

LPA RESOLUTION 2025-03

A RESOLUTION OF THE FORT MYERS BEACH LOCAL PLANNING AGENCY APPROVING WITH CONDITIONS VARIANCE 20250015, REQUESTING FOUR VARIANCES FROM LDC TABLE 34-3 FOR THE PROPERTY LOCATED AT 702 ESTERO BOULEVARD., GENERALLY REFERED TO AS STRAP NUMBER 24-46-23-W3-00400.008E IN FORT MYERS BEACH, TO VARY FROM REQUIRED STREET SETBACK, REAR SETBACKS, AND SIDE SETBACKS TO BUILD A NEW SINGLE FAMILY STRUCTURE IN THE RM ZONING DISTRICT; AND PROVIDING FOR OTHER CLARIFICATIONS AS NECESSARY; PROVIDING FOR CONFLICTS OF LAW, SCRIVENER'S ERRORS, SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Florida Statutes provide that municipalities shall have the governmental, corporate, and proprietary powers to enable them to conduct municipal government, perform municipal functions, render municipal service, and exercise any power for municipal purposes, except when expressly prohibited by law; and

WHEREAS, Article X of the Town Charter of the Town of Fort Myers Beach empowers the Town to adopt, amend, or repeal such ordinances and resolutions as may be required for the proper governing of the Town; and

WHEREAS, Kara Stewart ("Applicant") and Heidi E. Trustee For Heidrun E Wright Trust ("Owners") of the property located at 702 Estero Boulevard (Property), are requesting variances from LDC Table 34-3 of 1) a variance of 16 feet from the required street setback resulting in a street setback of 9 feet; 2) a variance of 12 feet 6 inches from the required rear setback resulting in a rear setback of 7 feet 6 inches; 3) a variance of 2 feet 6 inches from the south side required setback resulting in a side setback of 5 feet; and 4) a variance of 1 inch from the north side required setback resulting in a side setback of 7.43 feet to construct a new single-family structure in the RM zoning district; and

WHEREAS, the STRAP number for the subject property is 24-46-23-W3-00400.008E; and

WHEREAS, the Property is located in the "Mixed Residential" Future Land Use Map of the Comprehensive Plan and the "Residential" and "Multifamily" zoning districts of the Official Zoning Map of the Town of Fort Myers Beach, Florida; and

WHEREAS, a public hearing on this matter was legally noticed and held before the Local Planning Agency (LPA) on March 11th, 2025, each variance requests were voted as separate items and at said hearing the LPA gave full and complete consideration to the request of Applicant, recommendations of staff, the documents in the file, and the testimony of all interested persons, as required by Section 34-87 of the LDC; and

WHEREAS, a public hearing on this matter was legally noticed and held before the Local Planning Agency (LPA) on March 11, 2025, and at said hearing the LPA took a vote for each of the four variances. The LPA voted unanimously for approval of the first variance request, as

required by Section 34-87 of the LDC; and the LPA voted unanimously for approval of the second variance request,

At said hearing the LPA voted unanimously for approval of the third variance request, and at said hearing the LPA voted unanimously for approval of the fourth variance request, as required by Section 34-87 of the LDC; and

WHEREAS, in accordance with the requirements of LDC Sections 34-84 and 34-87 regarding consideration of eligibility for a variance, the LPA makes the following findings and conclusions:

A. There are exceptional or extraordinary conditions or circumstances that are inherent to the property in question, and the request is for a de minimis variance under circumstances or conditions where rigid compliance is not essential to protect public policy.

B. The conditions justifying the variance are not the result of actions of the applicant taken after the adoption of the regulation in question.

C. The variance granted is the minimum variance that will relieve the applicant of an unreasonable burden caused by the application of the regulation to the property in question.

D. The granting of the variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

E. The conditions or circumstances on the specific piece of property for which the variance is sought are not of so general or recurrent a nature as to make it more reasonable and practical to amend the regulation in question.

WHEREAS, eligible members of the LPA voted unanimously by roll call vote to approve the requested variances with the following conditions:

- 1) Approval of these variances does not give the Applicant an undeniable right to permit approval. Development of the Property must comply with all applicable requirements of the Fort Myers Beach Comprehensive Plan and LDC in effect at the time of permit approval, except as specifically modified herein.
- 2) Property owner must ensure that they adhere to the Neighborhood flooding ordinance (LDC Sec. 6-14) for drainage and 67% maximum impervious requirements.
- 3) The variances shall only apply to the single-family home as shown on the provided site plan. Demolition or substantial damage to the residential structure shall render the variances to be null and void.

- 4) Property owner must ensure that no vehicles are parked in the 7.5-foot ingress and egress easement.
- 5) Property owner must apply and obtain a demolition permit prior to applying for a building permit.; and

WHEREAS, Ordinance 24-06 amended Section 34-232(d) of the LDC to provide that:

(d) Owner-initiated requests for variances, or required reviews to extend or to provide evidence of satisfaction of conditions contained in prior land use approvals, that are:

- 1) approved by a unanimous vote of the local planning agency members who are eligible to vote, and
- 2) not subject to a request for an additional public hearing before the town council made by anyone that is received by the town clerk within 10 business days after the date of the local planning agency decision, excluding holidays, only require one public hearing before the local planning agency, and the local planning agency decision is final agency action.

IT IS HEREBY RESOLVED BY THE LPA OF THE TOWN OF FORT MYERS BEACH, FLORIDA, AS FOLLOWS:

1. The foregoing “WHEREAS” clauses are adopted herein by reference and constitute the findings and conclusions of the LPA.
2. VAR20250015, with the conditions contained herein, received unanimous approval from eligible voting members of the LPA on March 11, 2025.
3. This Resolution shall constitute the equivalent of a development order and final agency action, subject to any request for an additional review by the Town Council filed with the Town Clerk within 10 business days of the LPA decision as authorized in Section 34-232(d) of the LDC.

The foregoing Variance 1 of this Resolution was adopted upon a motion by LPA Member Plummer and seconded by LPA Member Sudduth and upon being put to a roll call vote, the result was as follows for the first variance request:

LPA Chair Anita Cereceda	Aye
LPA Vice-Chair Jane Plummer	Aye
LPA Member James Boan	Absent
LPA Member Douglas Eckmann	Aye
LPA Member Don Sudduth	Aye
LPA Member John McLean	Aye
LPA Member James Dunlap	Aye

The foregoing Variance 2 of this Resolution was adopted upon a motion by LPA Member Dunlap and seconded by LPA Member McLean and upon being put to a roll call vote, the result was as follows for the second variance request:

LPA Chair Anita Cereceda	Aye
LPA Vice-Chair Jane Plummer	Aye
LPA Member James Boan	Absent
LPA Member Douglas Eckmann	Aye
LPA Member Don Sudduth	Aye
LPA Member John McLean	Aye
LPA Member James Dunlap	Aye

The foregoing Variance 3 of this Resolution was adopted upon a motion by LPA Member McLean and seconded by LPA Member Dunlap and upon being put to a roll call vote, the result was as follows for the third variance request:

LPA Chair Anita Cereceda	Aye
LPA Vice-Chair Jane Plummer	Aye
LPA Member James Boan	Absent
LPA Member Douglas Eckmann	Aye
LPA Member Don Sudduth	Aye
LPA Member John McLean	Aye
LPA Member James Dunlap	Aye

The foregoing Variance 4 of this Resolution was adopted upon a motion by LPA Member Eckmann and seconded by LPA Member Sudduth and upon being put to a roll call vote, the result was as follows for the fourth variance request:

LPA Chair Anita Cereceda	Aye
LPA Vice-Chair Jane Plummer	Aye
LPA Member James Boan	Absent
LPA Member Douglas Eckmann	Aye
LPA Member Don Sudduth	Aye
LPA Member John McLean	Aye
LPA Member James Dunlap	Aye

DULY PASSED AND ADOPTED THIS 11th day of March 2025.

Local Planning Agency of the Town of
Fort Myers Beach

By: 
Anita Cereceda (Mar 20, 2025 19:43 EDT)
Anita Cereceda, LPA Chair

Approved as to legal sufficiency:

ATTEST:

By: 
(Mar 23, 2025 20:40 EDT)
Vose Law Firm, Town Attorney

By: 
Amy Baker (Mar 21, 2025 10:29 EDT)
Amy Baker, Town Clerk

This Resolution was filed in the Office of the Town Clerk on the 28th day of March 2025.

EXHIBIT A: Site Plan

WRIGHT RESIDENCE

NEW MODULAR HOME

PROJECT ADDRESS

702 ESTERO BLVD
FORT MYERS BEACH, FL

SQUARE FOOTAGE

1st A/C LIVING:	1,080 sqft
GROUND FLOOR BUILDING ACCESS:	250 sqft
GROUND FLOOR STORAGE:	90 sqft
GARAGE:	442 sqft
COVERED LANAI GROUND FLOOR:	568 sqft
COVERED LANAI 1st FLOOR:	270 sqft
TOTAL A/C:	1,080 sqft
TOTAL NON A/C:	1,620 sqft
TOTAL SQFT:	2,700 sqft

LOT COVERAGE

SITE AREA:	3,089 sqft
HORIZONTAL AREA:	1,080 sqft
TOTAL LOT COVERAGE:	1,080 / 3,089 .35

COMPLIANCE NOTE

THESE PLANS ARE DESIGNED TO BE IN COMPLIANCE W/ SECTION 1609.00 OF THE FLORIDA BUILDING CODE 8th EDITION (2023) 161 MPH LOADS & FOR DEAD & LIVE LOADS PER THE FLORIDA BUILDING CODE, RESIDENTIAL, 8th EDITION; AND WITH ASCE 24-12 FLOOD RESISTANT DESIGN AND CONSTRUCTION.

STRUCTURE(S) WILL BE PROPERLY ANCHORED TO PREVENT FLOTATION, COLLAPSE OR LATERAL MOVEMENT FROM DESIGNED FLOOD LOADS PER ASCE 24 AND FLORIDA BUILDING CODE 8th EDITION (2023).

ELECTRICAL, PLUMBING, MECHANICAL, HVAC, AND OTHER SYSTEMS THAT SERVE BUILDINGS AND STRUCTURES ARE TO BE LOCATED OR ELEVATED ABOVE THE DESIGN FLOOD ELEVATION PER ASCE 24 AND FLORIDA BUILDING CODE 8th EDITION (2023).

UPON PLACEMENT OF THE LOWEST FLOOR, INCLUDING BASEMENT, AND PRIOR TO FURTHER VERTICAL CONSTRUCTION, THE "UNDER CONSTRUCTION" ELEVATION CERTIFICATION SHALL BE SUBMITTED TO THE AUTHORITY HAVING JURISDICTION

OCCUPANCY CLASSIFICATION	GROUP R3 (RESIDENTIAL)
CONSTRUCTION CLASSIFICATION	TYPE VB
ALLOWABLE STORIES	3
ALLOWABLE SQUARE FOOTAGE	UNLIMITED
MAXIMUM ALLOWABLE HEIGHT	+35'-0"
MEAN ROOF HEIGHT	+17'-7 3/8" FROM BFE

PROJECT TEAM

BUILDER/ CONTRACTOR

IDYLL CONSTRUCTION
854 RIVER POINT DR
NAPLES, FL 34102
Tel: (239) 947-7030

DESIGNER

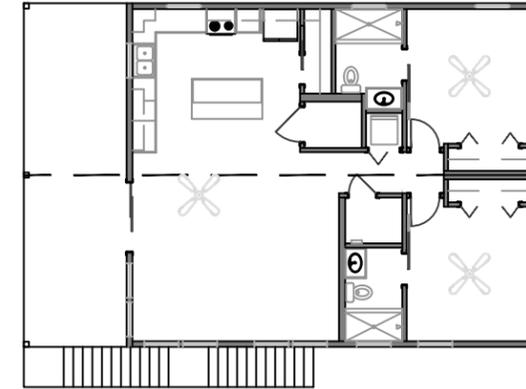
IDYLL CONSTRUCTION
854 RIVER POINT DR
NAPLES, FL 34102
Tel: (239) 947-7030

STRUCTURAL ENGINEER

SOUTHERN ENGINEERING OF SW FLORIDA
14091 OAK HAMMOCK LANE
FORT MYERS, FL 33905
Tel: (239) 288-5292

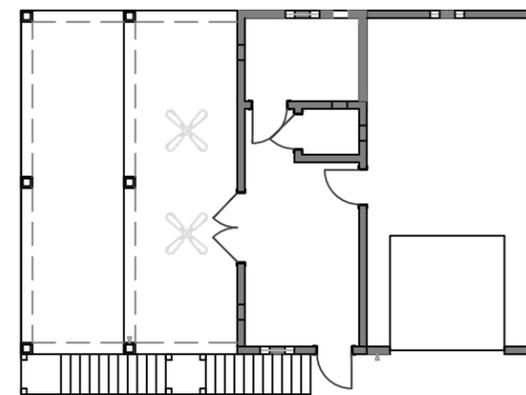
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1st FLOOR PLAN

SCALE: 1/16"=1'-0"



GROUND FLOOR PLAN

SCALE: 1/16"=1'-0"



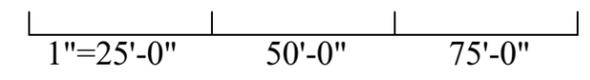
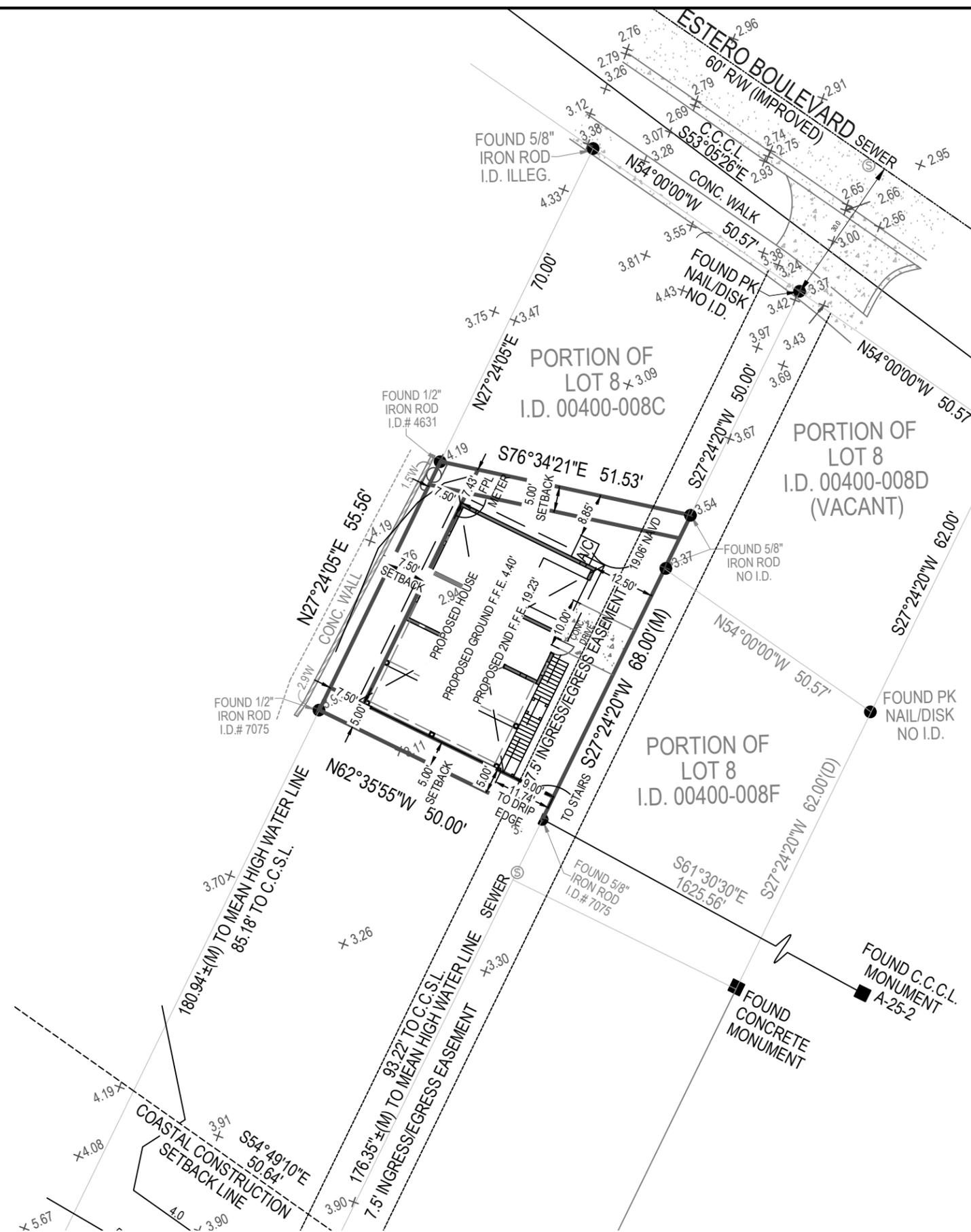
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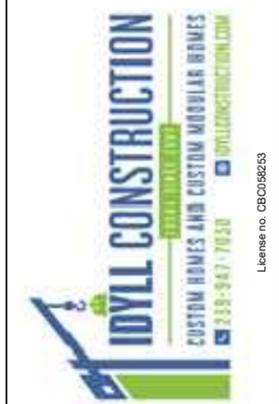
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PROJECT NAME AND ADDRESS
WRIGHT RESIDENCE
702 ESTERO BLVD
FORT MYERS BEACH, FL

CHECK BY:	
DRAWN BY:	MCS
DATE:	1/10/2025
PROJECT NO.:	942
SHEET NAME:	COVER PAGE
SHEET NO.:	A-1



SITE & DRIVEWAY PLAN
SCALE: 1"=25'-0"

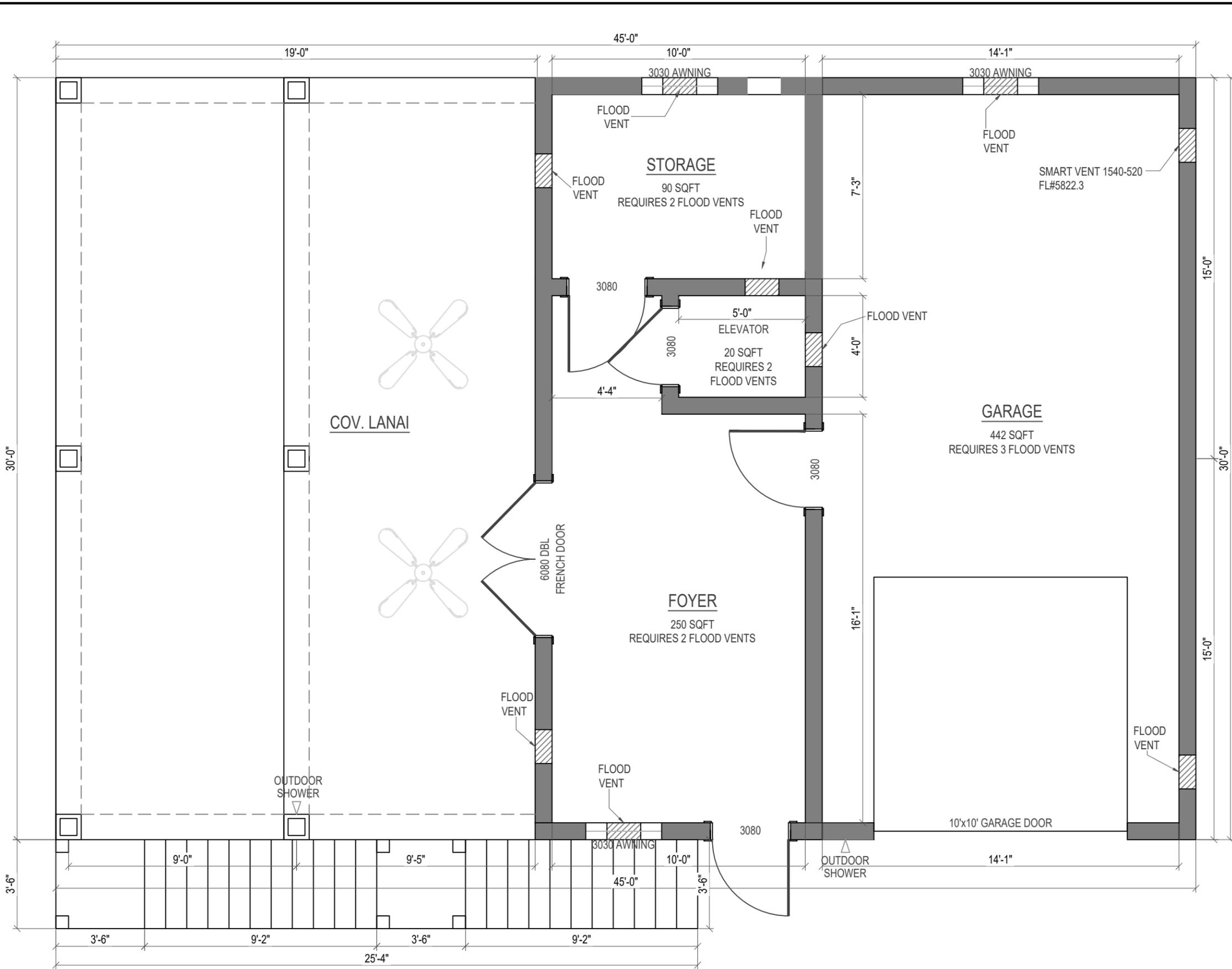


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PROJECT NAME AND ADDRESS
WRIGHT RESIDENCE
702 ESTERO BLVD
FORT MYERS BEACH, FL

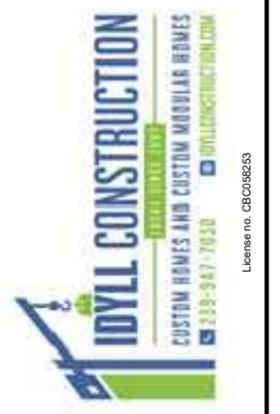
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DATE:	1/10/2025
PROJECT NO:	942
SHEET NAME:	SITE & DRIVEWAY PLAN
SHEET NO.:	A-2



DOOR SCHEDULE:
 3080 THERMA-TRU FIBERGLASS SINGLE DOOR FL#20468.1
 6080 THERMA-TRU FIBERGLASS DOUBLE DOOR FL#20470.3
 10' GARAGE CLOPAY COACHMAN 10'x8' STEEL & COMPOSITE DOOR FL#5684-R9

WINDOW SCHEDULE:
 3056 SCHWINCO SERIES 9500 CASEMENT WINDOW FL#15757.1-R10

GENERAL NOTES:
 STRUCTURAL AND NON-STRUCTURAL COMPONENTS BELOW THE DESIGN FLOOD ELEVATION (BFE +1) ARE TO BE CONSTRUCTED OF MATERIALS THAT ARE DURABLE, RESISTANT TO FLOOD FORCES, AND RESISTANT TO DETERIORATION CAUSED BY REPEATED INUNDATION BY FLOOD WATERS.
 Note: Any wood contacting block or concrete shall be pressure treated
 ANY GROUND LEVEL PLUMBING, IF SHOWN ON DRAWINGS OR INCLUDED IN CONTRACTORS SPECS, (BEACH SHOWER AND HOSE BIBS (FIELD LOCATED)) MUST BE DESIGNED TO PREVENT WATER FROM ENTERING OR ACCUMULATION WITHIN THE COMPONENTS DURING CONDITIONS OF FLOODING AND DESIGNED AND INSTALLED TO RESIST FLOOD LOADS AND PREVENT WATER FROM ENTERING.



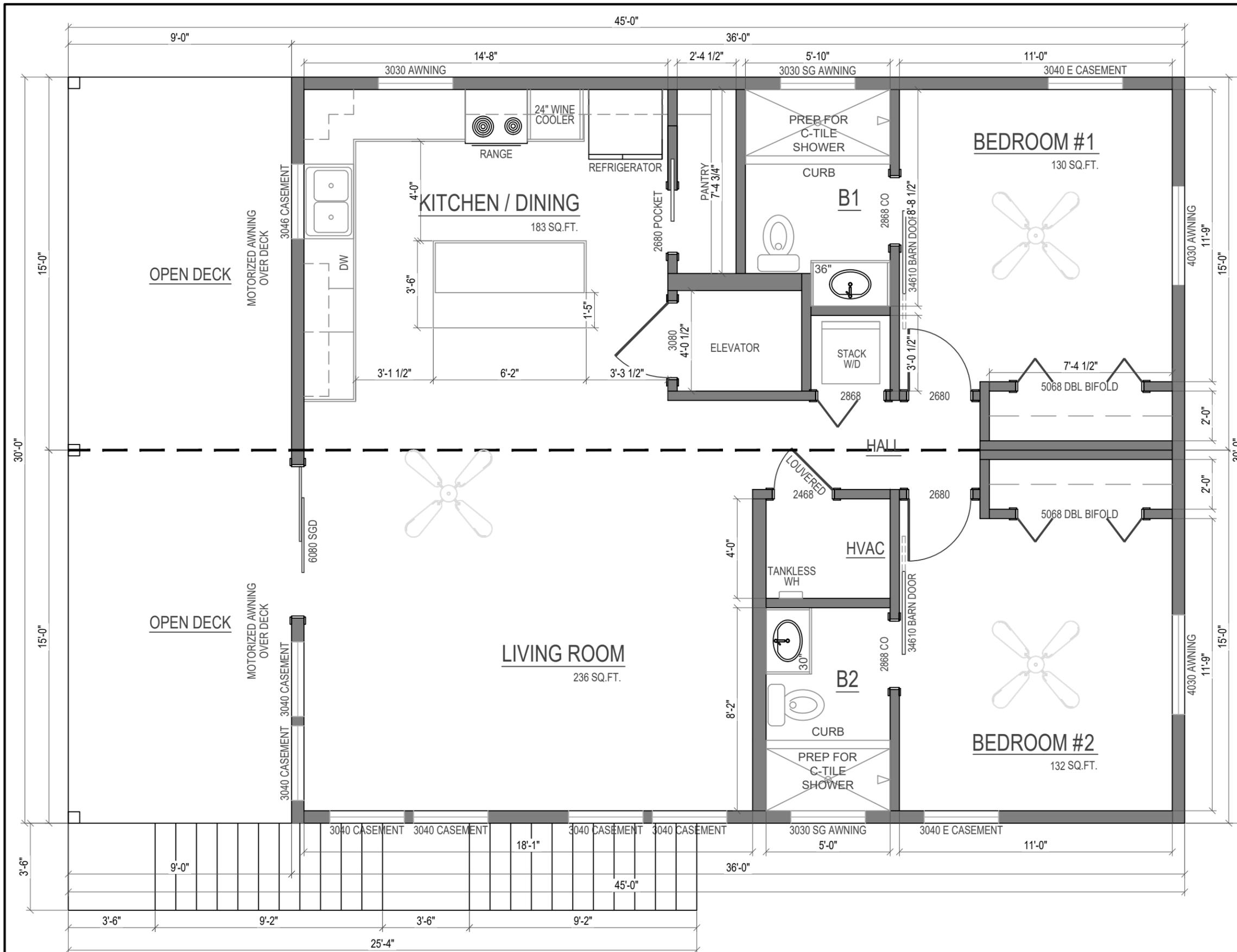
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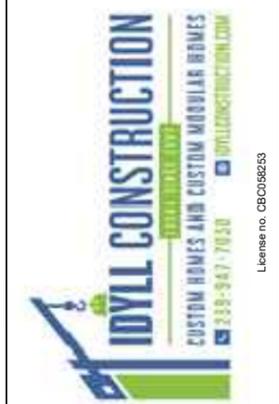
PROJECT NAME AND ADDRESS
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 702 ESTERO BLVD
 FORT MYERS BEACH, FL

CHECK BY:	MCS
DRAWN BY:	1/10/2025
DATE:	942
PROJECT NO.:	GROUND FLOOR PLAN
SHEET NAME:	A-3
SHEET NO.:	

GROUND FLOOR PLAN
 SCALE: 1/4"=1'-0"



FIRST FLOOR PLAN
SCALE: 1/4"=1'-0"

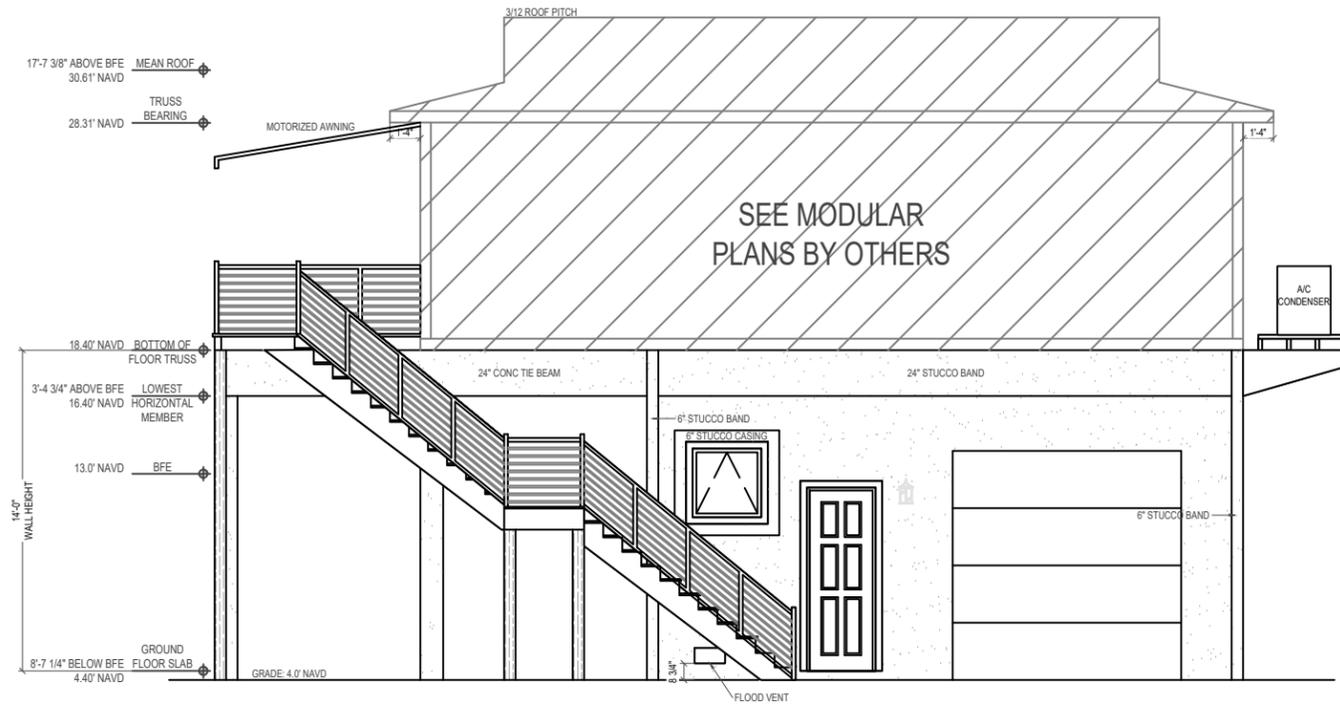


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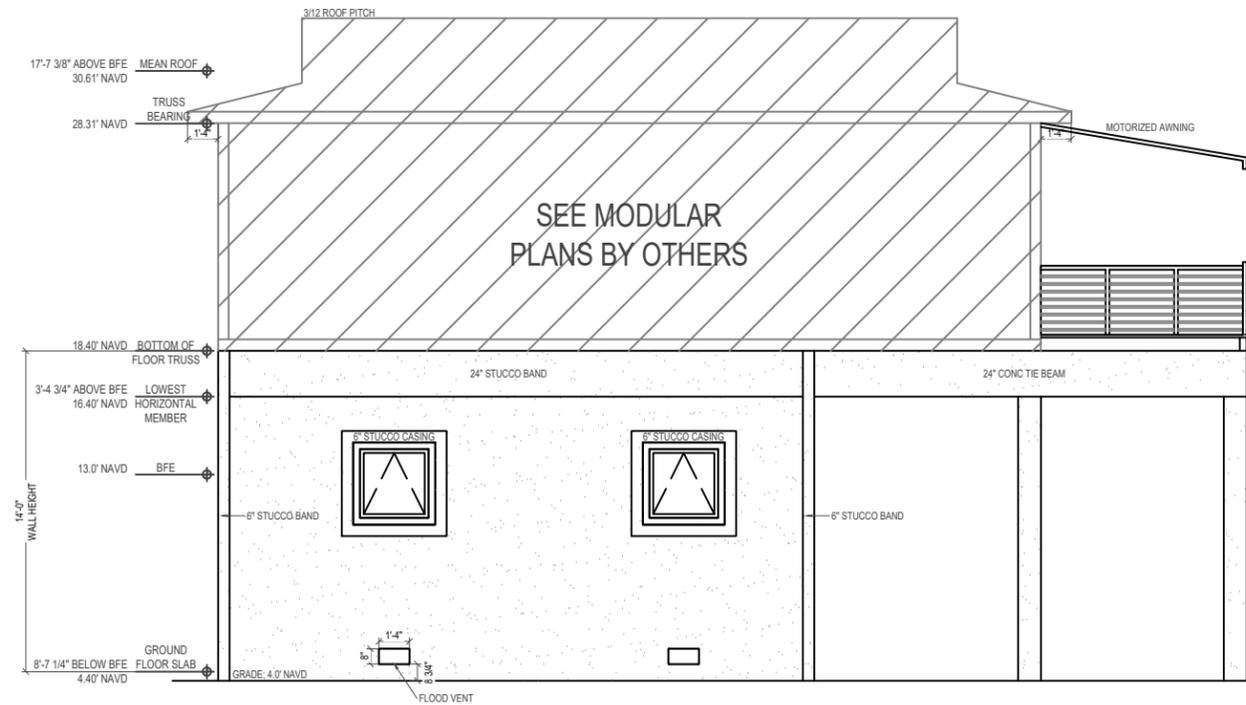
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PROJECT NAME AND ADDRESS
WRIGHT RESIDENCE
702 ESTERO BLVD
FORT MYERS BEACH, FL

CHECK BY:	MCS
DRAWN BY:	MCS
DATE:	1/10/2025
PROJECT NO:	942
SHEET NAME:	FIRST FLOOR PLAN
SHEET NO.:	A-4



FRONT



REAR

FRONT & REAR ELEVATIONS
 ON SITE WORK
 SCALE: 1/8"=1'-0"

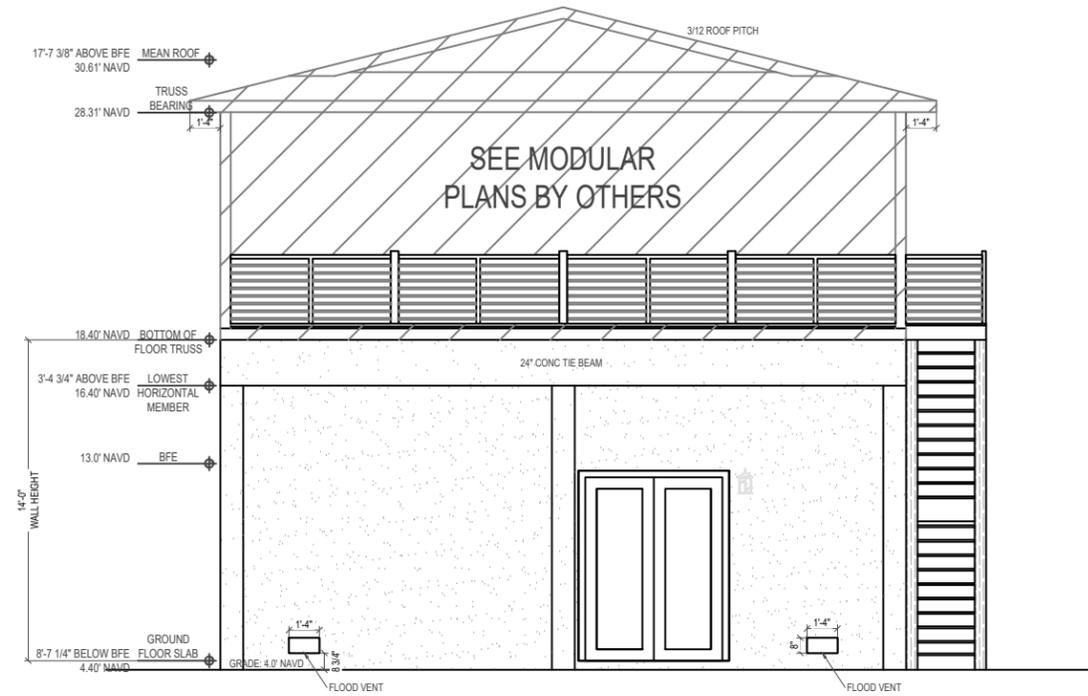


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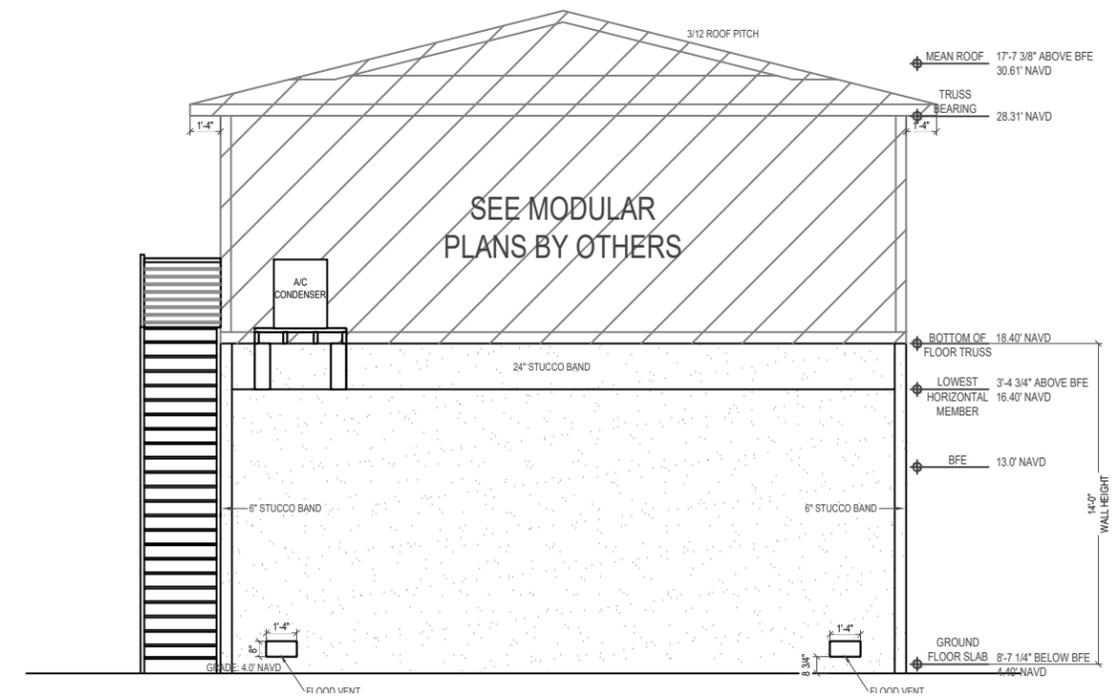
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PROJECT NAME AND ADDRESS
WRIGHT RESIDENCE
 702 ESTERO BLVD
 FORT MYERS BEACH, FL

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DATE:	1/10/2025
PROJECT NO.:	942
SHEET NAME:	FRONT & REAR ELEVATIONS - ON SITE WORK
SHEET NO.:	A-5

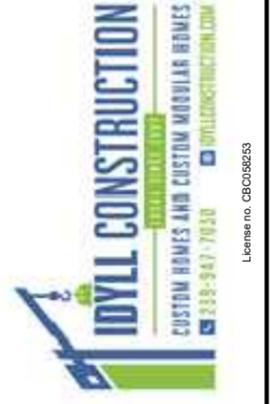


LEFT



RIGHT

LEFT & RIGHT ELEVATIONS
ON SITE WORK
SCALE: 1/8"=1'-0"

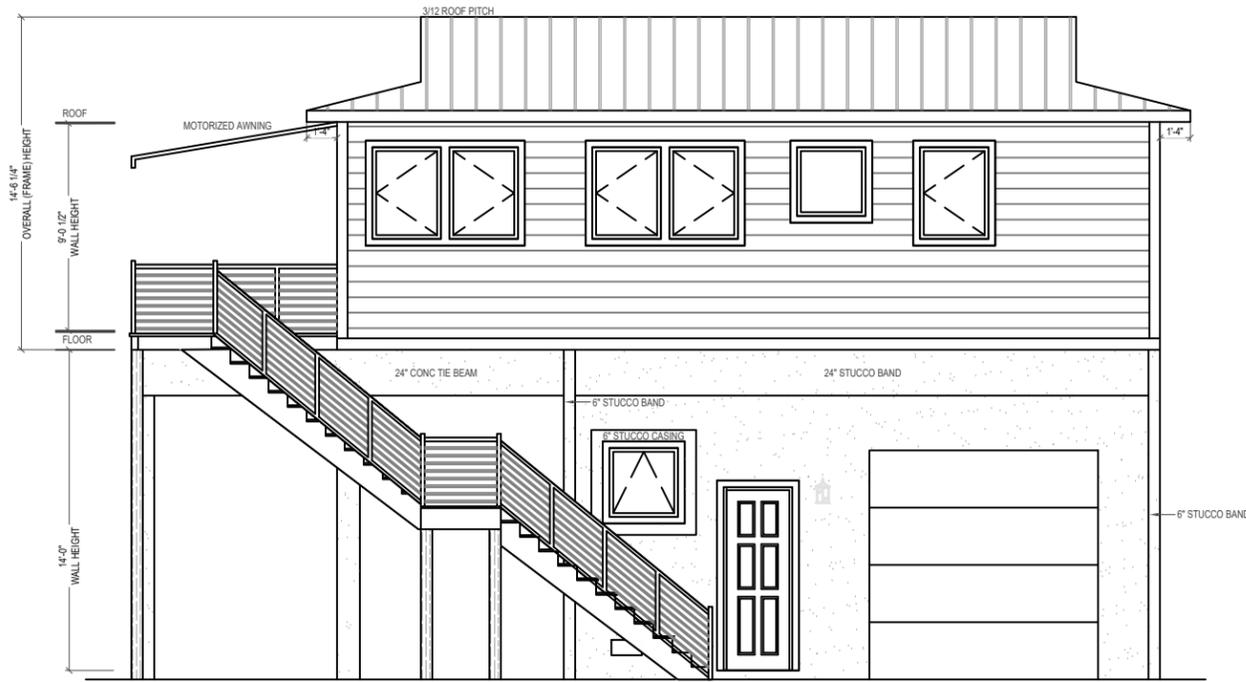


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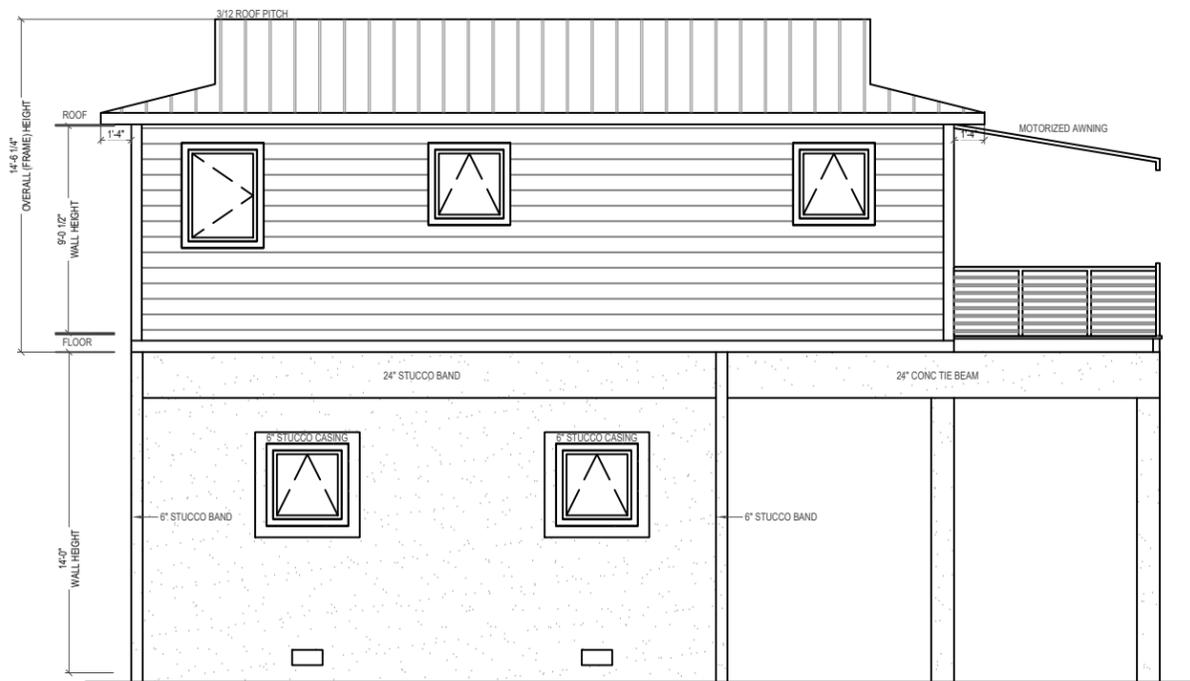
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PROJECT NAME AND ADDRESS
WRIGHT RESIDENCE
702 ESTERO BLVD
FORT MYERS BEACH, FL

CHECK BY:	
DRAWN BY:	MCS
DATE:	1/10/2025
PROJECT NO.:	942
SHEET NAME:	LEFT & RIGHT ELEVATIONS - ON SITE WORK
SHEET NO.:	A-6



FRONT



REAR

FRONT & REAR ELEVATIONS
 COMPOSITE
 SCALE: 1/8"=1'-0"



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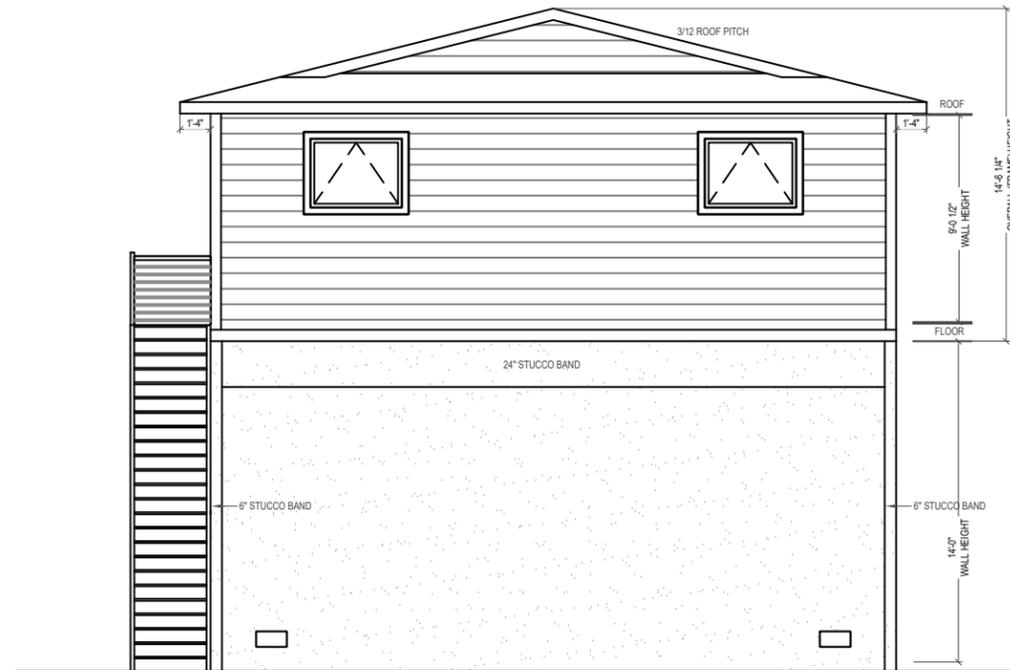
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PROJECT NAME AND ADDRESS
WRIGHT RESIDENCE
 702 ESTERO BLVD
 FORT MYERS BEACH, FL

CHECK BY:	
DRAWN BY:	MCS
DATE:	1/10/2025
PROJECT NO:	942
SHEET NAME:	FRONT & REAR ELEVATIONS - COMPOSITE
SHEET NO:	A-7

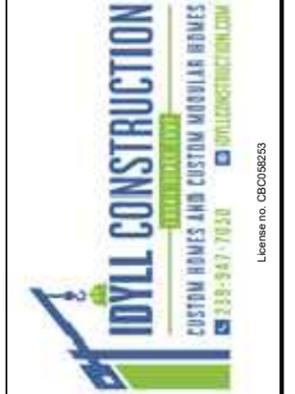


LEFT



RIGHT

LEFT & RIGHT ELEVATIONS
 COMPOSITE
 SCALE: 1/8"=1'-0"

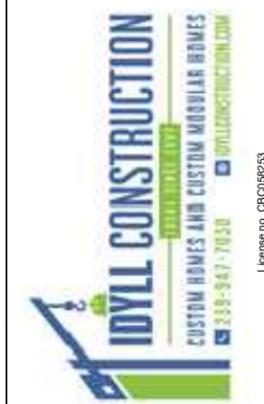
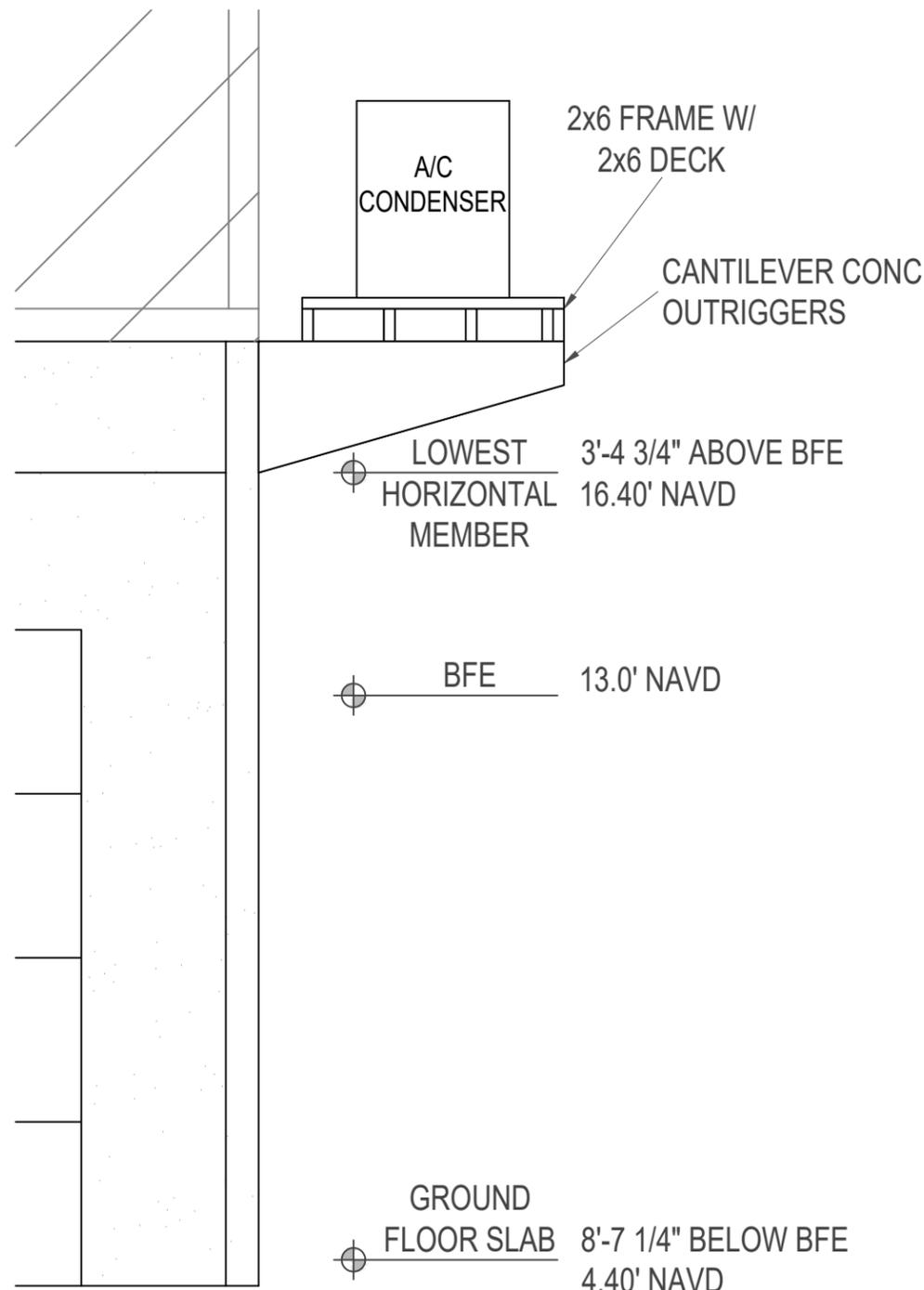
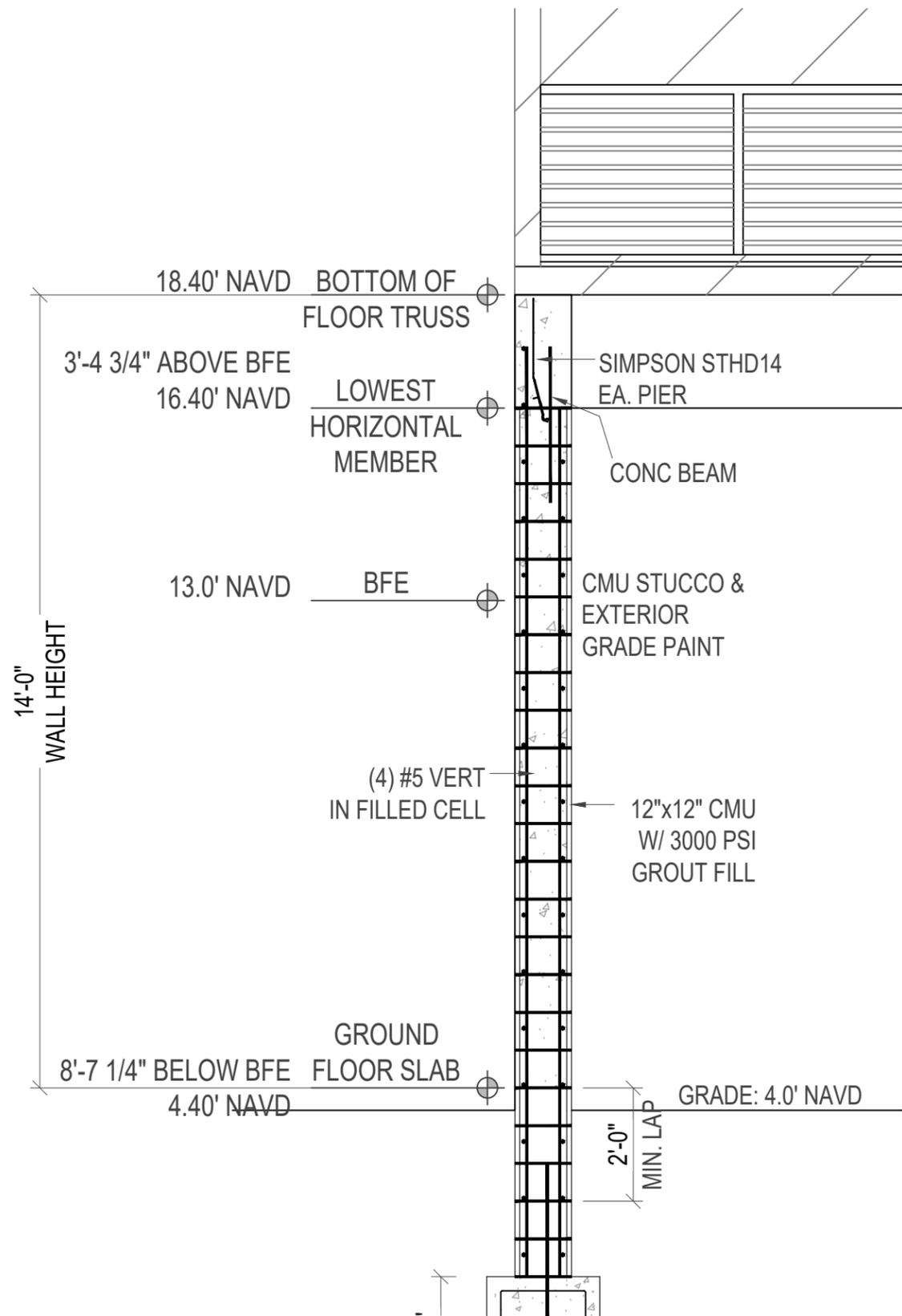


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PROJECT NAME AND ADDRESS
WRIGHT RESIDENCE
 702 ESTERO BLVD
 FORT MYERS BEACH, FL

CHECK BY:	
DRAWN BY:	MCS
DATE:	1/10/2025
PROJECT NO.:	942
SHEET NAME:	LEFT & RIGHT ELEVATIONS - COMPOSITE
SHEET NO.:	A-8



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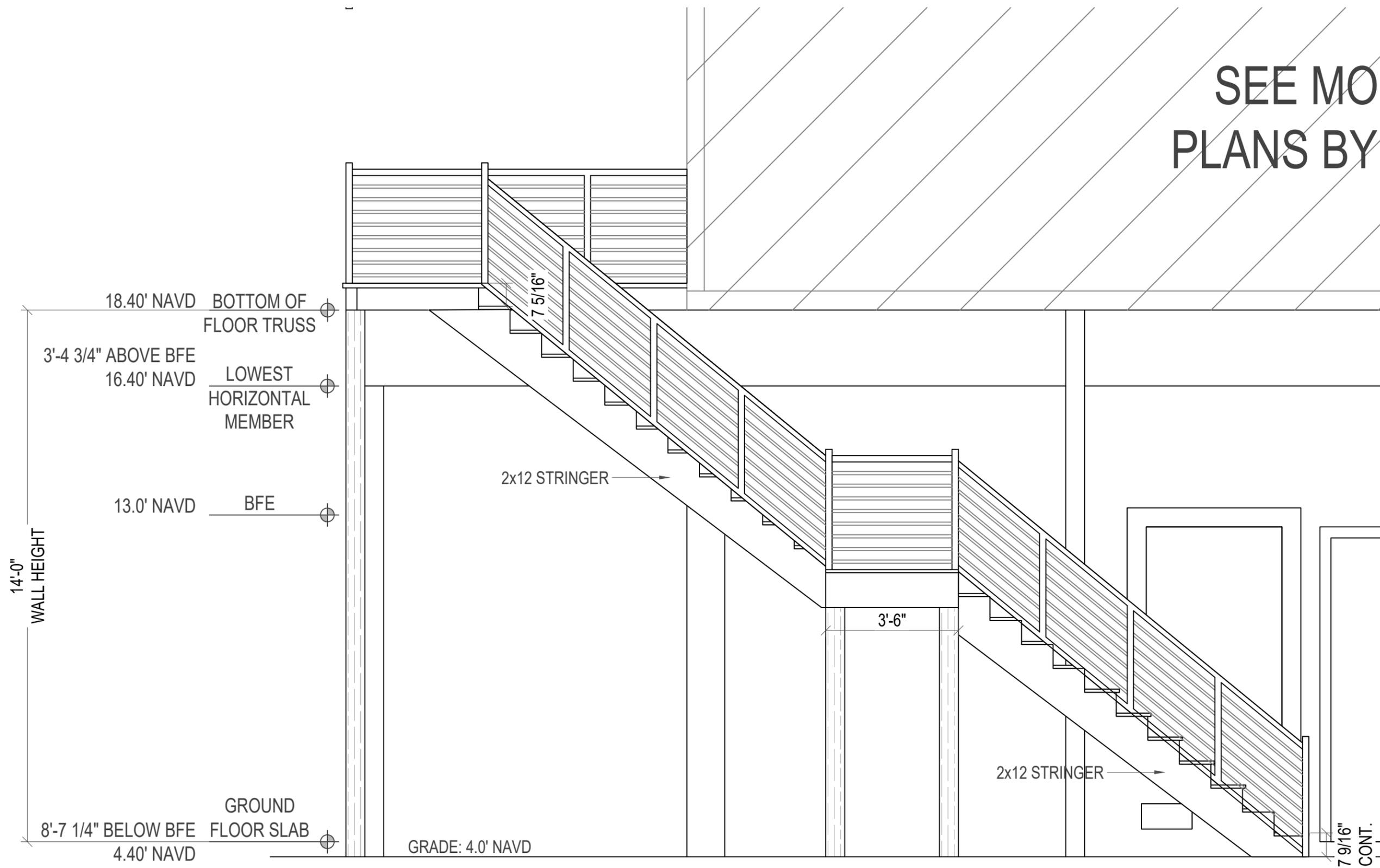
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PROJECT NAME AND ADDRESS
WRIGHT RESIDENCE
 702 ESTERO BLVD
 FORT MYERS BEACH, FL

CHECK BY:	
DRAWN BY:	MCS
DATE:	1/10/2025
PROJECT NO:	942
SHEET NAME:	TYPICAL WALL DETAILS
SHEET NO.:	S-1

TYPICAL WALL DETAILS
 NTS

SEE MOI
PLANS BY



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No.	Issue	Date	Revision	Date
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PROJECT NAME AND ADDRESS
WRIGHT RESIDENCE
 702 ESTERO BLVD
 FORT MYERS BEACH, FL

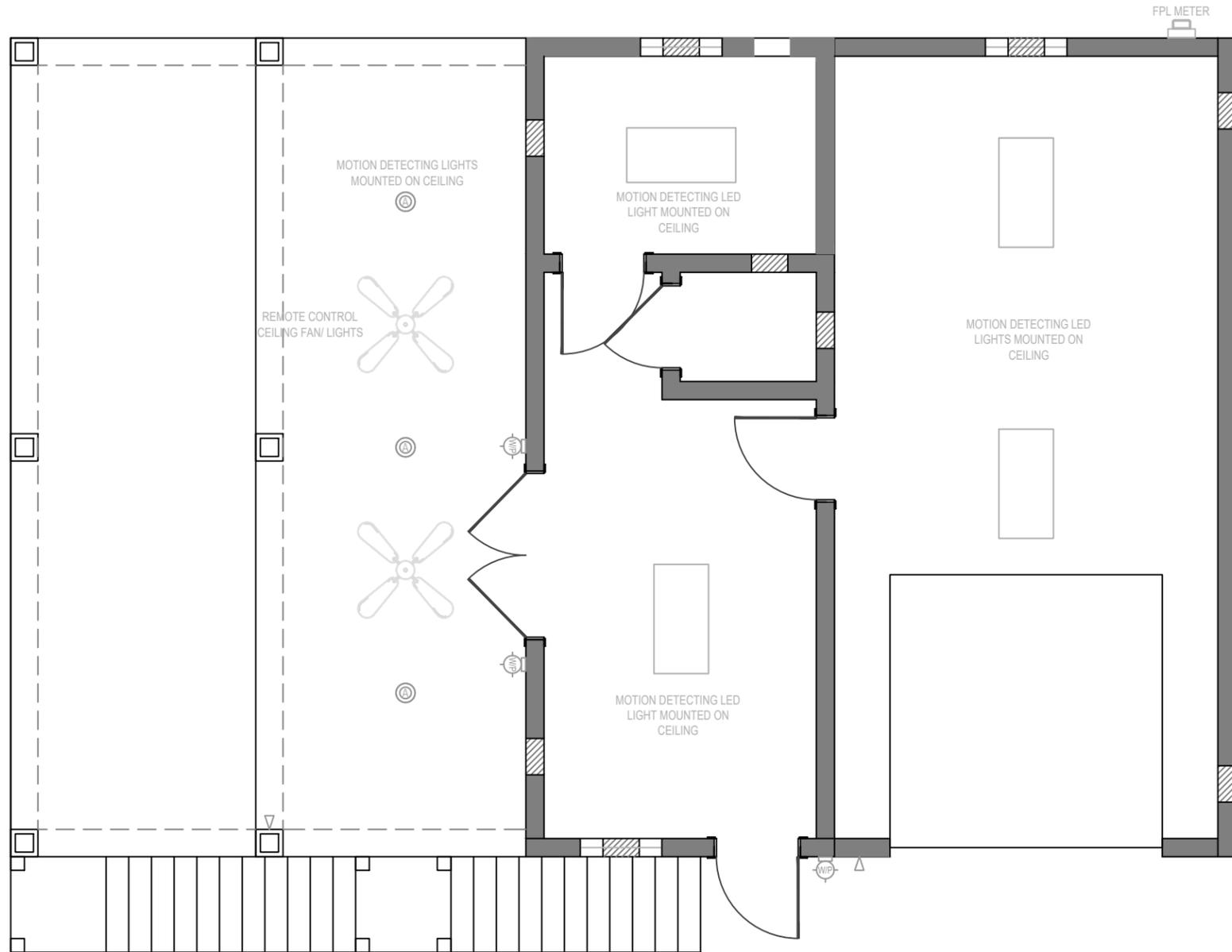
CHECK BY:	
DRAWN BY:	MCS
DATE:	1/10/2025
PROJECT NO:	942
SHEET NAME:	STAIR DETAILS
SHEET NO.:	S-2

STAIR DETAILS
NTS

FLOOD VENT NOTE:

THE DESIGN OF THE OPENINGS WILL PROVIDE FOR EQUALIZATION OF HYDROSTATIC FLOOD FORCES ON EXTERIOR WALLS BY ALLOWING FOR THE AUTOMATIC ENTRY AND EXIT OF FLOODWATERS AS SPECIFIED IN SECTION 2.7.2.2 OF ASCE 24

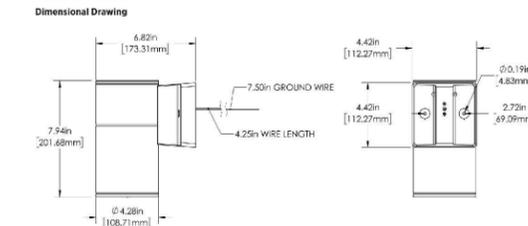
FLOOD VENTS TO BE PLACED NO MORE THAN 12" ABOVE GRADE



EXTERIOR LIGHTS:

superbrightleds.com
WSR Series
Turtle Friendly LED Wall Sconce Specifications

SYMBOL:



Specifications

Model	WSR-15K20-DBK-A	WSR-15K20-DWH-A
Finish	Black	White
Operating Voltage	120-277 VAC	
Power Consumption	20 W	
Current	120 VAC: 185 mA	
Driver	277 VAC: 75 mA	
Efficacy	28 lm/W	
Lumens	550 lm	
Color Temperature	1500K	
LED Color	Amber (590 nm)	
Beam Angle	102°	
Dimming	N/A	
Environmental Rating	Suitable for wet locations	
Surge Protection	2 kV	
Rated Life (L70)	50,000 hours @40°C	
Ambient Operating Temperature	-40°-104° F (-40°-40° C)	

Specifications are subject to change without notice.
T 866.811.5550
F 314.972.6202
email: commercial-sales@superbrightleds.com
www.superbrightleds.com/cal/industrial-wall-lighting/

SYMBOL:



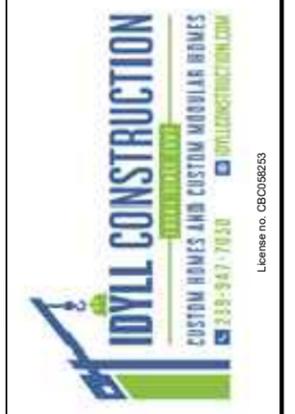
New Construction Air-Tight IC & Non-IC with E26 socket
P87-AT
Ceiling opening: 6-7/8" dia.
Plaster frame: 7-7/8" x 10-3/4"
Recessed depth: 7-1/4"
Pryouts: 1/2" & 3/4"

STEP BAFFLE
P8066-31 Black
White flange.
IC: 75w PAR30, 65w BR30
Non-IC: 150w PAR38, 120w BR40, 40w A19

- P87-AT HOUSING FEATURES**
- UL & CUL listed for damp locations and through wiring.
 - Meets Washington State Energy Code requirements.
 - Can be installed in ceilings from 1/2" to 2-1/2" thick.
 - Tool-less can adjustment for varying ceiling thickness.
 - Slotted, interlocking bar hangers securely span 24" T-bar spacing.
 - Integral Romex clamp.
 - Full reflector design eliminates light leaks.
 - Rated for 8 #12 90° conductors (4 in/4 out).
 - US Patent #5758959, 5857766, 6004011.

ALL EXTERIOR LIGHTS TO BE AMBER-LIT

GROUND FLOOR ELECTRICAL PLAN
SCALE: 3/16"=1'-0"



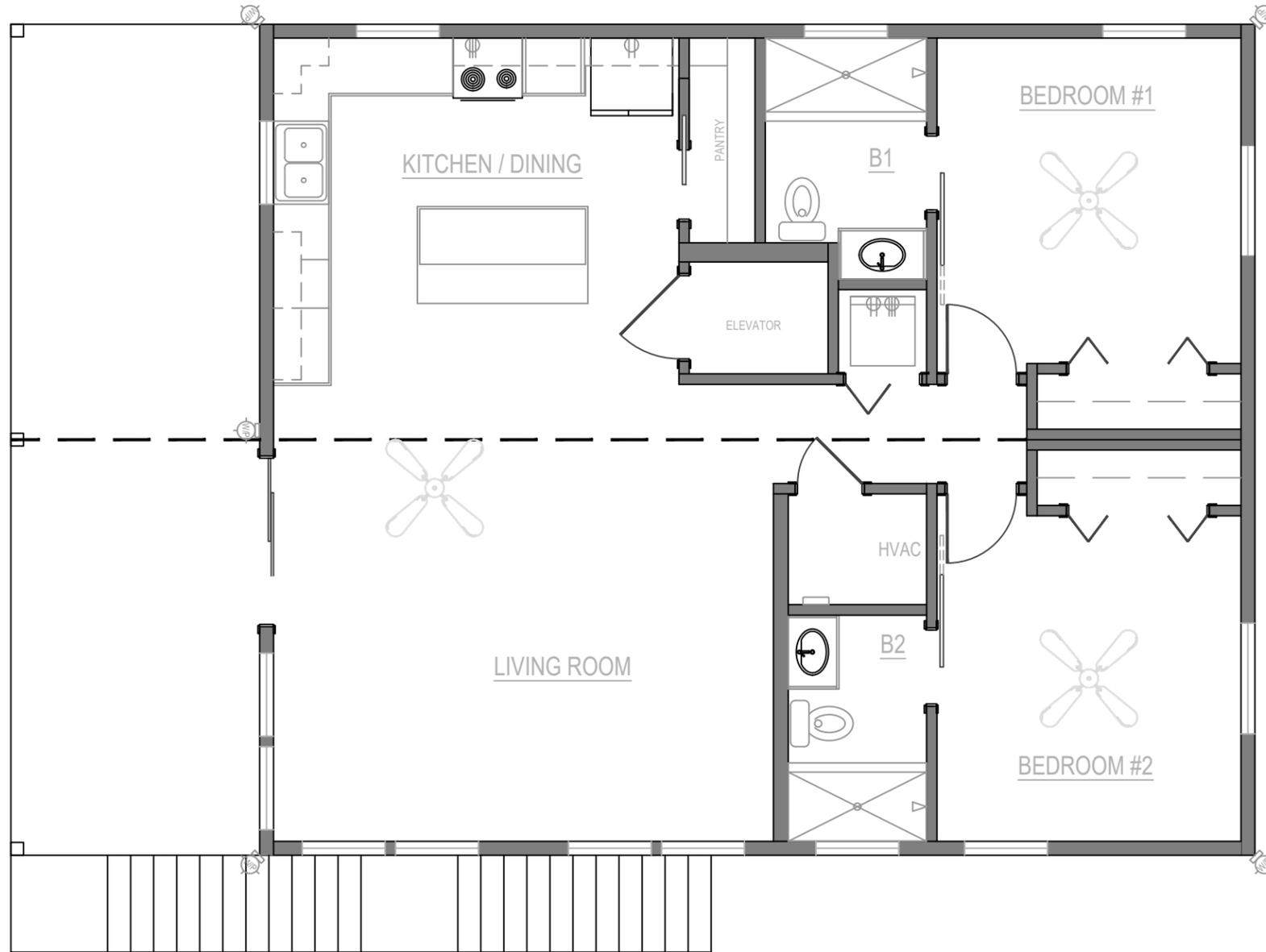
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No.	Date	Revision
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PROJECT NAME AND ADDRESS
WRIGHT RESIDENCE
702 ESTERO BLVD
FORT MYERS BEACH, FL

CHECK BY:	
DRAWN BY:	MCS
DATE:	1/10/2025
PROJECT NO:	942
SHEET NAME:	GROUND FLOOR ELECTRICAL PLAN
SHEET NO:	E-1

License No. CBC06525

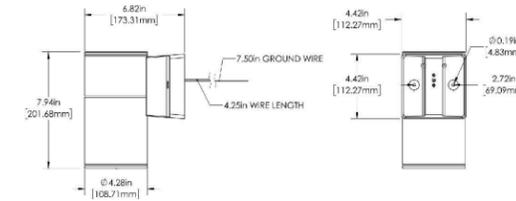


EXTERIOR LIGHTS:

superbrightleds.com
WSR Series
 Turtle Friendly LED Wall Sconce Specifications

SYMBOL:

Dimensional Drawing



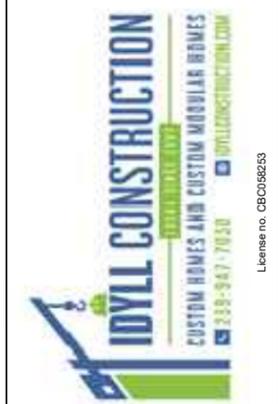
Specifications

Model	WSR-15K20-DBK-A	WSR-15K20-DWH-A
Finish	Black	White
Operating Voltage	120-277 VAC	
Power Consumption	20 W	
Current	120 VAC	185 mA
Draw	277 VAC	75 mA
Efficacy	28 lm/W	
Lumens	550 lm	
Color Temperature	1500K	
LED Color	Amber (590 nm)	
Beam Angle	102°	
Dimming	N/A	
Environmental Rating	Suitable for wet locations	
Surge Protection	2 kV	
Rated Life (L70)	50,000 hours @40°C	
Ambient Operating Temperature	-40°-104° F (-40°-40° C)	

Specifications are subject to change without notice.

T 866.811.5550
 F 314.912.6202
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 www.superbrightleds.com/cat/industrial-led-lighting/

ALL EXTERIOR LIGHTS TO BE AMBER-LIT



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No.	Date	Issue	No.	Date	Revision
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1			1		

PROJECT NAME AND ADDRESS
WRIGHT RESIDENCE
 702 ESTERO BLVD
 FORT MYERS BEACH, FL

CHECK BY:	
DRAWN BY:	MCS
DATE:	1/10/2025
PROJECT NO.:	942
SHEET NAME:	FIRST FLOOR LIGHTING PLAN
SHEET NO.:	E-2

FIRST FLOOR LIGHTING PLAN
 SCALE: 3/16"=1'-0"