

RESOLUTION OF THE TOWN COUNCIL OF
THE TOWN OF FORT MYERS BEACH, FLORIDA

RESOLUTION NUMBER 04-16

A RESOLUTION OF THE TOWN OF FORT MYERS BEACH ADOPTING AN OFFICIAL ZONING MAP THAT REFLECTS THE ZONING DISTRICTS ASSIGNED BY THE INTERIM ZONING MAP IN ORDINANCE 03-03 AND OTHER ZONING RESOLUTIONS ADOPTED BY LEE COUNTY AND THE TOWN OF FORT MYERS BEACH THROUGH APRIL 1, 2004, ALL IN ACCORDANCE WITH SECTION 34-614 OF THE TOWN'S LAND DEVELOPMENT CODE.

WHEREAS, the Town of Fort Myers has adopted Ordinance 03-03 providing a new zoning chapter (Chapter 34) for the town's land development code; and

WHEREAS, Division 1 of Article III of the zoning chapter provides the procedures for adopting an Official Zoning Map; and

WHEREAS, Section 34-614 of the new land development code mandates the adoption by resolution of an official zoning map to reflect the new zoning district boundaries adopted by Ordinance 03-03's "interim zoning map" and to also reflect past approvals of variances, special exceptions, special permits, and similar approvals that have not expired or believed to have become obsolete or unnecessary due to changed regulations or conditions; and

WHEREAS, public hearings were legally and properly advertised to consider the adoption of the Official Zoning Map; and

WHEREAS, a public hearing was held before the Local Planning Agency (LPA) on April 20, 2004, when the LPA gave full and complete consideration to the recommendations provided and to any public testimony; and

WHEREAS, as a result of that consideration the LPA recommended that the Town Council approve a resolution containing the Official Zoning Map and also approve a second resolution (04-17) containing a "Historic Zoning Map" that shows the zoning districts and other approvals that were in effect up until March 3, 2003; and

WHEREAS, public hearings were held by the Town Council on May 17, 2004, at which time the Town Council considered the provisions of Section 34-614, the interim zoning map adopted by Ordinance 03-03, prior approvals of Lee County and the Town of Fort Myers Beach, the recommendations provided to the Town Council, and any public testimony.

NOW THEREFORE BE IT RESOLVED that the Town of Fort Myers hereby adopts Exhibit A as the Official Zoning Map in accordance with Section 34-614 of the Fort Myers Beach Land Development Code. This Official Zoning Map shows the new zoning districts that were applied to all land in the town by the Interim Zoning Map that had been adopted as part of Ordinance 03-03, as modified by later rezonings and as modified by variances, special exceptions, special permits, and similar approvals that were approved by resolution through April 1, 2004. Exhibit A contains eleven map sheets that show the new zoning districts and additional key numbers that are further explained by ten pages of notes that provide a record and index of variances, special exceptions, special permits, and similar approvals. Exhibit B describes each zoning district shown on the Official Zoning Map and provides a reference to the Land Development Code section containing details about that district.

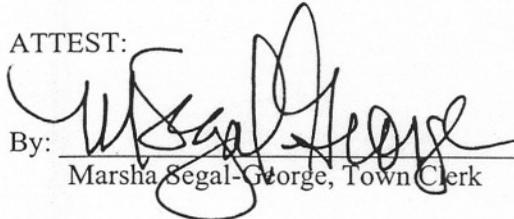
The foregoing resolution was adopted by the Fort Myers Beach Town Council upon a motion by Council Member Rynearson which was seconded by Council Member Van Duzer. Upon being put to a vote, the result was as follows:

Bill Thomas	aye
Garr Reynolds	aye
Don Massucco	aye
Howard Rynearson	aye
W. H. "Bill" Van Duzer	aye

DULY PASSED AND ENACTED this 17th day of May, 2004.

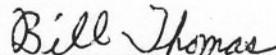
ATTEST:

By:

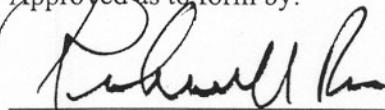

Marsha Segal-George, Town Clerk

TOWN OF FORT MYERS BEACH

By:


Bill Thomas, Mayor

Approved as to form by:


Richard V.S. Roosa, Town Attorney

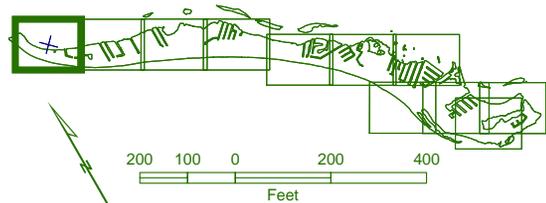
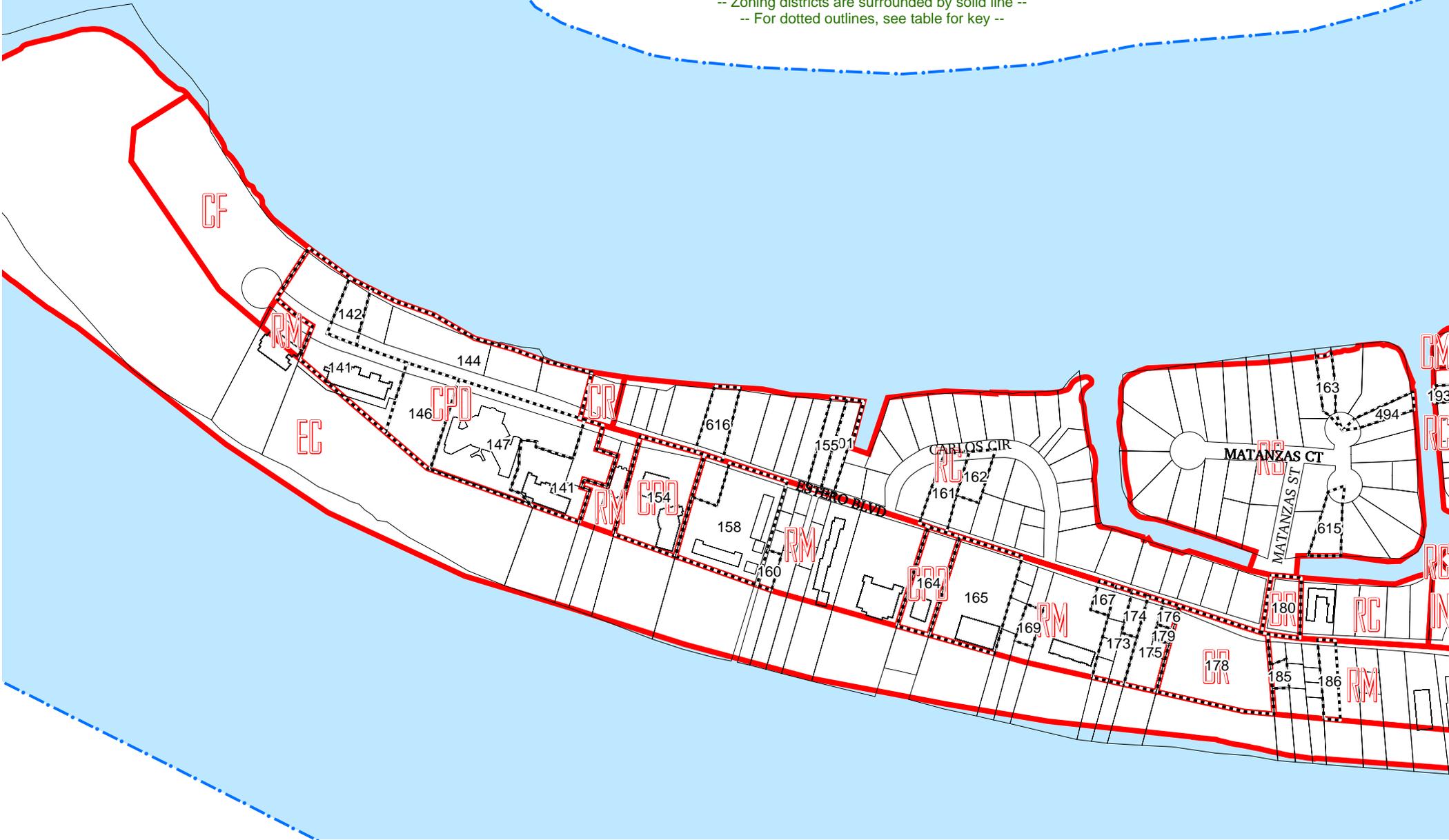


Exhibit A - Fort Myers Beach Official Zoning Map
(updated through April 1, 2004)

-- Zoning districts are surrounded by solid line --
-- For dotted outlines, see table for key --



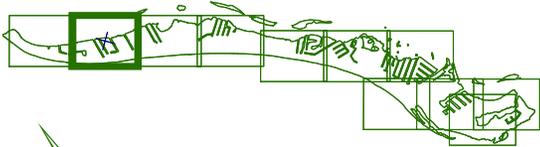
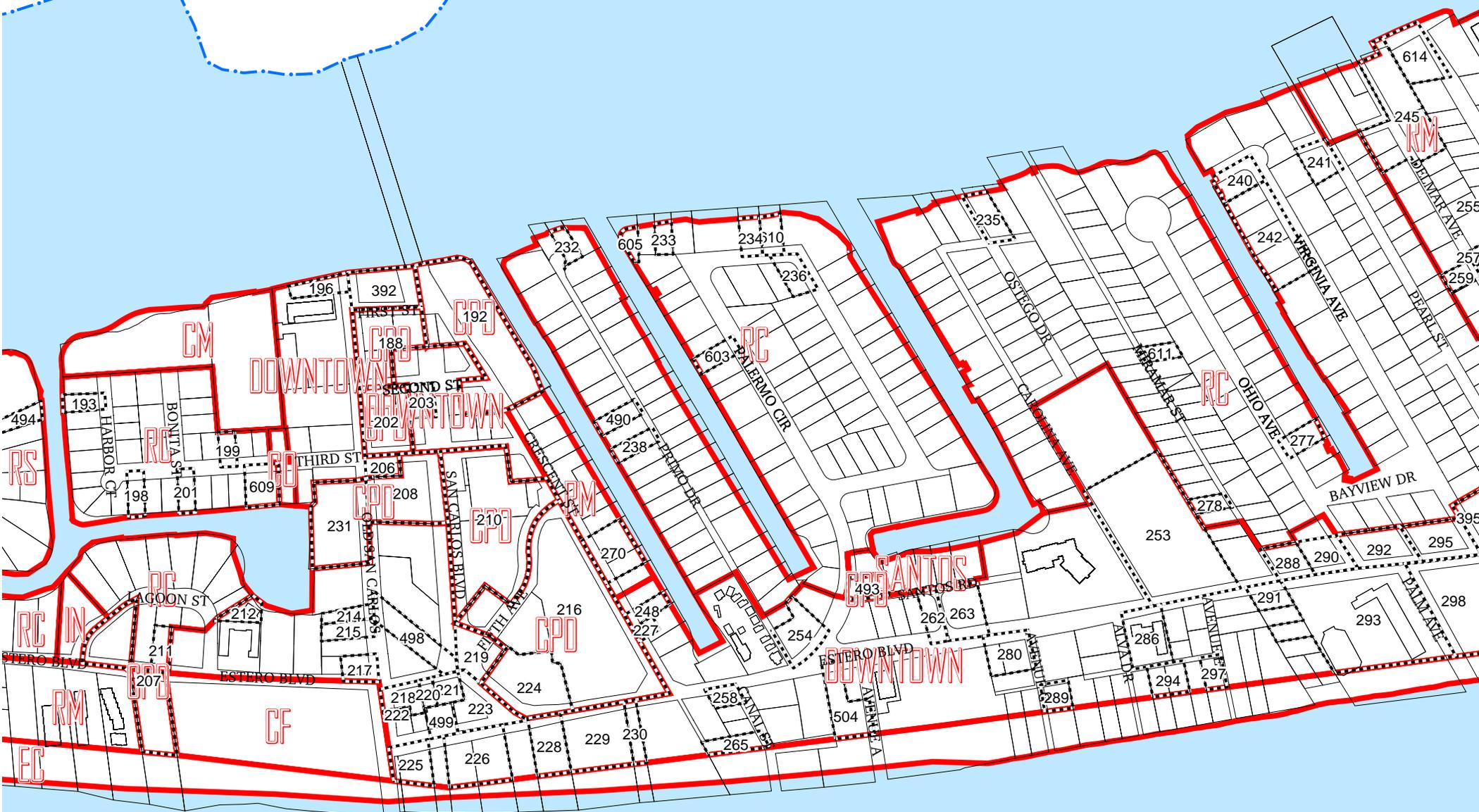


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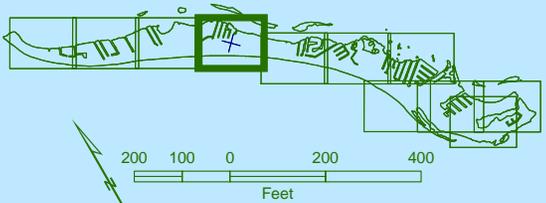
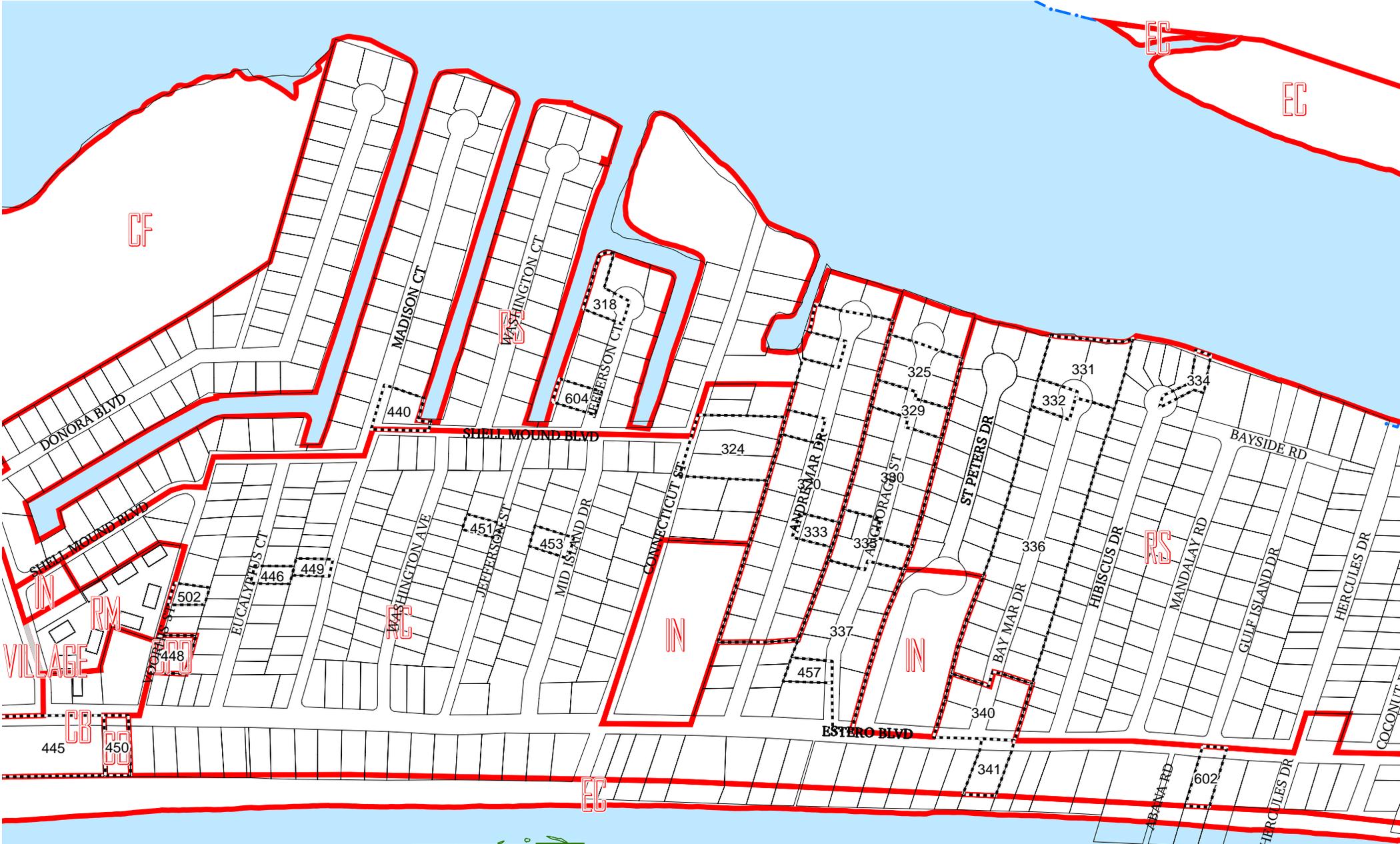


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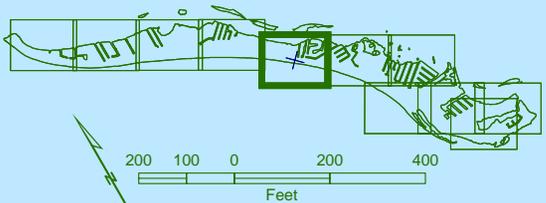
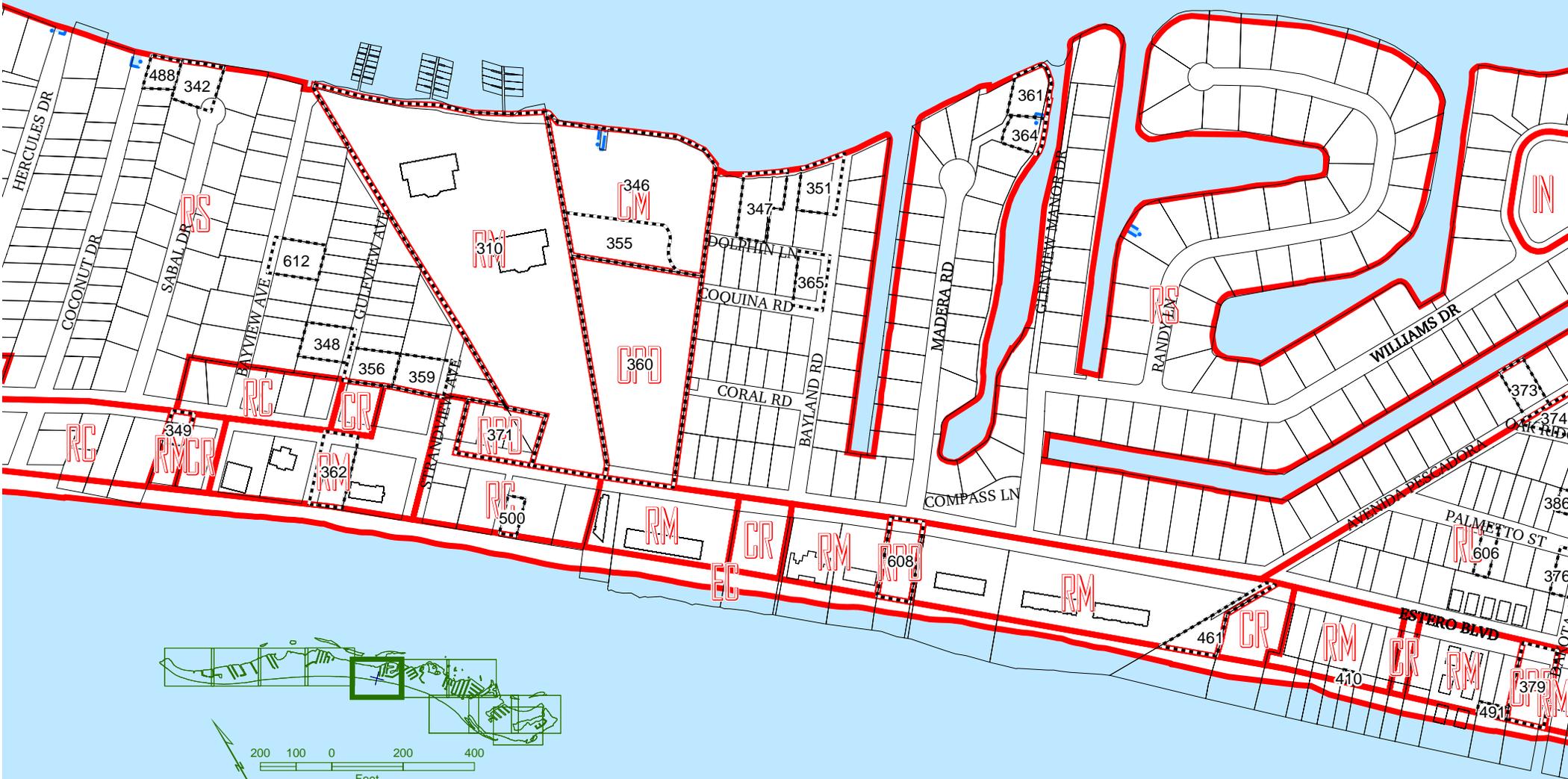


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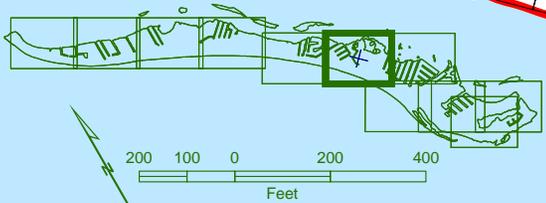
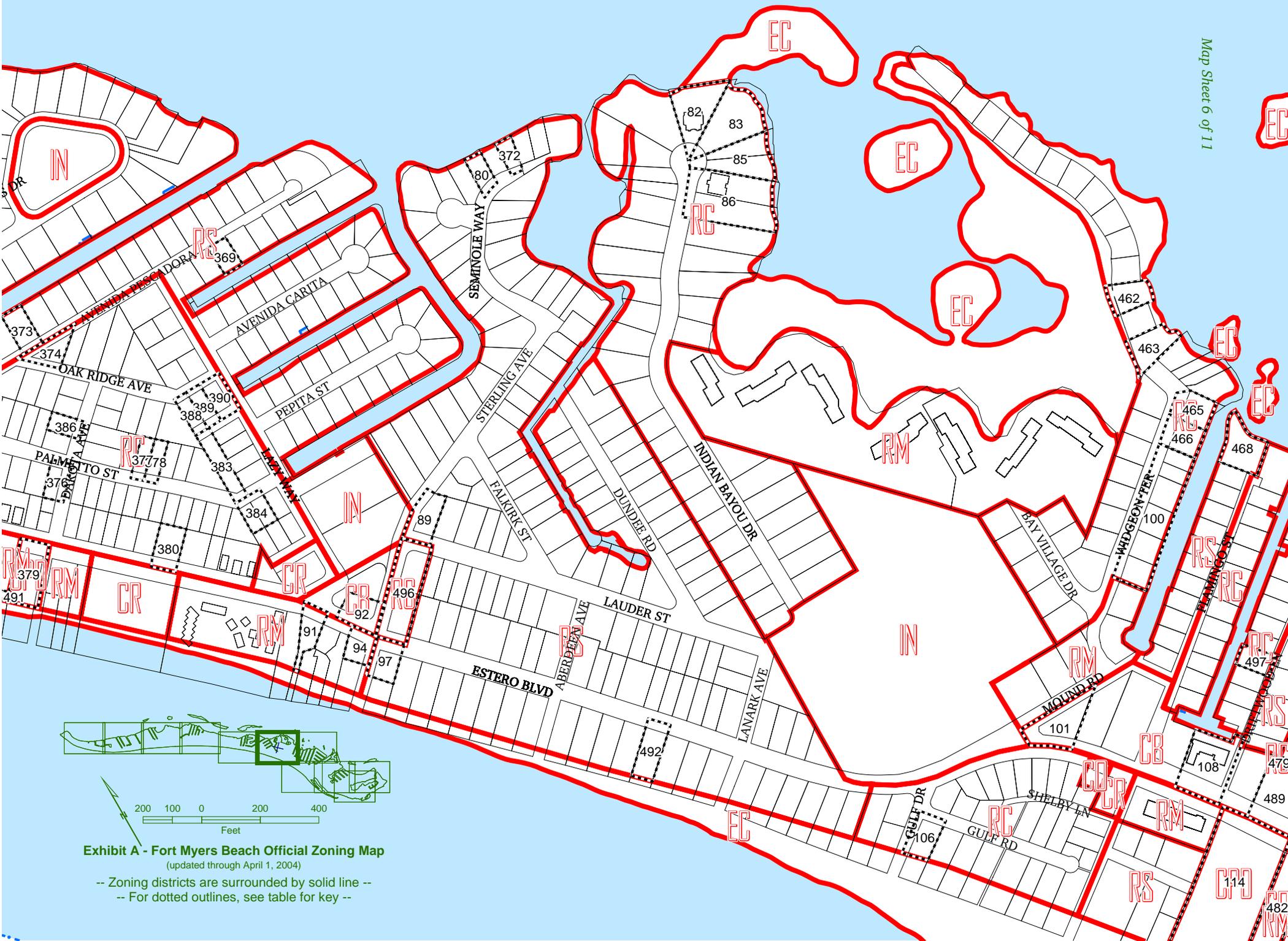


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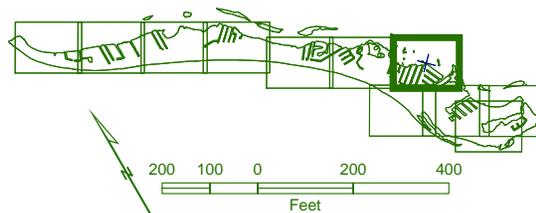
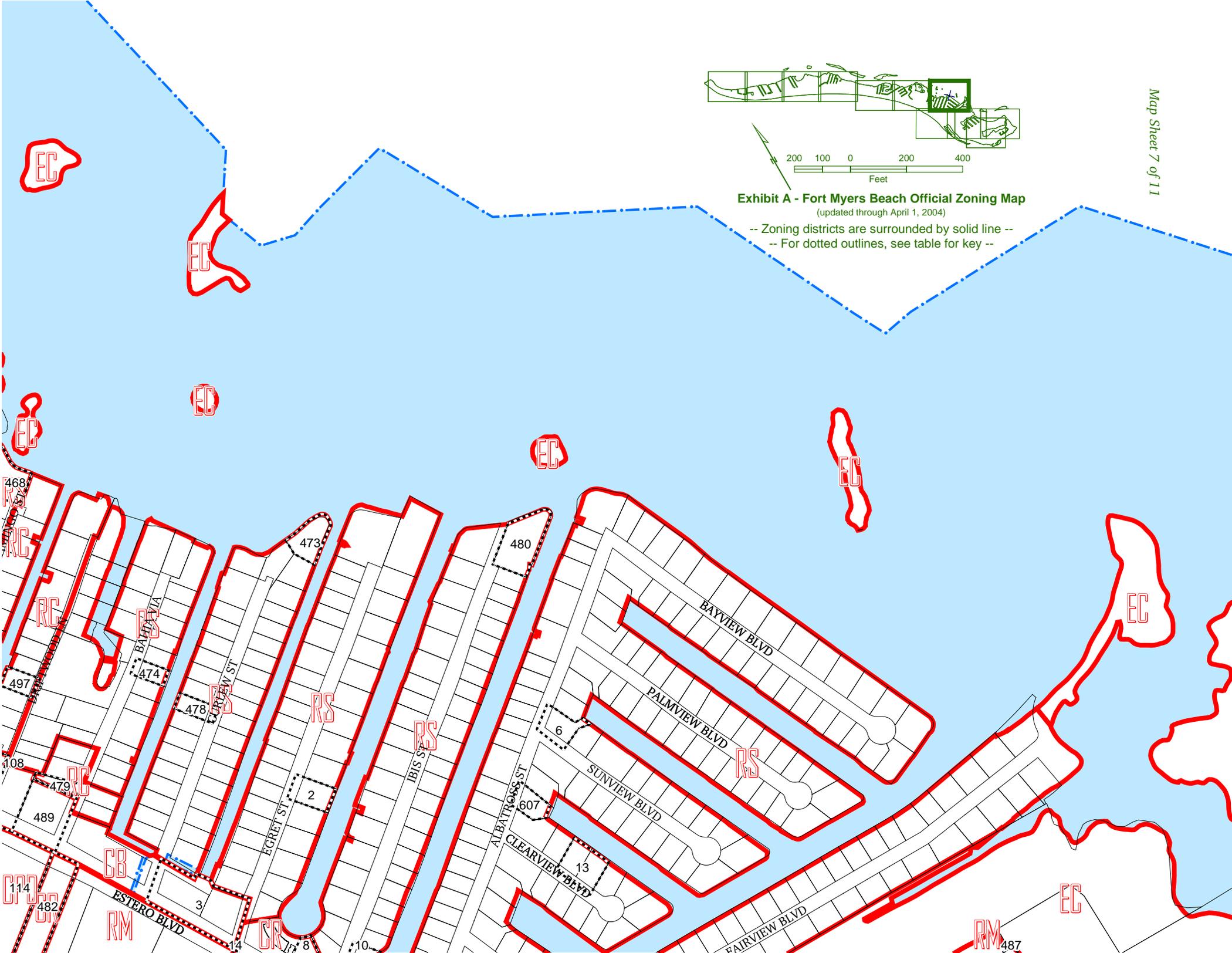


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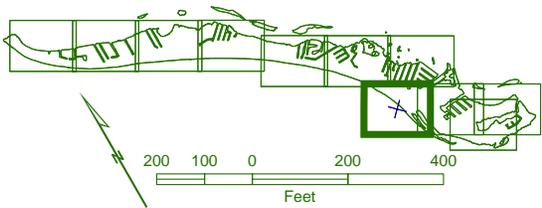
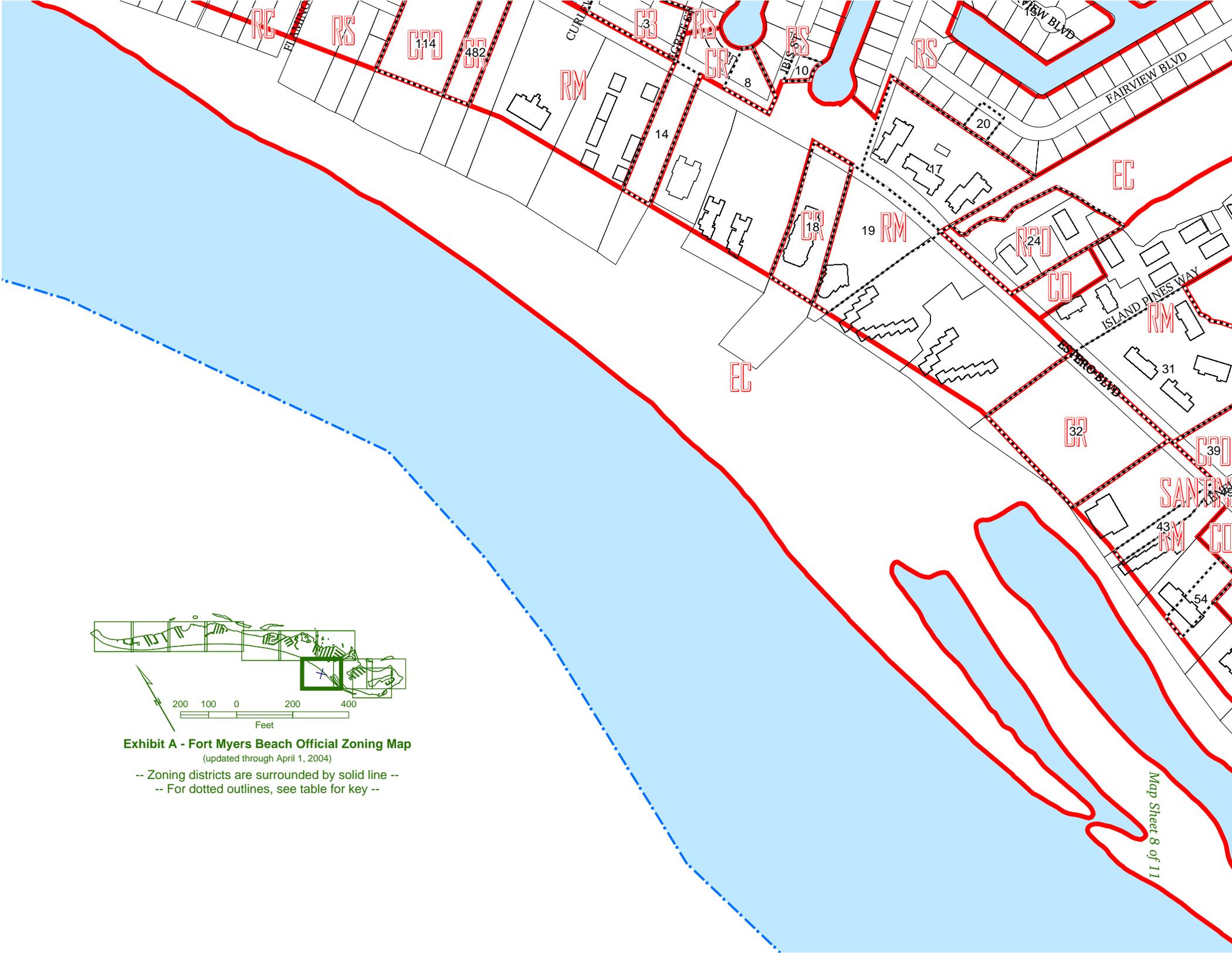


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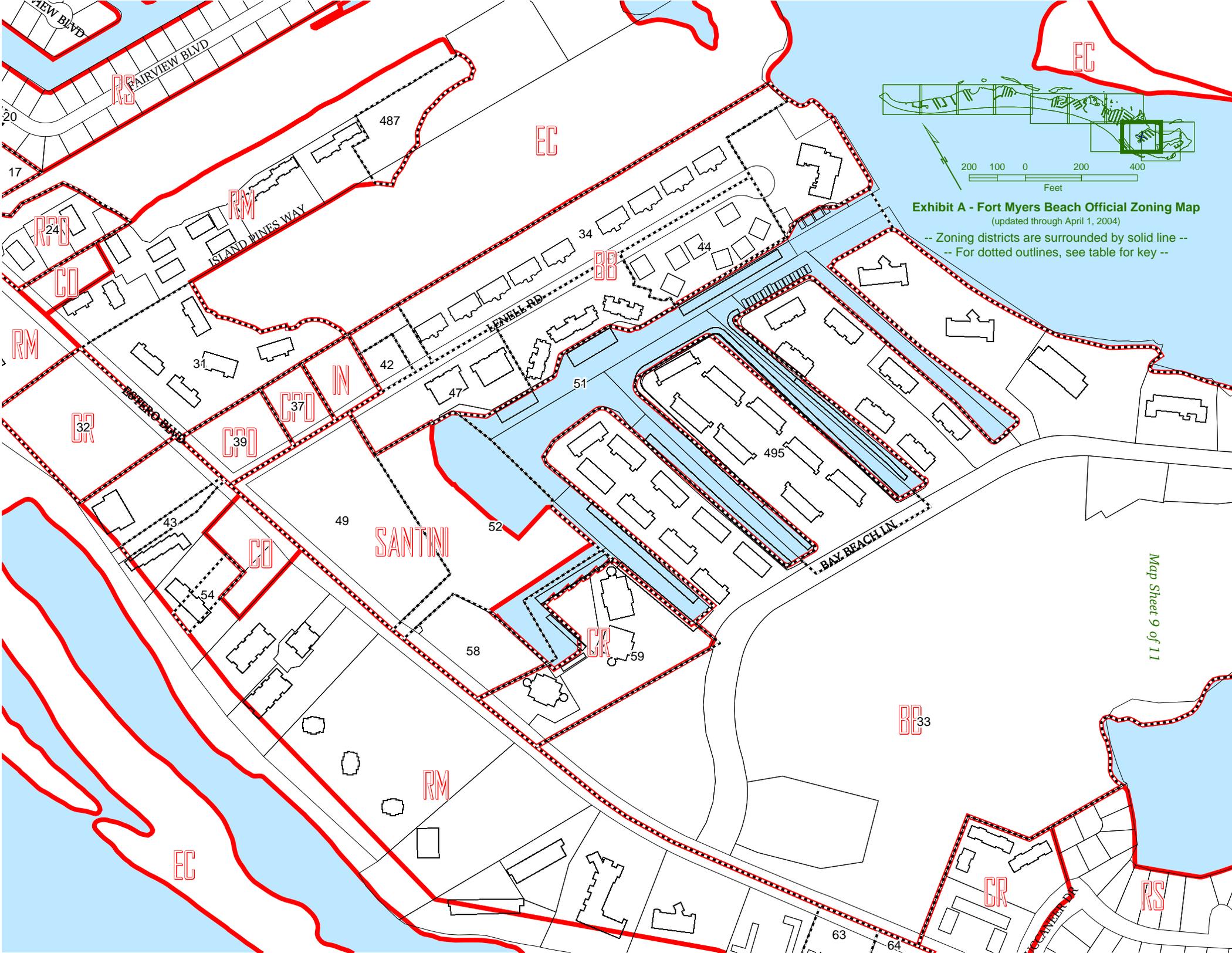


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Map Sheet 9 of 11

RS

EC

EC

RM

RPO

CO

RM

CR

IN

CO

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SANTINI

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34

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RM

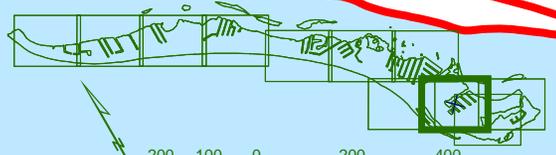
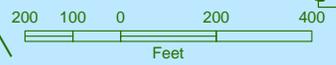
EC

CR

RS

63

64



FAIRVIEW BLVD

ISLAND PINES WAY

LEVEL RD

BAY BEACH LN

SEVERO BLVD

CONWAY RD

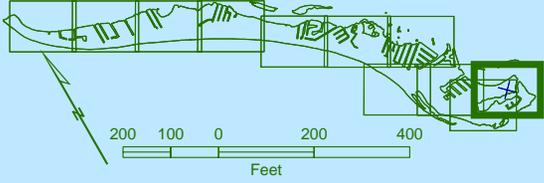
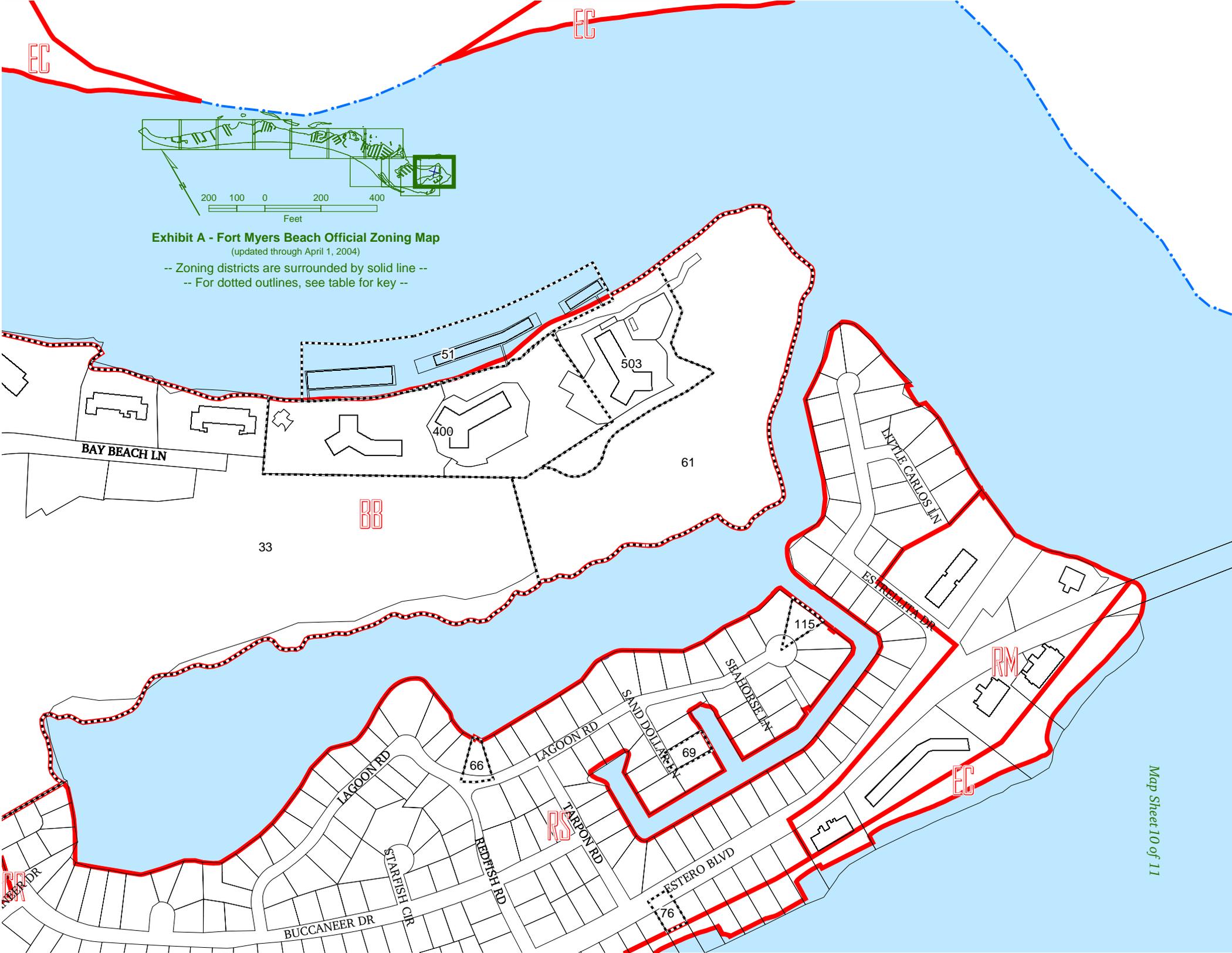


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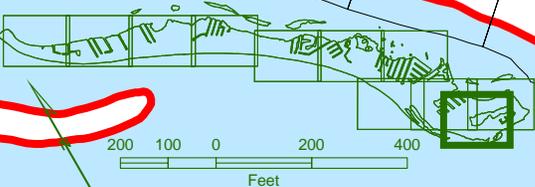
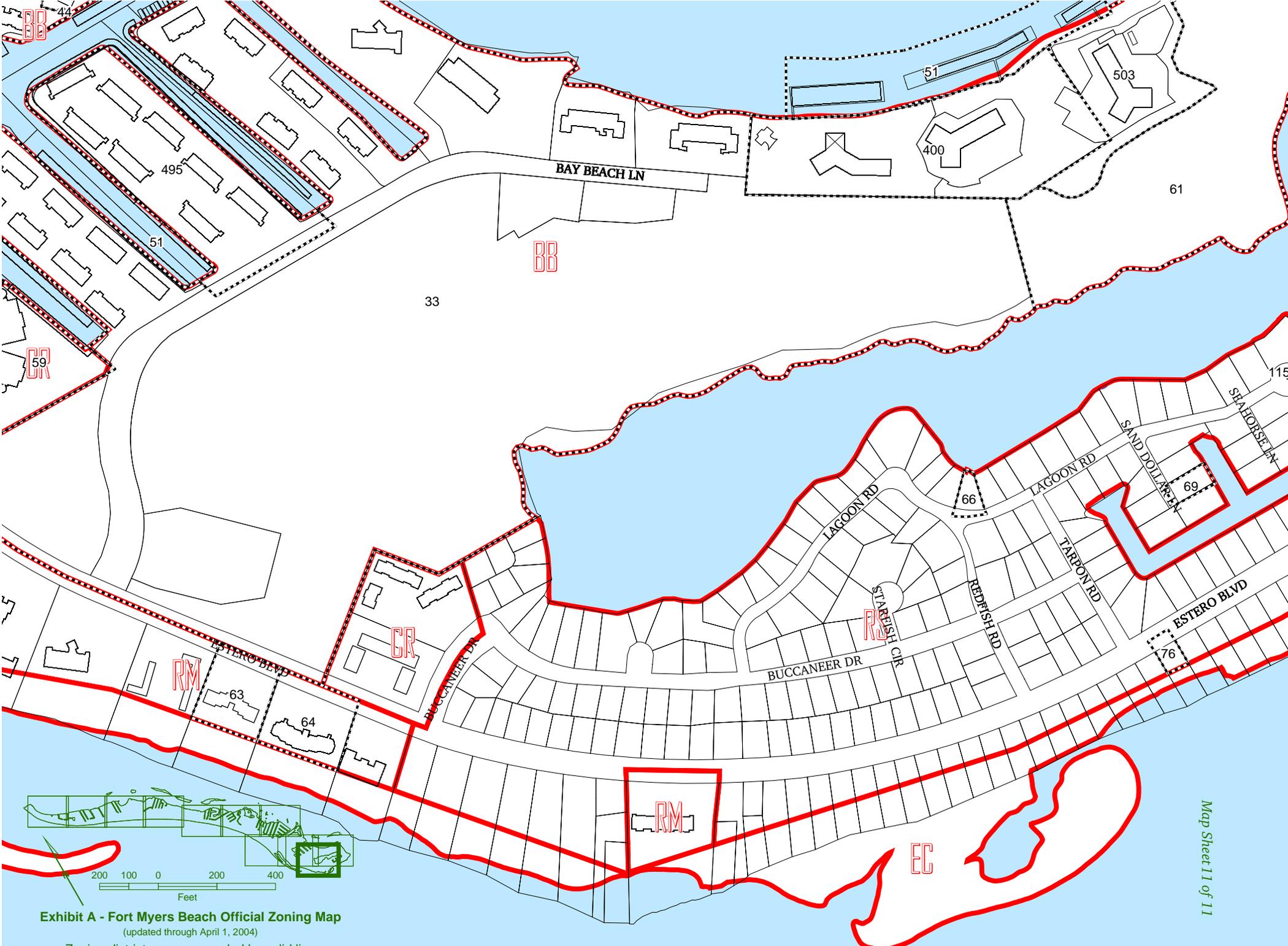


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Zoning districts were assigned to all parcels by the interim zoning map in Ordinance 03-03. Some parcels have also been subject to individual zoning actions; those parcels are indicated with a key number on the maps in this resolution, with each key number explained by a corresponding note below.

- 1 administrative variance to 14.1' for street setback with conditions (ASV-96-011, 9/4/96, 96-08-163.09A)
- 2 variance to 2' for water setback with conditions (ZB-85-248, 11/25/85, 85-9-15)
- 3 special permit for COP in theater with conditions (FMB-99-46, 12/13/99, 99-09-245.01S 01.01); administrative interpretations of LDC upheld (FMB-98-07, 4/6/98, 98-01-227.07S)
- 6 variance to 15' for street setback with conditions (93-11-04-V-01, 11/4/93)
- 8 variance to allow accessory structures in front half of lot, with conditions (Z-81-486, 11/23/81, 81-11-16)
- 10 variance to 15' for water setback (90-4-12-V-7, 4/12/90)
- 13 variance to 6' for side setback with conditions (FMB-97-21, 6/2/97, 97-03-111.05V)
- 14 variance to allow accessory structures in front half of lot, with conditions (Z-81-469, 10/26/81, 81-10-32)
- 18 variance to 35' for side setback, variance to 98.5' for building height, variance to allow 66 efficiency units, variance to 1,975 square feet for each efficiency unit, with site plan and conditions (FMB-97-34, 9/7/97, 97-08-063.05V); special permit for COP with conditions (FMB-97-10, 3/17/97, 96-09-166-02S)
- 19 variance to 30' setback in Z-79-206 denied (ZAB-83-347, 11/14/83, 83-9-6); variances to 3' for side setback, to 0' for water setback, and to allow parking in side (N) setback, with conditions (ZAB-82-227, 9/20/82, 82-6-25); variance to 30' for side (N) setback (Z-79-206, 8/20/79, 79-7-40)
- 20 variance to setback (Z-70-119, 9/1/70, 70-7-4)
- 24 rezoned to amended RPD with site plan and conditions (Z-93-072, 11/15/93, 91-10-15-DCI-1(b)); administrative amendment to RPD with site plan and conditions (PD-92-020, 12/12/92, 91-10-15-DCI-1(a)); rezoned to RPD with site plan and conditions (Z-91-102, 12/9/91, 91-10-15-DCI-1)
- 31 variances to allow pool, restroom, and tennis courts in front half of lot and to allow parking in side setback, with conditions (Z-82-12, 2/15/82, 82-1-19)
- 32 special permit for COP/bar & cocktail lounge, variance to 500' separation, with conditions (Z-88-291, 11/14/88, 88-10-10)
- 33 addendum to stipulated settlement agreement (5/19/03); amendment to stipulated settlement agreement (3/30/01); stipulated settlement agreement resolving Bay Beach litigation (99-1042-CA-JBR, 2/23/01); legislative interpretation of LDC for Bay Beach (FMB-99-27, 7/1/99, 99-05-085.07S)
- 34 addendum to stipulated settlement agreement (5/19/03); amendment to stipulated settlement agreement (3/30/01); stipulated settlement agreement resolving Bay Beach litigation (99-1042-CA-JBR, 2/23/01); legislative interpretation of LDC for Bay Beach (FMB-99-27, 7/1/99, 99-05-085.07S); variance to 10' for water setback with conditions (94-08-11-V-01, 8/11/94, 94-08-11-V-01)
- 37 rezoned to amended CPD (retail stores) with site plan and conditions (FMB-03-06, 3/17/03, DCI2002-00057); administrative approval for COP in restaurant with conditions (COP-94-011, 6/15/94); rezoned to CPD (restaurant and retail building) with site plan and conditions (Z-92-017, 6/15/92, 92-3-17-DCI-1)
- 39 rezoned to amended CPD (retail store) with site plan and conditions (FMB-97-35, 10/27/97, 96-12-206.02Z); rezoned to CPD (retail store) with site plan and conditions (FMB-97-24, 7/7/97, 96-12-206.02Z 01.01)
- 42 addendum to stipulated settlement agreement (5/19/03); amendment to stipulated settlement agreement (3/30/01); stipulated settlement agreement resolving Bay Beach litigation (99-1042-CA-JBR, 2/23/01); legislative interpretation of LDC for Bay Beach (FMB-99-27, 7/1/99, 99-05-085.07S); variances to 0' for street setback and to 5' for water setback, with conditions (ZB-83-358, 9/26/83, 83-9-19)
- 43 administrative variance to 5.7' for side setback with conditions (ASV-95-24, 11/28/95, 95-11-147.09A)
- 44 addendum to stipulated settlement agreement (5/19/03); amendment to stipulated settlement agreement (3/30/01); stipulated settlement agreement resolving Bay Beach litigation (99-1042-CA-JBR, 2/23/01); legislative interpretation of LDC for Bay Beach (FMB-99-27, 7/1/99, 99-05-085.07S); special exception for on-site sign with variances to street, side, rear, and water setbacks (Z-81-142, 4/27/81, 81-4-9)
- 47 addendum to stipulated settlement agreement (5/19/03); amendment to stipulated settlement agreement (3/30/01); stipulated settlement agreement resolving Bay Beach litigation (99-1042-CA-JBR, 2/23/01); legislative interpretation of LDC for Bay Beach (FMB-99-27, 7/1/99, 99-05-085.07S); administrative amendment to Bay Beach plan with site plan and conditions (PD-98-66, 9/22/98, 95-02-206.13A)
- 49 administrative approval for COP in restaurant with conditions (COP2004-00002, 1/27/04); variance to allow a 32' SF identification sign with advertising (FMB-01-13, 6/4/01, VAR2001-00020); administrative approval for COP in restaurant with conditions (COP-97-008, 7/3/97, 96-12-068.01A); special exception for COP (ZB-85-15,

- 1/28/85, 85-1-16); special permit for COP (Z-76-141/141A, 9/1/76, 76-7-19)
- 51 DRI approval granted for Bay Beach Docks, with conditions (Z-94-048, 12/5/94, 94-10-18-DRI-1)
- 52 rezoned to amended CPD (marina and restaurant) with site plan and conditions (Z-94-013, 5/16/94, 88-09-08-DCI(c)); rezoned to CPD (marina and restaurant) with site plan and conditions (Z-88-268/268A, 10/24/88, 88-9-8 DCI)
- 54 variances in lot size and setbacks with conditions (Z-74-366, 12/9/74, 74-11-18)
- 58 rezoned to amended CPD (marina and restaurant) with site plan and conditions (Z-94-013, 5/16/94, 88-09-08-DCI(c)); special permit for COP/outdoor seating with conditions (93-12-09-SP-05, 12/9/93); administrative amendment to CPD with site plan and conditions (PD-90-011, 4/18/90, 88-9-8 DCI (b)); rezoned to amended CPD (marina and miniature golf) with site plan and conditions (Z-89-043, 6/12/89, 88-9-8-DCI(a)); rezoned to CPD (marina and restaurant) with site plan and conditions (Z-88-268/268A, 10/24/88, 88-9-8-DCI)
- 59 variance to allow accessory structures in front half of lot, with conditions (Z-81-244, 6/1/81, 81-5-42)
- 61 addendum to stipulated settlement agreement (5/19/03); administrative interpretation of LDC overturned: proposed cabanas are non-residential structures and qualify for dry floodproofing (FMB-02-38, 10/14/02, ADM2002-00014); amendment to stipulated settlement agreement (3/30/01); stipulated settlement agreement resolving Bay Beach litigation (99-1042-CA-JBR, 2/23/01); legislative interpretation of LDC for Bay Beach (FMB-99-27, 7/1/99, 99-05-085.07S); administrative amendment to Bay Beach plan with site plan and conditions (PD-98-66, 9/22/98, 95-02-206.13A)
- 63 special exception for identification sign with conditions (ZB-83-401, 10/30/83, 83-10-40)
- 64 variance to allow accessory structures in front half of lot, with conditions (Z-81-402, 9/28/81, 81-9-4)
- 66 variance to 0' for dock setback to riparian property line, with conditions (90-8-9-V-6, 8/9/90)
- 69 variances to 19.5' for street setback and 3.4' for side setback, with conditions (FMB-97-20, 6/2/97, 97-03-250.05V)
- 76 variance to allow an open deck 4.7' seaward of the CCCL with conditions (FMB-00-13, 3/13/00, 99-07-176.05V)
- 80 variance to allow dock to extend 119', with conditions (90-1-25-V-1, 1/25/90)
- 82 variance to 17' for water setback with conditions (FMB-96-13, 5/16/96, 96-03-224.05V)
- 83 variance to 2.5' for water depth at dock, with conditions (90-8-9-V-7, 8/9/90)
- 85 variance to allow dock to extend 135', with conditions (89-10-26-V-2, 10/26/89)
- 86 variance to 2.5' for water depth at dock, with conditions (90-2-15-V-7, 2/15/90)
- 89 special exception for accessory apartment with conditions (95-02-276.01S, 4/27/95)
- 91 variance to 4.2' for side setback (FMB-00-29, 6/29/00, VAR2000-00023)
- 92 variance in lot dimensions (Z-75-185, 8/11/75, 75-7-20)
- 94 variance to 2.5' for rear setback (FMB-97-08, 3/17/97, 95-07-203.05V); variance to 12.5' for rear setback (95-07-203.05V, 9/21/95)
- 97 variance to 8.5' for street setback with conditions (FMB-96-28, 10/21/96, 96-08-244-05V)
- 100 variance to 90' for lot depth (Z-77-55, 3/14/77, 77-2-13)
- 101 administrative approval for COP in restaurant with conditions (COP2002-00019, 3/18/02)
- 106 administrative variance to 2.6' for street setback with conditions (ASV-95-023, 10/30/95, 95-02-108.09A)
- 108 variances to 8' & 16' for side setbacks, to 20' for rear setback, and a reduction in parking spaces to 21 spaces (Z-80-289, 9/22/80, 80-9-14)
- 114 rezoned to CPD (resort) with site plan and conditions (Z-95-085, 12/18/95, 95-07-137.02Z); special exception for COP with conditions (ZAB-85-271, 11/12/85, 85-9-38)
- 115 variance to 16.7' for street setback with conditions (FMB-01-39, 12/10/01, VAR2001-00030)
- 117 variance to 10' for street setback for lots 11-12 and 19-23 only (BZA-87-021, 1/26/87, 87-1-27)
- 118 special permit for COP granted (Z-78-12, 1/9/78, 77-12-9)
- 125 variance to allow apartment under a duplex (Z-72-18, 2/1/72, 71-12-8)
- 126 special permit for COP/bar & cocktail lounge denied; special permit for COP in conjunction with restaurant granted, with conditions (91-10-17-SP-4, 12/11/91)
- 127 variances to allow pool in front half of lot and to allow two on-site signs (Z-81-187, 5/4/81, 81-4-53)
- 128 special exceptions for church and related facilities and for a sign, variances to 39,000 SF for lot area and for a reduction in on-site parking spaces (ZB-84-95, 6/25/84, 84-4-10)

- 130 special permit for child care center (Z-77-150, 6/14/77, 77-5-38)
- 131 special exception for home occupation with conditions (Z-82-210, 6/28/82, 82-6-7)
- 132 variances to 13' for street setback and 4.7' for side setback with conditions (FMB-99-47, 12/13/01, 99-09-214.05V)
- 133 requested CPD zoning denied (FMB-96-31, 11/18/96, 95-07-032.02Z); requested CPD zoning denied (FMB-96-15, 2/9/96, 95-07-032.02Z)
- 134 variances to 0.5' for side setback and to 1' for rear setback for carports, with conditions (FMB-02-41, 11/4/02, VAR2002-00023)
- 135 variances to 7.5' for side setback and to 51.5' for lot width, with conditions (92-7-23-V-2, 7/23/92)
- 136 variances to 0' for street setbacks and to 1' for identification sign setback, with conditions (94-04-07-SP-02, 4/14/94)
- 141 administrative amendment to final PUD plan (resort) with site plan and conditions (PUD-98-29, 8/4/98, 95-01-034.13A); administrative amendment to final PUD plan (resort) with site plan and conditions (PUD-95-41, 12/22/95, 95-01-034.13A); rezoned to CPD (resort) with site plan and conditions (Z-95-017, 11/6/95, 95-01-034.03Z); amended final PUD plan (resort) with site plan and conditions (Z-93-057, 10/4/93, 83-9-12-DCI(d)); administrative amendment to final PUD plan (resort) with site plan and conditions (PUD-93-014/014A, 6/30/93, 83-9-12-DCI(c)); administrative amendment to final PUD plan (resort) with site plan and conditions (PUD-91-010/010A, 11/15/91, 83-9-12-DCI(b)); approved final PUD plan for phases II through V (resort) with site plan and conditions (ZAB-84-196/196A, 11/19/84, 83-9-12-DCI); rezoned to preliminary PUD (resort) with site plan and conditions (Z-82-170, 6/21/82, 82-3-28)
- 142 rezoned to amended CPD (to remove 7 approved units) with site plan and conditions (FMB-99-07, 2/22/99, 95-01-034.03Z 03.01); rezoned to CPD (resort) with site plan and conditions (Z-95-017, 11/6/95, 95-01-034.03Z)
- 144 rezoned to amended CPD on bay side (to remove 47 units) and amended PUD on gulf side (to add 47 units), both with site plans and conditions (FMB-00-07/07a, 1/10/00, 95-01-034.03Z 03.01); rezoned to amended CPD (to remove 7 approved units) with site plan and conditions (FMB-99-07, 2/22/99, 95-01-034.03Z 03.01); administrative amendment to final PUD plan (resort) with site plan and conditions (PUD-95-41, 12/22/95, 95-01-034.13A); rezoned to CPD (resort) with site plan and conditions (Z-95-017, 11/6/95, 95-01-034.03Z); administrative amendment to final PUD plan (resort) with site plan and conditions (PUD-91-010/010A, 11/15/91, 83-9-12-DCI(b)); approved final PUD plan for phases II through V (resort) with site plan and conditions (ZAB-84-196/196A, 11/19/84, 83-9-12-DCI); rezoned to preliminary PUD (resort) with site plan and conditions (Z-82-170, 6/21/82, 82-3-28)
- 146 administrative amendment to CPD (resort) with site plan and conditions (ADD2003-0086, 12/19/03); rezoned to MPD (resort) to reconstruct two existing buildings and transfer commercial space from bay side, with site plan and conditions (FMB-01-26, 08/27/01, DCI2000-00071)
- 147 rezoned to amended CPD and amended PUD (resort) to change orientation of 9-story building and revise size of units, with site plan and conditions (FMB-01-21, 6/25/01, DCI2001-00027); rezoned to amended CPD on bay side (to remove 47 units) and amended PUD on gulf side (to add 47 units), both with site plans and conditions (FMB-00-07/07a, 1/10/00, 95-01-034.03Z 03.01); administrative amendment to final PUD plan (resort) with site plan and conditions (PUD-98-29, 8/4/98, 95-01-034.13A); administrative amendment to final PUD plan (resort) with site plan and conditions (PUD-95-41, 12/22/95, 95-01-034.13A); amended final PUD plan (resort) with site plan and conditions (Z-93-057, 10/4/93, 83-9-12-DCI(d)); administrative amendment to final PUD plan (resort) with site plan and conditions (PUD-93-014/014A, 6/30/93, 83-9-12-DCI(c)); administrative amendment to final PUD plan (resort) with site plan and conditions (PUD-91-010/010A, 11/15/91, 83-9-12-DCI(b)); approved final PUD plan for phases II through V (resort) with site plan and conditions (ZAB-84-196/196A, 11/19/84, 83-9-12-DCI); rezoned to preliminary PUD (resort) with site plan and conditions (Z-82-170, 6/21/82, 82-3-28)
- 154 approved final PUD plan for phase I (resort) with site plan and conditions (ZAB-83-353, 11/14/83, 83-9-12-DCI); rezoned to preliminary PUD (resort) with site plan and conditions (Z-82-170, 6/21/82, 82-3-28)
- 155 variances to 45' & 50' for lot width, 13' for water setback, 4' for side setback, with conditions (FMB-01-20, 6/25/01, VAR2000-00076)
- 158 variance to allow accessory structures in front half of lot, with conditions (Z-81-58, 2/23/81, 81-2-13)
- 160 administrative variances to 5.8' for side (NW) setback and to 5' for side (SE) setback, with conditions (AA-ASV-96-006, 5/6/96, 96-03-107.09A)
- 161 administrative variances to 5.5' for rear setback and to 6.7' for side setback, with conditions (ASV-94-005, 11/21/94)
- 162 variance to 11' for rear setback with conditions (FMB-98-09, 4/20/98, 98-01-078.05V)
- 163 administrative variances to 5.6' for side (W) setback and to 6.2' for side (E) setback, with conditions (ASV-95-07, 3/1/95, 95-02-107.09A)
- 164 rezoned to amended CPD (to add 7 units to hotel from FMB-99-07), with site plan and conditions (FMB-99-08,

- 2/22/99, 95-07-043.02Z 02.01); rezoned to CPD and amended CPD (hotel) with site plan and conditions (Z-95-75, 11/6/95, 95-07-043.02Z); rezoned to CPD (motel) with site plan and conditions (Z-93-034, 8/2/93, 93-06-01-DCI-01)
- 165 variance to allow pool in front half of lot, with conditions (Z-82-51, 2/22/82, 82-2-33)
- 167 variances to 1' for rear setback and to 0' for side setback, with conditions (BZA-88-077, 4/18/88, 88-3-26)
- 169 variances to 4.2' for street setback, 6' for rear setback, 6' for side (S) setback, 42% lot coverage, 5,583 SF lot area, 50' lot depth, with conditions (FMB-02-27, 6/24/02, VAR2001-00032)
- 173 variance in lot size to allow division into 7 single-family lots (Z-76-212, 11/16/76)
- 174 variances on tract 4 to 4.5' for street setback, 10' for rear setback, 50' for lot width, 50' for lot depth, 5' for side setback, with conditions; variances on tract 6 to 4.5' for street setback, 10' for rear setback, 67.5' for lot width, 50' for lot depth, with conditions (BZA-88-140, 6/20/88, 88-5-33); variance in lot size to allow division into 7 single-family lots (Z-76-212, 11/16/76)
- 175 variances in lot size and to allow access by means of an easement (Z-76-163, 9/29/76, 76-9-29)
- 176 variances to 12' for street setback, 10' for rear setback, 60' for lot width, 50' for lot depth, with conditions (BZA-88-141, 6/20/88, 88-5-34); variances in lot size and to allow access by means of an easement (Z-76-163, 9/29/76, 76-9-29)
- 178 special permit for COP/outdoor seating with conditions (95-08-061.02S, 10/5/95)
- 179 variances to 12' for front setback and to 10' for rear setback (ZB-82-414, 10/25/82, 82-10-13); variances in lot size and to allow access by means of an easement (Z-76-163, 9/29/76, 76-9-29)
- 180 variance to 10.8' for side setback with conditions (Z-68-82, 5/22/68, 68-4-9)
- 185 variances to 4.5' for street setback, 7' for rear setback, 0' for side setback, with conditions (FMB-00-16, 4/10/00, VAR1999-00028)
- 186 variance in setbacks with conditions (Z-75-197, 9/8/75, 75-8-6)
- 188 rezoned to CPD (hotel, restaurant and retail building) with site plan and conditions (FMB-01-08, 4/9/01, DCI2000-00059); administrative approval for COP in restaurant with conditions (COP-94-013, 9/13/94)
- 192 rezoned to amended CPD (restaurant, retail and motel buildings) with site plan and conditions (FMB-03-35, 11/10/03, DCI2001-00067); administrative amendment to CPD (restaurant, retail and motel buildings) with site plan and conditions (ADD2002-00115, 10/4/02); rezoned to CPD and amended CPD (restaurant, retail and motel buildings) with site plan and conditions (FMB-99-05, 2/8/99, 95-01-003.02Z 02.01); rezoned to CPD (motel and restaurant) with site plan and conditions (Z-95-074, 11/6/95, 95-01-003.02Z); special permit for COP/outdoor seating with conditions (95-01-003.02S, 1/6/95); variance to allow existing roof sign to remain, with conditions (89-10-12-V-4, 10/12/89); special exception for COP (ZB-83-380, 10/24/83, 83-10-18)
- 193 variances to 55% for lot coverage and 4.5' for side setback, with conditions (FMB-01-33, 10/15/01, VAR2001-00023)
- 196 variance to 0' for water setback with conditions (94-02-10-V-02, 2/10/94)
- 198 variance in lot size to allow duplex (Z-71-29, 4/6/71, 71-2-2)
- 199 variance to 10' for rear setback (95-03-265.05V, 5/25/95)
- 201 variance to allow duplex on 5,000 SF lot (Z-70-67, 6/2/70, 70-4-14)
- 202 rezoned to amended CPD (restaurant, retail and motel buildings) with site plan and conditions (FMB-03-35, 11/10/03, DCI2001-00067); administrative amendment to CPD (restaurant, retail and motel buildings) with site plan and conditions (ADD2002-00115, 10/4/02); rezoned to CPD and amended CPD (restaurant, retail and motel buildings) with site plan and conditions (FMB-99-05, 2/8/99, 95-01-003.02Z 02.01); rezoned to CPD (motel and restaurant) with site plan and conditions (Z-95-074, 11/6/95, 95-01-003.02Z);
- 203 variances to 16.6' for street setback, to 15.6' for rear setback, and to 0' for side setback (FMB-99-38, 10/11/99, 99-07-194.05V 01.01)
- 206 variance to 0' for rear setback with conditions (FMB-02-21, 5/13/02, VAR2002-00003); administrative approval for COP in restaurant with conditions (COP-97-002, 3/6/97, 97-02-105.01A)
- 207 rezoned Parcel B to amended CPD to allow parking on open space, with site plan and conditions (FMB-01-14, 6/4/01, DCI2000-00002); special permit for COP with conditions (FMB-00-12, 3/13/00, SEZ1999-00028); rezoned to CPD (hotel and open space) with site plan and conditions (FMB-97-14, 4/7/97, 96-12-018.03Z)
- 208 administrative amendment to CPD with site plan and conditions (ADD2002-00089A, 12/19/03); administrative amendment to CPD denied (ADD2002-00089, 9/17/02); rezoned to CPD (retail and hotel buildings) with site plan and conditions (FMB-01-03, 1/22/01, DCI2000-00051); special exception for commercial parking lot with conditions ((FMB-99-40, 10/11/99, 98-12-212.01S 01.01)
- 210 rezoned to amended CPD (resort) with site plan and conditions (FMB-03-23, 6/30/03, DCI2003-00016); administrative amendment to CPD with site plan and conditions (ADD2001-00013, 3/5/01); rezoned to CPD

- (resort) with site plan and conditions (FMB-00-09, 2/14/00, 99-09-352.02Z); special permit for COP/outdoor seating with conditions (95-08-187.02S, 10/12/95)
- 211 variances to 10' for side setback, 5,000 SF for lot area, 50' for lot width (Z-80-361, 10/28/80, 80-10-49)
- 212 variances to 0' for rear and side setbacks (Z-80-284, 9/22/80, 80-9-7)
- 214 variances to allow commercial uses without additional parking spaces, to 10' for street setback, to 6' for rear setback, to 2' for side setback, to 2,925 SF for lot area, to 29' for lot width, with conditions (93-07-08-V-02, 7/8/93)
- 215 variances to 3.9' for street setback, 0' for rear setback, 0' for both side setbacks, 5,670 SF for lot area, 46' for lot width, with conditions (89-11-30-V-7, 12/21/89)
- 216 rezoned to amended CPD (restaurants, retail and hotel buildings) with site plan and conditions (FMB-04-08, 3/8/04, DCI2003-00065); administrative amendment to CPD with site plan and conditions (ADD2002-00130, 3/3/03); entered into development agreement for restaurants, retail and hotel buildings (OR-3646-2893, 4/15/02); rezoned to CPD and amended CPD (restaurants, retail and hotel buildings) with site plan and conditions (FMB-02-07, 4/15/02, DCI2000-00047); administrative amendment to CPD (restaurant and retail buildings) with site plan and conditions (ADD2000-00138, 10/17/00); administrative amendment to CPD (restaurant and retail buildings) with site plan and conditions (PD-95-38, 11/8/95, 95-10-207.13A); rezoned to CPD (restaurant and retail buildings) with site plan and conditions (Z-92-065, 2/1/93, 92-11-17); special permit for COP with conditions (SP-87-68, 11/23/87, 87-11-SP-3)
- 217 variances to 5' & 0' for street setback, 0' for side setback, 9' for rear setback, 63' for lot width, 81' for lot depth, 4,688 SF for lot area, 73% for lot coverage, reduce the number of parking spaces required to 0, with conditions (95-10-266.05V, 12/14/95)
- 218 variances to 0' for street setback, 0' for side setback, 0' for rear setback, 37' for lot width, 80' for lot depth, 5,074 SF for lot area, 75% for lot coverage, reduce the number of parking spaces required to 0, with conditions (95-05-217.05V, 7/13/95); special permit for COP (COP-83-13, 4/21/82, accepted into BOCC record 4/4/84)
- 219 variances to 3' for street setback, 5' for rear (E) setback, 3' for side (S) setback, 2,942 SF for lot area, 40' for lot width, 77' for average lot depth, reduce the number of parking spaces required to 0, with conditions (91-9-12-V-6, 12/12/91)
- 220 variances to 0' for street setback, 0' for side setback, 61.5' for lot depth, 2,460 SF for lot area, reduce the number of parking spaces required to 0, with conditions (95-04-193.05V, 6/15/95)
- 221 variances to 19' for street setback and to 5' for rear setback (93-02-04-V-02, 2/4/93)
- 222 variances to 0' for street setback, 0' for rear setback, 0' for side setback, reduce the number of parking spaces required to 0, with conditions (93-12-16-V-02, 12/16/93)
- 223 variances to 0' for side and rear setbacks and a reduction in parking spaces, with conditions (FMB-97-02, 2/3/97, 96-10-095.05V); variances to 10' and 12' for street setbacks, 15' for rear setback, 2' for side setback, with conditions (93-03-04-SP-01, 3/4/93)
- 224 rezoned to amended CPD (restaurants, retail and hotel buildings) with site plan and conditions (FMB-04-08, 3/8/04, DCI2003-00065); administrative amendment to CPD with site plan and conditions (ADD2002-00130, 3/3/03); entered into development agreement for restaurants, retail and hotel buildings (OR-3646-2893, 4/15/02); rezoned to CPD and amended CPD (restaurants, retail and hotel buildings) with site plan and conditions (FMB-02-07, 4/15/02, DCI2000-00047); administrative approval for COP/outdoor seating with conditions (COP2000-00064, 11/2/00); administrative approval for COP/outdoor seating with conditions (COP2000-00020, 6/22/00); special permit for COP/outdoor seating with conditions (92-2-6-SP-3, 2/6/92); administrative approval for COP in restaurant with conditions (COP-91-005, 2/26/91); variances to 20' for rear setback, to 0' for side setback, and to reduce the number of parking spaces required to 8 existing spaces, with conditions (BZA-88-341, 11/21/88, 88-11-24)
- 225 variance to allow an open trellis seaward of the CCCL, with conditions (FMB-99-39, 10/11/99, 99-08-007.05V)
- 226 variance to 0' for street setback for sign with conditions (FMB-97-43, 12/15/97, 97-08-145.03V)
- 227 variances to 48' for lot width and to 45' for lot depth (Z-80-278, 9/22/80, 80-9-1)
- 228 variance to 0' for identification sign setback (95-05-099.03V, 7/6/95)
- 229 variance to allow 4 instructional signs with conditions (FMB-97-44, 12/15/97, 97-04-188.03V); special permit for COP/bar & cocktail lounge, with conditions (91-8-8-SP-1, 8/8/91)
- 230 special permit for COP/outdoor seating and variance to allow increased commercial intensity without additional parking spaces, with conditions (95-07-161.02S, 9/28/95)
- 231 administrative amendment to CPD with site plan and conditions (ADD2002-00089A, 12/19/03); administrative interpretation of LDC overturned: CPD to be amended administratively, with dry floodproofing required only for new construction (FMB-03-10, 4/14/03, ADM2002-00017); administrative amendment to CPD denied (ADD2002-00089, 9/17/02); rezoned to CPD (retail and hotel buildings) with site plan and conditions (FMB-01-03, 1/22/01, DCI2000-00051)

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- 232 variances to 41' for lot width and to 6,042 SF for lot area (91-4-25-V-1, 4/25/91)
- 233 variance to 5' for side setback (BZA-87-251, 12/21/87, 87-12-20)
- 234 variance to 62.5' for lot width (FMB-01-02, 1/22/01, VAR2001-00071)
- 235 variance to 57' for lot width (BZA-87-245, 12/21/87, 87-12-14)
- 236 variance to 15' for street setback with conditions (FMB-01-11, 5/14/01, VAR2001-00014)
- 238 administrative variance to 9.3' for water setback with conditions (ASV-94-006, 12/5/94); variance to 13.3' for water setback (94-06-16-V-01, 7/14/94); variance to 13.5' for water setback with conditions (92-9-10-V-2, 9/10/9)
- 240 variances to 2.5' for side setback, 5,670 SF for lot area, 53' for lot width, with conditions (92-12-17-V-2, 12/17/92); variance in lot size to allow one house (Z-76-178, 10/11/76, 76-9-18)
- 241 variances to 16' for street setback, 10' for corner lot setback, 6' for rear setback, with conditions (89-8-10-V-2, 8/10/89)
- 242 variances to 2.5' for side setback, 5,670 SF for lot area, 53' for lot width, with conditions (92-12-17-V-2, 12/17/92)
- 245 nonconformity of docking facility acknowledged as suitable for a submerged land lease, but expansion of docking facility denied (FMB-99-13, 3/8/99, 98-11-161.02V 01.01)
- 248 administrative variance to 2.3' for side setback with conditions (ASV-95-011, 6/6/95, 95-05-225.09A)
- 253 special permit for COP/outdoor seating with conditions (FMB-02-43, 12/9/02, COP2002-00106)
- 254 special permit for COP/outdoor seating with conditions (93-12-23-SP-01, 12/23/93); administrative approval for COP in restaurant with conditions (COP-93-007, 11/1/93)
- 255 variances to 14' for street setback and to 8.8' for side (S) setback (Z-70-113, 8/4/70, 70-6-10)
- 257 variances for lot area, to 4,450 SF for lots 15, 16, 17, 19, 20, to 5,000 SF for lot 18, to 4,000 SF for lots 8 & 9 (Z-81-68, 2/23/81, 81-2-24)
- 258 variance to lower by 2 the number of parking spaces required, with conditions (FMB-97-36, 9/9/97, 97-07-226.05V)
- 259 variances to 18.4' for rear setback and 5.8' for side setback, with conditions (FMB-01-34, 10/15/01, VAR2001-00037)
- 260 variance to 14' for street setback (92-12-10-V-2, 12/10/92); variances for lot area, to 4,450 SF for lots 15, 16, 17, 19, 20, to 5,000 SF for lot 18, to 4,000 SF for lots 8 & 9 (Z-81-68, 2/23/81, 81-2-24)
- 262 administrative approval for COP in restaurant with conditions (COP2003-00032) was revoked on 4/23/03; special permit for COP/outdoor seating with conditions (95-03-258.02S, 6/13/95)
- 263 special exception for shared permanent parking lot with conditions (FMB-03-40, 12/8/03, SEZ2003-00028); special exception for commercial parking lot with conditions, to expire on 3/9/2004 (FMB-99-11, 3/8/99, 98-05-223.01S); special exception for commercial parking lot and variance from parking lot design standards, with conditions (93-10-07-SE-02, 10/7/93)
- 264 variances for lot area, to 4,450 SF for lots 15, 16, 17, 19, 20, to 5,000 SF for lot 18, to 4,000 SF for lots 8 & 9 (Z-81-68, 2/23/81, 81-2-24)
- 265 variance to side setback with conditions (Z-79-94, 4/23/79, 79-4-22)
- 270 variances to 0' for fence setback to street and to 10' for front yard fence height, with conditions (FMB-02-28, 6/24/02, VAR2002-00010)
- 276 variance to 14' for street setback (93-11-18-V-03, 11/18/93); variances for lot area, to 4,450 SF for lots 15, 16, 17, 19, 20, to 5,000 SF for lot 18, to 4,000 SF for lots 8 & 9 (Z-81-68, 2/23/81, 81-2-24)
- 277 variances to 13.6' for street setback and to 12' for water setback, with conditions (93-08-12-V-02, 8/12/93)
- 278 variance to 2.5' for side setback with conditions (93-03-04-V-02, 3/4/93)
- 279 variances for lot area, to 4,450 SF for lots 15, 16, 17, 19, 20, to 5,000 SF for lot 18, to 4,000 SF for lots 8 & 9 (Z-81-68, 2/23/81, 81-2-24)
- 280 administrative variance to 4.3' for side setback with conditions (ASV-96-012, 3/19/97, 96-08-175.09A); special permit for COP/outdoor seating with conditions (FMB-97-09, 3/17/97, 96-08-175.02S)
- 286 special permit for COP/outdoor seating with conditions (FMB-02-44, 12/9/02, COP2002-00084); special permit for COP/outdoor seating with conditions (94-09-29-SP-04, 9/29/94)
- 288 variances to 11' for street setback, to 22' for rear setback, to 10' for side setback, and to allow vehicles to back out into Miramar Street, with conditions (90-9-27-V-4, 1/24/91)
- 289 variance to allow commercial uses without additional parking spaces, with conditions (92-12-3-V-1, 12/3/92)

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- 290 special permit for COP/outdoor seating with conditions (FMB-96-27, 10/21/96, 96-07-178.04S); special exception for COP and variance to 80' for lot depth (ZB-84-229/229A, 10/22/84, 84-10-14)
- 291 variances to 1.2' for rear setback and 0.5' for side setback, with conditions (BZA-88-340, 11/21/88, 88-11-23)
- 292 special permit for COP/outdoor seating with conditions (FMB-00-14, 3/13/00, COP2000-00001)
- 293 special permit for COP/outdoor seating with conditions (95-10-232.04S, 12/21/95); variance to allow accessory structures in front half of lot (Z-81-300, 6/22/81, 81-6-38)
- 294 variance to allow commercial uses without additional parking spaces, with conditions (92-12-3-V-2, 12/3/92)
- 295 special exception for shared permanent parking lot with conditions (FMB-03-11, 4/14/03, DCI2002-00044); requested amended CPD zoning denied (FMB-00-41, 12/11/00, DCI2000-00060); rezoned to amended CPD (commercial parking lot; retail stores in future phase) with site plan and conditions (FMB-99-26, 6/21/99, 99-03-069.02Z); rezoned to CPD (commercial building) with site plan and conditions (Z-93-065, 10/4/93, 93-08-31-DCI-03)
- 297 special permit for COP/outdoor seating with conditions (95-10-173.02S, 12/7/95); variance to reduce the number of parking spaces required to 0, with conditions (BZA-88-339, 11/21/88, 88-11-22)
- 298 special permit for COP/outdoor seating with conditions (FMB-01-15, 6/4/01, COP2001-00044); administrative approval for COP in restaurant with conditions (COP-98-004, 10/19/98, 98-09-116.01A)
- 301 variances to 10' for street setback, 10' for water setback, 5,320 SF for lot area, 55' for lot depth, with conditions (95-04-056.05V, 6/8/95)
- 303 special exceptions for church and related facilities and for a sign, variances to 1.96 acres for lot area and for a reduction in on-site parking spaces, with conditions (ZAB-84-8, 2/20/84, 84-1-8)
- 305 variance to lower by 10 the number of parking spaces required (FMB-97-03, 2/3/97, 96-10-023.05V); variance to lower by 10 the number of parking spaces required (FMB-96-34, 12/2/96, 96-10-023.05V)
- 310 administrative approval for commercial antenna with conditions (ADD2003-00041, 5/27/03)
- 318 variances to 1' for side setback and to 20' for water setback (89-5-18-V-8, 5/18/89)
- 320 variances for lot area, lot width, and lot depth, see resolutions for complete list of lots and variance dimensions (ZB-84-119/119A/119AA, 6/4/84, 84-5-5)
- 324 variance to 50' for lot width with conditions (94-07-14-V-01, 7/14/94)
- 325 variances for lot area, lot width, and lot depth, see resolutions for complete list of lots and variance dimensions (ZB-84-119/119A/119AA, 6/4/84, 84-5-5)
- 329 variances for lot width and lot depth, see resolution for list of lots and variance dimensions (Z-82-180, 5/24/82, 82-5-12)
- 330 variances for lot area, lot width, and lot depth, see resolutions for complete list of lots and variance dimensions (ZB-84-119/119A/119AA, 6/4/84, 84-5-5)
- 332 variance to 90' for lot depth (Z-82-138, 4/26/82, 82-4-13); variance for lot size (Z-71-69, 6/1/71, 71-4-11)
- 333 variances for lot width and lot depth, see resolution for list of lots and variance dimensions (Z-82-180, 5/24/82, 82-5-12)
- 334 variances to 6.5' for side (SE) setback, to 6' for side (S) setback, to 7' for side (N) setback, to 7' for side (NW) setback, with conditions (94-04-14-V-01, 4/14/94); variance to 5' for dock setback to riparian property line, with conditions (92-12-17-VDK-1, 2/11/93)
- 335 variances for lot width and lot depth, see resolution for list of lots and variance dimensions (Z-82-180, 5/24/82, 82-5-12)
- 336 variances for lot area, lot width, and lot depth, see resolutions for complete list of lots and variance dimensions (ZB-84-119/119A/119AA, 6/4/84, 84-5-5); variance for lot size (Z-71-69, 6/1/71, 71-4-11)
- 337 variances for lot area, lot width, and lot depth, see resolutions for complete list of lots and variance dimensions (ZB-84-119/119A/119AA, 6/4/84, 84-5-5)
- 340 variances for lot area, lot width, and lot depth, see resolutions for complete list of lots and variance dimensions (ZB-84-119/119A/119AA, 6/4/84, 84-5-5); variance for lot size (Z-71-69, 6/1/71, 71-4-11)
- 341 variance to allow pool patio closer to street than the principal structure and variance to allow a 4' high fence (ZB-84-118, 5/29/84, 84-4-46)
- 342 administrative variance for front yard fence (ASV-95-022, 10/25/95, 95-10-024.09A)
- 346 special permit modified to allow expanded COP (FMB-97-06, 2/27/97, 96-02-186.02S); special permit not modified to allow expanded COP (FMB-96-20, 7/15/96, 96-02-186.02S); special permit not modified to allow expanded COP (FMB-96-11, 4/18/96, 96-02-186.02S); special permit for COP/outdoor seating with conditions (94-12-22-SP-1, 12/22/94)

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- 347 variance to 22' for water setback (ZB-85-312, 10/29/85, 85-10-40)
- 348 special permit for 1 kitchen and 2 bathrooms upstairs and 1 kitchen and 3 bathrooms downstairs (Z-77-165, 7/11/77, 77-6-9)
- 349 administrative variance to 1.5' for street setback with conditions (ASV-94-002, 12/5/94)
- 351 variances to 15' for rear setback and to 82' for lot depth (ZB-82-518, 12/27/82, 82-12-32)
- 356 variance for apartment under piling home (Z-72-59, 4/4/72, 72-2-6)
- 359 special permit for accessory unit with conditions (Z-74-231, 7/8/74, 74-6-20)
- 360 rezoned to amended CPD (supermarket) to include signs, with site plan and conditions (FMB-01-06, 2/12/01, DCI2000-00078); rezoned to CPD (supermarket) with site plan and conditions (FMB-98-11/11A, 5/5/98, 96-02-186.02Z)
- 361 variance to 5' for water setback with conditions (90-11-15-V-4, 11/15/90)
- 362 variance to side setback with conditions (Z-79-298, 11/26/79, 79-11-5)
- 364 variance to 5' for water setback with conditions (89-4-13-V-3, 5/4/89); variance to 88' for average lot depth (BZA-87-243, 12/21/87, 87-12-12)
- 365 variance to 7.5' for street setback with conditions (FMB-00-37a, 10/9/00, VAR2000-00047)
- 369 special exception for home occupation with conditions (ZB-82-303, 8/23/82, 82-8-16)
- 371 rezoned to RPD with site plan and conditions (FMB-02-04, 1/14/02, DCI2001-00029)
- 372 variances to 4' for side (W) setback and to 5' for side (E) setback on Lot 18 only, with conditions (FMB-02-26, 6/24/02, VAR2002-00013)
- 373 variance to 7.5' for water setback with conditions (FMB-00-18, 5/8/00, VAR2000-00010)
- 374 variances to street setback, rear setback, and lot area (Z-79-351, 1/21/80, 79-12-29)
- 376 variances to 19.4' for street setback, 17.1' for rear setback, 2.5' for side (N) setback, with conditions (FMB-02-08, 2/11/02, VAR2001-00045)
- 377 variance to 4' for side setback, with conditions (89-6-1-V-2, 7/13/89); variance for lot size (less than 6,000 SF) (Z-72-130, 7/11/72, 72-5-12)
- 378 variance for lot size (less than 6,000 SF) (Z-72-130, 7/11/72, 72-5-12)
- 379 rezoned to CPD (hotel) with site plan and conditions (FMB-98-10/10A, 4/20/98, 95-04-118.02Z); requested CPD zoning denied (Z-95-072, 12/18/95, 95-04-118.02Z); special permit for COP/outdoor seating with conditions (93-12-09-SP-02, 12/23/93); variance to 90' for lot width (Z-77-31, 2/14/77, 77-1-7)
- 380 special permit for day care nursery with conditions (Z-76-127, 8/9/76, 76-7-4); variance to allow residence to be remodeled into a triplex (Z-69-149, 11/4/69, 69-6-18)
- 383 variance in lot size (Z-70-158, 11/3/70, 70-9-15)
- 384 variance to 5,000 SF for lot area (Z-77-271, 12/12/77, 77-11-3)
- 386 variance for duplex on substandard lot (Z-77-135, 6/13/77, 77-5-21)
- 388 variances to 50' for lot width and to 5,000 SF for lot area, with conditions (90-1-11-V-3, 1/11/90)
- 389 variance to 5,000' for lot area (Z-80-425, 12/22/80, 80-12-12)
- 390 variance to 5,000' for lot area (Z-80-433, 12/22/80, 80-12-21)
- 392 special permit for COP/outdoor seating with conditions (FMB-03-36, 11/10/03, SEZ2003-00023); special permit for COP/outdoor seating with conditions (FMB-02-40, 10/14/02, COP2002-00095); variance to 0' for street setback and variance to place required parking spaces in an off-site parking lot, with conditions (FMB-02-12, 9/17/02, VAR2001-00053)
- 395 requested CPD zoning denied (FMB-00-41, 12/11/00, DCI2000-00060)
- 400 addendum to stipulated settlement agreement (5/19/03); amendment to stipulated settlement agreement (3/30/01); stipulated settlement agreement resolving Bay Beach litigation (99-1042-CA-JBR, 2/23/01); legislative interpretation of LDC for Bay Beach (FMB-99-27, 7/1/99, 99-05-085.07S); administrative amendment to Bay Beach PD with site plan and conditions (PD-95-06, 3/20/95, 95-02-206.13A 02.01)
- 410 variances to 7' for street (NW) setback, 7' for rear (SE) setback, 15' for side (NE) setback, with conditions (replaces FMB-02-37) (FMB-03-09, 4/14/03, VAR2002-00014); variances to 7' for street (NW) setback, 7' for rear (SE) setback, 20' for side (NE) setback, with conditions (later amended by FMB-03-09) (FMB 02-37, 10/14/02, VAR2002-00014)
- 412 variances to 20' for street setback and 7.5' for side setback, with conditions (91-9-26-V-3, 11/7/91)
- 414 variance to 25' for lot frontage with conditions (BZA-87-043, 2/16/87, 87-2-19)

- 419 variance to 5.3' for side setback with conditions (FMB-01-05, 2/12/01, VAR2000-00077)
- 423 variance to allow deck seaward of CCCL denied (FMB-03-12, 4/14/03, VAR2002-00050)
- 433 variances to 0' for street setback and to allow a shed between principal building and street, with conditions (BZA-87-017, 1/26/87, 87-1-23)
- 436 administrative approval for COP in restaurant with conditions (COP2003-0220, 1/12/04); administrative variances to 20.8' for street setback, to 6' for rear setback, and to 2.6' for side setback, with conditions (ASV-98-009, 8/27/98, 98-07-260.09A)
- 437 variance to 7.5' for side setback with conditions (FMB-00-37b, 10/9/00, VAR2000-00029)
- 440 variance to 2' for side setback, variance to 0' for water setback, variance to allow a 6' fence, with conditions (FMB-97-37, 9/9/97, 97-08-046.05V)
- 445 special permit for COP/outdoor seating with conditions (90-1-18-SP-1, 1/18/90); variance to allow existing restaurant without additional parking spaces, with site plan and conditions (Z-89-074, 9/11/89, 89-7-25-2)
- 446 variances to 18' for street setback, 2.5' for side setback, 6,173 SF for lot area, 61.7' for lot width, with conditions (90-7-5-V-2, 7/5/90)
- 448 rezoned to amended CPD (headquarters building) with site plan and conditions (FMB-03-22, 6/9/03, DCI2002-00073); rezoned to CPD (headquarters building) with site plan and conditions (FMB-00-28, 6/29/00, DCI2000-00027)
- 449 variances to 55' for lot width and to 5,500 SF for lot area (Z-80-386, 11/24/80, 80-11-11)
- 450 variance to allow existing restaurant without additional parking spaces, with site plan and conditions (Z-89-074, 9/11/89, 89-7-25-2)
- 451 administrative variance to 16' for rear setback with conditions (ASV-95-016, 7/20/95, 95-07-001.09A)
- 453 variances to 68' for lot width and to 6,800 SF for lot area, with conditions (95-07-003.05V, 8/24/95)
- 457 variance to allow living area below flood elevation denied (FMB-00-25, 6/19/00, ADM2000-00005); variances for lot width and lot depth, see resolution for list of lots and variance dimensions (82-180, 5/24/82, 82-5-12)
- 461 variance for side setback denied (FMB-97-45, 12/15/97, 97-09-294.05V)
- 462 administrative interpretation of comprehensive plan correcting a "Wetlands" designation (FMB-01-06A, 3/12/01, ADD2000-00152); variance to 15' for street setback with conditions (89-7-13-V-4, 6/1/89)
- 463 variance to allow dock to extend 150', with conditions (90-11-15-V-5, 11/15/90)
- 465 variance to 90' for lot depth (Z-77-56, 3/14/77, 77-2-14)
- 466 variance to 90' for lot depth (Z 77-54, 3/14/77, 77-2-12)
- 468 variance to 5' for front yard fence height (BZA-88-232, 8/15/88, 88-8-27)
- 473 variance to 21' and to 18' for water setbacks, with conditions (BZA-88-367, 12/19/88, 88-12-22)
- 474 variances to 60' for lot width and to 7,200 SF for lot area (90-7-5-V-1, 7/5/90)
- 478 variance to legitimize existing shed, with conditions (89-1-HE-3, 1/12/89)
- 479 variance to 5' for side setback with conditions (91-3-14-V-3, 3/14/91)
- 480 variance to 25' for lot width with conditions (FMB-00-24, 6/5/00, VAR2000-00011)
- 482 special permit for COP/outdoor seating with conditions (93-04-29-SP-03, 4/29/93); special exception for COP with conditions (ZAB-85-271, 11/12/85, 85-9-38)
- 487 administrative interpretations of comprehensive plan vesting 5 stories over 1 story of parking up to 79.8' NGVD and invalidating two prior staff decisions (FMB-00-40, 11/13/00, CPA2000-00001); administrative interpretations of comprehensive plan correcting a "Wetlands" designation and finding final 64 dwelling units as approved in Exemption #83-09-120.00E to be consistent with the plan (FMB-00-39, 11/13/00, CPA2000-00001)
- 488 variance to 14' and 21.7' for water setbacks and variance to 7.5' for rear setback, as shown on site plan (FMB-00-25a, 6/12/00, VAR2000-00015)
- 489 administrative interpretation of LDC upheld: PD zoning required for new or expanded commercial activities (FMB-00-33, 9/11/00, ADM2000-00024)
- 490 variance to 21.5' for water setback (FMB-02-11, 3/11/02, VAR1999-00024)
- 491 variance from CCCL as shown on site plan (FMB-02-16, 4/8/02, VAR2002-00001)
- 492 administrative interpretation of LDC overturned: house permit to be issued after covenant is recorded (FMB-02-17, 4/8/02, ADM2002-00001)
- 493 rezoned to CPD (bed-and-breakfast inn) with site plan and conditions (FMB-04-04, 2/9/04, DCI2003-00051); administrative interpretation of LDC upheld (FMB-02-36, 9/16/02, ADM2002-00011)

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- 494 variances to 15' for water setback and 1.5' for side setback, with conditions (FMB-97-23, 7/7/97, 97-08-063.05V)
- 495 addendum to stipulated settlement agreement (5/19/03); amendment to stipulated settlement agreement (3/30/01); stipulated settlement agreement resolving Bay Beach litigation (99-1042-CA-JBR, 2/23/01); legislative interpretation of LDC for Bay Beach (FMB-99-27, 7/1/99, 99-05-085.07S); variance to lower by 5 the number of parking spaces required (FMB-98-32, 12/14/98, 95-02-206.05V 02.01)
- 496 requested RM-2 zoning denied (FMB-99-12, 3/8/99, 98-12-279.01Z 01.01)
- 497 variance to 19.7 for water setback (FMB-99-25, 6/21/99, 99-05-096.05V 01.01)
- 498 variance to allow wet floodproofing for garage and public restrooms (FMB-99-30, 8/30/99, 99-09-158.12V)
- 499 variance to 5' for rear setback as shown on site plan (FMB-00-06, 1/10/00, VAR1999-00016)
- 500 variances to 10' for street setback and 9' for rear setback, with conditions (FMB-99-32, 7/20/99, 99-05-102-05V)
- 501 variance to eliminate required sprinkler system in existing portion of expanded three-story structure (FMB-02-10/10A, 4/15/02, ADM2001-00013); variances to 45' & 50' for lot width, 13' for water setback, 4' for side setback, with conditions (FMB-01-20, 6/25/01, VAR2000-00076)
- 502 variances to 15' for rear setback and to 5' for side setback (BoA-1, 5/9/77, 77-4-1)
- 503 addendum to stipulated settlement agreement (5/19/03); amendment to stipulated settlement agreement (3/30/01); stipulated settlement agreement resolving Bay Beach litigation (99-1042-CA-JBR, 2/23/01); legislative interpretation of LDC for Bay Beach (FMB-99-27, 7/1/99, 99-05-085.07S); administrative interpretation of LDC overturned: Waterside III can exceed current height limit based on equitable estoppel (Z-98-34, 12/14/98, 98-03-010.07S)
- 504 administrative approval for COP/outdoor seating with conditions (COP2002-00013, 3/13/02)
- 601 variances to 10' for setback (N) and to 27' for setback (S) for pool and deck, with conditions (FMB-03-04, 3/17/03, VAR2002-00042)
- 602 variance to 4.4' for side setback with conditions (FMB-03-14, 5/12/03, VAR2002-00054)
- 603 variance to 4.5' for side setback with conditions (FMB-03-15, 5/19/03, VAR2003-00004)
- 604 variances to 20' for water setback and 15' for rear setback, with conditions (FMB-03-16, 5/19/03, VAR2002-00048)
- 605 variance to 7.5' for water setback with conditions (FMB-03-17, 5/12/03, VAR2003-00002)
- 606 administrative interpretation of LDC upheld (FMB-03-18, 5/12/03, ADM2003-00003); administrative variance to 5' for side setback with conditions (ADD2002-00126, 10/11/02)
- 607 variance to 2' for boathouse side setback (FMB-03-19, 6/9/03, VAR2003-00015)
- 608 rezoned to RPD with site plan and conditions (FMB-03-20, 6/9/03, DCI2003-00006)
- 609 special exception for bed-and-breakfast inn with conditions (FMB-03-21, 6/9/03, SEZ2003-00007)
- 610 variance to 16.5' for water setback with conditions (FMB-03-24, 3/30/03, VAR2003-00023); variance to 62.5' for lot width (FMB-01-02, 1/22/01, VAR2001-00071)
- 611 variances to 1' for side (N) setback, to 2' for side (S) setback, and to 1' for rear setback for a deck, with conditions (FMB-03-37, 10/20/03, VAR2003-00042)
- 612 variance for street setback denied (FMB-03-39, 12/8/03, VAR2003-00040)
- 614 variances to allow resubdivision without meeting ROW and cul-de-sac requirements, with conditions (FMB-04-02, 1/26/04, VAR2003-00069)
- 615 variances to 21' for water setback and to 6' for side setback, with conditions (FMB-04-03, 2/9/04, VAR2003-00062)
- 616 administrative approval for designated historic resource to provide relief to 6' for side setback and to 17' for water setback, with conditions (ADD2003-00045, 6/24/03)

EXHIBIT B: DESCRIPTION OF ZONING DISTRICTS

<u>ZONING DISTRICT</u>	<u>DETAILS IN:</u>
<u>Conventional Zoning Districts:</u>	
RS – Residential Single-Family	§ 34-642
RC – Residential Conservation	§ 34-643
RM – Residential Multifamily	§ 34-644
CR – Commercial Resort	§ 34-645
CM – Commercial Marina	§ 34-646
CO – Commercial Office	§ 34-647
SANTOS	§ 34-648
IN – Institutional	§ 34-649
CF – Community Facilities	§ 34-650
BB – Bay Beach	§ 34-651
EC – Environmentally Critical	§ 34-652
<u>Redevelopment Zoning Districts:</u>	
DOWNTOWN	§ 34-671–680
SANTINI	§ 34-681–690
VILLAGE	§ 34-691–700
CB – Commercial Boulevard	§ 34-701–710
<u>Planned Development Zoning Districts:</u>	
RPD – Residential Planned Development	§ 34-941–950
CPD – Commercial Planned Development	§ 34-951–960