

RESOLUTION OF THE LOCAL PLANNING AGENCY OF
THE TOWN OF FORT MYERS BEACH, FLORIDA
RESOLUTION NUMBER 2005-08

A RESOLUTION OF THE LOCAL PLANNING AGENCY OF FORT
MYERS BEACH

WHEREAS, Sunstream, Inc. in ref. to Sun Stream Realty Office Building has requested to rezone 0.51 +/- acres from Commercial Boulevard (CB) to Commercial Planned Development (CPD) for an office building, 3-story/2-story over parking not to exceed 27.5 feet in height; and

WHEREAS, the subject property is located at 6231 Estero Blvd, Ft. Myers Beach, in S33-T46S-R24E, Lee County, FL.; and

WHEREAS, the applicant has indicated the property's current STRAP number is: 33-46-24-W3-00012.0020 and the legal description is attached as Exhibit "A"; and

WHEREAS, a public hearing was legally advertised and held before the Local Planning Agency (LPA) on June 14, 2005, 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 Applicant's request to rezone from Commercial Boulevard (CB) to Commercial Planned Development (CPD) with the Conditions listed on Pages 2-4 of the Staff Report dated June 3, 2005 which is attached hereto and incorporated herein by reference with the following changes;

1. Condition #4 is deleted because it is redundant and again found at Condition #6. Instead a new Condition #4 is added to read as follows: "Prior to issuance of a local development order, the

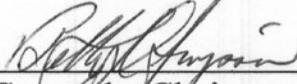
- developer will remove the gas tanks and will test and mitigate for any type of pollution resulting from current or former uses”.
2. In Condition #5, the dimensions of the planters have been altered as follows; “The planters shall be a minimum of 2 feet high, 4.5, 5 feet wide and 8 feet long and must be located in between every other colonnade post.”
 3. In Deviation #1, it is modified to allow plants on the development side internal to the project.

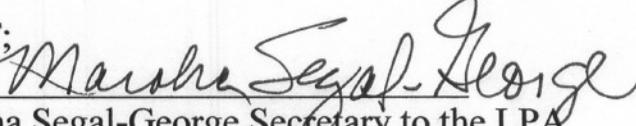
The LPA bases this recommendation on the Findings and Conclusions found on pages 4 and 5 of the above-referenced Staff Report.

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

Anita Cereceda	absent
Jessica Titus	yes
Betty Simpson	yes
Bob Raymond	yes
Jodi Hester	absent
Bob Simon	no
Jane Plummer	yes

DULY PASSED AND ADOPTED THIS 14th day of June, 2005.
LPA of the Town of Fort Myers Beach

By: 
Anita Cereceda, Chairman/ Betty Simpson, Acting Chairman

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