

RESOLUTION OF THE LOCAL PLANNING AGENCY OF
THE TOWN OF FORT MYERS BEACH, FLORIDA
RESOLUTION NUMBER 2001- 19

WHEREAS, Darin Smith in ref. to White Cap RPD has filed a request to rezone from single Family Residential (RS-1) and Multiple Family Residential (RM-2) to Residential Planned Development (RPD) to permit a maximum of 10 multiple family dwelling units, not to exceed 25 feet in height above base flood elevation, on 0.613 total acres of land; and

WHEREAS, the subject properties are located at 4701 & 4731 Estero blvd. and 4631 & 4633 Estero Blvd. and is described more particularly as:

LEGAL DESCRIPTION: Lots 1 through 4, block G, Hyde park, as recorded in Plat Book 7 at page 20, of the public records of Lee County, Florida, along with a parcel in Section 28, Township 46 South, Range 24 East juxtaposed to lots 1 and 2 of Block G, Hyde Park.

Beginning at the intersection of the north line of Estero Blvd (65 foot right-of-way) and the Section line common to Sections 28 and 29, Township 46 South, Range 24 East, Lee County, Florida: Thence with said north line of Estero Blvd., N50 43'31" W, 227.00 Feet to the northwesterly corner of Lot 4, Block G, Hyde Park, as recorded in Plat Book 7 at page 20, of the public records of Lee County, Florida: Thence N 45degrees 36'00" E, 119.80 feet (measured), 120.00 feet (plan) to the northeasterly corner of said Lot 4: Thence with a line common to Lots 2, 3, 4 and 6 of said Block G, S 51 degrees 19'05" E, 112.92 feet to the line common to said Section 28 and 29: Thence N 02 13'07" W, 0.32 feet, along said Section Line: Thence S 50 23'41" E, 113.60 feet; Thence S 45 13'44" W, 120.48 feet to the north line of Estero Blvd. and the point of beginning, containing 27,171 square feet, more or less; and

WHEREAS, the applicant has indicated the property's current STRAP numbers are: 29-46-24-W3-0080G.0040; 29-46-24-W3-0080G.0030; 29-46-24-W3-0080G.0010; 29-46-24-W4-00001.0010; and

WHEREAS, a public hearing was legally advertised and held before the Local Planning Agency (LPA) on December 11, 2001; 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 request be approved based on the conditions of approval and deviations recommended, as stated in the Staff Report dated October 16, 2001 and found on pages 2 & 3 of the Staff Report which is attached hereto and incorporated herein by reference with the following exceptions;

1. The LPA recommends that the Town Council approve Deviation #1.
2. The LPA acknowledges that Deviation #4 was withdrawn by the applicant.
3. The LPA has expressed a preference for allowing the applicant to utilize a gated entry with 2 access points but has requested that the applicant and the staff review the feasibility and safety of this type of approach and present their findings on this point to the Town Council.

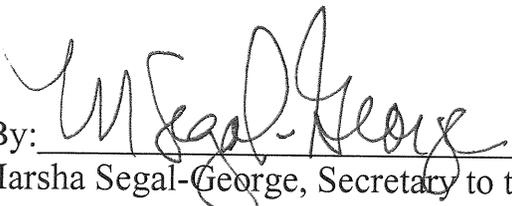
Further the LPA makes this recommendation of approval based upon the Findings and Conclusions found at Pages 3 & 4 of the Staff Report dated October 16, 2001 which is attached hereto and incorporated herein by reference.

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

Jennifer Kaestner	yes
Dave Smith	yes
Jane Plummer	yes
Betty Simpson	yes
Roxie Smith	yes
Jodi Hester	yes
Linda Beasley	absent
Harold Huber	absent

DULY PASSED AND ADOPTED THIS 27th day of November, 2001.

ATTEST; Town of Fort Myers Beach

By: 
Marsha Segal-George, Secretary to the LPA

By: 
Roxie Smith, Chairman LPA