaces Required	113			
g.	Parking Spaces Provided	188			
h.	Parking and Street Area	49,589 sq. ft.	49.59 % of Site		
i.	Ground Floor Building Area	10,897 sq. ft.	10.90 % of Site		
j.	Total Floor Area	10,897 sq. ft	10.90 % of Site		
k.	Building Heights	35 feet		1 stories	
l.	Total Proposed Impervious Surface Area	sq. ft. 67,686		% of Site 67.69	
m.	Permanent Open Space	sq. ft. 32,200		% of Site 32.20	
	Landscaped Area	32,200 sq. ft.		% of Site 32.20	
n.	Recreation Area	N/A sq. ft.		% of Site _____	

If the proposed project is a multifamily residential development, the following additional data shall be shown on the plans.

o.	Number of Dwelling Units (du)	N/A		
p.	Gross Density (du/acres)	N/A		
q.	Number, Type, and Floor Area of each Dwelling Unit:			
	1. Efficiency	_____	Floor Area _____	sq. ft. _____
	2. 1 Bedroom	_____	Floor Area _____	sq. ft. _____
	3. 2 Bedroom	_____	Floor Area _____	sq. ft. _____
	4. 3 Bedroom	_____	Floor Area _____	sq. ft. _____
	5. 4 Bedroom	_____	Floor Area _____	sq. ft. _____

SG authorized representative or property owner's initials

Quattrone & Associates, Inc.
Engineers, Planners & Development Consultants
4301 Veronica Shoemaker Blvd. Fort Myers, FL 33916
239.936.5222 | QAINC.NET | f 239.936.7228

July 9, 2018

City of Cape Coral
Department of Community Development
P.O. Box 150027
Cape Coral, Florida 33915-0027

RE: Duffys Parking Lot Expansion – Revision #2 Letter of Intent
Strap # 11-45-23-C4-01699.0540,11-45-23-C34-01699.0520 & 14-45-23-C1-01699.0190
Lots 12-20 & 52-62, Unit 44, Block 1699

This is a letter of intent for a Planned Development Process (PDP) Amendment approval for the above-mentioned property. The owner is requesting the subject project be approved under the City of Cape Coral's Planned Development Process (PDP) to allow it to be rezoned to C-1 and added to the existing approved PDP under resolution 03-00800009. This combination of parcels will allow for the construction of a 44-space parking lot to serve the existing development. The project includes the following requests:

Rezoning Request

This application is requesting approval through the PDP process to rezone the subject parcel from P-1 to C-1 to allow the parking lot. The proposed site plan has been designed in such a way to be compatible with the surrounding professional uses and to buffer the project from adjacent properties and right of ways. No new buildings or utilities are proposed as part of this development. Construction will consist of a paved parking lot, improvements to the alley and associated drainage infrastructure. In addition, the two subject lots to be incorporated into the existing PDP, which is currently surrounded by development prohibiting any expansion from the adjacent properties, also the lot areas do not provide sufficient area for a singular structure. Therefore, the proposed use of the parking lot will support to the existing Duffy's restaurant and office building; additionally, would be the most suitable use to the subject lots.

Site Plan Approval

Site Plan Approval is being submitted concurrently within this PDP application, under site permit number SP18-0017.

Engineering Deviation Request

In order to maintain the previously approved parking arrangement allowing parking spaces to back out onto existing alley, the similar request has been sought, see below for requested deviation.

Deviation # 1 from Engineering and Design Standards Sheet E-1 paragraph

> Stating lots shall be design to vehicle movement safely without posing danger to pedestrians or other vehicles, and vehicles may exit without backing onto public street right-of-way.

Justification: The original PDP zoning (Ordinance 112-2003) was approved with a deviation allowing the parking spaces backing up onto the public right-of-way (20' wide alley). The applicant seeks a similar deviation to allow for the backing up onto 20' alley, the area behind the parking space has been increased to provide a minimum 26' wide area for vehicles to exit the parking space safely, exceeding the required driveway width of 24', per City of Cape Coral parking lot standards.

Please contact me if you have any further questions or need clarification of the attached plans.

Sincerely,

QUATTRONE & ASSOCIATES, INC.

Sergio Guzman, E.I.
Project Engineer
Email: sergio@qainc.net
Phone: (239) 936-5222

Detail by Entity Name

Florida Limited Liability Company
CAPE CORAL PARKWAY, LLC

Filing Information

Document Number	L15000099966
FEI/EIN Number	47-4234150
Date Filed	06/08/2015
State	FL
Status	ACTIVE

Principal Address

222 LAKEVIEW AVE
PH-5
WEST PALM BEACH, FL 33401

Mailing Address

222 LAKEVIEW AVE
PH-5
WEST PALM BEACH, FL 33401

Registered Agent Name & Address

MORRISON, THOMAS J
222 LAKEVIEW AVE
PH-5
WEST PALM BEACH, FL 33401

Authorized Person(s) Detail

Name & Address

Title MGR

MORRISION, THOMAS J
222 LAKEVIEW AVE, PH-5
WEST PALM BEACH, FL 33401

Title MGR

MORRISON, CARLOS G
222 LAKEVIEW AVE, PH-5
WEST PALM BEACH, FL 33401

Annual Reports

Report Year	Filed Date
2016	02/03/2016
2017	01/09/2017

Document Images

01/09/2017 -- ANNUAL REPORT	View image in PDF format
02/03/2016 -- ANNUAL REPORT	View image in PDF format
06/08/2015 -- Florida Limited Liability	View image in PDF format

Florida Department of State, Division of Corporations

INSTR # 2016000075416, Doc Type D, Pages 2, Recorded 04/11/2016 at 04:33 PM, Linda Doggett, Lee County Clerk of Circuit Court, Deed Doc. D $1085.00 Rec. Fee $18.50 Deputy Clerk ALUCKEY

Prepared by:
Gina P. Noonan
Florida Hometown Title & Escrow, LLC
900 SW Pine Island Road Suite 206, Cape Coral, Florida 33991

File Number: 02-16-0347

Warranty Deed

Made this 29th day of March, 2016 A.D.

By **Thomas M Bennett and Pamela L Bennett, husband and wife,**

whose address is: 1697 Edith Esplanade, Cape Coral, Florida 33904,

hereinafter called the grantor,

to **Cape Coral Parkway, LLC, a Florida limited liability company**,

whose post office address is: 222 Lakeview Avenue PH-5, West Palm Beach, Florida 33401,

hereinafter called the grantee:

(Whenever used herein the term "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations and limited liability companies)

Witnesseth, that the grantor, for and in consideration of the sum of One Hundred Fifty Five Thousand dollars & no cents, ($155,000.00) and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in Lee County, Florida, viz:

Lots 52 and 53, Block 1699, CAPE CORAL SUBDIVISION, UNIT 44, according to plat thereof as recorded in Plat Book 21, Pages 104 through 112, inclusive, of the Public Records of Lee County, Florida.

Parcel ID Number: **11-45-23-C4-01699.0520**

Said property is not the homestead of the Grantor under the laws and constitution of the State of Florida in that neither Grantor nor any members of the household of Grantor reside thereon.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances except taxes accruing subsequent to December 31, 2015.

In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in our presence:

Witness#1

Sign/Print Name ONOONAN

Witness#2

Sign/Print Name LAURA GIFFORD-GINDA

Thomas M Bennett (Seal)

Pamela L. Bennett (Seal)

State of Florida
County of Lee

The foregoing instrument was acknowledged before me this 29 day of March, 2016, by Thomas M Bennett and Pamela L Bennett, husband and wife, who is/are personally known to me or who has produced Driver License as identification.

GINA P. NOONAN
Notary Public - State of Florida
My Comm. Expires Sep 22, 2018
Commission # FF 148211
Bonded Through National Notary Assn.

(Seal)

Notary Public
Print Name: GINA P NOONAN

My Commission Expires: 9-22-18

INSTR # 2015000153265, Doc Type D, Pages 2, Recorded 07/14/2015 at 12:55 PM, Linda Doggett, Lee County Clerk of Circuit Court, Deed Doc. D $10500.00 Rec. Fee $18.50 Deputy Clerk NFERGUSON

This Instrument Prepared By:

This Instrument Prepared By:
Donald K. Ross, Jr., Esquire
Ross Lanier & Deifik, P.A.
599 9th Street N., # 300
Naples, Florida 34102

Parcel ID Number: **14-46-23-C1-01699.0190 & 11-45-23-C4-01699.0540**

Warranty Deed

This Indenture, Made this **2nd** day of **July, 2015** A.D., **Between**
Gusto Land, R.L.L.P., a Florida registered limited liability partnership
of the County of **Lee** , State of **Florida, grantor,** and
Cape Coral Parkway, LLC, a Florida limited liability company
whose address is: **222 Lakeview Avenue PH-5, West Palm Beach, FL 33401**
of the County of **Palm Beach**, State of **Florida, grantee.**

Witnesseth that the GRANTOR, for and in consideration of the sum of
----------TEN DOLLARS ($10)---------- DOLLARS,
and other good and valuable consideration to GRANTOR in hand paid by GRANTEE, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said GRANTEE and GRANTEE'S successors and assigns forever, the following described land, situate, lying and being in the County of **Lee** State of **Florida** to wit:

Parcel 1:

Lots 12, 13, 14, 15, 16, 17, 18, 19 and 20, Block 1699, Cape Coral Unit 44, Part 1, according to the plat thereof recorded at Plat Book 21, Pages 113 thorugh 121, inclusive, in the Public Records of Lee County, Florida.

Parcel 2:

Lots 54,55, 56, 57, 58, 59, 60, 61, and 62, Block 1699, Cape Coral, Unit 44, according to the plat thereof, as recorded in Plat Book 21, pages 104 through 112, inclusive, in the Public Records of Lee County, Florida.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

The Grantor hereby covenants with said Grantee that Grantor is lawfully seized of said land in fee simple; that Grantor has good right and lawful authority to sell and convey said land; that Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons

whomsoever; and that said land is free of all encumbrances except restrictions and easements common to the subdivision, and ad valorem real estate taxes for the current year and subsequent years.

(Whenever used herein the terms "Grantor" and "Grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations and limited liability copmanies.)

and the grantor does hereby fully warrant the title to said land, and will defend the same against lawful claims of all persons whomsoever.

In Witness Whereof, the grantor has hereunto set its hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Gusto Land, R.L.L.P., a Florida registered limited liability partnership

By: _____ (Seal)

Peter J. Look, as Trustee of
Peter J. Look Trust UTD March 5, 2003, Partner
P.O. Address: **26069 Fawnwood Court, Bonita Springs, FL 34134**

Printed Name: Judith A Weekes
Witness

Printed Name: Kayla White
Witness

(Corporate Seal)

STATE OF Florida
COUNTY OF Collier

The foregoing instrument was acknowledged before me this 29 day of June, 2015 by Peter J. Look, as Trustee of the Peter J. Look Trust UTD March 5, 2003, Partner ~~of Gusto Land, R.L.L.P., a Florida registered limited liability partnership~~, who is personally known to me or who has produced his driver's license as identification.

Notary Public

JUDITH A. WEEKES
Notary Public - State of Florida
Commission # FF 188392
My Comm. Expires May 1, 2019
Bonded through National Notary Assn.

SITE PLAN LEGEND:

- PROPOSED PAVEMENT
- CONCRETE / WALKS
- BUILDING LINE
- PAINTED HANDICAP PARKING SYMBOL
- R1-1 PROPOSED STOP SIGN
- NUMBER OF PARKING SPACES IN ROW
- SIGN AND POST
- CENTER LINE
- EXST.FEATURES (ROADS, WALKS, ECT.)
- RIGHT OF WAY
- SITE BOUNDARY
- EASEMENTS
- PAINTED TRAFFIC ARROWS

SITE DATA:

MINIMUM PAVEMENT ELEV.	CONTROL ELEVATION:
ELEV. 5.26' NGVD	ELEV. 2.05' NGVD
MINIMUM FINISH FLOOR ELEVATION:	PERIMETER BERM ELEVATION:
ELEV. 8.22' NGVD	ELEV. 6.50' NGVD
AVERAGE EXISTING GROUND ELEVATION:	ZONING:
ELEV. 7.25' NGVD	C-1 PEDESTRIAN COMMERCIAL
PROPOSED USE:	STRAP NUMBERS:
C-1 PEDESTRIAN COMMERCIAL DISTRICT GROUP II RESTAURANT STANDARD OFFICE BUSINESS	11-45-23-C4-01699.0540, 11-45-23-C4-01699.0520 & 14-45-23-C1-01699.0190
SOILS:	FLUCCS CODE:
69 - MATLACHA GRAVELLY FINE SAND	1400 - COMMERCIAL & SERVICES

FEMA FLOOD ZONE:

THIS PROPERTY IS LOCATED FLOOD ZONE AE-7 BASE FLOOD ELEV. = 7.00' NAVD
IN FIRM COMMUNITY 125095 PANEL NO.0405 MAP #: 12071C0405F DATED:08/28/2008

LAND USE BREAKDOWN: EXISTING AND PROPOSED CONDITIONS

TOTAL SITE AREA	100,000	SF	2.30	AC.	
EXISTING PAVEMENT AREA	37,427	SF	0.86	AC.	37.43%
PROPOSED ON-SITE PAVEMENT AREA	12,162	SF	0.28	AC.	12.16%
EXISTING CONCRETE AREA (SIDEWALKS & PATIOS)	7,200	SF	0.17	AC.	0.07%
EXISTING BUILDINGS AREA (1 & 2)	10,897	SF	0.25	AC.	10.90%
TOTAL IMPERVIOUS AREA	67,686	SF	1.55	AC.	67.69%
TOTAL PERVIOUS AREA	32,314	SF	0.74	AC.	32.31%
TOTAL OPEN SPACE	32,200	SF	0.74	AC.	32.20%
TOTAL ALLEY AREA	8,757		0.20	AC.	
EXISTING PAVEMENT ALLEY	7,181		0.16	AC.	
PROPOSED PAVEMENT ALLEY	1,576		0.04	AC.	

SIGNING AND PAVEMENT MARKING NOTES:

1. ALL SIGNING AND PAVEMENT MARKINGS SHALL BE IN ACCORDANCE WITH THE F.D.O.T. STANDARDS FOR ROAD AND BRIDGE CONSTRUCTION, LATEST EDITION, THE F.D.O.T. ROADWAY AND TRAFFIC DESIGN STANDARDS, LATEST EDITION, THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES AND LEE COUNTY DEPARTMENT OF TRANSPORTATION PUBLISHED STANDARDS.
2. PAVEMENT MARKINGS SHALL BE PERMANENT TRAFFIC PAINT IN ACCORDANCE WITH F.D.O.T. STANDARD SPECIFICATIONS SECTION 710.
3. MATCH EXISTING PAVEMENT MARKINGS AT EXISTING ROADS.
4. REMOVE ANY EXISTING SIGNS OR PAVEMENT MARKINGS IN CONFLICT WITH THOSE SHOWN ON PLANS.
5. ALL STOP SIGN LOCATIONS SHALL INCLUDE A 24" PAINTED WHITE STOP BAR UNLESS NOTED OTHERWISE.
6. THE CONTRACTOR SHALL COMPLY WITH THE "STATE OF FLORIDA MANUAL OF TRAFFIC CONTROL AND SAFE PRACTICES FOR STREET AND HIGHWAY CONSTRUCTION, MAINTENANCE, AND UTILITY OPERATIONS" AND WITH THE "MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES".
7. THE CONTRACTOR SHALL FURNISH AND INSTALL STREET NAME SIGNS IN ACCORDANCE WITH LEE COUNTY DEVELOPMENT STANDARDS.
8. ALL PAVEMENT MARKINGS WITHIN THE FDOT RIGHT OF WAY SHALL BE THERMO PLASTIC
9. ALL EXISTING PAVEMENT MARKINGS THAT ARE IN CONFLICT WITH PROPOSED MARKINGS SHALL BE REMOVED BY HYDRO BLASTING.
10. THE DEVELOPMENT MUST MEET THE FDOT MINIMUM DRIVEWAY LENGTH PER OF 30' FOR SMALL COMMERCIAL DEVELOPMENTS.

PARKING CALCULATIONS: LDC 5.1

USE CLASSIFICATION: RESTAURANT GROUP II STANDARD & BUSINESS OFFICE

PARKING SPACES REQUIRED FOR RESTAURANT:

1 SPACE / 100 SF OF GROSS FLOOR AREA (GLFA) + 1 SPACE PER 4 OUTDOOR SEATS
6,358 SF. RESTAURANT / 100SF = 64 SPACES
19 OUTSIDE TABLES WITH 4 SEATS = 19 SPACES
SPACES REQUIRED FOR RESTAURANT = 83 SPACES

PARKING SPACES REQUIRED FOR BUSINESS OFFICE:

1 SPACE / 300 SF OF GROSS LEASABLE FLOOR AREA (GLFA)
8,874 SF. RESTAURANT / 300 SF = 30 SPACES
SPACES REQUIRED FOR BUSINESS OFFICE = 30 SPACES

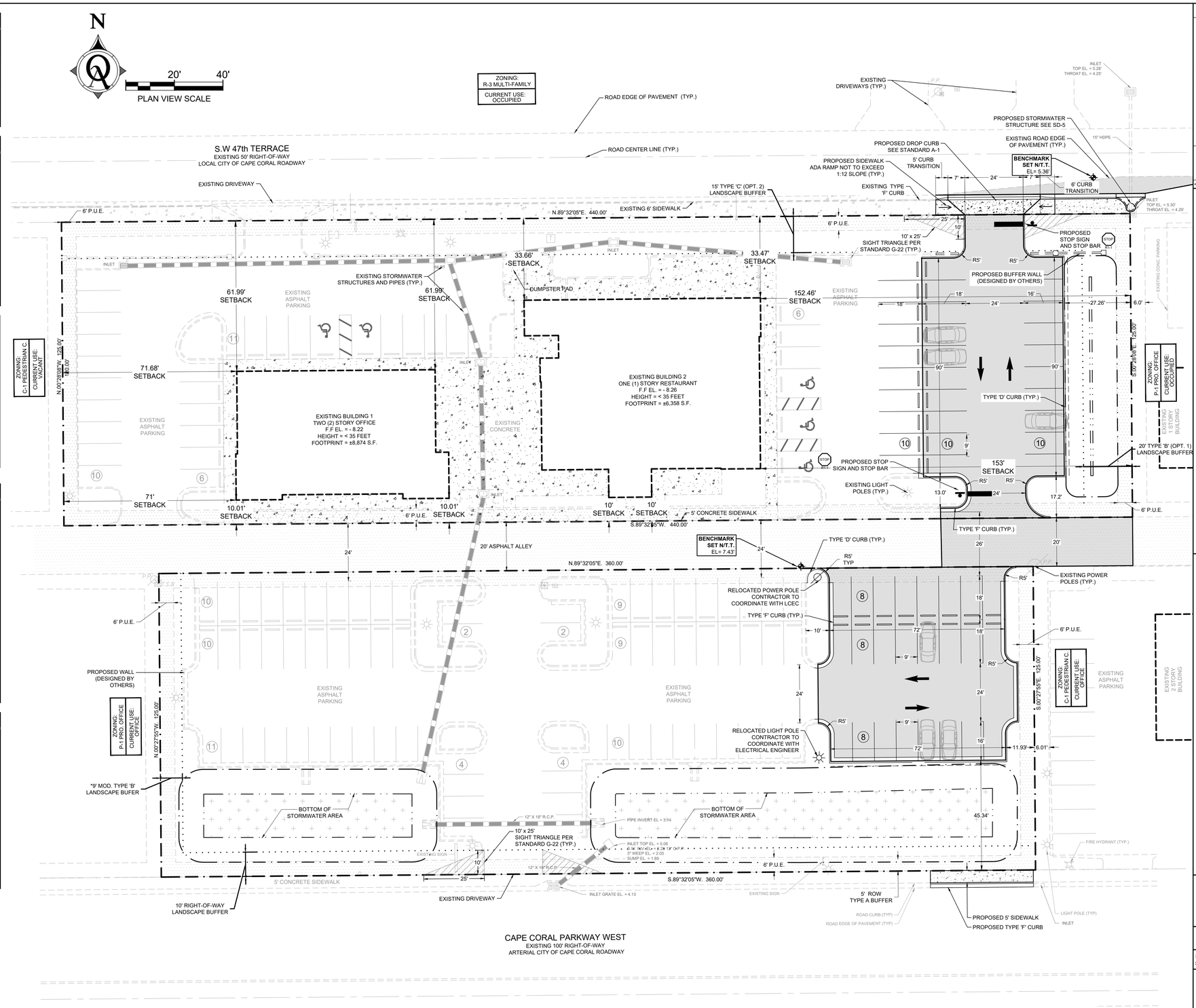
TOTAL SPACES REQUIRED FOR RESTAURANT & OFFICES = 113 SPACES
TOTAL EXISTING SPACES = 144 SPACES

PROPOSED ADDITIONAL PARKING SPACES

PROVIDED PARKING SPACES = 44 SPACES

TOTAL PARKING SPACES PROVIDED = 188 SPACES

* DEVIATION PART OF THE PLANNED DEVELOPMENT PROJECT



COMMENT | DATE

DUFFY'S RESTAURANT PARKING EXPANSION
MASTER SITE PLAN
627 CAPE CORAL PKWY W.
CAPE CORAL, FLORIDA 33914

Quattrone & Associates, Inc.
Engineers, Planners, & Development Consultants
4301 Veronica Shoemaker Blvd - Fort Myers, Florida 33916 - 239-936-5222
Certificate of Authorization Number: 9465

ALFRED QUATTRONE, P.E.
FL. REG #52741
VALID ONLY WITH STAMPED SEAL

SAVED BY: Sergio
SAVED ON: 3/13/18

SHEET
SD-04
04 OF 09

170801 -B.DWG

P:\2017 Projects\170801 DUFFY'S PARKING LOT (OLD #130611) - ACTIVE\01-CADD FILES\00-QAI CADD\170801 -B

AS-BUILT SURVEY OF

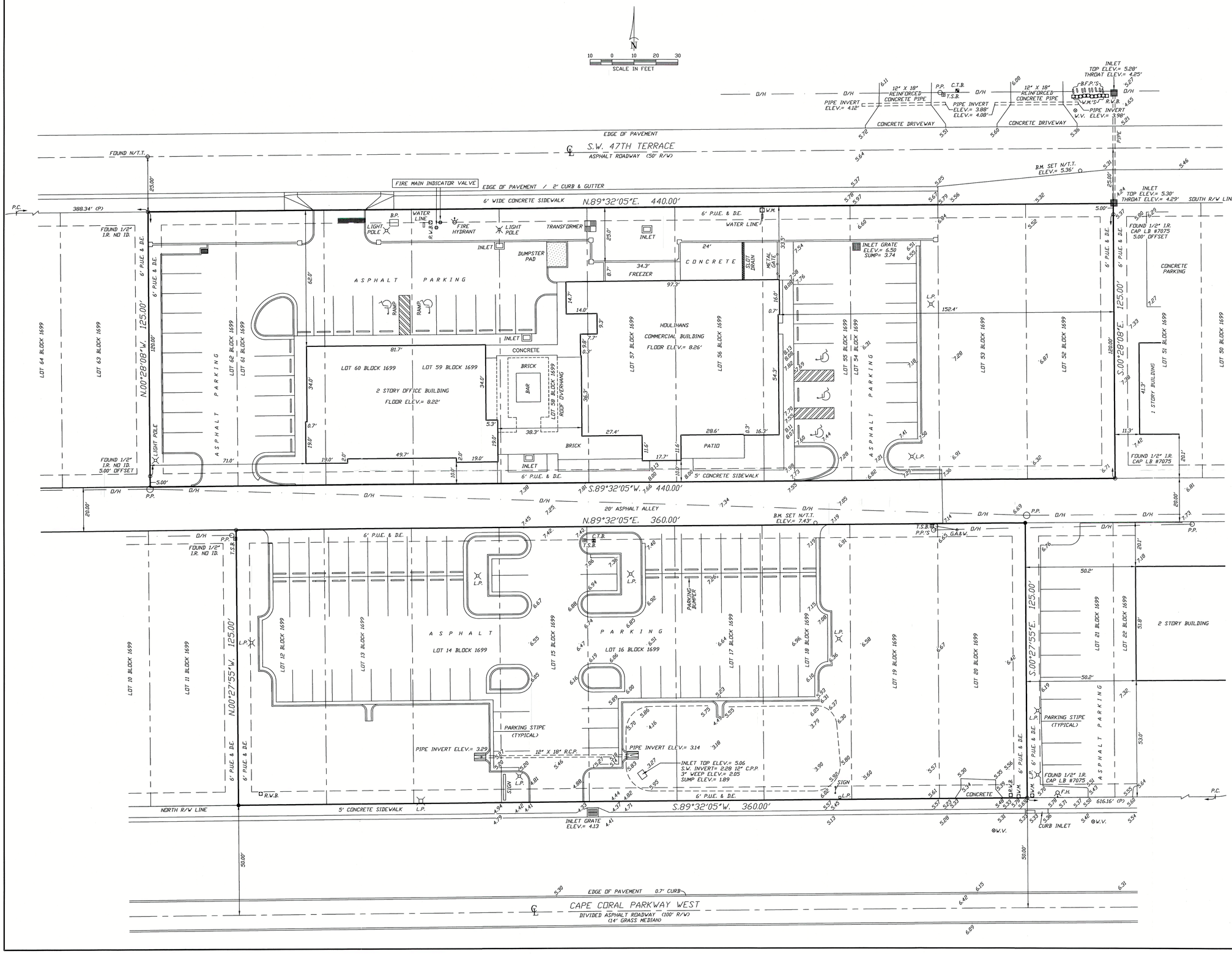
LOTS 12 THRU 20, BLOCK 1699
CAPE CORAL, UNIT 44, PART 1

SECTION 11, TOWNSHIP 45 SOUTH, RANGE 23 EAST
(PLAT BOOK 21, PAGES 104-112)
LEE COUNTY, FLORIDA

&

LOTS 52 THRU 62, BLOCK 1699
CAPE CORAL, UNIT 44

SECTION 14, TOWNSHIP 45 SOUTH, RANGE 23 EAST
(PLAT BOOK 21, PAGES 104-112)
LEE COUNTY, FLORIDA



LEGEND:

●	SET #4 IRON ROD (CAP LB #6921)	R.V.B.	RECLAIM WATER BOX
O	FOUND IRON ROD (I.R.)	W.M.	WATER METER
□	CONCRETE MONUMENT (C.M.)	O/H	OVERHEAD POWER
P.R.M.	PERMANENT REFERENCE MONUMENT	P.P.	POWER POLE
P.U.E.	PUBLIC UTILITY EASEMENT	G.A.&W.	GUY ANCHOR & WIRE
D.E.	DRAINAGE EASEMENT	T.S.B.	TELEPHONE SERVICE BOX
P.C.	POINT OF CURVATURE	N/D	NAIL & DISK
O.R.	OFFICIAL RECORDS BOOK	N/T.T.	NAIL & TINTAB
(S)	AS PER SURVEY	ELEV.	ELEVATION
(P)	AS PER PLAT	B.M.	BENCHMARK
(1)	CURVE NUMBER	⊥	TYPICAL ELEVATION
L1	LINE NUMBER	A/C	AIR CONDITIONER
R/W	RIGHT-OF-WAY	W.S.	WATER SYSTEM
℄	CENTERLINE	P.E.	POOL EQUIPMENT
		▭	CONCRETE
		L.P.	LIGHT POLE

SURVEY NOTES:

1. BASIS OF BEARING SHOWN HEREON TAKEN FROM THE NORTH RIGHT-OF-WAY LINE OF CAPE CORAL PARKWAY WEST, AS BEING S.89°32'05"W.
2. FIELD NOTES IN CAPE CORAL, BLOCK 1699.
3. SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.
4. THIS CERTIFICATION IS ONLY FOR LANDS DESCRIBED HEREON. IT IS NOT A CERTIFICATION OF TITLE, ZONING OR FREEDOM OF ENCUMBRANCES.
5. THIS SURVEY DOES NOT CONSTITUTE A TITLE OR EASEMENT SEARCH AND WAS BASED ON DESCRIPTION FURNISHED BY CLIENT AND/OR FOUND MONUMENTATION IN THE FIELD.
6. UNDERGROUND STRUCTURES AND UTILITIES, IF ANY, ARE NOT INCLUDED.
7. THIS MAP/PLAT IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
8. ALL BEARINGS AND DISTANCES ARE PLAT AND MEASURED, UNLESS OTHERWISE SHOWN.
9. ISSUANCE OF THIS DRAWING, FROM THIS FIRM SHALL NOT RELIEVE THE BUILDER AND/OR CONTRACTORS OF THE RESPONSIBILITY TO REVIEW AND VERIFY ALL NOTES, DIMENSIONS, ELEVATIONS, AND ADHERENCE TO APPLICABLE BUILDING CODES PRIOR TO COMMENCEMENT OF ANY CONSTRUCTION. BUILDER MAY NEED TO ADJUST ELEVATION AND/OR SETBACKS PRIOR TO CONSTRUCTION IF OTHER RESTRICTIONS EXIST.
10. THIS SURVEY IS INTENDED TO BE VIEWED AS AN 24X36, 20 SCALE DRAWING.
11. BENCHMARK DERIVED FROM CAPE CORAL BENCHMARK NUMBER 188-19-01, ELEVATION 3.75' N.G.V.D., 2.57' N.A.V.D.
12. ELEVATIONS ARE NORTH AMERICAN VERTICAL DATUM OF 1988 (N.A.V.D.)

FLOOD ZONE: "AE" ELEVATION: 7.00' N.A.V.D.
COMMUNITY No.: 125095 PANEL No.: 0405
SUFFIX ---- F REVISION DATE: 8/28/08
MAP NUMBER: 12071C0405F

THIS SURVEY IS CERTIFIED TO:
QUATTRONE & ASSOCIATES, INC.

REVISED:	DESCRIPTION:	BY:

DATE OF LAST FIELD WORK: 12/21/17

DRAWN:	CHECK:	SCALE	PROJ. #
RBH	PMM	1"=20'	CC-U44-1699-12
SURVEY DATE		FILE NO.	SHT.- 1
12/21/17		45-23-14	OF

PHILLIP M. MOULD
PROFESSIONAL SURVEYOR AND MAPPER
#6515 - STATE OF FLORIDA

HARRIS-JORGENSEN, INC.
3046 DEL PRADO BLVD. S. 3A
CAPE CORAL, FLORIDA 33904
PHONE: (239) 257-2624
FAX: (239) 257-2921

FLORIDA CERTIFICATE OF AUTHORIZATION # LB6921

PDP18-0004

Planning Division
Project Staff Report

Prepared by Justin Heller, Planner

Reviewed by Mike Struve, Planning Team Coordinator

Approved by Robert Pederson, Planning Manager

June 16, 2018

PURPOSE

This document provides a single, consolidated review for a Planned Development Project (PDP) entitled "Duffy's Parking Lot Expansion." Within this report the following topics are addressed:

- Description of the subject property
- Previously granted entitlements associated with the project
- Need for the PDP
- Description of the proposed project
- Analysis of applicant requests
- Analysis of the project regarding general standards and requirements for PDPs
- Consistency with the City's Comprehensive Plan
- Project recommendation.

DESCRIPTION OF THE SUBJECT PROPERTY

This PDP includes Lots 12-20 & 52-62, Unit 44, Block 1699. The ± 2.3-acre site has frontage along Cape Coral Parkway and Southeast 47th Terrace, with access from both streets. An alley runs through the middle of the site. The site is currently developed with two commercial buildings and parking which are used for a restaurant and offices.

PREVIOUSLY APPROVED ENTITLEMENTS FOR THE SUBJECT PROPERTY

A PDP for this property was approved in 2003 for a project entitled "Houlihan's Restaurant and Office Building." Ordinance 112-03 granted the following:

- Rezoning of Lots 19+20 and 52+53, from Professional Office (P-1) to Pedestrian Commercial (C-1)
- A deviation allowing vehicles to back onto a public right-of-way (alley)

The PDP approved a site plan for a 6,358-sq. ft. restaurant with 1,732 sq. ft. covered courtyard and 330 sq. ft. open patio in Phase one and a 9,587-sq. ft. two story office building in Phase two.

NEED FOR THE PDP AMENDMENT

The project area is being expanded to include 2 additional parcels which will allow space for additional parking to serve the existing development.

DESCRIPTION OF THE PROPOSED PROJECT

The Developer seeks to construct a 44-space parking lot on the incorporated parcels. Improvements to the alley and associated drainage infrastructure are also proposed. No new buildings or utilities are proposed as part of this development.

SUMMARY OF APPLICANT REQUESTS

Developer requests along with the accompanying staff recommendations are summarized in Table 1. A thorough analysis of each request is provided later within a separate section of this report.

Table 1. Summary of applicant requests and staff recommendations for the Circle K Project.

Category	Request	Recommendation
Rezoning	Rezone Lots 19+20 and 52+53 from P-1 to C-1.	Approval
Deviation, EDS, Sheet E-1	Deviation allowing vehicles to back onto a public street right-of way.	Approval

A) REZONING

Request

The applicant seeks a rezoning of Lots 19+20, and 52+53, from P-1 to C-1.

Analysis:

Staff has reviewed this application based on LUDR, Section 2.7.7, the C-1 District, and the ten (10) General Standards provided within LUDR, Section 8.7.3.B and offers the following analysis:

1. The extent to which the value of the property is diminished by the proposed zoning of the property:

The requested rezone should increase the value of the properties. The C-1 District allows 73 permitted uses and 19 special exception uses, while the P-1 district allows 21 permitted uses and 18 special exception uses. The greater number of uses allows a wider range of development options for current or future owners of the site. Additionally, many commercial uses are allowed in the C-1 whereas most uses allowed in the P-1 district are office or public service uses.

2. The extent to which the removal of a proposed change in zoning depreciates the value of other property in the area:

The proposed rezone should not diminish the value of surrounding properties in Block 1699 since all sites have a Commercial/Profession Future Land Use Classification. Sites to the south with a Single-Family Future Land Use Classification, and sites to the north with Multi-Family Future Land Use Classification should not depreciate in value as they are already situated near other properties in Block 1699 with C-1 zoning.

3. The suitability of the property for the zoning purpose:

The current C-1 Zoning is consistent with the CP Future Land Use Classification (FLU). The parcels are on a major commercial corridor and are adjacent to other properties with C-1 Zoning. While the parcels are small for most commercial development, they can be combined with adjacent properties for a larger building site. The owner also owns the site to the west and plans to combine the parcels with the existing Duffy's Restaurant site. A site plan has been submitted for approval (SP18-0017) to create additional parking and water management areas.

Given the future land use classification of the site, the surrounding future land use, and rezoning patterns in Block 1699, staff finds that the parcels are suitable for the requested C-1 zoning.

4. The character of the neighborhood, existing uses, zoning of nearby and surrounding properties, and compatibility of the proposed zoning:

Surrounding future land use, zoning, and existing uses of the subject property and adjacent parcels is shown in Table 2.

Table 2. Zoning Classifications, Future Land Use Designations and Existing Uses of the Site and Surrounding Parcels.

Subject Parcel	**Zoning**	**Future Land Use (FLU)**	**Existing Use**
Current:	Professional Office (P-1)	Commercial/Professional (CP)	Undeveloped
Proposed:	Pedestrian Commercial (C-1)	Commercial/Professional (CP)	Parking lot
	Surrounding Zoning	**Surrounding FLU**	**Surrounding Existing Uses**
North:	Multi-Family (R-3)	Multi-Family (MF)	SW 47th Ter/Multi-Family Homes
South:	Single-Family (R-1B)	Single-Family (SF)	Cape Coral PKWY/ Single-Family Homes
East:	C-1/P-1	Commercial/Professional (CP)	Offices /Multi-Family Homes/ Vacant Land
West:	C-1/P-1	Commercial/Professional (CP)	Offices /Multi-Family Homes/ Vacant Land

The subject block has a CP Future Land Use and is comprised mostly of commercial buildings with some multi-family housing and several vacant lots. Near the subject site are residential uses, including multi-family residences to the north across SW 47th Terrace, and single-family homes to the south across Cape Coral Parkway. Architectural standards for buildings and landscape buffers for C-1 zoned sites will assist in promoting a development that is harmonious with the existing residential development in the area.

5. The relative gain to the community as compared to the hardship, if any imposed, from rezoning said property:

The rezone will benefit the community by allowing for a greater variety of commercial uses along a commercial corridor and by increasing the commercial tax base of the City.

6. ***The community need for the use proposed by the zoning:***

As noted in the Future Land Use Element of the City of Cape Coral Comprehensive Plan, the City has identified a need for increasing commercial land within Cape Coral. While P-1 and C-1 are both considered commercial, C-1 has a greater number of allowed uses, which allows a wider range of development options for the site.

7. ***Length of time the property proposed to be rezoned has been vacant, as zoned, when considered in the context of the City of Cape Coral Comprehensive Land Use Plan for the development of the proposed property and surrounding property:***

In 1990, lots 19+20 and 52+53 were rezoned from R-3 to P-1 by Ordinance 61-90. Lots 52+53 had a residence on it that was demolished in 2013.

8. ***The extent to which the proposed zoning promotes the health, safety, morals, or general welfare of this community:***

The proposed rezoning will not negatively affect the health, safety or welfare of the community because other properties with commercial zoning exist within close proximity of the site.

9. ***The extent to which the proposed zoning will impact the level of service standards for public facilities as specified in the Comprehensive Plan:***

The level of service standards for utilities, roads, and public services are anticipated to be unaffected by this rezone. Centralized water, sewer, and irrigation services are available to the site.

10. ***Whether the proposed zoning is consistent with the City of Cape Coral's Comprehensive Land Use Plan:***

The proposed rezone is consistent with the City Comprehensive Plan Policy 1.15.C as the Future Land Use classification is CP. The recommended C-1 zoning will maintain consistency with other commercial-zoned sites in Block 1699 that includes a site to the immediate west that is also owned by the applicant in this case.

<u>Recommendation:</u>

Based on the analysis contained within this report, staff recommends approval of the requested C-1 Zoning.

B) Deviation from the Engineering Design Standards

Request

The Developer seeks a deviation to Sheet E-1 of the Engineering and Design Standards (EDS) to allow vehicles parked in designated parking spaces to back onto a public street right-of way (alley).

Analysis

The original PDP zoning (Ordinance 112-03) was approved with a deviation allowing 19 parking spaces to back up onto the public right-of-way (20' wide alley). The applicant seeks a similar deviation to allow 8 parking spaces on the newly added lots to also be able to back up onto the alley. These parking spaces are in line with the others currently granted this Deviation, and should pose no additional safety concerns.

Recommendation

Staff recommends approval of the Deviation.

GENERAL STANDARDS AND REQUIREMENTS FOR PDPS

This project was also evaluated for compliance with general standards and requirements found in LUDR, Section 4.2 that is provided below.

A. *Environmental control standards:* The site was inspected by qualified City staff for environmental compliance. No listed species or sensitive lands were found on this site. The affidavit submitted by the developer stated that no burrowing owls or gopher tortoises were present on the site.

B. *Maintenance of improvements:* All landscaped areas and open space will be maintained in good condition for the life of the project.

C. *Consistency with Comprehensive Plan:* This project is consistent with several policies and goals contained within the Comprehensive Plan that are discussed in greater detail elsewhere in this report.

D. *Financial Responsibility:* This standard is not applicable as the owner will not be required to provide a statement of financial responsibility for this project.

E. *Dimensional requirements:* Other than the Deviations requested in this PDP, the project is compliant with those dimensional requirements associated with the C-1 District.

F. *Maximum density:* This project does not involve a residential use. As a result, this standard is not applicable.

G. *Minimum parcel size:* The C-1 District lacks a minimum lot area requirement. In addition, the project is not located in the City's Urban Services Reserve Area that requires a minimum of three acres for projects other than the development of single-family homes, or restricts uses to those that generate no more than 1,320 gallons of wastewater per acre per day.

H. *Time limitation:* Substantial construction is required to commence within two years from the date of project approval or within one year fo the last permit approval for all appropriate regulatory bodies, whichever is less.

I. *Ownership requirements:* The Developer seeking PDP approval, CAPE CORAL PARKWAY LLC., is the sole owner of the property involved in this PDP application.

J. *Special exceptions:* No Special Exceptions are being sought with this application.

K. *Deviations:* One deviation to the LUDRs is sought to provide setback relief for a wall along the north property line.

L. *Underground Utilities:* This project will not involve new construction on the site. Utilities already exist on the site.

CONSISTENCY WITH THE COMPREHENSIVE PLAN

A list of Comprehensive Plan objectives and policies applicable to this request are as follows:

Conservation and Coastal Management Element

Policy 1.7.9. Burrowing owl affidavit. An affidavit was submitted by the Developer as part of the SDP application. The affidavit stated that no burrowing owls or gopher tortoises were present on the site.

Future Land Use Element

Policy 1.15. Densities and intensities associated with future land use classifications. The proposed C-1 Zoning is consistent with the Commercial/Professional Future Land Use of the parcel.

Policy 1.17. Buffering for protecting existing residential land uses. Buffer yard "C" provided on north property line adjacent to multi-family zoning.

Policy 8.3. Minimize impacts on residential uses. Buffer yard "C" provided on north property line adjacent to multi-family zoning.

PROJECT RECOMMENDATION

Staff finds that this PDP amendment, described within this report, is consistent with the City's LUDRs and Comprehensive Plan. Staff supports all requests made by the applicant and recommends approval of this PDP amendment subject to the conditions contained within the development order of this project.

Staff Contact Information
Justin Heller
PH: 239-574-0587
Email: Jheller@capecoral.net

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USA

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Net Amt: $474.32

Run Times: 1

No. of Affidavits: 1

Run Dates: 07/14/18

Text of Ad:

NOTICE OF PUBLIC HEARING

CASE NUMBER: PDP18-0004

REQUEST: The developer seeks to expand the project area by 20,000 square feet to include lots 19-20 and 52-53, unit 44, block 1699; Rezone lots 19-20 and 52-53, from Professional Office (P-1) to Pedestrian Commercial (C-1); and expand a previously approved deviation to the engineering and design standards, sheet e-1, allowing a parking lot design where vehicles can back onto a public right-of-way (alley).

LOCATION: 627 & 629 Cape Coral Parkway W, 620 SW 47th Terrace

CAPE CORAL STAFF CONTACT: Justin Heller, Planner, 239-574-0587, Jheller@capecoral.net

PROPERTY OWNER(S): Thomas J. Morrison, Cape Coral Parkway LLC.

AUTHORIZED REPRESENTATIVE: Al Quattrone P.E., Quattrone and Associates, Inc.

UPCOMING PUBLIC HEARING: Notice is hereby given that the City of Cape Coral Hearing Examiner will hold a public hearing at 9:00 A.M. on Tuesday, July 24, 2018 on the above mentioned case. The public hearing will be held in the City of Cape Coral Council Chambers, 1015 Cultural Park Boulevard, Cape Coral, FL.

All interested parties are invited to appear and be heard. All materials presented before the Hearing Examiner will become a permanent part of the record. The public hearing may be continued to a time and date certain by announcement at this public hearing without any further published notice. Copies of the staff report will be available 5 days prior to the hearing. The file can be reviewed at the Cape Coral Community Development Department, Planning Division, 1015 Cultural Park Blvd., Cape Coral, FL.

After Hearing Examiner has made a written recommendation, the case will be scheduled for a public hearing before the City Council who will review the recommendation and make a final decision. You will receive another public hearing notice when this case is scheduled for a City Council hearing.

DETAILED INFORMATION: The case report and colored maps for this application are available at the City of Cape Coral website, www.capecoral.net/publichearing (Click on 'Public Hearing Information', use the case number referenced above to access the information); or, at the Planning Division counter at City Hall, between the hours of 7:30 AM and 4:30 PM

HOW TO CONTACT: Any person may appear at the public hearing and be heard, subject to proper rules of conduct. You are allowed sufficient time to write or appear at the public hearing to voice your objections or approval. Written comments filed with the Director will be entered into the record. Please reference the case number above within your correspondence and mail to: Department of Community Development, Planning Division, P.O. Box 150027, Cape Coral, FL 33915-0027. The hearings may be continued from time to time as necessary.

ADA PROVISIONS: In accordance with the Americans With Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Human Resources Department whose office is located at Cape Coral City Hall, 1015 Cultural Park Boulevard, Cape Coral, Florida; telephone 1-239-574-0530 for assistance; if hearing impaired, telephone the Florida Relay Service Numbers, 1-800-955-8771 (TDD) or 1-800-955-8770 (v) for assistance.

by order of
Rebecca van Deutekom, MMC
City Clerk
REF # PDP18-0004
AD# 3030589 July 14, 2018

Department of Community Development
Planning Division

AFFIDAVIT

IN RE: APPLICATION OF: Duffy's Parking Lot

APPLICATION NO: PDP18-0004

STATE OF FLORIDA)
) §
COUNTY OF LEE)

I, Vincent A. Cautero, AICP having first been duly sworn according to law, state on my oath the following:

That I am the Director of the Department of Community Development and responsible in performing duties as required for the City of Cape Coral.

That pursuant to City of Cape Coral Code. Section 8.3.2A and Section 8.11.3.A all required written notice and publication has been provided. Also, posting of a sign has been done when applicable per Section 8.3.2A.

DATED this 16th day of July, 2018.

Vincent A. Cautero, AICP

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 16th day of July, 2018, by Vincent A. Cautero, AICP, who is personally known to me and who did not take an oath.

Exp. Date 12/6/20 Commission # GG030474

ELISABETH A DELGADO
MY COMMISSION # GG030474
EXPIRES December 06, 2020

Elisabeth A. Delgado
Signature of Notary Public

Elisabeth A. Delgado
Print Name of Notary Public

NOTICE TO SURROUNDING PROPERTY OWNERS

CASE NUMBER: PDP18-0004

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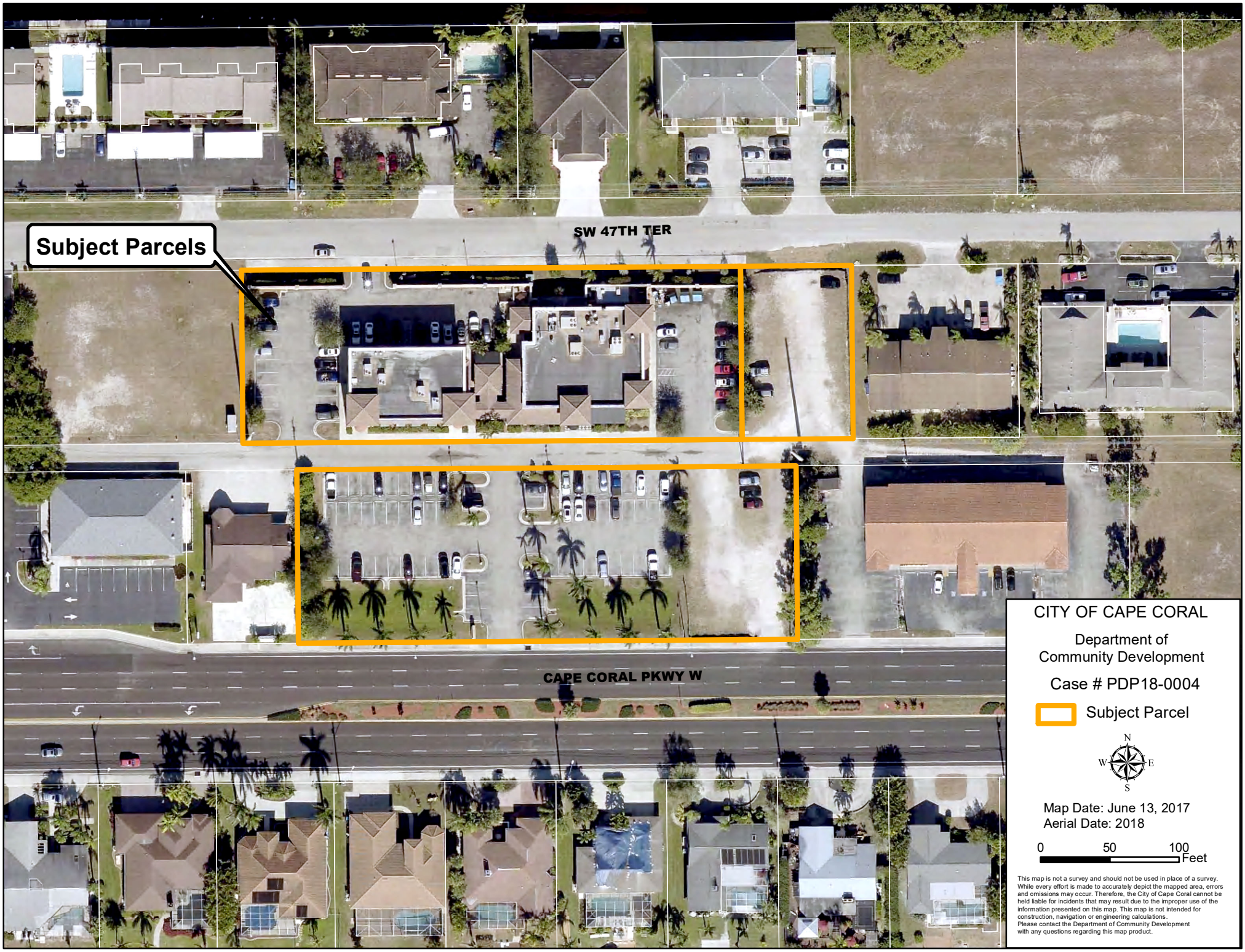
APPEALS: If a person decides to appeal any decision made by the Hearing Examiner with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that,

for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Department of Community Development
Post Office Box 150027 • Cape Coral, Florida 33915-0027
1015 Cultural Park Blvd. • Cape Coral, Florida 33990
Email: planningquestions@capecoral.net


Subject Parcels
SW 47TH TER
CAPE CORAL PKWY W
CITY OF CAPE CORAL
Department of
Community Development
Case # PDP18-0004
Subject Parcel
N
W
E
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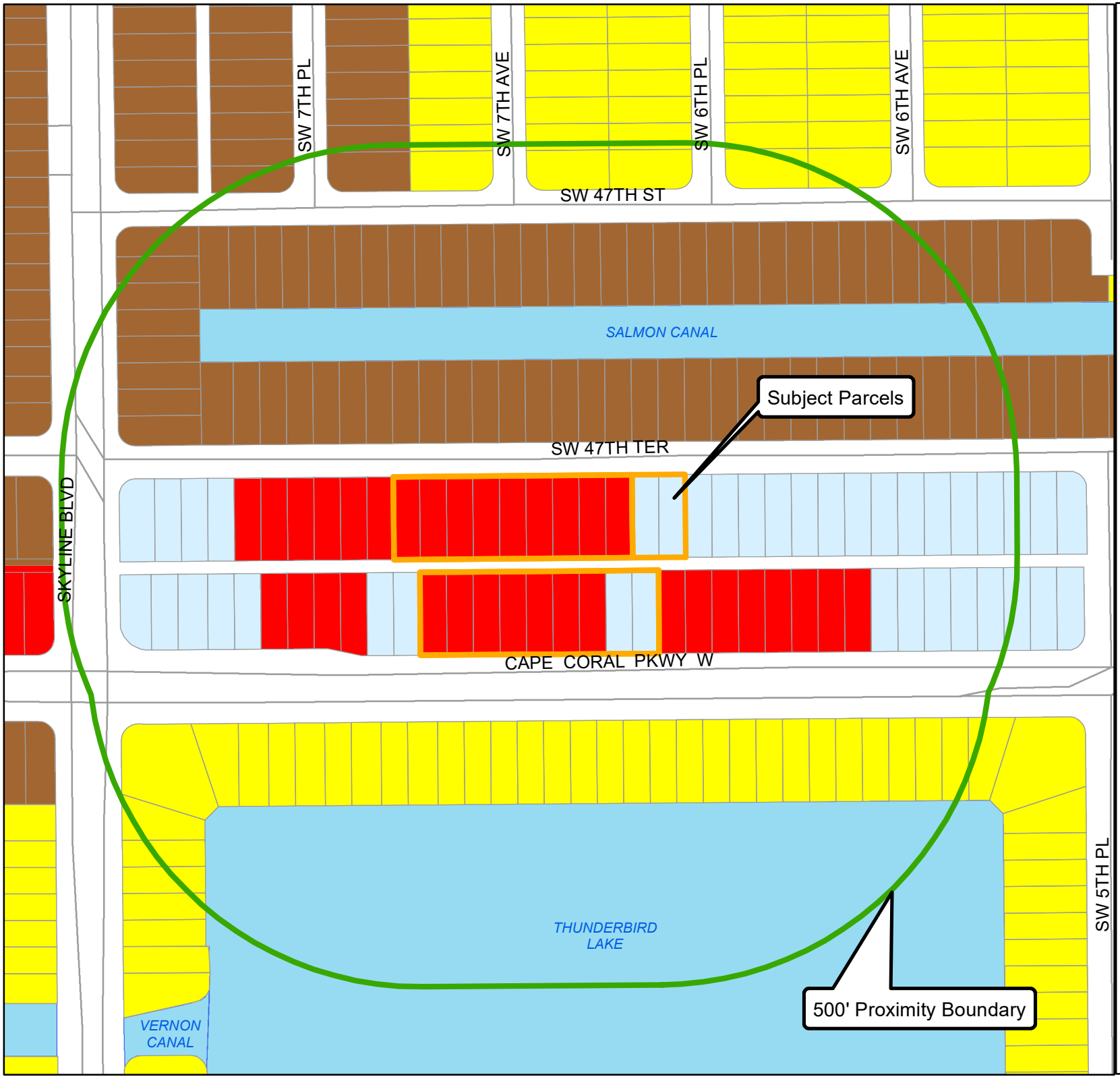
Map Date: June 13, 2017
Aerial Date: 2018
0
50
100
Feet
This map is not a survey and should not be used in place of a survey. While every effort is made to accurately depict the mapped area, errors and omissions may occur. Therefore, the City of Cape Coral cannot be held liable for incidents that may result due to the improper use of the information presented on this map. This map is not intended for construction, navigation or engineering calculations.
Please contact the Department of Community Development with any questions regarding this map product.



CITY OF CAPE CORAL

Department of Community Development Planning Division

ZONING MAP
500 Proximity Boundary

Case No. PDP18-0004

Legend

- 500' Boundary
- Subject Parcels
- C-1
- P-1
- R-1B
- R-3
- Canals/Lakes

N W E S

JUNE 13, 2018

0 75 150 225 300 Feet

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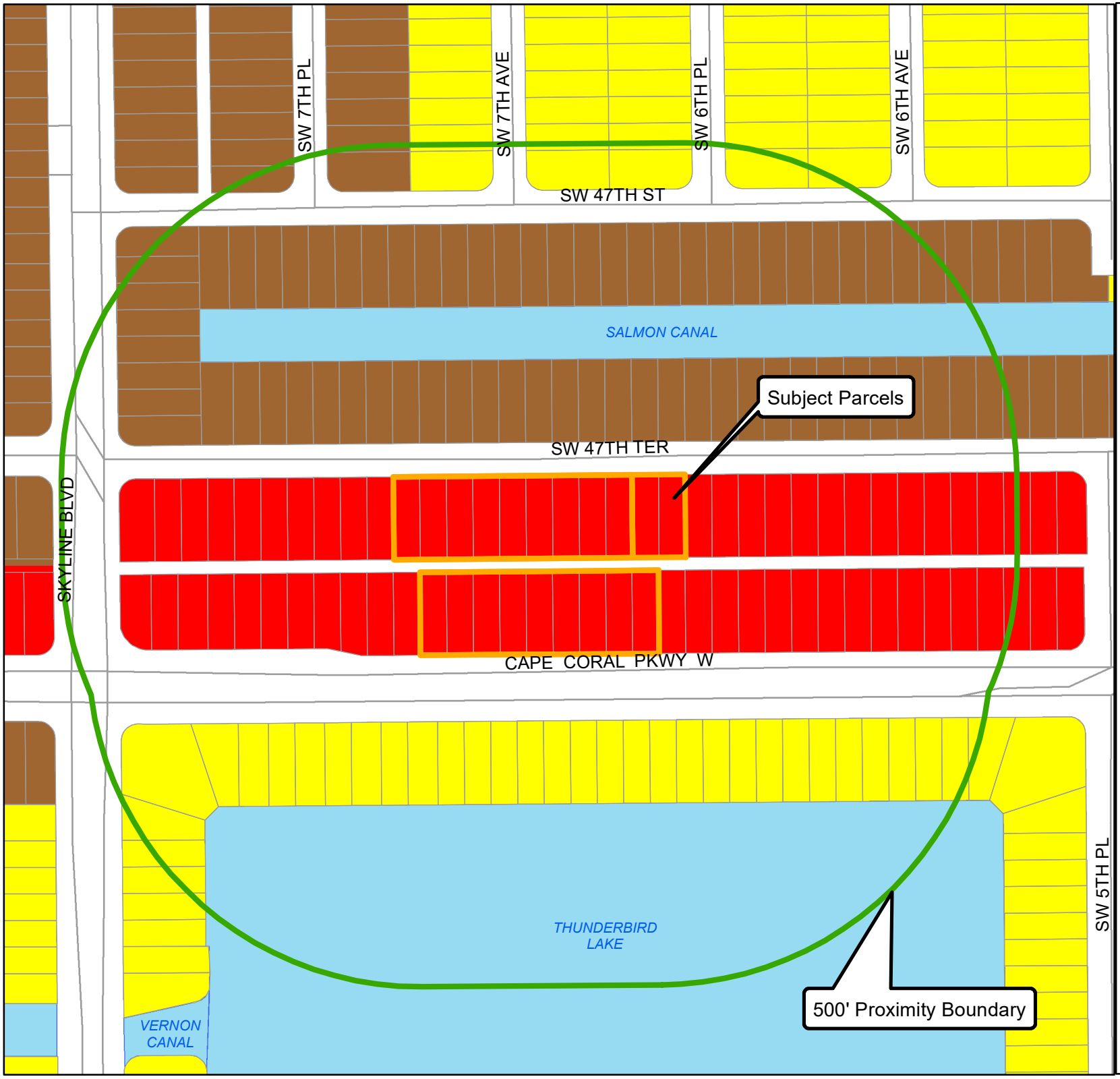
KRKA



CITY OF CAPE CORAL

Department of Community Development Planning Division

FUTURE LAND USE MAP
500 Proximity Boundary

Case No. PDP18-0004

Legend

- 500' Boundary
- Subject Parcels

Future Land Use

- SF
- MF
- CP
- Canals/Lakes

N W E S

JUNE 13, 2018

0 75 150 225 300 Feet

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KRKA

Owner_Name	Mailing_Ad	Mailing_Ci	Maili	Mailing_Zi
HAYES JOHN P PAULINE R	3491 BUDEHAVEN DR	NANAIMO	BC	V9T 6E1 CA
STAVROU BESSY	116 CHEPSTOW CLOSE	LONDON	ON	N6G 3S2 CA
VANDERKUIP ROBERT + SYLVIA	154 LAKESHORE RD RR # 2	WHITELAKE	ON	K0A 3L0 CA
WALBERG VICTOR 1/2 + SKYBA MICHAEL LARRY 1/4 + TOPPAZZINI ANTHONY JOSEPH 1/4 T/C	736 DOWNLAND AVE	SUDBURY	ON	P3A 5T3 CA
104 FARE CAPE LLC	709 CAPE CORAL PKWY	CAPE CORAL	FL	33914
614 CAPE CORAL LLC	9052 MARY CLARKE PL	PARKER	CO	80138
615 CCC PKWY LLC	16970 SAN CARLOS BLVD # 226	FORT MYERS	FL	33908
616 SW 47TH TERRACE LLC	17211 CHARLEE RD	PUNTA GORDA	FL	33955
709 C C PKWY INC LAWRENCE SWAN	709 CAPE CORAL PKWY W	CAPE CORAL	FL	33914
ADAMS C WARFIELD + HELEN A	610 SW 47TH TER #3	CAPE CORAL	FL	33914
ADAMS STACY L/E	PO BOX 306	RIPON	WI	54971
ALONGI ANTHONY J	2509 NIAGARA FALLS BLVD	NIAGARA FALLS	NY	14304
ANDERSON DAVID L + BARBARA A	4807 SKYLINE BLVD	CAPE CORAL	FL	33914
BAUM GABRIELE	12155 METRO PKWY STE 21	FORT MYERS	FL	33966
BOUTWELL THOMAS F + MARIE J	4626 SW 7TH AVE	CAPE CORAL	FL	33914
CAPE CORAL PARKWAY LLC	222 LAKEVIEW AVE PH-5	WEST PALM BCH	FL	33401
CARRIL ELIZABETH TR FOR ELIZABETH CARRIL TRUST	PO BOX 547176	SURFSIDE	FL	33154
CARVER RENATE G TR FOR RENATE G CARVER TRUST	1005 SE 21ST ST	CAPE CORAL	FL	33990
CARWILE LESLIE PARKER	1160 WARWICK PARK RD	HENRICO	VA	23231
CATOBE LLC	1320 WEST ABINGTON COMBS	LAKE FOREST	IL	60045
CHETUCK PETER JOHN	67 WYLDE RD	MOUNT SINAI	NY	11766
CUBBERLEY BENJAMIN MARK	610 SW 47TH TER #6	CAPE CORAL	FL	33914
DEROUIN PAIGE D	713 SW 47TH TER # 103	CAPE CORAL	FL	33914
DOMBAL DANIEL	236 HENRY ST	MASSAPEQUA PARK	NY	11762
EICKHORST CEDRIC C + SALLY	720 CAPE CORAL PKWY W	CAPE CORAL	FL	33914
ELLIOTT MIKE & BARBARA L	527 CAPE CORAL PKWY W UNIT 3	CAPE CORAL	FL	33914
GARBERSON DAVID R & GARBERSON ELIZABETH J	527 W CAPE CORAL PKWY #7	CAPE CORAL	FL	33914
GARCIA RALPH TR FOR GARCIA REV TRUST	PO BOX 100472	CAPE CORAL	FL	33910
GARTNER ANDREA	1616 CAPE CORAL PKWY W 102-305	CAPE CORAL	FL	33914
GERHART JOHN J + GERHART GWEN M T/C	3689 E MILL HILL RD	COOPERSBURG	PA	18036
GILLETTE DENISE A & PERRY L + KING DEBBIE	703 WALNUT LANE	MARENGO	IL	60152
GOETZ HERBERT L TR + GOETZ LYDIA TR FOR ATLANTIC COLONIAL TRUST	P O BOX 101700	CAPE CORAL	FL	33910
GONZALEZ MODESTO TR FOR MODESTO GONZALEZ LIVING TRUST	4710 SW 16TH PL	CAPE CORAL	FL	33914
GRANT TAMARA	196 50TH AVE	PRAIRIE CITY	IA	50228
HENSON SUSAN J PHIL VAN WINKLE	5326 SKYLINE BLVD	CAPE CORAL	FL	33914
HERMANN DONALD A & JUDY M	14116 OLD HOLT CT	LINDSTROM	MN	55045
HOLDEN GERALD A + DORA J	416 GUARD HILL RD	MIDDLETOWN	VA	22645
HORNBECK NIEVES	29 WOODS RUN	FARMINGTON	CT	06032
HUSSEY JOHN A JR TR FOR JADE REALTY TRUST	3 ABERJONA DR	WOBURN	MA	01801
JENSEN TERRY O	610 CAPE CORAL PKWY W	CAPE CORAL	FL	33914
KAELIN WILMA D	713 SW 47TH TER #102	CAPE CORAL	FL	33914
KAPUSTA JOHN + VIVIAN	2139 SW 22ND CT	CAPE CORAL	FL	33991
KASL BUILDING PARTNERSHIP LLP	1711 SE 47TH TER	CAPE CORAL	FL	33904
KMR HOMES LLC JOSE IGNACIO RODRIGUEZ	3403 HANCOCK BRIDGE PKWY STE 2	NORTH FORT MYERS	FL	33903
LYNCH KATHLEEN PATRICIA	712 CAPE CORAL PKWY W	CAPE CORAL	FL	33914
MACDONALD GREGG S + SHERYL K	610 SW 47TH TER # 5	CAPE CORAL	FL	33914
MARCHESE ANTHONY + MARTIN SHARI	11 SAMANTHA DR	CORAM	NY	11727
MARQUEZ GERMAIN	622 SW 47TH ST #1	CAPE CORAL	FL	33914
MARTIN ALVIN + SABRINA	610 SW 47TH TER #7	CAPE CORAL	FL	33914
MATRISCIANO MARIANNE H	610 SW 47TH TER #4	CAPE CORAL	FL	33914
MILLER DAVID K + KAREN M	530 CAPE CORAL PKWY	CAPE CORAL	FL	33914

MILLER PATRICIA ANN TR	716 CAPE CORAL PKWY W	CAPE CORAL	FL	33914
MYERS BILLY G 1/2 + THACKER FLORENTINA J 1/2 T/C	713 SW 47TH TER #104	CAPE CORAL	FL	33914
NICHOLS PATRICIA J	3657 SE 5TH CT	CAPE CORAL	FL	33914
OROURKE JOHN C + JANET A	PO BOX 1806	ELLICOTTVILLE	NY	14731
ORTEGA TONI L	610 SW 47TH TER UNIT 1	CAPE CORAL	FL	33914
PAREDES ADONAY	527 CAPE CORAL PKWY W # 8	CAPE CORAL	FL	33914
PISCITELLI SUSAN S	4627 SW 6TH PL	CAPE CORAL	FL	33914
PRUETT KAREN A	527 CAPE CORAL PKWY W APT 6	CAPE CORAL	FL	33914
RODRIGUEZ LUZ JOSE IGNACIO RODRIGUEZ	3403 HANCOCK BRIDGE PKWY # 2	NORTH FORT MYERS	FL	33903
ROSARIO-ROJAS JACQUELINE + ROJAS LUIS FERNANDO H/W	4626 SW 6TH AVE	CAPE CORAL	FL	33914
RUSS JEANNE M TR FOR EUSS FAMILY TRUST	626 CAPE CORAL PKWY W	CAPE CORAL	FL	33914
RYAN MARYANN	527 CAPE CORAL PKWY W # 2	CAPE CORAL	FL	33914
SCHUTT ROGER L	4235 SE 20TH PL APT C505	CAPE CORAL	FL	33904
SHAPIRO MICHAEL	PO BOX 302	GRANVILLE	OH	43023
SHULTZ CHRISTEL	140 EL DORADO PKWY SW	CAPE CORAL	FL	33914
SMITH LINDA + ESPOSITO LOUIS T/C	1001 S 9TH ST	PHILADELPHIA	PA	19147
TCJBN LLC	1320 ABINGTON CAMBS DR	LAKE FOREST	IL	60045
THOMAS WILLIAM D JR + MARY C	627 SW 47TH TER	CAPE CORAL	FL	33914
TRAN THUTRANG + DINH HA THANH H/W	305 TAPESTRY CIR	EXTON	PA	19341
TRISKO FRANK J TR FOR FRANK J TRISKO TRUST	PO BOX 151197	CAPE CORAL	FL	33915
UGX PROPERTY AND BUILDING SOLU	1453 CATON FARM RD	LOCKPORT	IL	60441
VOLGARI MARGARETE	748 CLEARFIELD AVE	CHESAPEAKE	VA	23320
WATT BARBARA M TR ANDREW A BARNETTE	4427 DEL PRADO BLVD	CAPE CORAL	FL	33904
WEST JULIAN WRAY & WEST SHERRY TURK	704 CAPE CORAL PKWY W	CAPE CORAL	FL	33914
WHITTON MARK A	622 CAPE CORAL PKWY W	CAPE CORAL	FL	33914
WOODCOCK ALBERT F + M JANE	534 CAPE CORAL PKWY W	CAPE CORAL	FL	33914
YOUNG JUNIUS	726 SW 47TH TER APT D	CAPE CORAL	FL	33914

Item Number:	**3.A.**
Meeting Date:	**7/24/2018**
Item Type:	**DATE AND TIME OF NEXT MEETING**

AGENDA REQUEST FORM
CITY OF CAPE CORAL

TITLE:
Tuesday, August 7, 2018, at 9:00 a.m., in Council Chambers

REQUESTED ACTION:

STRATEGIC PLAN INFO:

1. Will this action result in a Budget Amendment?
2. Is this a Strategic Decision?

   If Yes, Priority Goals Supported are listed below.

   If No, will it harm the intent or success of the Strategic Plan?

Planning & Zoning Recommendations:

SUMMARY EXPLANATION AND BACKGROUND:
WHAT THE ORDINANCE ACCOMPLISHES:

LEGAL REVIEW:

EXHIBITS:

PREPARED BY:
Division- Department-

SOURCE OF ADDITIONAL INFORMATION: