

RESOLUTION OF THE LOCAL PLANNING AGENCY OF
THE TOWN OF FORT MYERS BEACH, FLORIDA
RESOLUTION NUMBER 2000- 08

A RESOLUTION OF THE LOCAL PLANNING AGENCY OF FORT MYERS BEACH

WHEREAS, Donald Corcelli has requested that the Town approve a variance in the (RS-1) district from LDC Section 34-695 which requires a minimum lot width (street frontage) of 75 feet to permit 25 feet of street frontage for an existing single family residence; and

WHEREAS, the subject property is located at 290 Ibis Street., Ft. Myers Beach, in S34-T46S-R24E, Lee County, FL.; and the legal description for the property is as follows;

Lots 1 & 2, Unit 1, SUBDIVISION Sandpiper Village, as recorded in Plat Book 9, page 45, of the Public Records of Lee County, Florida, and that portion of vacated Ibis Street, as recorded in C.C.M.B. 11, Page 525, lying in Section 34, Township 46 south, Range 24 East, Lee County, Florida.
The legal description for the roadway vacation if approved is as follows;

A portion of a public roadway described as "Parcel 1" in an instrument of dedication recorded in Miscellaneous Book 28, at Page 158 of the Public Records of Lee County Florida lying between the centerline thereof and Lot 2, Unit No. 1, SANDPIPER VILLAGE, as per the map or plat thereof recorded in Plat Book 9, at Page 45, of the Public Records of Lee County, Florida; more particularly described as follows; Beginning at the westerly corner of said Lot 2; run N 45degrees W for 25 feet to the centerline of said roadway as shown on said plat; then run N 45 degrees E for 60 feet; thence run S 45 degrees E for 25 feet; thence run S 45 degrees W for 60 feet to the point of beginning; and

WHEREAS, the applicant has indicated the property's current STRAP number is: 34-46-24-W4-00200.0010 and

WHEREAS, a public hearing was legally advertised and held before the Local Planning Agency (LPA) on April 11, 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 request with two conditions;

1. The variance is contingent upon the vacation of the 25 feet of public right-of-way, as proposed on the Site Plan, Attachment B of the Staff Report which is attached hereto and incorporated herein by reference.
2. The subject property, as shown on the Boundary Survey/Site Plan, Attachment B to the Staff Report and attached hereto and incorporated herein by reference, may not be subdivided and is limited to one single family residence.

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. The 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 required setbacks do place an unreasonable burden upon the applicant.
4. The granting of the variance would not be injurious to the neighborhood or otherwise detrimental to the public welfare.

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

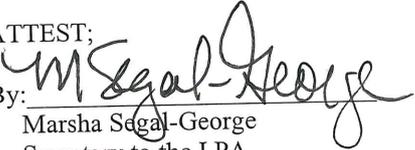
Jennifer Kaestner	yes
Dave Smith	yes

Rod Vayo	absent
Betty Simpson	yes
Roxie Smith	yes
Bill Van Duzer	yes
Jodi Hester	yes
Linda Beasley	yes
Harold Huber	yes

DULY PASSED AND ADOPTED THIS 11th day of April, 2000.

ATTEST;

By:


Marsha Segal-George
Secretary to the LPA

LPA of the Town of Fort Myers Beach

By:

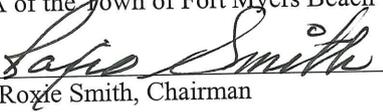
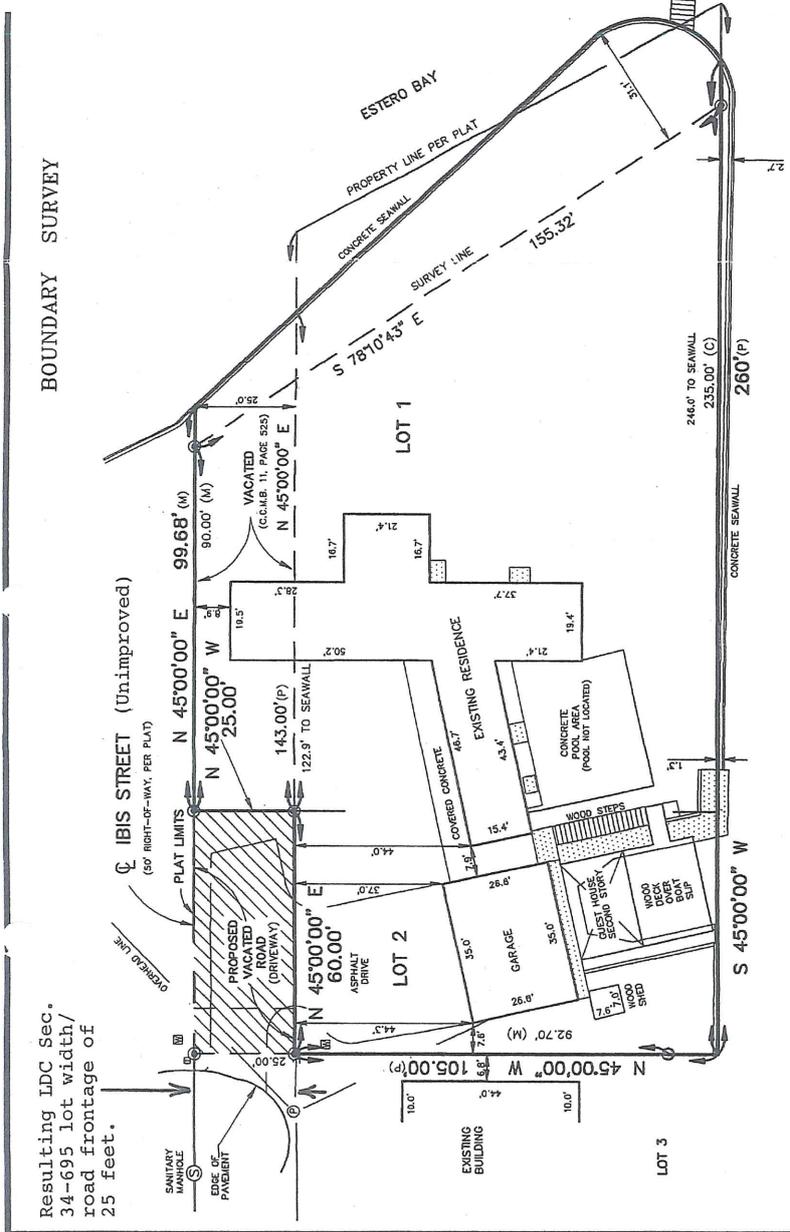

Roxie Smith, Chairman

EXHIBIT IV-E
(Survey/Site Plan)



Resulting LDC Sec. 34-695 lot width/road frontage of 25 feet.

BOUNDARY SURVEY

LEGEND

- SET 5/8" IRON ROD & CAP LICENSED BUSINESS # 6427
- FOUND 1/2" IRON ROD NO CAP
- FOUND 5/8" IRON ROD NO CAP
- ⊕ POWER POLE
- ⊞ OVERHEAD LINES
- ⊞ WATER METER
- ⊞ TELEPHONE RISER
- ← GUY WIRE ANCHOR TYPICAL
- (P) PLAT
- (M) MEASURED
- (C) CALCULATED
- C.C.M.B. COUNTY COMMISSIONER MINUTE BOOK

SCALE
1" = 30'

RECEIVED
MAR 10 2000
PERMIT COUNTER

LEGAL DESCRIPTION

LOTS 1 & 2, UNIT NO. 1 SANDRIER VILLAGE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 9, PAGE 45, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.
AND
THAT PORTION OF VACATED IBIS STREET, AS RECORDED IN C.C.M.B. 11, PAGE 525.

PROJECT NO.	98-1247
SURVEY DATE:	APRIL 8, 1998
STREET ADDRESS	290 IBIS STREET FT. MYERS BEACH, FLORIDA
REVISIONS:	
NO. / DATE	DESCRIPTION
1 / 3-1-99	ADD UTILITIES
	BY MCS

NOTES:

1. BEARINGS ARE BASED ON THE SOUTHERLY PROPERTYLINE OF LOT 1 BEING S 45°00'00" W. (ASSUMED).
2. UNDERGROUND STRUCTURES AND UTILITIES, IF ANY, NOT LOCATED.
3. SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.
4. PARCEL LIES IN F.I.R.M. ZONE A-15, ACCORDING TO FIRM PANEL 125124 0442 B DATED 9-19-84, BASE ELEVATION 11 FEET.
5. THIS CERTIFICATION IS ONLY FOR LAND AS DESCRIBED HEREON. IT IS NOT A CERTIFICATION OF TITLE, ZONING OR FREEDOM OF ENCUMBRANCES.
6. NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
7. ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.

THIS BOUNDARY SURVEY PREPARED FOR:

DONALD N. CORCELLI
MARY E. CORCELLI
RORY J. GOTH, ATTORNEY AT LAW
ALBERT W. HALL, WAREHOUT, P.A.
A ATTORNEYS' TITLE INSURANCE FUND, INC.

B

JRI & ASSOCIATES, INC.
LAND SURVEYORS and MAPPERS
LICENSED BUSINESS No. 6427

12811 KENWOOD LANE, SUITE 218
FORT MYERS, FLORIDA 33907

MICHAEL C. SELPH
PROFESSIONAL LAND SURVEYOR
LICENSE NO. 5067

(Signature)

TEL. (941) 278-4858 FAX (941) 278-4799

WAR 2000-0011