

**RESOLUTION OF THE LOCAL PLANNING AGENCY OF THE
TOWN OF FORT MYERS BEACH, FLORIDA
RESOLUTION NUMBER 2007-28**

WHEREAS, the existence of the Local Planning Agency (LPA) is mandated by Florida Statutes Section 163.3174; and

WHEREAS, the Local Planning Agency is statutorily responsible under Chapter 163, Florida Statutes, and the Town of Fort Myers Land Development Code (LDC) Section 34-120 for the review of proposed land development regulations, land development codes, or amendments thereto, and for making recommendations to the Town Council with regard thereto; and

WHEREAS, following proper notice and as required under Florida Statute and the LDC, the LPA conducted a Public Hearing on December 11, 2007, to review Ordinance 07-09, which is titled AN ORDINANCE AMENDING CHAPTER 34 OF THE TOWN OF FORT MYERS BEACH LAND DEVELOPMENT CODE; PROVIDING AUTHORITY, AMENDMENTS TO SECTIONS 34.113 AND 34.114, DIVISION 3 LOCAL PLANNING AGENCY, ARTICLE II ZONING PROCEDURES, WHICH ARE TITLED, RESPECTIVELY, "COMPOSITION, APPOINTMENT AND COMPENSATION OF MEMBERS", AND "MEMBERS TERMS AND VACANCIES", PROVIDING FOR CHANGE IN DATE OF APPLICATION FOR LPA MEMBERSHIP, CHANGE IN THE DATE OF APPOINTMENT TO THE LPA AND CHANGE IN THE TERMS OF LPA MEMBERS; SEVERABILITY; EFFECT OF ORDINANCE AND EFFECTIVE DATE.

NOW THEREFORE BE IT RESOLVED, that the LPA recommends **approval and adoption** of Ordinance 07-09 by the Town Council on behalf of the Town of Fort Myers Beach, Florida.

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

| | | | |
|----------------|------------|---------------|------------|
| Thomas Babcock | <u>aye</u> | Bob Raymond | <u>aye</u> |
| Evie Barnes | <u>aye</u> | Bob Simon | <u>aye</u> |
| Rochelle Kay | <u>aye</u> | Dennis Weimer | <u>nay</u> |
| Alan Mandel | <u>aye</u> | | |

DULY PASSED AND ADOPTED THIS 11th day of December, 2007.

LOCAL PLANNING AGENCY OF THE TOWN OF FORT MYERS BEACH

By: 
Thomas Babcock, Chair

Approved as to legal sufficiency:

By: 
Anne Dalton, Esquire
LPA Attorney

ATTEST:

By: 
Michelle Mayher, Town Clerk