

ORDINANCE NO. 15 – 07

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4 AN ORDINANCE OF THE TOWN OF FORT MYERS BEACH, FLORIDA,
5 APPROVING AN AMENDMENT TO THE CURRENT ZONING MAP FOR
6 A PROPERTY LOCATED AT 216 CONNECTICUT ST. FORT MYERS
7 BEACH FROM RESIDENTIAL CONSERVATION (RC) TO COMMUNITY
8 FACILITIES (CF), CONTAINING 0.42 ACRES, MORE OR LESS;
9 PETITION REZ2015-0001; APPLICANT THE TOWN OF FORT MYERS
10 BEACH; PROVIDING FOR SCRIVENER'S ERRORS AND AN
11 EFFECTIVE DATE.
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13 WHEREAS, the Town Council held a public hearing on September 21, 2015,
14 considered Petition REZ2015-0001, submitted by the Town of Fort Myers Beach
15 ("Applicant"), which requested a rezoning from Residential Conservation zoning to
16 Community Facilities, on 0.42 acres more or less of property owned by the Applicant,
17 located at 216 Connecticut St. in the Town of Fort Myers Beach and more particularly
18 described in Exhibit "A" attached hereto and incorporated herein; and
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20 WHEREAS, the Applicant, is a municipality whose proposed use of the property
21 is as incidental and accessory to a non-contiguous municipal park and cultural resource,
22 known as the Mound House, whose address is 451 Connecticut St. Fort Myers Beach;
23 and
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25 WHEREAS, Petition REZ2015-0001 has previously been heard by the Local
26 Planning Agency on August 11, 2015 and, based on the findings and analysis
27 presented by Town staff and contained in the staff report, and the testimony of the
28 public during the hearing, the Local Planning Agency has recommended approval of the
29 Petition; and
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31 WHEREAS, after due consideration, based on the recommendation of the Local
32 Planning Agency, the staff report, and the evidence and testimony presented during the
33 public hearing on September 21, 2015, the Council has found that the approval of
34 Petition REZ2015-0001 is consistent with the Town's Comprehensive Plan, and that it
35 meets the requirements for granting of a rezoning as provided by Section 34-85 of the
36 Town's Land Development Code; and
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38 WHEREAS, based on the above findings, the Council has determined it to be in
39 the best interests of the Town to rezone the subject property from Residential
40 Conservation to Public Facilities.
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42 **NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE**
43 **TOWN OF FORT MYERS BEACH, FLORIDA AS FOLLOWS:**
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46 **SECTION 1: LEGISLATIVE AND ADMINISTRATIVE FINDINGS**

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48 The above recitals are hereby adopted as the legislative findings of the Town
49 Council.

50 **SECTION 2: Zoning Map Amendment**

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52 The following petition for an amendment to the Current Zoning Map of the Town
53 of Fort Myers Beach is hereby approved:

54 Petition REZ2015-0001, submitted by the applicant, the
55 Town of Fort Myers Beach, requesting a rezoning from
56 Residential Conservation (RC) to Community Facilities (CF)
57 for 0.42 more or less acres of property owned by the
58 applicant, described as located at 216 Connecticut St. Fort
59 Myers Beach, Florida, and more particularly described in
60 Exhibit "A" attached hereto and incorporated herein by this
61 reference.

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63 **SECTION 3: SCRIVENER'S ERRORS**

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65 The Town Council intends that this Ordinance may be amended to correct any
66 typographical errors or clarification of ambiguous wording that do not affect the intent
67 with the authorization of the Town Manager without the need for a public hearing.

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70 **SECTION 4: EFFECTIVE DATE**

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72 This Ordinance shall take effect immediately upon adoption by the Town Council.

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The foregoing Ordinance was adopted by the Town Council upon a motion by Councilwoman Hosafros and seconded by Vice Mayor Andre and upon being put to a vote, the result was as follows:

Anita Cereceda, Mayor	AYE	Dan Andre, Vice Mayor	AYE
Rexann Hosafros	AYE	Alan Mandel	AYE
Summer Stockton	AYE		

DULY PASSED AND ADOPTED THIS 21st DAY OF September, 2015, BY THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH

By: 
Anita Cereceda, Mayor

ATTEST:

By: 
Michelle D. Mayher, Town Clerk

Approved as to form and legal sufficiency:

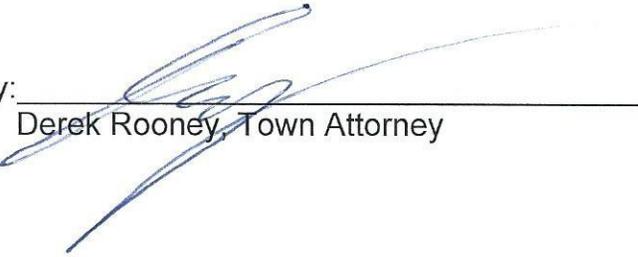
By: 
Derek Rooney, Town Attorney

EXHIBIT "A"

All of that part of Lot 51 of Cases' Subdivision according to the map or plat thereof on file and recorded in the office of the Clerk of the Circuit Court of Lee County, Florida in Plat Book 1, Page 58, described as follows:

Beginning at the Point of Intersection of the Northwesterly line of Estero Boulevard with the Southeasterly line of Connecticut Street, thence run Northeasterly along the said Southeasterly line of Connecticut Street for 772 feet to the point of beginning of the land herein described, said point being the Southwest corner of Lot 5 unrecorded Plat of "Coco's Park", thence continue on said mentioned course for 75 feet; thence deflect right 74°47' and run Southeasterly for 253 feet to a point on the Southeasterly line of said lot 51 thence run Southwesterly along said Southeasterly line of Lot 51 for 75 feet; thence run Northwesterly 253 feet, more or less to the point of beginning.

Parcel contains .42 acres, more or less.