

RESOLUTION NUMBER 03-07

A RESOLUTION OF THE TOWN OF FORT MYERS BEACH, FLORIDA,
ESTABLISHING A FEE FOR REGISTRATION OF SHORT TERM RENTALS

WHEREAS, the Town has adopted Land Development Code Sec. 34-2392. **Registry of certain pre-existing weekly rentals;** and,

WHEREAS certain zoning districts are not permitted to be rented to more than a single family during any one-month period due to restrictions found in Tables 34-1 and 34-2; and,

WHEREAS the owner of any such dwelling unit that was being lawfully used for weekly rentals during the 12-month period prior to January 1, 2003, may apply for registration under this section to continue weekly rentals; and,

WHEREAS Sec. 34-2392. **Registry of certain pre-existing weekly rentals.** Subsection (a) (7) Payment of an application fee established by the town, requires that the fees be established by resolution of the Town Council.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA:

SECTION ONE: Authority. This Ordinance is enacted pursuant to the provisions of Chapter 95-494, Laws of Florida, Chapter 166, Florida Statutes, and other applicable provisions of law.

SECTION TWO: The application fee is set as \$500.00 until further action by the Town Council.

SECTION THREE: Severability. If any one of the provisions of this resolution should be held contrary to any express provision of law or contrary to the policy of express law, although not expressly prohibited, or against public policy, or shall for any reason whatsoever be held invalid, then such provision shall be null and void and shall be deemed separate from the remaining provisions, and in no way affect the validity of all other provisions of this resolution.

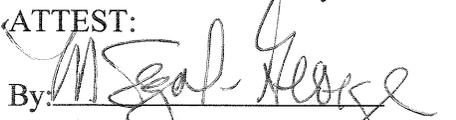
SECTION FOUR: Effective Date. This resolution shall become effective upon adoption.

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

Howard Rynearson	aye
Daniel Hughes	aye
Bill Thomas	nay
W. H. "Bill" Van Duzer	aye
Terry Cain	nay

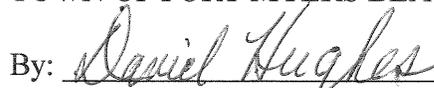
ADOPTED this 17th day of March, 2003.

ATTEST:

By: 
Marsha Segal-George, Town Clerk
Approved as to form by:


Richard V.S. Roosa, Town Attorney

TOWN OF FORT MYERS BEACH

By: 
Daniel Hughes, Mayor



THIS INSTRUMENT PREPARED BY:
Town of Fort Myers Beach
2523 Estero Boulevard
Fort Myers Beach, FL 33932



INSTR # 6948246
OR BK 04850 Pgs 0993 - 996; (4pgs)
RECORDED 06/17/2005 09:25:59 AM
CHARLIE GREEN, CLERK OF COURT
LEE COUNTY, FLORIDA
RECORDING FEE 35.50
DEPUTY CLERK P Haywood

**RESOLUTION NO. 03-07A
PETITION TO VACATE**

Case Number: VAC2002-00041

WHEREAS, Petitioners Robert B. & Brenda Burandt, Mark Himelick & Sharon Eldred, and Harriet R. Thomas in accordance with Florida Statute (F.S.) Chapter 177, filed a Petition to vacate, abandon, close and discontinue the public's interest in the right-of-way or portion of a right-of-way legally described in the attached Exhibit "A"; and,

WHEREAS, the Town Council of Fort Myers Beach, Florida, held a Public Hearing concerning a Petition to Vacate on the 2nd day of June, 2003; and,

WHEREAS, a legally sufficient Affidavit of Publication regarding the Notice of Public Hearing on this Petition to Vacate was entered into the minutes of the Town Council Meeting and a copy of said Affidavit is attached as Exhibit "B"; and,

WHEREAS, the Petitioners has provided proof that all applicable state and county taxes have been paid; and

WHEREAS, the Petitioners provided notice to all affected property owners concerning the intent of the Petition to Vacate; and

WHEREAS, it appears that vacating, abandoning, closing or discontinuing the subject right-of-way or portion of right-of-way is in the best interest of the public and promotes the public's health, safety and welfare without invading or violating individual property rights; and,

WHEREAS, the letters of review and recommendation provided by the various governmental and utility entities indicate that granting the Petition to Vacate will not affect the ownership or right of convenient access of persons owning other parts of the subdivision.

NOW therefore be it resolved by the Town Council of Fort Myers Beach, as follows:

1. Petition to Vacate No. VAC2002-00041 is hereby granted.
2. The public's interest in the right-of-way or portion of right-of-way described, easement, plat or portion of a plat legally described and graphically depicted in Exhibit "A" is hereby vacated.

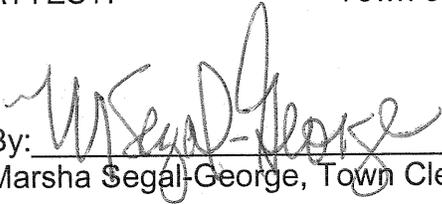
3. This Resolution will become effective upon the recording of a fully executed Resolution, including all exhibits referred to above, in the public records of Lee County, Florida.

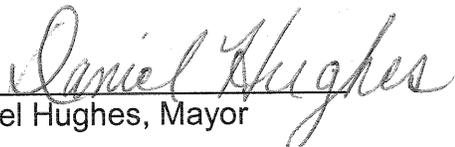
THE FOREGOING WAS ADOPTED by the Town Council upon a motion made and seconded, and, upon being put to a vote, the result was as follows:

Terry Cain	AYE
Daniel Hughes	AYE
Howard Rynearson	AYE
Bill Thomas	AYE
W. H. "Bill" Van Duzer	AYE

DULY PASSED AND ADOPTED this 2nd day of June, 2003.

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

NEWS-PRESS

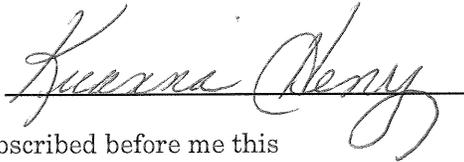
Published every morning - Daily and Sunday
Fort Myers, Florida

Affidavit of Publication

STATE OF FLORIDA
COUNTY OF LEE

Before the undersigned authority, personally appeared
Kieanna Henry
who on oath says that he/she is the
Asst. Legal Clerk of the News-Press, a daily newspaper,
published at Fort Myers, in Lee County, Florida; that the
attached copy of advertisement, being a
Notice of Public Hearing
In the matter of **Petition to Vacate for VAC2002-00041**
in the _____ Court
was published in said newspaper in the issues of
May 17, 2003

Affiant further says that the said News-Press is a paper of general
circulation daily in Lee, Charlotte, Collier, Glades and Hendry
Counties and published at Fort Myers, in said Lee County, Florida
and that said newspaper has heretofore been continuously published
in said Lee County, Florida, each day, and has been entered as a
second class mail matter at the post office in Fort Myers in said Lee
County, Florida, for a period of one year next preceding the first
publication of the attached copy of the advertisement; and affiant
further says that he/she has neither paid nor promised any person,
firm or corporation any discount, rebate, commission or refund for the
purpose of securing this advertisement for publication in the said
newspaper.



Sworn to and subscribed before me this

19th day of May 2003 by

Kieanna Henry
personally known to me or who has produced

_____ as identification, and who did or did not take an oath.

Notary Public _____

Print Name _____

My commission Expires:



Janet E. Cobb
MY COMMISSION # CC980442 EXPIRES
November 19, 2004
BONDED THRU TROY FAIN INSURANCE, INC.

NOTICE OF PUBLIC HEARING FOR PETITION TO VACATE
Case Number: VAC2002-00041
TO WHOM IT MAY CONCERN:
NOTICE is hereby given that on **Monday, June 2nd, 2003 at 6:30 p.m.**, in the Town of Fort Myers Beach Town Hall, 2523 Estero Boulevard, Fort Myers Beach Florida, the Town Council of the Town of Fort Myers Beach, Florida, will consider a resolution to vacate, abandon, close and discontinue the public's interest in the unexcavated portion of a platted canal in Unit No. 4 Island Shores Subdivision, Fort Myers Beach as recorded in Plat Book 9, Page 37 of the Official Records of Lee County, Florida. The subject property is located between the existing seawall of the platted canal and the following three platted subject properties: 457 Estero Blvd. (lot 21A), 475 Estero Blvd. (lot 20B), and 503 Carlos Circle (lot 19), Fort Myers Beach, in Section 24, Township 46 South, Range 23 East, Lee County, Florida. Interested parties may appear in person or through a representative and be heard with respect to the Petition to Vacate. Please govern yourself accordingly.
May 17 No.

COMM. DEV.
PUB. WRKS. CNTR.
SECOND FLOOR

03 MAY 22 AM 11:35

LEE COUNTY RECEIVED
EXHIBIT "B"
VAC2002-00041