

RESOLUTION OF THE LOCAL PLANNING AGENCY OF
THE TOWN OF FORT MYERS BEACH, FLORIDA
RESOLUTION NUMBER 2003- 10

A RESOLUTION OF THE LOCAL PLANNING AGENCY OF FORT
MYERS BEACH

WHEREAS, Schulz Bed & Breakfast. A request for a Special exception for a Bed & Breakfast in the residential conservation zoning district; and

WHEREAS, the subject property is located at 926 & 932 Third Street, Ft. Myers Beach, in S24-T46S-R23E, Lee County, FL.; and

WHEREAS, the applicant has indicated the property's current STRAP number is: 24-46-23-W3-0030B.0030 and the legal description is as follows:

LOTS 3 AND 4, BLOCK 'B', MATANZAS VIEW SUBDIVISION, PLAT BOOK 9, PAGE 40, PUBLIC RECORDS OF LEE COUNTY, FLORIDA;
AND

WHEREAS, a public hearing was legally advertised and held before the Local Planning Agency (LPA) on May 13, 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 APPROVE the Applicant's Special exception request with the following conditions;

1. The special exception is limited to a total of 6 guest units – 3 in each of the existing buildings.
2. The owner of operator must live in 1 of the 6 guest units whenever guests are present.
3. Parking for automobiles of the owner or operator and all guests must be accommodated within the subject property only. No use of right-of-way for parking is approved.
4. Prior to seeking building permits for the "proposed new dining area with sundeck above", the developer must combine the existing platted

lots into one lot or record as part of the local development order for the bed and breakfast inn.

Pursuant to the recommendation for approval of the Applicant's variance request, the LPA finds the following;

Findings & Conclusions;

1. There exist changed or changing conditions that make approval of the request appropriate.
2. The request is consistent with the goals, objectives, policies and intent of the Fort Myers Beach Comprehensive Plan.
3. The request meets or exceeds all performance and locational standards set forth for the proposed use.
4. The request will protect, conserve, or preserve environmentally critical areas and natural resources.
5. The request will be compatible with existing or planned uses and will not cause damage, hazard, nuisance or other detriment to persons or property.
6. The requested use will be in compliance with applicable general zoning provisions and supplemental regulations pertaining to the uses set forth in chapter 34 of the LDC.
7. The applicant has proven entitlement to the special exception by demonstrating compliance with the Fort Myers Beach Comprehensive Plan, Chapter 34 of the LDC, and any other applicable town ordinances or codes.

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

Anita Cereceda	yes
Jessica Titus	yes
Betty Simpson	absent
Roxie Smith	yes
Jodi Hester	yes
Hank Zuba	yes
Nancy Mulholland	yes
Harold Huber	yes
Jane Plummer	yes

DULY PASSED AND ADOPTED THIS 13th day of May, 2003.
LPA of the Town of Fort Myers Beach

By: Roxie Smith
Roxie Smith, Chairman

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