

RESOLUTION OF THE LOCAL PLANNING AGENCY OF
THE TOWN OF FORT MYERS BEACH, FLORIDA
RESOLUTION NUMBER 2001- 08

A RESOLUTION OF THE LOCAL PLANNING AGENCY OF FORT MYERS BEACH

WHEREAS, WCSJR II., in ref. To Villa Santini Plaza has requested that the Town approve a variance in the C-1 Commercial zoning District from LDC Section 30-153(b)(1)(h) which states that no sign permitted by this subsection shall contain any advertising message concerning any business, goods, products, services or facilities which are not manufactured, produced, sold, provided or located on the premises upon which the sign is erected or maintained to allow a 32 square foot off-site sign for a business located on an adjacent property; and

WHEREAS, the subject property is located at 7205 Estero Blvd., Ft. Myers Beach, in S03-T47S-R24E, Lee County, FL.; and

WHEREAS, the applicant has indicated the property's current STRAP number is: 03-47-24-W1-00011.0000 and

WHEREAS, a public hearing was legally advertised and held before the Local Planning Agency (LPA) on May 8, 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 Town Council approve the requested variance with the 4 Conditions that are listed on page 2 of the Staff Report dated April 26, 2001 and which is attached hereto and incorporated herein by reference. Further the LPA would like to express its appreciation to the applicant for offering early compliance with the Town's Sign Ordinance.

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. Although Fish Tale Marina does have access on Estero Boulevard at the southwest corner of the subject property, the boat rental and Fish House restaurant are located behind Villa Santini Plaza on the northeast corner, not visible from Estero Boulevard. The appropriate access to the restaurant is from Lennell Street, where the sign is desired, not from the Estero Blvd. entrance to the Marina.
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. The conditions are a result of the development pattern of both villa Santini Plaza and the Fish Tale Marina.
3. The variance, if granted, 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 proposed sign complies with the maximum size and height allowed for a commercial business.
4. The granting of the variance would not be injurious to the neighborhood or otherwise detrimental to the public welfare. The requested sign will direct the traveling public to the most efficient and safest access to the restaurant. Approval will also expedite the removal of 4 non-conforming signs.
5. 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 a general or recurrent nature so as to make it more reasonable and practical to amend the ordinance.

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

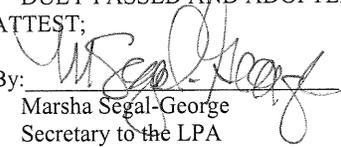
Jennifer Kaestner	yes
Dave Smith	yes
Betty Simpson	yes
Roxie Smith	yes
Bill Van Duzer	yes
Jodi Hester	yes

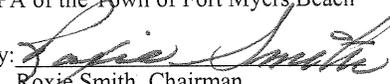
Linda Beasley yes
Harold Huber yes
Jane Plummer yes

DULY PASSED AND ADOPTED THIS 8th day of May, 2001.

ATTEST:

LPA of the Town of Fort Myers Beach

By: 
Marsha Segal-George
Secretary to the LPA

By: 
Roxie Smith, Chairman