

RESOLUTION OF THE LOCAL PLANNING AGENCY OF
THE TOWN OF FORT MYERS BEACH, FLORIDA
RESOLUTION NUMBER 2008-13

WHEREAS, Steven Strauss, the property owner ("applicant"), filed a Petition for Designation of Historically Significant or Landmark Sign for the following signs: Top O'Mast (2 signs), pursuant to Section 30-56(b) of the Town of Fort Myers Beach Land Development Code (LDC) and Chapter 13 of the Town of Fort Myers Beach Comprehensive Plan (Comp Plan); and

WHEREAS, the subject property is located at 1028 Estero Boulevard, Fort Myers Beach, Lee County, Florida and applicant represents that the subject property has a current STRAP number of 24-46-23-W3-00017.0000; and

WHEREAS, a public hearing for this matter was legally advertised and held before the Town of Fort Myers Beach Local Planning Agency (LPA) on May 6, 2008; and

WHEREAS, at such hearing, the LPA gave full and complete consideration to the request of applicant, the documents in the file, the standards set forth in Chapter 13 of the Comp Plan and Section 30-56(b) of the LDC and the testimony of all interested persons.

IT IS HEREBY RESOLVED BY THE LPA OF THE TOWN OF FORT MYERS BEACH, FLORIDA as follows:

The LPA determines that **NEITHER SIGN IS** a landmark or an object of significance in history, architecture, archaeology, engineering or culture that may be related to a specific setting or environment for the reasons set forth below. Accordingly, the LPA **DOES NOT** designate either of the Top O'Mast signs as a **landmark or historically significant sign**, pursuant to LDC Section 30-56(b) and Chapter 13 of the Comp Plan.

FINDINGS AND CONCLUSIONS

1. Each sign:
 - a) **IS NOT** associated with events that significantly contributed to the broad patterns of Estero Island's history, or
 - b) **IS NOT** associated with the lives of persons significant in Estero Island's past, or
 - c) **DOES NOT** embody the distinctive characteristics of a type, period, or method of construction and **DOES NOT** possess high artistic values or represents a significant and distinguishable entity whose components may lack individual distinction; or
 - d) On an individual basis, each sign does not constitute a significant site, **AND DOES NOT** contribute to the overall significance of a district.

e) The LPA makes the following findings of fact in support of the conclusions reached in this subparagraph 1: Applicant has failed to submit sufficient documentation to support that the signs met the criteria above.

2. Each sign **DOES NOT** meet sufficient integrity criteria to designate the sign as a either a landmark or historically significant sign. Each:
- a) **DOES NOT** possess integrity of location; and
 - b) **DOES NOT** possess integrity of design; and
 - c) **DOES NOT** possess integrity of setting; and
 - d) **DOES NOT** possess integrity of materials; and
 - e) **DOES NOT** possess integrity of workmanship; and
 - f) **DOES NOT** possess integrity of feeling; and
 - g) **DOES NOT** possess integrity of association.

The LPA makes the following findings of fact in support of the conclusions reached in this subparagraph 2: Applicant has failed to submit sufficient documentation to support that the signs met the criteria above.

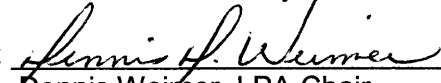
The foregoing Resolution was adopted by the LPA upon a motion by LPA Member Yerkes and seconded by LPA Member Kay and upon being put to a vote, the result was as follows:

Dennis Weimer, Chair aye
Evie Barnes aye
Joanne Shamp aye
Joe Yerkes aye

Alan Mandel, Vice Chair absent
Rochelle Kay aye
Van Duzer aye

DULY PASSED AND ADOPTED THIS 6th day of May, 2008.

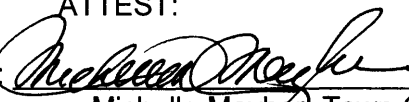
LPA of the Town of Fort Myers Beach

By: 
Dennis Weimer, LPA Chair

Approved as to legal sufficiency:

By: 
Anne Dalton, Esquire
LPA Attorney

ATTEST:

By: 
Michelle Mayher, Town Clerk