

RESOLUTION OF THE TOWN COUNCIL OF  
THE TOWN OF FORT MYERS BEACH, FLORIDA  
RESOLUTION NUMBER 00- 37b

WHEREAS, Sharon Schmidt, the property owner petitioned for a variance in the (C-1) Commercial District from LDC Section 34-844 which requires a side setback of 15 feet to permit a side setback of 7.5 feet for a single family residence; and,

WHEREAS, the subject property is located at 2870 & 2872 Seaview., Ft. Myers Beach; and

WHEREAS, the applicant has indicated the property's current STRAP number is: 30-46-24-W2-003M0.0060; and,

WHEREAS, the Local Planning Agency (LPA) recommended that the Town Council approve the request with the condition that the variance is limited to one single family residence, as shown on the proposed site plan, Attachment B, which is a part of the Staff Report dated May 8, 2000 and is attached hereto and incorporated herein by reference.

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 the following exist:

- a. That there are/~~not~~ 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;
- b. That 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);
- c. That the variance is/~~not~~ the minimum variance that will relieve the applicant of an unreasonable burden caused by the application of the regulation in question to his property;
- d. That the granting of the variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare; and
- e. That 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 SUBJECT TO THE FOLLOWING conditions and requirements that are necessary for the protection of the health, safety, comfort, convenience and welfare of the general public and that are reasonably related to the variance requested:

The property is limited to one single-family dwelling as described in the attached site plan.

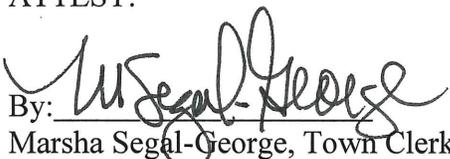
The foregoing resolution was adopted by the Fort Myers Beach Town Council upon being put to a vote, the result was as follows:

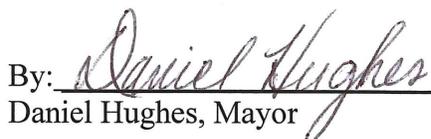
Anita T. Cereceda	aye
Daniel Hughes	aye
Garr Reynolds	aye
Ray Murphy	aye
Terry Cain	aye

APPLICATION DULY ~~DENIED~~/GRANTED this 9th day of October, 2000.

ATTEST:

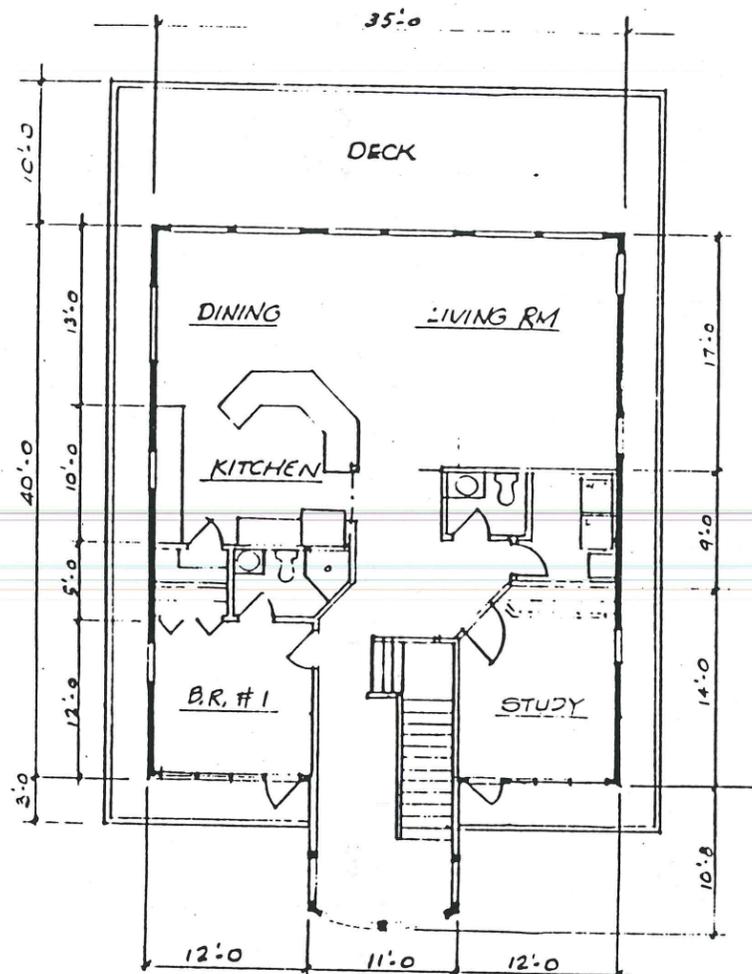
TOWN OF FORT MYERS BEACH

By:   
Marsha Segal-George, Town Clerk

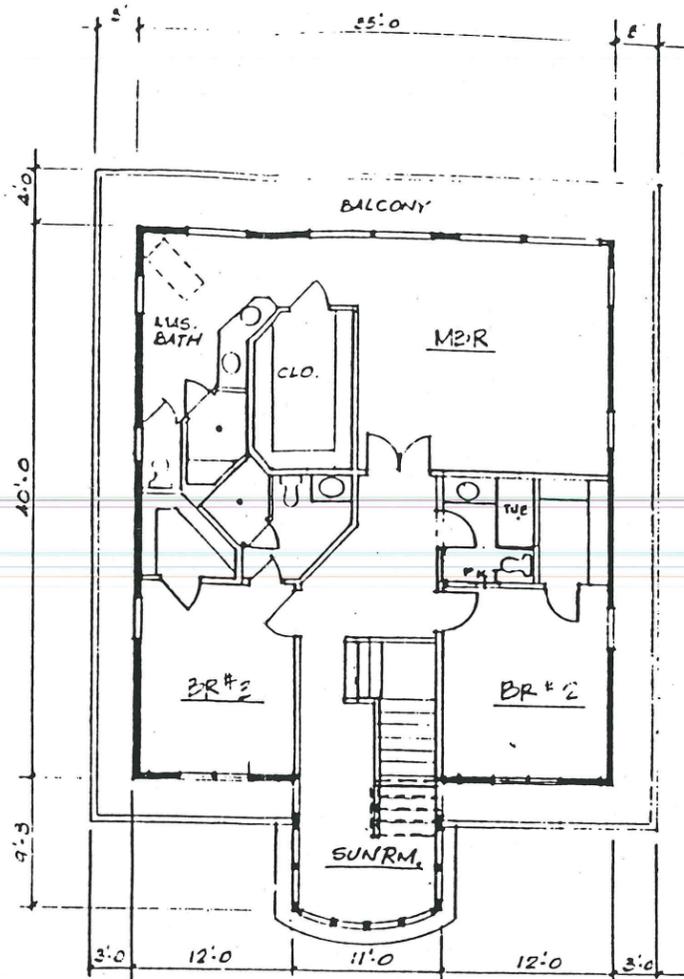
By:   
Daniel Hughes, Mayor

Approved as to form by:

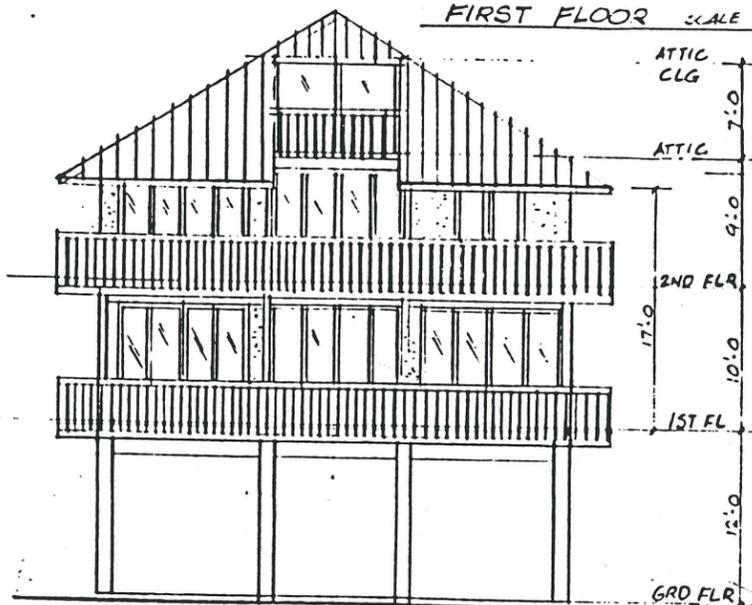
  
Richard V.S. Roosa, Town Attorney



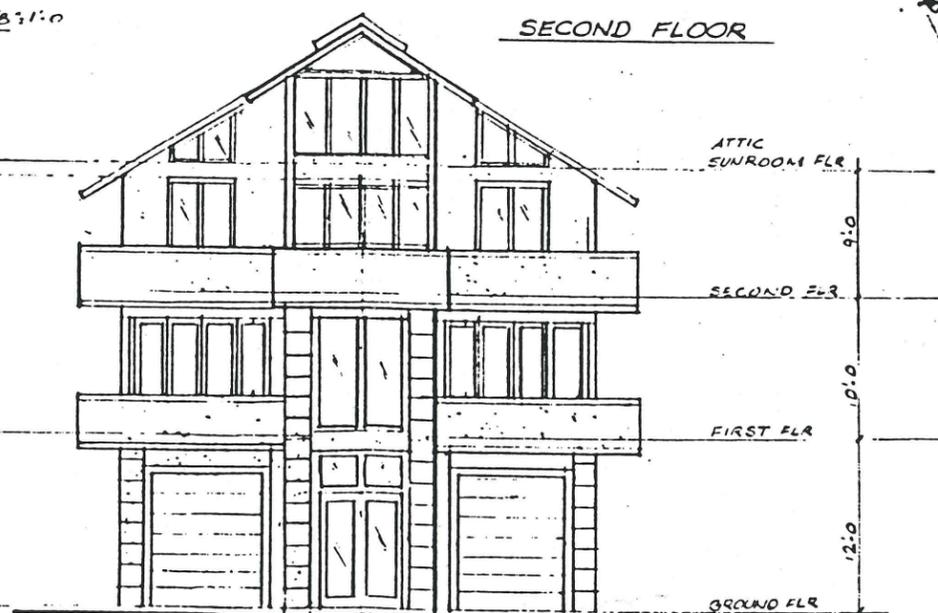
FIRST FLOOR SCALE 1/8"=1'-0"



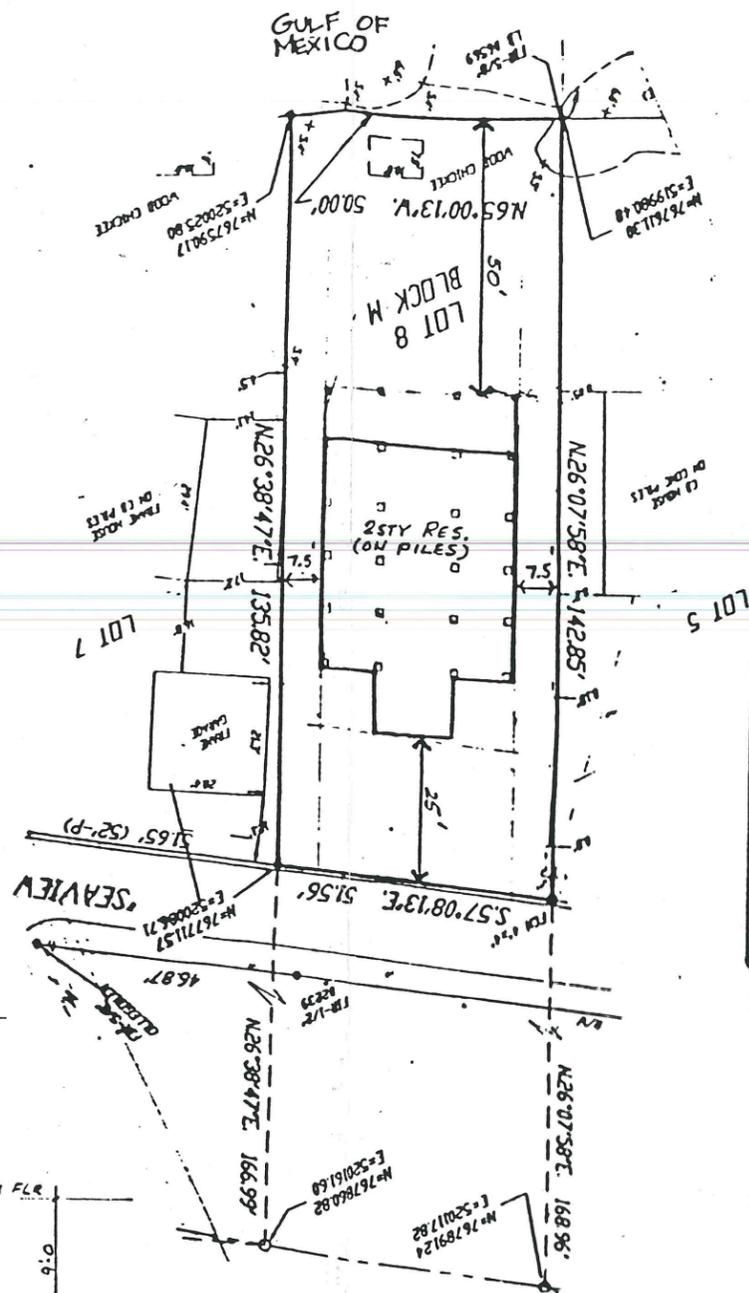
SECOND FLOOR



REAR ELEVATION (SOUTH)  
BEACH SIDE SCALE 1/8"=1'-0"



FRONT ELEVATION (NORTH)  
STREET SIDE



SITE PLAN SCALE 1"=20'

AMBERLY C. COLEMAN  
4-17-00  
ARCHITECT

REVISIONS:

PRELIMINARY FLOOR PLANS & ELEVATIONS

FOR NEW RESIDENCE FOR CHARLES & SHARON SCHMIDT 2870-72 SEAVIEW, FLAMES BCH, FL.

AGENTS IN ARCHITECTURE AND PLANNING, INC. 10000 N. CENTRAL EXP. SUITE 1000 DALLAS, TEXAS 75243 (214) 271-0777 (FAX 214-271-0011)

RECEIVED  
APR 28 2000

ZONING COUNTER

VAR 2000-00029