

ADMINISTRATIVE INTERPRETATION OF
THE SINGLE FAMILY RESIDENCE PROVISION

CASE NO.: SF90-10-06

APPLICANT: Carleton Ryffel
6296 Corporate Ct., Suite B-202
Fort Myers, Florida 33919

OWNER: S.M. Shindore & M.C. Shindore

PROPERTY IN QUESTION: Lots 1-12 Block 5, Lots 1-12, 35-44
Block 4, Lots 16-20 Block 6, Lots 12-15
Block 2 San Carlos-On-The-Gulf
Subdivision PB 6, Page 6. See Exhibit
A attached.

DATE OF APPLICATION: October 11, 1990

DISCUSSION: These 43 lots were created by plat recorded
at Plat Book 6 Page 6 on February 25, 1925.
The current owner acquired the lots by deed
between John L. Crofts and Frances C. Crofts
and Shreelal M. Shindore and Mary C.
Shindore recorded at O.R. Book 1915 Page 183
on May 7, 1987. Each lot exceeds 4,000
square feet in area and the lots are located
in the Resource Protection land use category.

DECISION: Each of these lots qualifies for one single
family residence under the Single Family
Residence Provision of The Lee Plan.

REASONING: The lots were created prior to The Lee Plan
and prior to zoning and each lot exceeds
4,000 square feet in area.

The applicant should also be aware that the
Lee Plan requires that:

"The residence shall comply with all
applicable health, safety, and welfare
regulations, as those regulations exist at
the time the application for the residence
is submitted."

APPEAL PROCEDURE:

Please note, that if you disagree with the Administrative Interpretation, you do have the right to appeal the decision. This written Notice of Appeal should be hand-delivered to the County Attorney's Office, 2115 Second Street, Room 620, Fort Myers, Florida, no later than 15 days from the date of the Administrative Interpretation. The Lee Plan provides as follows:

"An administrative interpretation may be appealed to the Board of County Commissioners by filing a written request within fifteen (15) days after the administrative interpretation has been made. In reviewing such an appeal, the Board shall consider only information submitted in the administrative interpretation process and shall review only whether the designated individual has properly applied, to the facts presented, the standards set forth in the Plan for such administrative interpretations. No additional evidence shall be considered by the Board. The Board of County Commissioners shall conduct such appellate review at a public hearing."

Andrea M. Lang

LEE COUNTY ATTORNEY'S OFFICE
AS ADMINISTRATIVE DESIGNEE
BY: ANDREA M. LANG

Dated this 15th day of November, 1990.

AMI/cpb

cc: Board of County Commissioners
John G. Mac'Kie, III, Assistant County Attorney
Marsha Segal-George, County Administrator
Carol Waldrop, Acting Director, Division of Planning
Nettie Gustison, Zoning
Fred Burson, Property Appraiser's Office

(4050/43-44)