

RESOLUTION OF THE LOCAL PLANNING AGENCY OF  
THE TOWN OF FORT MYERS BEACH, FLORIDA  
RESOLUTION NUMBER 2003- 05

A RESOLUTION OF THE LOCAL PLANNING AGENCY OF FORT  
MYERS BEACH

WHEREAS, Shirley Wurster in ref. to Seaview Cottage Deck has requested a variance from the Fort Myers Beach LDC Section 34-1575(a) to allow a replacement deck to extend seaward of the Coastal Construction Control Line; and

WHEREAS, the subject property is located at 2916 Seaview St., Ft. Myers Beach, in S30-T46S-R24E, Lee County, FL.; and

WHEREAS, the applicant has indicated the property's current STRAP number is: 30-46-24-W2-003M0.0100, and the legal description is as follows:

LOT 10, BLOCK 'M', WINKLER'S SECOND DIVISION SUBDIVISION, PLAT BOOK 8, PAGE 49, PUBLIC RECORDS OF LEE COUNTY, FLORIDA; and

WHEREAS, a public hearing was legally advertised and held before the Local Planning Agency (LPA) on March 18, 2003, 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 deny the Applicant's variance request.

Pursuant to the recommendation for denial of the Applicant's 2 variance requests , the LPA finds the following;

Findings & Conclusions;

1. There are no exceptional or extraordinary conditions or circumstances inherent to the property in question.

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

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

Anita Cereceda	yes
Jessica Titus	absent
Betty Simpson	yes
Roxie Smith	yes
Jodi Hester	yes
Hank Zuba	yes
Nancy Mulholland	yes
Harold Huber	yes
Jane Plummer	yes

DULY PASSED AND ADOPTED THIS 18th day of March, 2003.  
LPA of the Town of Fort Myers Beach

By:   
Betty Simpson, Chairman

ATTEST:  
By:   
Marsha Segal-George Secretary to the LPA