

RESOLUTION OF THE TOWN COUNCIL OF
THE TOWN OF FORT MYERS BEACH, FLORIDA
RESOLUTION NUMBER 97-3

WHEREAS, Victor L. DeLucas, the property owner petitioned for a variance in the C-1 (Commercial) district from the parking space requirement of 1 space per 200 square feet of total floor area (required 20 parking spaces) for a medical office-to allow 10 existing parking spaces; and,

WHEREAS, the subject property is located at 2301-2307 Estero Blvd., Fort Myers Beach, Florida, and is described more particularly as:

LEGAL DESCRIPTION: In Section 19, Township 46 South, Range 24 East, Lee County, Florida:

Lot 1 and 2, Block D, in that certain BEACH ESTATES SUBDIVISION, according to the map or plat thereof on file and recorded in Plat Book 6, Page 68 of the Public Records of Lee County, Florida.

WHEREAS, the applicant has indicated the property's current STRAP number is: 19-46-24-W3-0110D.0010 and

WHEREAS a hearing was held and the council considered the following criteria, recommendations and testimony of the staff, testimony from the applicant and from the public.

IT IS THE FINDING of this council that:

there are exceptional or extraordinary conditions or circumstances that are inherent to the property in question and that do not apply generally to the other nearby properties in the same zoning district;

the exceptional or extraordinary conditions or circumstances are not the result of actions of the applicant taken subsequent to the adoption of the ordinance (any action taken by an applicant pursuant to lawfully adopted regulations preceding the adoption of the ordinance from which this chapter is derived will not be considered self-created);

the variance 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;

the granting of the variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare; and

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 so general or recurrent nature as to make it more reasonable and practical to amend the ordinance.

NOW THEREFORE BE IT RESOLVED THAT THE VARIANCE IS APPROVED.

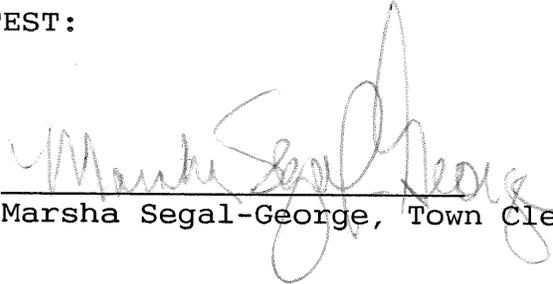
The foregoing resolution was adopted by the Fort Myers Beach Town Council upon being put to a vote, the result was as follows:

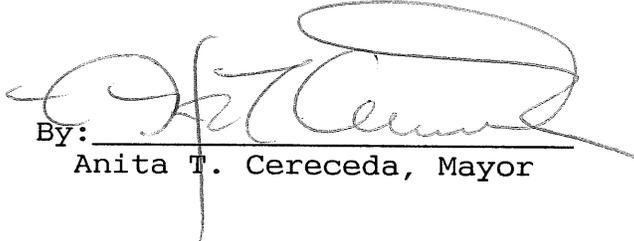
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|-----------------------|------------|
| Anita T. Cereceda | <u>aye</u> |
| Ted FitzSimons | <u>aye</u> |
| William (Rusty) Isler | <u>aye</u> |
| Garr Reynolds | <u>aye</u> |
| Ray Murphy | <u>aye</u> |

APPLICATION DULY GRANTED this 3rd day of February, 1997.

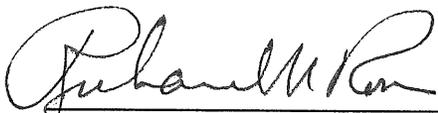
ATTEST:

TOWN OF FORT MYERS BEACH

By: 
Marsha Segal-George, Town Clerk

By: 
Anita T. Cereceda, Mayor

Approved as to form by:


Richard V.S. Roosa, Town Attorney