

RESOLUTION OF THE LOCAL PLANNING AGENCY OF
THE TOWN OF FORT MYERS BEACH, FLORIDA
RESOLUTION NUMBER 2000- 11

A RESOLUTION OF THE LOCAL PLANNING AGENCY OF FORT MYERS BEACH

WHEREAS, Jerry & Olivia Sawyer have requested a variance from LDC Section 6-472 to allow a living area to remain below minimum flood elevation. This section requires living areas to be located above minimum flood elevation; and

WHEREAS, the subject property is located at 101 Anchorage Road, Ft. Myers Beach, in S29-T46S-R24E, Lee County, FL.; and

WHEREAS, the applicant has indicated the property's current STRAP number is: 29-46-24-W1-00153.0170 and

WHEREAS, a public hearing was legally advertised and held before the Local Planning Agency (LPA) on May 16, 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 deny the request for the following reasons;

1. The applicant has not clearly shown that an exceptional hardship would result from compliance with the requirements of the regulations.
2. Living area below the minimum flood elevation is in violation of FEMA and local regulations.
3. The subject property is under violation for construction without permits by Lee County Code Enforcement.

Pursuant to this recommendation, the LPA finds the following;

Findings & Conclusions;

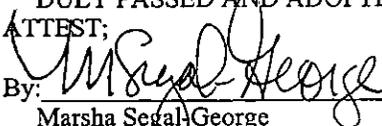
1. There are no exceptional or extraordinary conditions or circumstances inherent to the property in question.
2. The exceptional or extraordinary conditions or circumstances are the result of actions of the applicant taken subsequent to the adoption of the ordinance.
3. The granting of the variance would be injurious to the neighborhood or otherwise detrimental to the public welfare.

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

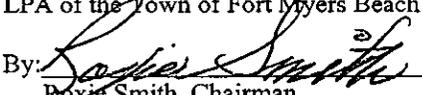
Jennifer Kaestner	yes
Dave Smith	yes
Betty Simpson	yes
Roxie Smith	yes
Bill Van Duzer	yes
Jodi Hester	yes
Linda Beasley	yes
Harold Huber	absent

DULY PASSED AND ADOPTED THIS 16th day of May, 2000.

ATTEST;

By: 
Marsha Segal-George
Secretary to the LPA

LPA of the Town of Fort Myers Beach

By: 
Roxie Smith, Chairman