

RESOLUTION OF THE LOCAL PLANNING AGENCY OF
THE TOWN OF FORT MYERS BEACH, FLORIDA
RESOLUTION NUMBER 2001- 17

A RESOLUTION OF THE LOCAL PLANNING AGENCY OF FORT MYERS BEACH

WHEREAS, Richard K. Thomas has requested that the Town approve 1 variance in the RS-1 (Residential) zoning district from the minimum street setback requirement of 25 feet, per LDC Section 34-2192 (a) to allow a street setback of 16.7 feet to construct a two-car garage addition; and

WHEREAS, the subject property is located at 8552 Lagoon Rd., Ft. Myers Beach, in S03-T47S-R24E, Lee County, FL.; and

WHEREAS, the applicant has indicated the property's current STRAP number is: 03-47-24-W3-00212.000 and

WHEREAS, a public hearing was legally advertised and held before the Local Planning Agency (LPA) on November 13, 2001, and,

WHEREAS, the LPA gave full and complete consideration to the recommendations of the Staff, the documents in the file, and the testimony of all interested persons.

NOW, THEREFORE BE IT RESOLVED BY THE LPA OF THE TOWN OF FORT MYERS BEACH, FLORIDA as follows:

That the LPA recommends that the Town Council approve the requested variance with the further recommendation that the variance be limited to accommodate only the 2-car garage as proposed on the site plan prepared by Gersdorf & Gersdorf, Inc., Architects, stamped received Community Development November 12, 2001 and which is attached to the revised Staff Report dated 11/12/01 and which is incorporated herein by reference.

Pursuant to this recommendation, the LPA finds the following;

Findings & Conclusions;

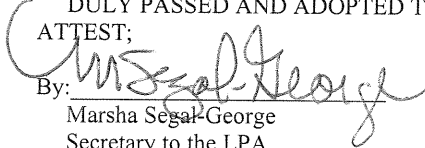
1. There are exceptional or extraordinary conditions or circumstances inherent to the property in question.
2. Any exceptional or extraordinary conditions or circumstances are not the result of actions of the applicant taken subsequent to the adoption of the ordinance.
3. The variance, if granted, is the minimum variance that will relieve the applicant of an unreasonable burden caused by the application of the regulation in question to his property.
4. The granting of the variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare.
5. The condition or situation of the specific piece of property, or the intended use of the property, for which the variance is sought is not of a general or recurrent nature so as to make it more reasonable and practical to amend the ordinance.

The foregoing Resolution was adopted by the LPA upon a motion by LPA Member Plummer and seconded by LPA Member Beasley, and upon being put to a vote, the result was as follows:

Jennifer Kaestner	yes
Dave Smith	yes
Betty Simpson	yes
Roxie Smith	yes
Bill Van Duzer	resigned
Jodi Hester	yes
Linda Beasley	yes
Harold Huber	abstains
Jane Plummer	yes

DULY PASSED AND ADOPTED THIS 13th day of November, 2001.

ATTEST;

By: 
Marsha Segal-George
Secretary to the LPA

LPA of the Town of Fort Myers Beach

By: 
Roxie Smith, Chairman