



**FORT MYERS BEACH
LOCAL PLANNING AGENCY (LPA)**

Town Hall – Council Chambers
2523 Estero Boulevard
Fort Myers Beach, Florida
Tuesday, March 12, 2013

I. CALL TO ORDER

Meeting was called to order at 9:00 a.m. by Chair Zuba; other members present:

Al Durrett
John Kakatsch
Jane Plummer
Joanne Shamp
Alan Smith
James H. Steele
Hank Zuba

LPA Attorney, Marilyn Miller
Staff Present: Walter Fluegel, Community Development Director
Leslee Chapman, Zoning Coordinator
Josh Overmyer, Planning Coordinator

II. PLEDGE OF ALLEGIANCE

III. INVOCATION

IV. MINUTES

A. Minutes of February 12, 2013

MOTION: Ms. Shamp moved to approve the minutes for February 12, 2013 as presented; second by Mr. Kakatsch.

VOTE: Motion approved 7-0.

MOTION: Mr. Kakatsch moved to adjourn as the LPA and reconvene as the Historic Preservation Board; second by Mr. Steele.

VOTE: Motion approved 7-0.

Adjourn as LPA and reconvene as Historic Preservation Board at 9:03 a.m.

LPA Attorney Miller swore in the witnesses.

Zoning Coordinator Chapman noted the subject variance was continued from the last hearing (February 12, 2013) to a date certain of today with a February 25, 2013 deadline for the Applicant to submit to staff for the LPA agenda package information/documentation associated with their Historically Significant Sign request.

A. HDD2012-0001 “The Big M” Roof Sign

Zoning Coordinator Chapman presented comments for the “Big M” roof sign, Historically Significant Sign, HDD2012-0001, on behalf of the Town of Fort Myers Beach. She displayed an aerial photograph of the subject site and noted the location of the subject property was at 450 Harbor Court. She reviewed the request for a designation of the roof sign as a *historically significant sign* per Section 30-57(b)(2) – *Whether the sign provides significant evidence of the history of the product, business or service represented*. She indicated on the aerial view of the subject property the request was for the Big ‘M’ sign (approximately 1,500 square feet) on the roof of the structure. She reported that the applicant did comply with the LPA’s deadline of February 25th to submit any new data or material that would justify the granting of a historical designation for the roof sign [information submitted via email]; however, no direction or summarization document was included with the emailed documents. She reviewed staff’s analysis of the newly submitted information which included but was not limited to a petition called “*Save Our Sign*”. She added that staff could only evaluate the application based upon the information provided by the applicant; and the burden of proof was always placed upon an applicant to submit sufficient justification in order for staff to make a recommendation. She explained that at this point there was not sufficient information to make a recommendation for approval; and staff was recommending denial of the applicant’s request for designation as a historically significant sign.

Mr. Smith questioned the criteria that applicants were held to in the past in order to be granted a historical sign designation.

Zoning Coordinator Chapman explained that applicants were required to meet at least one of the five criteria listed in Section 30-57 [copy included in the agenda packet]; however, the more criteria an application met then stronger the case would be for approval.

Mr. Steele asked if the HPB could discuss and poll all the members on each of the five criteria as it pertained to the variance request.

Zoning Coordinator Chapman responded in the affirmative; however, she requested the LPA to allow the applicant to present her case prior to HPB deliberation.

Emily McDaniel, Applicant and General Manager at Moss Marine, reported she submitted additional informational items to the Town (i.e. letters and a petition); and that none of the people they asked to sign the petition had refused. She noted that it was her impression that they [Applicant and Mr. Ireland of Carter Outdoor Signs] had reviewed how the application fit most of the five criteria, and that her biggest obstacle was determining the exact year when the sign was painted on the roof.

Mr. Kakatsch questioned the importance of the sign to the Applicant, and the cost estimate of painting the roof to cover the 'M' if required.

Emily McDaniel explained the importance of the roof sign to her, personally and historically; and to the business as a directional sign, an identifier, and a landmark.

Sam Ireland, Carter Outdoor Signs, reported the only option to remove the sign would be to paint the entire roof, and he estimated the cost to paint one side would be \$3,000-5,000.

Ms. Shamp asked if it was the sign or the building that was the landmark.

Emily McDaniel explained her belief that the sign was the landmark.

Mr. Kakatsch reviewed how he and his father flew into Page Field many years ago (1969 approximately); how his father used the 'M' on the roof as a landmark that lined up with Page Field; and his belief that the sign had an important purpose as an aerial landmark for airplane pilots.

Discussion was held concerning the significance of the 'M' on the roof to residents and visitors; the cost to the Applicant to remove the sign; and the 'M' as a landmark when coming over the bridge.

Chair Plummer asked if any Historic Preservation Board Member had ex-parte communication regarding this item. Mr. Durrett – none, site visit; Mr. Kakatsch – none, site visit; Mr. Smith: - none, site visit; Mr. Zuba – none, site visit; Chair Plummer – none, site visit; Ms. Shamp – none, site visit; Mr. Steele – none, site visit.

Ms. Shamp described the background and basis for a past sign variance application for the Holiday Inn as it related to the Town's sign code.

Public Comment opened.

No speakers.

Public Comment closed.

Mr. Zuba told of his conversation with Town historians regarding the Big 'M' roof sign; and indicated the historians could not defend the request for a historical designation of the sign. He referred to and discussed the Town's Comprehensive Plan as it addressed the meaning of 'historic':

- Map of 1986 historic sites; the subject location and Big 'M' sign was not listed.
- Geographic description of historic sites; the subject location and Big 'M' sign was not listed.
- Criteria – the sign was not associated with events or persons or a distinctive character or type, and on an individual basis it was not part of a significant site district
- Architectural criteria – not relevant to the subject sign.

He discussed his belief that if the subject sign was found to be 'historic', it would weaken the definition of 'historic'; however, he questioned if it was really a sign and if it could be considered a 'roof covering'.

Ms. Shamp explained that she still questioned whether the sign or the business was the landmark; and that it was her view that since the business was named the 'Big M Casino' that it made the roof sign a business sign.

Mr. Steele discussed the five criteria and offered his views on if the variance request met each one:

1. Whether the sign was associated with historic persons, events, or locations - **agreed**.
2. Whether the sign provides significant evidence of the history of a product, business or service represented - **disagreed**.
3. Whether the sign was characteristic of a specific historic period - **disagreed**.
4. Whether the sign was an outstanding example of the art of sign making through its craftsmanship, use of materials and/or design - **disagreed**.
5. Whether the sign the sign was a local landmark that was popularly recognized as a focal point in the community - **agreed**.

Mr. Smith concurred with Mr. Steele's comments that the application met with two of the five criteria.

Chair Plummer noted there had not been a quorum at the Historic Advisory Committee (HAC), and questioned if the HPB could take action to make a recommendation without action by the HAC.

Zoning Coordinator Chapman responded in the affirmative that the HPB could make a recommendation.

MOTION: Mr. Kakatsch moved that it was hereby resolved by the HPB of the Town of Fort Myers Beach, Florida that they recommend that the Town Council APPROVE the applicant's request for designation as a historically significant sign with the RECOMMENDED FINDINGS AND CONCLUSIONS:

RECOMMENDED FINDINGS AND CONCLUSIONS:

1. Whether the sign is associated with historic person(s), event(s), or location(s);
AYE

2. Whether the sign provides significant evidence of the history of the product, business or service represented;
NAY
3. Whether the sign is characteristic of a specific historic period;
NAY
4. Whether the sign is an outstanding example of the art of sign-making, through its craftsmanship, use of materials, and/or design; and
NAY
5. Whether the sign is a local landmark that is popularly recognized as a focal point in the community.
AYE

SECOND: Mr. Smith.

VOTE: Motion approved 4-3; Ms. Shamp and Messrs. Zuba and Durrett dissenting.

Chair Plummer closed the Public Hearing at 9:35 a.m.

Adjourn as Historic Preservation Board and reconvene as the LPA.

NO MOTION TO OFFICIALLY CLOSE THE HPB

V. PUBLIC HEARINGS

A. VAR2011-0007 Moss Marine

Chair Zuba opened the Public Hearing.

LPA Attorney Miller swore in the witnesses.

Zoning Coordinator Chapman presented comments for VAR2011-0007 Moss Marine Sign Variance on behalf of the Town of Fort Myers Beach. She displayed an aerial photograph of the site and noted the location of the subject property was at 450 Harbor Court. She reviewed the variance request was from Section 30-153(b)(1) which states: *For a parcel of land containing one (1) or two (2) business establishments, each separate business establishment shall be allowed a maximum of thirty-two (32) square feet of sign area to allow the existing sign area to remain.* She noted the request originally came before the LPA in August with continuances until the most recent discussion at the February 12th LPA meeting when the LPA granted another continuance to today's meeting. She reported that the applicant did comply with the LPA's deadline of February 25th to submit any new data or material that would justify the granting the variance [information submitted via email]; however, no direction or summarization document was included with the emailed documents. She added that staff could only evaluate the application based upon the information provided by the applicant; and the burden of proof was placed upon the applicant to submit sufficient justification for staff to make a recommendation. She explained that at this point there was not sufficient information to make a recommendation for approval

(i.e. it was unclear as to the total square footage the applicant was seeking, sign locations, etc.). She reviewed the five criteria and discussed how it pertained to what staff was seeking in order to make a recommendation:

1. There **are/are not** exceptional or extraordinary conditions or circumstances that are inherent to the property in question, **and** the request **is/is not** for a *de minimis* variance to protect public safety by not obstructing access to public utilities and fire protection facilities.
 - a. Applicant has maintained that their 3± acre parcel and 46,200 square feet of building sides are the ‘exceptional or extraordinary circumstances’ inherent on the subject property that keeps them from conforming to the standards set forth in Chapter 30.
 - b. Staff does not find that a large parcel or a waterfront business is exceptional or extraordinary; therefore, staff recommended the finding that there are not exceptional or extraordinary conditions or circumstances that are inherent and unique to the subject property and that it does not justify the variance.
2. The conditions justifying the variance **are/are not** the result of actions of the applicant taken after the adoption of the regulation in question.
 - a. Staff was not able to find any permit records as to when the current and existing wall signs were installed; however, the applicant maintains that he signs were in place prior to the adoption of the original sign ordinance in 1999.
 - b. Staff finds that the conditions justifying the variance are not the results of actions of the applicant taken after the adoption of the regulation in question.
3. The variance granted **is/is not** the minimum variance that will relieve the applicant of an unreasonable burden caused by the application of the regulation to the property in question.
 - a. The application does not discuss why the existing wall signs, that total approximately 408 square feet, are the minimum necessary. Furthermore, the applicant has not provided a complete inventory and assessment and site plan of all signs on the subject property which makes it difficult to assess the degree of variance actually being requested.
 - b. Therefore, based on limited evidence as to the necessity of the request, staff finds that the variance requested is not the minimum variance necessary to relieve an undue burden.
4. The granting of the variance **will/will not** be injurious to the neighborhood or otherwise detrimental to the public welfare.
 - a. The applicant is requesting relief from total sign area requirements of Chapter 30 of the LDC, effectively requesting over six times permitted sign area, per 30-153(b)(1).
 - b. It is staff’s opinion that there is not a justifiable reason or hardship that exists on the subject property, and the applicant has not provided any compelling evidence that would justify or permit the granting of a sign area variance by Town Council. Staff, therefore, finds that granting the variance would be injurious to the neighborhood or otherwise detrimental to the public welfare by allowing the subject property relief from rules and regulations that all others must adhere to.
5. The conditions or circumstances on the specific piece of property for which the variance is sought **are/are not** of so general or recurrent a nature as to make it more reasonable and practical to amend the regulation in question.

- a. With the adoption of the amended sign ordinance and the consequent amortization period for conformity, numerous locations on the beach have pursued variance requests from the amended requirements; however, by the very nature of the recent adoption of the sign ordinance Town Council has addressed the issue of signs (including area and prohibited types) and has made a decision to enact and enforce a uniform sign code.
- b. Staff finds that the circumstances of the specific piece of property on which a variance is sought are general in nature and, therefore, do not demonstrate a verifiable hardship.

She reported staff was recommending **denial** of the Applicant's request for a variance from Section 30-153(b)(1) to allow the existing sign area to remain.

Mr. Durrett discussed his thoughts on how signage on a waterway can be different; how there was a 'boat highway and a car highway'; how the Town might consider looking at waterway highways as a different signage; and the difficulties with directing people on a large parcel.

Ms. Shamp questioned if any additional information was submitted by the Applicant as it pertained to their retail agreement with Shell.

Zoning Coordinator Chapman reported that what staff had received from the Applicant via email was included in the agenda packet.

Community Development Director Fluegel addressed the square footage of the Shell sign; and noted that there was also a height issue with the sign which would need to be brought down to five feet.

Ms. Shamp questioned signage at gas stations on the Island.

Zoning Coordinator Chapman reported that the gas stations on Estero Boulevard have come into compliance with the Town's sign ordinance

Mr. Steele questioned the definition of a sign as it related to '*being within public view*', and that a sign had to '*be in public view from the right-of-way*'.

LPA Attorney Miller explained there was no explicit regulation dealing with that and how the staff had applied a '*reasonableness standard*'; and reviewed the Land Development Code definition of an interior sign.

Mr. Steele questioned 'Exhibit H', shots 1-35, as it pertained to whether or not they were viewable from the right-of-way (i.e. shots #10, #12, #14, #16).

Zoning Coordinator Chapman pointed out that the Applicant was responsible for denoting the location of the signs on the subject property which was addressed at the February meeting. She added that the

Applicant did not provide a site plan as to where the signs were located, and a justification as to why a particular sign (i.e. shot #14) did not apply to the sign code.

Ms. Plummer noted her comments and direction she had given to the Applicant at the February 12th LPA Meeting as it pertained to what information regarding their signage should be submitted to the Town; and she noted her disappointment with the lack of information that should have accompanied the sign photographs submitted to the Town (i.e. dimensions, location, etc.).

Discussion was held concerning the lack of information provided by the Applicant to justify the LPA recommending approval of the variance.

Emily McDaniel, General Manager at Moss Marine, held up a document that she reported had been revised to include measurements of the signs and requested actions. She reported she submitted the total square footage of what she was seeking for commercial signage (4 signs: Shell sign, Big 'M' sign – shots #13 & 15, Moss Marine sign on the waterway side – shot #28; for a total of 384.25 square feet). She stated the signs on the waterway would be removed or placed in the window; and everything else she considered to be directional signage because it related to parking (i.e. employee parking, Big 'M' parking, and Moss Marine parking).

Mr. Steele questioned where it addressed specifics of the sign dimensions within the Retail Product Sales Agreement with Shell.

Emily McDaniel reported that information was contained in Section 7.

Mr. Steele addressed Section 7 of the subject agreement and recounted his research through the Shell website regarding 'brand standards' as it pertained to the size of the sign; and that the website did not allow him to have permission to enter into certain sections of the site information.

Emily McDaniel reported that her sign was supposed to be the size it was when installed.

Mr. Steele asked Mr. Ireland when he began to work for the Applicant regarding her signs.

Sam Ireland, Carter Outdoor Signs, reported he began working for Ms. McDaniel on February 25, 2013 at 1:00 p.m.

Mr. Steele noted the staff had previously requested a site plan; and that Exhibit 'I' seemed to be the same version as at the previous meeting; however, some of the shots seemed to be updated since the last meeting.

Ms. Plummer asked if directional signs, as described by the Applicant for the various types of parking, could be identified without advertising.

Zoning Coordinator Chapman reported that she had previously recommended in conversations with the Applicant to submit to staff the total square footage of directional signs with commercial messages on them and clearly include that information with the request for a variance from the maximum area of directional signage permitted.

Ms. Plummer questioned what the maximum directional square footage was permitted.

LPA Attorney Miller commented there was a glitch; and noted the exempt signs (Section 30-6(a)(8) Instructional Signs) were not to exceed four square feet in area per sign. She expressed her belief that the sign could say 'Big M Marine parking' and it would be exempt as long the sign was instructing it was 'Big M Marine parking'.

Community Development Director Fluegel explained how a site plan indexing sign locations would address the matter of whether or not the sign was instructional.

Mr. Durrett asked how many signs would be permitted.

LPA Attorney Miller pointed out that she had mentioned at a previous meeting that, theoretically, there could be one sign at each parking space as long as it was four square feet and it was instructional.

Mr. Durrett questioned if the Applicant had presented a plan pertaining to signage and had they agreed to what would be removed or changed.

Zoning Coordinator Chapman explained that from the beginning when the Applicant initially applied that staff had gone to the site, and walked and talked with the Applicant about what would be directional signage or commercial signage. She added that the Applicant did start by providing the exhibit that has the shot of each sign, but further iterations of their proposal of what they ultimately and specifically wanted was not included in submittals.

Ms. Shamp discussed her belief that the LPA did not have all the specifics in order to approve the request. She explained her views that from what Zoning Coordinator Chapman reported at the last LPA meeting and from what the LPA had from today that if the LPA denied the request, the Applicant would have to put the ship's store and Moss Marine signs in the windows; they would have as many of the directional signs allowed without the commercial message; and as far as the square footage for the Moss Marine sign that the only argument the Applicant presented was due to the size of the buildings. She noted that there were other big buildings on the Island and that they did not receive approval for bigger signs for that reason.

Discussion ensued regarding whether to grant a continuance or a denial of the variance request.

Community Development Director Fluegel shared staff's perspective regarding a recommendation of denial; noted if the variance was denied that staff would move forward with scheduling the matter for

Town Council; and that if the LPA recommended denial it would send a clear message to the Applicant and would also give the Applicant another window of opportunity to work on a complete sign package.

Discussion continued regarding whether to grant a continuance or a denial of the variance request; and the lack of information received from the Applicant.

MOTION: Ms. Shamp moved regarding Resolution 2013-002 that the LPA recommends that the Town Council **DENY** the applicant's request for a variance from Section 30-153(b)(1) of the LDC to allow a maximum 384.25 square feet of sign area per business on the subject property; with regard to the **RECOMMENDED FINDINGS AND CONCLUSIONS:**

A. There **are not** exceptional or extraordinary conditions or circumstances that are inherent to the property in question, **and** the request **is not** for a *de minimis* variance to protect public safety by not obstructing access to public utilities and fire protection facilities.

B. The conditions justifying the variance **are not** the result of actions of the applicant taken after the adoption of the regulation in question.

C. The variance requested **is not** the minimum variance that will relieve the applicant of an unreasonable burden caused by the application of the regulation to the property in question.

D. The granting of the variance **will** be injurious to the neighborhood or otherwise detrimental to the public welfare.

E. The conditions or circumstances on the specific piece of property for which the variance is sought **are not** of so general or recurrent a nature as to make it more reasonable and practical to amend the regulation in question.

SECOND: Mr. Smith.

Ms. Shamp noted her belief that Moss Marine had flexibility that would allow them to get a sign package that would work for the needs of the property within the Town's code.

VOTE: Motion approved; 7-0.

Ms. Plummer suggested to the Applicant to take Exhibit 'T', go through it and include the measurements (i.e. height, size, etc.) and make sure to include whether or not they were willing to change the sign or how it would be changed; and have that dimension for a total dimension on directional and commercial signage, warning signs, and advertising. She added that they should label clearly what would happen to an existing sign, and include total square footage and the location on a map.

VI. LPA MEMBER ITEMS AND REPORTS

Ms. Plummer – reported the Shrimp Festival was fabulous and it was a great family day.

Mr. Steele – requested to be excused from the next LPA meeting.

Mr. Smith – reported he participated in the barbeque in the mangroves event last week and noted there was a significant glitch with the event parking. He thanked Mr. Durrett for last minute work to make parking available at his facility, and for volunteering his staff for performing the parking job.

Ms. Shamp – congratulated the Public Safety Committee on the installation of the safety island. She described her recent experience at S.O.B. as it related to the outside dining; how she was informed that customers were not using the outside dining because they did not like people walking past and looking at their food; and a discussion with the business management about how they were looking forward to their expansion towards Third Street. She noted to staff an article in The Naples Daily News – *Sandy Damaged Homes Marketed at Bargain Prices*.

Mr. Kakatsch – no report.

Mr. Durrett – noted his belief that February was a fabulous month for Fort Myers Beach with activities/events and for the safety features installed on Estero Boulevard on March 1st. He thanked the Department of Transportation for approving the site for the pedestrian refuge island.

Chair Zuba – noted the pedestrian refuge island installed on Estero Boulevard was significant and thanked the Public Safety Committee for their work. He recognized Mr. Butcher from the audience.

Bruce Butcher reported that the Public Safety Committee recommended the pedestrian refuge island on Estero Boulevard, the Town Council approved it, and the Lee County DOT funded and installed it.

Mr. Durrett – reported the Public Safety Committee was working to get the DOT to install more flashing light signs for crossings on Estero Boulevard.

Chair Zuba asked if Mr. Butcher knew the cost of the pedestrian refuge island.

Bruce Butcher reported it cost approximately \$25,000.

Discussion was held concerning the pedestrian refuge island on Estero Boulevard.

Mr. Durrett – reported that Mr. Butcher had come up with 10 exceptional ideas for Estero Boulevard for the Public Safety Committee to discuss at their meeting tomorrow.

Chair Zuba – thanked LPA Attorney Miller for a fine seminar on the Sunshine Law; and thanked Messrs. Steele and Kakatsch for attending the last Ad Hoc Committee meeting about housing and rehabilitation. He noted that they would follow-up with the County about some rehab issues.

Ms. Plummer requested an update on the Estero Boulevard Workshop held on February 28th which she was unable to attend.

LPA Attorney Miller reported that the plans were displayed, there was no presentation, but County staff was available to answer questions.

Mr. Durrett recounted his disappointed experience and opinion of the Workshop; noted that many people attended; and mentioned that the plans did not indicate any future sidewalks or crosswalks.

Mr. Kakatsch recalled his disappointed experience and opinion of the Workshop; and how the County was seeking input from the residents on such matters such as but not including roundabouts.

Ms. Shamp recalled her disappointed experience and opinion of the Workshop; and discussed the inadequate treatment of bicycle lanes along Estero Boulevard.

Discussion ensued regarding the Estero Boulevard Workshop.

VII. LPA ATTORNEY ITEMS

LPA Attorney Miller – no items or report.

VIII. COMMUNITY DEVELOPMENT DIRECTOR ITEMS

Community Development Director Fluegel reviewed his experience and opinion of the Estero Boulevard Workshop; and noted his frustration with the County requesting input from the Town regarding design work, yet placing in an interlocal agreement wording that the County would be completely responsible for the design work.

LPA Attorney Miller reported that the Town had requested language in the interlocal agreement that the Town would have the right to request enhancements (i.e. underground electric), but the County was not agreeable and wants to have full control.

Discussion ensued regarding the Town's right to request enhancements on Estero Boulevard; and the County's lack of funding for the CIP for Estero Boulevard improvements other than one mile.

Ms. Plummer recounted her experience as a pedestrian trying to navigate Estero Boulevard last weekend during the Shrimp Festival with children in a double-wide stroller and a person in a wheelchair.

LPA Attorney Miller explained how she monitored the BOCC agendas items as they related to the Town.

Community Development Director Fluegel reported staff held a workshop on outdoor displays with merchants last week as a result of a previous Code Enforcement comprehensive sweep generated by complaints about the displays. He explained that one of the things they heard from the merchants was that they wanted more outdoor display area; and after 'season' they agreed to have a working dialog

with a task force group of the retail vendors. He discussed what the current code allowed outdoors and recapped highlights from the workshop.

LPA Attorney Miller noted that it was suggested at the outdoor display workshop that 'one size did not fit all' and that some of the merchants suggested different regulations for different areas of the Town.

Ms. Shamp questioned how people who twirled signs on the sidewalks were handled in the code.

Community Development Director Fluegel explained at this point the sign twirlers were covered under 'free speech'.

Mr. Kakatsch asked if the Town was still power-washing the bridge.

Community Development Director Fluegel explained his belief that a portion of the bridge was done but then it had to be rescheduled possibly due to weather issues; and noted that the bridge was not going to be re-painted at this point.

IX. LPA ACTION ITEM LIST REVIEW

Community Development Director Fluegel reported that the following three concepts were scheduled for an upcoming Council Work Session:

1. Short-term rentals – 4/1
2. Noise ordinance/outdoor entertainment – 4/15
3. Beach raking – 4/15

Chair Zuba questioned the status of the summer LPA agendas.

Zoning Coordinator Chapman asked if there was a month that the LPA would like to take off in the summer.

Discussion ensued regarding agenda items and the LPA meeting schedule.

Mr. Durrett suggested a workshop for the LPA to discuss things they would like to see happen in the Town.

Discussion was held concerning an LPA workshop and possible date/time to hold the workshop.

Zoning Coordinator Chapman noted there may not be any public hearings ready for the April meeting and she would forward an email to the LPA to inform them of the situation.

Discussion was held regarding using Code Enforcement to help clean-up neighborhoods; how after Hurricane Charley people cleaned their property; neighbors or community organizations helping

neighbors to clean-up properties; and legal issues when it comes to using government funds to clean-up problem properties.

Ms. Shamp questioned the Town Council's Agenda Management List for March 18th to discuss bridge alternatives.

LPA Attorney Miller responded that it was her understanding that the topic had to do with some type of mid-point bridge.

X. ITEMS FOR NEXT MONTH'S AGENDA

None.

XI. PUBLIC COMMENT

Public Comment opened.

Bruce Butcher, resident, reported he attended a prior LPA meeting when the matter concerning cleaning up neighborhoods, the FEMA 50% Rule issues, and potential incentives were discussed. He suggested instead of incentives to remove disincentives and reviewed his suggestions as it related to the following:

- FEMA 50% Rule as it pertained to appraised value and the value of the remodel process
- Permitting – time consuming problems and the high cost of permits, and 'permit confusion'

Public Comment closed.

XII. ADJOURNMENT

MOTION: Motion by Mr. Kakatsch, seconded by Mr. Durrett to adjourn.

VOTE: Motion approved, 7-0.

Meeting adjourned at 11:00 a.m.

Adopted _____ With/Without changes. Motion by _____

Vote: _____

Signature

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