

RESOLUTION OF THE LOCAL PLANNING AGENCY OF  
THE TOWN OF FORT MYERS BEACH, FLORIDA  
RESOLUTION NUMBER 2001- 11

A RESOLUTION OF THE LOCAL PLANNING AGENCY OF FORT MYERS

WHEREAS, Diamondhead Island Beach Resort has filed an application for a Special Permit in the C-1 (Commercial) district for consumption on premises for outdoor seating in conjunction with an existing 4-COP-S (beer, wine and liquor) beverage license for a hotel/motel per LDC section 34-1264(a)(2)a.2.;and

WHEREAS, the subject property is located at 2000 Estero Blvd., Fort Myers Beach, Florida, and is described more particularly as: Section 19, Township 46 South, Range 24 East.

WHEREAS, the applicant has indicated the property's current STRAP number is: 19-46-24-W4-0090A.0010; and

WHEREAS, a public hearing was legally advertised and held before the Local Planning Agency (LPA) on May 15, 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 request for a Special Permit for Consumption on Premises for outdoor seating, with the following conditions;

1. Consumption on premises approval for the 2 outdoor seating areas is in conjunction with the existing 4-COP-S hotel/motel license.
2. Consumption on premises for the 2 outdoor seating areas is restricted to the areas depicted on the attached site plan, Attachment G (8,324 square feet pool-deck service area and 2,280 square foot deck located on the first elevated floor), which is attached hereto and incorporated herein by reference.
3. The hours of operation for the 2 outdoor seating areas, for consumption on premises, will be restricted to the hours of 9:00 am to 10:00 pm daily.
4. Outdoor music and entertainment are prohibited in the 2 outdoor seating areas.

Findings & Conclusions

1. The request is consistent with the goals, objectives, policies and intent of the Fort Myers Beach Comprehensive Plan;
2. The request meets the distance separation for the proposed use;
3. The request is consistent with densities, intensities and general uses set forth in the Fort Myers Beach Comprehensive Plan
4. The request is compatible with existing or planned uses and will not cause damage, hazard, nuisance or other detriment to persons or property;
5. The request is in compliance with all general zoning provisions and supplemental regulations pertaining to the use set forth in the LDC.

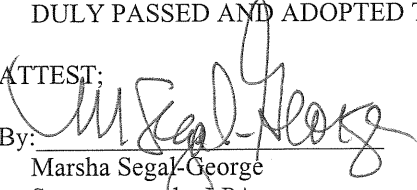
The foregoing Resolution was adopted by the LPA upon a motion by LPA Member Hester and seconded by LPA Member Kaestner, and, upon being put to a vote, the result was as follows:

Jennifer Kaestner	yes
Dave Smith	yes
Jane Plummer	no
Betty Simpson	absent
Roxie Smith	yes
Bill Van Duzer	yes
Jodi Hester	yes
Linda Beasley	no
Harold Huber	yes

DULY PASSED AND ADOPTED THIS 15th day of May, 2001.

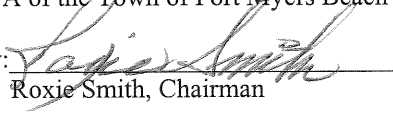
ATTEST:

By:

  
Marsha Segal-George  
Secretary to the LPA

LPA of the Town of Fort Myers Beach

By:

  
Roxie Smith, Chairman

