

RESOLUTION OF THE LOCAL PLANNING AGENCY OF  
THE TOWN OF FORT MYERS BEACH, FLORIDA  
RESOLUTION NUMBER 2003- 04

A RESOLUTION OF THE LOCAL PLANNING AGENCY OF FORT  
MYERS BEACH

WHEREAS, Sandra S. Suter has requested 2 variances in the RC (Residential Conservation) zoning district from the Fort Myers Beach LDC Table 34-3. The first request is from the minimum side-waterfront lot setback of 7 feet to allow a side-waterfront lot setback of 5.5 feet to allow a portion of the staircase leading to the main living level to be built and the second request is from the required 25 foot waterbody setback from Canal Grande to allow a waterbody setback of 7.5 feet to allow a single family residence to be built; and

WHEREAS, the subject property is located at 301 Palermo Circle, Ft. Myers Beach, in S19-T46S-R24E, Lee County, FL.; and

WHEREAS, the applicant has indicated the property's current STRAP number is: 19-46-24-W4-0060C.0120, and the legal description is as follows:

LOT 12, BLOCK C, VENETIAN GARDENS SUBDIVISION,  
ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT  
BOOK 6, PAGE 70, OF THE PUBLIC RECORDS OF LEE COUNTY,  
FLORIDA; and

WHEREAS, a public hearing was legally advertised and held before the Local Planning Agency (LPA) on March 11, 2003, 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 deny both of the Applicant's variance requests.

Pursuant to the recommendation for denial of the Applicant's 2 variance requests, the LPA finds the following;

Findings & Conclusions;

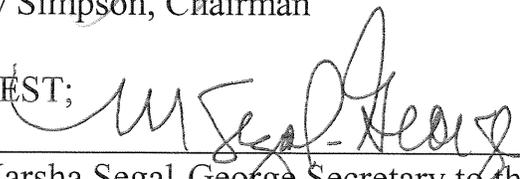
1. There are no exceptional or extraordinary conditions or circumstances inherent to the property in question.
2. The granting of the variance would be injurious to the neighborhood or otherwise detrimental to the public welfare.
3. The condition or situation of the specific piece of property, or the intended use of the property, for which the variance is sought is of a general or recurrent nature so as to make it more reasonable and practical to amend the ordinance.
4. The exceptional or extraordinary conditions or circumstances are the result of actions of the applicant taken subsequent to the adoption of relevant ordinances.
5. The variances, if granted, are not the minimum variances that will relieve the applicant of an unreasonable burden caused by the application of the regulations in question to this property.

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

Anita Cereceda	absent
Jessica Titus	yes
Betty Simpson	no
Roxie Smith	no
Jodi Hester	yes
Hank Zuba	yes
Nancy Mulholland	yes
Harold Huber	absent
Jane Plummer	yes

DULY PASSED AND ADOPTED THIS 11th day of March, 2003.  
LPA of the Town of Fort Myers Beach

By:   
Betty Simpson, Chairman

ATTEST;  
By:   
Marsha Segal-George Secretary to the LPA