

RESOLUTION OF THE LOCAL PLANNING AGENCY OF  
THE TOWN OF FORT MYERS BEACH, FLORIDA  
RESOLUTION NUMBER 2008-18

WHEREAS, Phil Banos, on behalf of the property owner Ocean Harbor Condominiums, filed a Petition for Designation of Historically Significant or Landmark Sign for the following sign: "Ocean Harbor", 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 4741 Estero Boulevard, Fort Myers Beach, Lee County, Florida and the applicant has indicated that the subject property has a current STRAP number of 28-46-24-W4-0200.00CE; 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 20, 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 the 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** designate the Ocean Harbor sign as a **landmark sign**, pursuant to LDC Section 30-56(b) and Chapter 13 of the Comp Plan.

**FINDINGS AND CONCLUSIONS**

1. The sign:

a) **DOES** embody the distinctive characteristics of a type, period, or method of construction or **DOES** possess high artistic values or represents a significant and distinguishable entity whose components may lack individual distinction.

b) The LPA makes the following findings of fact in support of the conclusions reached in this subparagraph 1: applicant presented evidence of the significance of the landmark status of the sign.

2. The sign **DOES** meet sufficient integrity criteria to designate the sign as a landmark sign. It:

a) **DOES** possess integrity of location; and

b) **DOES** possess integrity of design; and

- c) **DOES** possess integrity of setting; and
- d) **DOES** possess integrity of materials; and
- e) **DOES** possess integrity of workmanship; and
- f) **DOES** possess integrity of feeling; and
- g) **DOES** possess integrity of association.
- h) The LPA makes the following findings of fact in support of the conclusions reached in this subparagraph 2: : applicant presented evidence of the significance of the landmark status of the sign.

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

Dennis Weimer, Chair <u>aye</u>	Alan Mandel, Vice Chair <u>aye</u>
Evie Barnes <u>aye</u>	Rochelle Kay <u>nay</u>
Joanne Shamp <u>aye</u>	Bill Van Duzer <u>aye</u>
Joe Yerkes <u>abstain</u>	

DULY PASSED AND ADOPTED THIS 20<sup>th</sup> day of May, 2008.

LPA of the Town of Fort Myers Beach

By: *Dennis F. Weimer*  
Dennis Weimer, LPA Chair

Approved as to legal sufficiency:

By: *Anne Dalton*  
Anne Dalton, Esquire  
LPA Attorney

ATTEST:

By: *Michelle Mayher*  
Michelle Mayher, Town Clerk