



July 18, 2025

Lance Wilcox  
1339 Santos Rd  
Fort Myers Beach, FL 33931

RE: 1339 Santos Rd., Fort Myers Beach FL 33931  
Strap #: 19-46-24-W4-0060A.0340  
ZVL 20250165 – Zoning Verification Letter

Dear Applicant,

The Community Development Department has reviewed the zoning verification letter request for **1339 Santos Rd.**, and can provide the following responsive information:

The subject property is in the **Santos** zoning district and designated under the Future Land Use category for **Mixed Residential**. The permitted uses on the Santos zoning district include the following:

- Community residential home
- Dwelling unit
  - Single-family
  - Two-family (if permitted by density)
  - Dwelling unit for Caretaker (as accessory use to marine uses)
- Residential accessory uses
- Home care facility
- Accessory apartment (if permitted by density, see [§ 34-1177](#))
- Rental of any permitted dwelling unit to a single family for periods of one week or longer (see [§§ 34-2391—2410](#) for rules)
- Offices, general or medical
- Home occupation without outside help as accessory use
- Administrative office as accessory use
- Personal services
- Commercial accessory uses



- Drive-through-Type 1 as an accessory use(*Automobile fuel pumps and all drive-throughs (whether Type 1 or Type 2) cannot be constructed within the outer perimeter of the DOWNTOWN zoning district except as provided in [§ 34-676\(f\)](#), whether the subject property is classified in the DOWNTOWN zone or in a Commercial Planned Development zone. See also [§ 34-620\(g\)\(l\)](#) regarding the prohibition on restaurant drive-throughs.*)
- Subordinate commercial uses (see [§ 34-3021](#))
- Administrative office
- ATM
- Dock (for use by water taxi or water shuttle)
- Dock as accessory use (may be leased to non-occupants of principal use)
- Accessory dock (may be leased to non-occupants of principal use)
- Essential service equipment
- Beach or bay access
- Essential services (see [§ 34-1612\(a\)](#))
- Hidden path
- Park, neighborhood
- Family day care home as accessory use
- Public Recreational facility

**The primary structure setbacks for properties in the Santos zoning district**, in accordance with [Table 34-3](#) of the land development code, are as follows:

- The Right-of-Way property line setback is 10 feet.
- The side setbacks for waterfront lots in the Santos zoning district shall be 7 feet.
- The rear property setbacks shall be 20 feet.
- No building or structure shall be placed closer than 25 feet to a property line adjacent to a canal, bay or other waterbody.

**Other Regulations in the Santos zoning district:**



- As per [§6-14](#) the maximum impervious coverage on residential lots is 67%.
- The max. building height is three stories (including the ground floor) and 25 feet (measured from one foot above base elevation or design flood elevation if DEP height applies to the mean roof height).
- Max. building coverage is 40% (*Detached single-family and two-family homes without commercial use, may be evaluated by building coverage rather than FAR.*)
- The minimum parcel size in the Santos zoning district is 5,000 square feet, with a minimum width of 50 feet and a minimum depth of 100 feet.
- The F.A.R in the Santos zoning district is 0.6, per [Table 34-3.](#)
- The property is within FEMA Flood Zone AE EL 11.
- There are no active code violations on this property.
- There are no active Special Exceptions, Deviations, or Variances for this property.

As per LDC 34-648(c) *In addition to these restrictions on allowable uses and dimensional requirements, the commercial design standards found in §§ 34-991—34-1010 of this chapter apply to all commercial and mixed-use buildings or portions thereof that are being newly built and to "substantial improvements" to such buildings as defined in § 6-405 of this LDC.*

### **Applicants' Questions:**

1. Please include any possible, proposed or projected changes in the land development code that could affect this property.

**Response:** Over the next year, the Town anticipates undertaking updates to the Land Development Code (LDC); however, staff is currently unable to determine which specific amendments will be approved by the Town Council.



2. The ZVL says accessory apartment allowed if density allows but 1339 Santos Rd had a legal apartment prior to the hurricane. The town may even have a record of this apartment. Can the Town edit the ZVL to reflect this?

**Response:** The Town has reviewed available records and was unable to locate 1339 Santos Rd on the approved apartment list. According to the Lee County Property Appraiser, the property is classified as a single-family residence with a one-story, split entry/raised ranch building type. The existing building footprint does not include any labels indicating the presence of an additional dwelling unit (e.g., “APT” or “Unit 2”). If an accessory apartment previously existed on the property, documentation confirming legal establishment prior to Hurricane Ian would be required for further consideration under the Town’s post-disaster build-back provisions. At this time, without such documentation, the Town cannot confirm the existence of a legally recognized second unit.

If you have any further questions or need additional clarification, please don't hesitate to reach out to the Zoning Department at [zoningpermits@fmbgov.com](mailto:zoningpermits@fmbgov.com) or [stephaniesolis@axiscompanies.com](mailto:stephaniesolis@axiscompanies.com) with any questions.

*This letter is in response to the zoning verification application submitted on June 17, 2025. Please note that the information provided may change if there are updates on zoning, maps, or policies.*

Sincerely,

Stephanie Solis  
Planner  
[stephaniesolis@axiscompanies.com](mailto:stephaniesolis@axiscompanies.com)  
Town of Fort Myers Beach  
Community Development Department